



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref no.3/4/2/5

2024-11-18

MAYORAL COMMITTEE MEETING
THURSDAY, 2024-11-21 AT 11:30

TO The Executive Mayor, Ald G Van Deventer
The Deputy Executive Mayor, Cllr J Fasser

COUNCILLORS JC Anthony
R du Toit
X Kalipa
L Nkamisa
R Pheiffer
N Olayi
M Slabbert
J Williams

Notice is hereby given that a Mayoral Committee Meeting will be held **in Council Chamber** on **Thursday, 2024-11-21 at 11:30** to consider the attached agenda.

EXECUTIVE MAYOR, ALD GM VAN DEVENTER

CHAIRPERSON

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2024-11-21
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APPENDIX 1

Confirmation of Minutes: Mayoral Committee Meeting: 2024-10-16



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref no.3/4/2/5

2024-10-16

MINUTES

MAYORAL COMMITTEE MEETING:

2024-10-16 AT 10:00

MINUTES
MAYORAL COMMITTEE MEETING
2024-10-16
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	SEE PINK DOCUMENTATION
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PRESENT: Executive Mayor, Ald GM Van Deventer(**Chairperson**)

Councillors: JC Anthony
R du Toit
X Kalipa
L Nkamisa
R Pheiffer
N Olayi
M Slabbert
J Williams

Also Present: Councillor P Crawley (Chief Whip)
Councillor Q Smit (Speaker)
Councillor A Ferns

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

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

2.	COMMUNICATION BY THE EXECUTIVE MAYOR
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- Dit voel uiteindelik of lente in die lug is. Daarom is dit belangrik om alle inwoners in te lig oor die komende Stellenbosch Tuinweek, alombekend as Garden Week. Dit strek vanaf 28 Oktober tot 1 November 2024. Op Dinsdag, 29 Oktober 2024 vind die gewilde Flower Parade weer plaas, en die wenner van die Burgemeesters Tuinkompetisie word ook aangekondig.
- It is also time for the local talent to audition for the annual Liggiefees. Auditions start at 5pm every evening, at the following venues on the following dates:
- 21 October: Kayamandi Community Hall, Kayamandi
 - 22 October: Eike Hall, Cloetesville

- 23 October: Pniel Community Hall, Pniel
- 24 October: Klapmuts Multi-Purpose Centre, Klapmuts
- 25 October: Franschhoek Town hall, Franschhoek
- 28 October: Stellenbosch Fire Station

We invite dancers, singers, rappers to come to the auditions to showcase your talent.

- On Friday, 18 October 2024, the Waste Management section will be at Ikaya Primary School in Kayamandi to host the clean-up and waste awareness event. The idea is that this event will be rolled out to more schools. Our team, together with some of the learners, will also clean the school premises. This is all part of the Spring clean-up.

- Verlede Woensdag, 9 Oktober 2024 het ons die geleentheid gehad om 'n vergadering en bespreking te hê met die nuwe Minister van Openbare Werke en Infrastruktuur, Minister MacPherson. Was 'n baie insiggewende vergadering, en baie van die uitstaande kwessies en grondsake is bespreek. Ons hoop dit is die eerste van vele vergaderings om die proses van grondoordrag te bewerkstellig vir projekte wat jare reeds sloer.

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 was approved in terms of the Rules and Order By-law of Council: -

Deputy Executive Mayor, J Fasser

5.	CONFIRMATION OF PREVIOUS MINUTES
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5.1 The minutes of the Mayoral Committee Meeting held on 2024-09-26 were **confirmed as correct without any amendments.**

6.	STATUTORY MATTERS
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6.1	MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR AUGUST AND SEPTEMBER 2024
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

16 October 2024

1. SUBJECT:MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR AUGUST AND SEPTEMBER 2024

2. PURPOSE

To comply with Regulation 36(2) of the Municipal Supply Chain Management Regulations and Section 36 of the Supply Chain Management Policy 2024/2025 to report the deviations to the 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 (2024/2025) stipulate that SCM deviations be reported to the Council. In compliance thereto, this report presents to the Council the SCM deviations that occurred during August and September 2024.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2024-10-16: ITEM 6.1

that Council notes the deviations listed for the month of August and September 2024.

FOR FURTHER DETAILS CONTACT:

NAME	Dalleel Jacobs
POSITION	Senior Manager SCM
DIRECTORATE	Finance
CONTACT NUMBERS	021 808 8137
E-MAIL ADDRESS	Dalleel.Jacobs@ Stellenbosch.gov.za
REPORT DATE	03 October 2024

6.2	OVERSIGHT ROLE OF COUNCIL: SUPPLY CHAIN MANAGEMENT POLICY-REPORT ON THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY OF STELLENBOSCH MUNICIPALITY FOR QUARTER 1 (01 JULY 2024 – 30 SEPTEMBER 2024)
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

16 October 2024

- SUBJECT: OVERSIGHT ROLE OF COUNCIL: SUPPLY CHAIN MANAGEMENT POLICY-REPORT ON THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY OF STELLENBOSCH MUNICIPALITY FOR QUARTER 1 (01 JULY 2024 – 30 SEPTEMBER 2024)**

- PURPOSE**

To submit to Council a report for the period 01 July 2024 – 30 September 2024 on the implementation of Council's Supply Chain Management (SCM) Policy. The report covers the performance of the various delegated functions and the implementation thereof.

- FOR DECISION BY MUNICIPAL COUNCIL**

Section 6 (3) & 4 of the SCM Policy 2024/2025 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).

- EXECUTIVE SUMMARY**

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

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2024-10-16: ITEM 6.2

- that Council notes the report and **ANNEXURE A** attached to the report, and
- that the report be made public in accordance with section 21A of the Municipal Systems Act.

FOR FURTHER DETAILS CONTACT:

NAME	<i>Dalleel Jacobs</i>
CONTACT NUMBERS	<i>8137</i>
E-MAIL ADDRESS	Dalleel.Jacobs@Stellenbosch.gov.za
DIRECTORATE	<i>Supply Chain Management</i>
REPORT DATE	<i>03 October 2024</i>

6.3	GRANTS ADJUSTMENTS BUDGET 2024/2025
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

16 October 2024

1. SUBJECT: GRANTS ADJUSTMENTS BUDGET 2024/2025**2. PURPOSE**

To table the adjustments budget for the 2024/2025 financial year to Council for approval. The adjustments budget emanates from the reduction in the Integrated Urban development Grant (IUDG) allocation per the Government Gazette No 51233 dated 12th September 2024 by National Treasury.

3. DELEGATED AUTHORITY

FOR APPROVAL BY MUNICIPAL COUNCIL

4. EXECUTIVE SUMMARY

An error was discovered in the performance data utilized for determining allocations from the incentive component of the Integrated Urban Development Grant (IUDG) formula. This resulted in inaccurate allocations for all nine intermediate cities that receive funding through the IUDG grant. The issue has been resolved with the revision of the formula using correct data to revise allocations against the nine municipalities, which includes Stellenbosch Municipality.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2024-10-16: ITEM 6.3

- (a) that the Adjustments Budget for 2024/2025 as set out in **APPENDIX 1-5**, be approved;
- (b) that the Adjustments Budget Tables as prescribed by the Budgeting and Reporting Regulations, as set out in **APPENDIX 3**, be approved; and
- (c) that the Service Delivery and Budget Implementation Plan be adjusted accordingly inclusive of the non-financial information (performance measurement).

FOR FURTHER DETAILS CONTACT:

NAME	MONIQUE STEYL
POSITION	SENIOR MANAGER: FINANCIAL MANGEMENT SERVICES
DIRECTORATE	FINANCIAL SERVICES
CONTACT NUMBERS	021 808 8512
E-MAIL ADDRESS	Monique.Steyl@ Stellenbosch.gov.za
REPORT DATE	09 October 2024

6.4	MFMA SECTION 52 REPORTING UP TO SEPTEMBER 2024
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

16 October 2024

1. SUBJECT: MFMA SECTION 52 REPORTING UP TO SEPTEMBER 2024

2. PURPOSE

To comply with section 52(d) of the Municipal Finance Management Act and report to Council on the implementation of the budget; and service delivery budget plan of the Municipality for the 1st quarter of the 2024/25 financial year.

3. DELEGATED AUTHORITY

THE EXECUTIVE MAYOR TO SUBMIT TO COUNCIL

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

“The mayor of a municipality—

(d) must, within 30 days of the end of each quarter; submit a report to the council on the implementation of the budget and the financial affairs of the municipality.”

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2024-10-16: ITEM 6.4

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

FOR FURTHER DETAILS CONTACT:

NAME	Monique Steyl
POSITION	Senior Manager Financial Management Services
DIRECTORATE	Financial Services
CONTACT NUMBER	021 – 808 8512
E-MAIL ADDRESS	Monique.Steyl@ Stellenbosch.gov.za
REPORT DATE	SEPTEMBER 2024

7.	CONSIDERATION OF ITEMS BY THE EXECUTIVE MAYOR: [ALD G VAN DEVENTER]
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7.1	PROTECTION SERVICES: (PC: CLLR J FASSER)
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7.1.1	SURRENDER AND DESTRUCTION OF FIREARMS IN TERMS OF THE FIREARMS CONTROL ACT, ACT 60 OF 2000
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Collaborator No:

IDP KPA Ref No:

Safe Valley

Meeting Date:

16 October 2024

1. **SUBJECT: SURRENDER AND DESTRUCTION OF FIREARMS IN TERMS OF THE FIREARMS CONTROL ACT, ACT 60 OF 2000**

2. **PURPOSE**

To request Council approval for the surrender and destruction of one firearm (12 bore shotgun) in terms of the Firearms Control Act, Act 60 of 2000.

3. **DELEGATED AUTHORITY**

Council.

4. **EXECUTIVE SUMMARY**

The Community and Protection Services Directorate have one Franchi 12 Bore shotgun that it wishes to surrender and destroy.

The firearm is damaged and is irreparable.

The firearm that needs to be destroyed have to be dealt with in terms of Section 149 of the Firearms Control Act 2000 read with regulation 94 of the Firearms Control Regulations 2004, which prescribes that *“firearms may only be destroyed”*, after it is declared *“forfeited to the State”*.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2024-10-16: ITEM 7.1.1

- (a) that Council approves the surrender for destruction of the mentioned firearm;
- (b) that the SAPS be authorized to deal with the said item in terms of Section 149 of the Firearms Control Act, Act 60 of 2000 read with regulation 94 of the Firearms Control Regulations of 2004, that is, to destroy the said firearm;
- (c) that the asset register be amended to reflect the surrender of said items, after notification by the SAPS that the said firearm had been destroyed; and
- (d) that the department be allowed to replace the firearm that will be surrendered with a new firearm.

FOR FURTHER DETAILS CONTACT:

NAME	<i>Daniel Jonkers</i>
POSITION	<i>Chief: Law Enforcement Services</i>
DIRECTORATE	COMMUNITY & PROTECTION SERVICES
CONTACT NUMBERS	X8814
E-MAIL ADDRESS	<i>Daniel.jonkers@ Stellenbosch.gov.za</i>
REPORT DATE	<i>8 August 2024</i>

7.2	SPORTS, YOUTH AND CULTURE: [PC: CLLR J FASSER]
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NONE

7.3	CORPORATE SERVICES: (PC: CLLR L NKAMISA)
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7.3.1	WAY FORWARD: STELLENBOSCH DISTRICT RIDING CLUB: LEASE AREA 502N
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Collaborator No: 775194
 IDP KPA Ref No: Good Governance
 Meeting Date: 16 October 2024

1. SUBJECT: WAY FORWARD: STELLENBOSCH DISTRICT RIDING CLUB: LEASE AREA 502N

2. PURPOSE

The Stellenbosch District Riding Club's lease agreement expired on 31 March 2021 and was renewed on a month-to-month basis until the Sports Council's process was completed. The Riding Club however is not affiliated with the Sports Councils that uses the different Sport Facilities and the process regarding the sport clubs have been completed. The riding club have requested a longer lease also.

3. DELEGATED AUTHORITY

The Executive Mayor in consultation with the Executive Mayoral Committee where the lease is less than 10 years, and the value is less than R5 million. The Municipal Manager has delegations for rental agreements for three years and less. All other decisions require undelegated resolution.

4. EXECUTIVE SUMMARY

Stellenbosch Municipality and the Stellenbosch District Riding Club concluded a Lease Agreement 17 February 1992 for the period 1 April 1991 to 31 March 2021. The Club applied for a renewal of the agreement for a further period of 9 years and 11 months. On 17 February 2021 council resolved that the current lease agreement be extended on the same terms and conditions on a month-to-month basis until the process for the Sports Councils has been finalised and a property register has been compiled and considered by council to determine the future of Council properties per category. Such property register has now been adopted by council.

The Riding Club is not affiliated with the Sports Councils that uses the different Sport Facilities. That process has also been dealt with. The riding club enquired when Council will now consider their original renewal application for a longer term.

The Stellenbosch District Riding Club has applied for the renewal of the Lease Agreement for a further period of 9 years and 11 months. A copy of their latest application as well as amotivation letter is attached as **APPENDIX 2 and 2.1**

EXECUTIVE MAYORAL COMMITTEE: 2024-10-16: ITEM 7.3.1

RESOLVED

that this item be referred back to Administration for further discussions and a new property evaluation.

FOR FURTHER DETAILS CONTACT:

NAME	ANNALENE DE BEER
POSITION	<i>Director: Corporate Services</i>
DIRECTORATE	<i>Corporate Services</i>
CONTACT NUMBERS	<i>021-8086066</i>
E-MAIL ADDRESS	Annalene.deBeer@ Stellenbosch.gov.za
REPORT DATE	<i>8 – 10 -2024</i>

7.3.2	POSSIBLE REVIEW AND RESCISION OF COUNCIL RESOLUTION ON THE DISPOSAL OF ERF 347 GROENDAL (LE ROUX)
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Collaborator No: 775196
 IDP KPA Ref No: Good Governance
 Meeting Date: 16 October 2024

1. SUBJECT: POSSIBLE REVIEW AND RESCISION OF COUNCIL RESOLUTION ON THE DISPOSAL OF ERF 347 GROENDAL (LE ROUX)

2. PURPOSE

To obtain Council's approval to review and rescind the Council resolution to dispose of Erf 347 Groendal (Le Roux) by way of Call-for-Proposal for possible Gap Housing opportunities and for Council to consider disposing of the property by way of Public Auction.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

On 21 May 2019 Council considered an item to dispose of Erf 347 Groendal (Le Roux). This property was donated to the Stellenbosch Municipality by the Provincial Housing Board and registered in the name of the Municipality in 2014. Council resolved, *inter alia*, to dispose of the property by going out on a Call for Proposal soliciting proposals to develop the land for high density gap housing opportunities; ensuring optimal use of the land, and thereby creating more opportunities for residents of the area. This may include apartments, flats or town houses of different typologies.

The property is zoned single residential and is only 537 m² big. The Property Management Section discussed the possibility of gap housing with the Housing Department who indicated that the property is not big enough to consider for gap housing. The zoning is also for single residential and not multiple units, and it will have to be rezoned. The property is situated between two other single residential units

Council should consider if the 2019 resolutions should be reviewed and rescinded so that the property rather be sold on auction to the highest bidder. Council may attach provisions to the disposal regarding what may be developed on the site. This area is one in which there is a high demand for community development needs like churches and other social activities.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2024-10-16: ITEM 7.3.2

- (a) that council review and rescinds the resolution dated 21 May 2021;
- (b) that Erf 347 Groendal (Le Roux) be identified as land not needed to provide the basic municipal services;
- (c) that Council approves the disposal of the erf by way of public auction at a reserve price (the market value of the erf) determined by an independent valuator;

- (d) that the auction provisions include the following of which proof must be provided to the municipality at the auction:
- i) the buyer must be a resident of Mooiwater and Groendal for a period of at least 10 Years;
 - ii) that the buyer may not have received any form of financial assistance/subsidy from the state in obtaining a house/serviced site previously;
 - iii) that the buyer may not own other fixed assets at the time of the auction;
 - iv) that the buyer must be a first time homeowner;
 - v) that the land must be used to build housing for the buyer him/herself within 2 years of transfer;
 - vi) that a restrictive condition be written into the title deed that if the building is not constructed within this period the property will fall back to the municipality to be bought back at the same price it was sold at the auction;
 - vii) that a further restrictive clause be written into the title deed that the property may not be sold for a period of at least 8 years and if the owner wants to sell the property the property will fall back to the municipality to be bought back at the property at the price it was sold on auction.

NAME	Annalene De Beer
POSITION	Director
DIRECTORATE	Corporate Services
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REPORT DATE	2024 – 10 - 08

7.3.3	POSSIBLE DISPOSAL OF ERVEN 11 AND 12 WEMMERSHOEK
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Collaborator No: 775200
 IDP KPA Ref No: Good Governance
 Meeting Date: 16 October 2024

1. SUBJECT: POSSIBLE DISPOSAL OF ERVEN 11 AND 12 WEMMERSHOEK

2. PURPOSE

To obtain Council's in principle approval for the disposal of Erven 11 and 12 Wemmershoek.

3. DELEGATED AUTHORITY

For decision by Municipal Council.

4. EXECUTIVE SUMMARY

In 2007 the Cape Winelands Municipality donated several properties in La Motte and Wemmershoek to the Stellenbosch Municipality. Erven 11 and 12 Wemmershoek were part of the properties donated in the Deed of Donation and was registered in the name of the Municipality in 2012.

The current zoning of Erf 11 is Education Zone and Erf 12 is Community Zone. The properties are adjacent to the Community Hall in Wemmershoek although it does not form part of the Community Hall which has been fenced off.

The properties have always been vacant, and several enquiries have been received from the public about the intentions of council with this property. In 2021 the ward councillor for Wemmershoek made a request that these properties, amongst others, be considered for disposal by way of tender or public auction. The administration seeks guidance as to the future of these erven.

EXECUTIVE MAYORAL COMMITTEE: 2024-10-16: ITEM 7.3.3

RESOLVED

- (a) that the item be referred back for a public participation process with the residents of ward 3 to indicate what they propose the erf must be used for; and
- (b) that the Municipal Manager and Corporate Services department determine the public participation process to be utilised.

FOR FURTHER DETAILS CONTACT:

NAME	Annalene de Beer
POSITION	Director
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CONTACT NUMBERS	021-8088018
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REPORT DATE	2024-10-09

7.3.4	A PORTION OF ERF 8116 STELLENBOSCH: APPLICANT TO LEASE COUNCIL-OWNED LAND FOR PARKING PURPOSES
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Collaborator No: 775201
IDP KPA Ref No: Good Governance
Meeting Date: 16 October 2024

1. SUBJECT: A PORTION OF ERF 8116 STELLENBOSCH: APPLICANT TO LEASE COUNCIL-OWNED LAND FOR PARKING PURPOSES

2. PURPOSE

To consider an application from Pieterhuizen Planning (Pty) Ltd on behalf of the owners of Happy Folks Restaurant to lease a portion of Erf 8116 Stellenbosch for parking purposes.

3. DELEGATED AUTHORITY

In terms of the approved System of Delegations the Executive Mayor, in consultation with the Executive Mayoral Committee, has the delegated Authority to consider applications for Lease Agreements, up to a contract value not exceeding R5M and not exceeding a period of 10 years. The approval of a lease agreement of three (3) years and less has been delegated to the Municipal Manager. The Municipal Manager has the delegation to sign lease agreements on behalf of the Municipality.

4. EXECUTIVE SUMMARY

An application has been received from Wilhelm Esterhuizen of Pieterhuizen Planning (Pty) Ltd on behalf of the owners of the Happy Folks Restaurant for the lease of a portion of municipal land for parking purposes.

Happy Folks Restaurant is situated on Erf 9567 Stellenbosch which is adjacent to Erf 8116 Stellenbosch. Erf 9567 is currently developed with two restaurants namely Bossa Restaurant and Happy Folks Restaurant. Building plans were submitted and approved with sufficient parking provided on site. It has since become very apparent that there is in fact not sufficient parking at these two establishments and clients of these two establishments either park on

the road reserve on the very busy R44 or at the Spar opposite the street. This is resulting in the pedestrian walkway next to the existing parking been impeded and results in unregulated parking. There are wooden poles separating a part of the road reserve from the R44 behind the current parking at the restaurants where the cars park. The pedestrians have to walk alongside the cars on the road reserve.

Recently cars started to use Erf 8116 for parking. Although there is barricading put up from the slip way into the restaurant parking the cars to gain access to Erf 8116 presumably from the road running below. Law enforcement has received several complaints from the neighbouring properties about the illegal parking on this property.

The Applicants has indicated that it is for this reason that an application is brought to lease a portion of Erf 8116 Stellenbosch with the intention of creating 56 parking bays with an entry from the northern common boundary. The property is situated next to the R44 and is currently an undeveloped open space. If the property is developed, as per the application, there will still be sufficient walkway for pedestrians and sufficient parking for

the clients of these establishments according to the Applicants. The applicant did not indicate for how long they are of the intention of leasing the property.

The current zoning of the property is public open space. The entrance to the existing parking from the R44 to the restaurants does not allow exit into the R44 whilst if that entrance is adjusted to deal with entry and exit from for parking on this area it will increase the risk of people turning into the R44 trying to exist there instead of driving through the parking at the restaurants to exist. The current entrance to the parking areas will have to be adjusted to be able to accommodate both entry and exit onto the proposed property. Should a lease be considered the length of the lease must be determined.

The Infrastructure Department has requested comments from Province since the property is adjacent to a provincial road. These comments were requested in May 2024 and after several follow ups, comments have been received and is attached as **APPENDIX 3**. It is necessary for the Municipality to consider this application as there is illegal parking happening on a regular basis especially over weekends when sport events take place and the neighbours are filing complaints with Law Enforcement.

The department does not support the application given the complaints from the neighbours and the risk of cars not using the correct exist and ending up in the wrong direction on the R44, which is also highlighted by the inputs from Provincial Department of Infrastructure. There is sufficient parking at the Spar complex across the street and in the surrounding streets leading away from the restaurants to accommodate the overflow from the current parking. The planning department should investigate whether the building on site is according to the approved plans and the estimated patrons for which parking was created on the premises.

EXECUTIVE MAYORAL COMMITTEE: 2024-10-16: ITEM 7.3.4

RESOLVED

- (a) that a portion of erf 8116 be identified as land not needed to provide basic Municipal Services;
- (b) that this application of the applicant (Happy Folks Stellenbosch Pty (LTD) be approved in principle, subject to the neighbours been informed of the application. They should indicate if they have any objections or alternative proposals should they not support the parking area to alleviate the parking shortage around the businesses;
- (c) that an initial 3- year lease agreement with Happy Folks Stellenbosch, be approved in principle at the rate per parking bay in the approved budget with the escalation annually as per the approved budget;
- (d) that the parking may be used by the general public and must be maintained and developed as per the agreement in ANNEXURE A reached between Happy Folks Pty (Ltd) restaurant and Blue Dot properties 1186 cc t/a Bossa Stellenbosch (restaurant);
- (e) If the agreement between the parties is terminated any agreement to lease the property will also be terminated; and
- (f) that the roads department investigate proposals to make the use of such an area safer for entering and exiting the parking area along the R44 and that such measures then be implemented by the parties to the agreement in **ANNEXURE A**.

FOR FURTHER DETAILS CONTACT:

NAME	<i>Annalene de Beer</i>
POSITION	<i>Director: Corporate Services</i>
DIRECTORATE	<i>Corporate Services</i>
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REPORT DATE	<i>2024-010- 05</i>

7.3.5	PROPOSED LEASE AGREEMENT: ERF 143, FRANSCHHOEK: COL'CACCHIO
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Collaborator No:	775202
IDP KPA Ref No:	Good Governance
Meeting Date:	16 October 2024

1. SUBJECT: PROPOSED LEASE AGREEMENT: ERF 143, FRANSCHHOEK: COL'CACCHIO

2. PURPOSE

To consider an application from Carido 165 CC on behalf of Col'Cacchio Franschhoek, to enter into a Lease Agreement with Stellenbosch Municipality, in terms whereof they would be able to use a portion of Council-owned property for outdoor dining purposes.

3. DELEGATED AUTHORITY

In terms of the approved System of Delegations the Executive Mayor, in consultation with the Executive Mayoral Committee, has the delegated Authority to consider applications for Lease Agreements, up to a contract value not exceeding R5M and not exceeding a period of 10 years. The approval of a lease agreement of three (3) years and less has been delegated to the Municipal Manager. The Municipal Manager has approved delegations to enter into agreements on behalf of the municipality.

4. EXECUTIVE SUMMARY

An application to use a portion of the street reserve for Outdoor Dining purposes has been received from the owner of the building wherein Col'Cacchio Franschhoek trades, trading from erf 143, Franschhoek. The application is in line with the council resolution setting out the requirements for the application and is supported by the Engineering Department. Under 6.2.1 are photos showing how area was used before the September floods. The photos were taken by the property management unit. The applicant does have a previous encroachment agreement with the municipality which has lapsed in but continued to pay the fee. The previous agreement is attached hereto as **APPENDIX 1**.

They have not specified a requested time for the lease and the area they are interested in is 300 m². They have however not made it clear on their draft plan of what furniture will be used and how the area will be demarcated.

During the floods in September this area suffered a severe damage and was not usable. The applicants informed us that they are not going to pay any fees until the municipality rectifies the damage. The area is being used again like before the floods and the applicant is paying for the use of the area.

There is a need for parking in Franschhoek and this property is situated next to the building used for the Wine Tourism in Franschhoek. The matter was considered by the Executive Mayor in consultation with the Mayoral Committee in November 2023 and was referred back for further investigations and negotiations with the tenants.

The main reason was to consider if a portion of the area can be used for parking purposes especially next to the tourism building. This was investigated by the Senior Manager for Roads, Transport and Stormwater who has indicated that the area is not fit for parking purposes due to the fact that it is a busy intersection and that the area will not be able to provide much more parking as what is currently available. It should also be noted that

three blocks away the department should upgrade of an area that will provide 100 parking spaces for the area behind the municipal building where tennis courts were previously situated. The item served again in August 2024 and was referred back for the Executive Mayor to discuss the further with Infrastructure services. I am informed that the discussions took place. The roads department is still of the opinion that unless the whole area is used for parking it is not viable to make additional parking spaces. There are parking spaces in Kruger Street (currently earmarked for only Colcatchio clients, which is not allowed as well as parallel parking in Huguenot street along the main road.

EXECUTIVE MAYORAL COMMITTEE: 2024-10-16: ITEM 7.3.5**RESOLVED**

that this item be referred back for more information, whereafter the same will be resubmitted to the next Mayoral Committee meeting.

FOR FURTHER DETAILS CONTACT:

NAME	Annalene de Beer
POSITION	Director: Corporate Services
DIRECTORATE	CORPORATE SERVICES
CONTACT NUMBERS	021-8088018
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REPORT DATE	2024-10 -05

7.3.6	PROPOSED LEASE AGREEMENT: ERF 16367 (4 PLEIN STREET), BAE-GOALS CAFE
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Collaborator No: 775203
 IDP KPA Ref No: Good Governance
 Meeting Date: 16 October 2024

1. SUBJECT: PROPOSED LEASE AGREEMENT: ERF 16367 (4 PLEIN STREET), BAE-GOALS CAFE

2. PURPOSE

Is to consider an application from Bae-Goals Cafe, to enter into a Lease Agreement with Stellenbosch Municipality, in terms of where they would be able to use a portion of Council-owned property for outdoor dining purposes.

3. DELEGATED AUTHORITY

In terms of the approved System of Delegations the Executive Mayor, in consultation with the Executive Mayoral Committee, has the delegated Authority to consider applications for Lease Agreements, up to a contract value not exceeding R5M and not exceeding a period of 10 years.

The approval of lease agreements of three (3) years and less has been delegated to the Municipal Manager.

4. EXECUTIVE SUMMARY

An application to use a portion of the street reserve for Outdoor Dining purposes has been received from the owner of Bae-Goals Cafe trading of erf 16367, Stellenbosch. The application does not include a diagram as the applicant is not currently using the area and waiting for approval from council. The contract management team attended to an inspection and this specific space has a large walkway and if the applicant places four tables as indicated in their form, they will still be compliant with the Outdoor Dining policy in terms of 1.5m unobstructed walkway to be left open as well as 80cm next to the street for car doors to open. Under 6.2.1 are photos showing the area they are interested in. The applicant does not have an agreement with the municipality at the moment and applied without us requesting them to.

They have not specified a requested time for the lease and the area they are interested in is 35 m². The general conditions as approved by Council will apply as far as the services and access is concerned. The department therefore support the application subject to compliance.

EXECUTIVE MAYORAL COMMITTEE: 2024-10-16: ITEM 7.3.6

RESOLVED

- (a) that the area on erf 16367, Stellenbosch, measuring approximately 35m² in extent, be identified as land not needed to provide the minimum basic municipal services during the period that the rights are awarded;
- (b) that the application for outdoor dining be approved for an initial period of 3 years with the option of a renewal if agreed to by both parties;

(c) the approval is subject to the following conditions:

- (c) (i) That no permanent structure or deck be erected without the prior written consent of council, including approved building plans and approval from the Heritage Advisory Committee.
- (c)(ii) A minimum of 1.5m (unobstructed walkway) be left open for pedestrian use, adjacent to the street kerb. In exceptional circumstances, a 1.5m unobstructed walkway adjacent to a shop front, may be allowed, in these instances a further 0.8m must be left open adjacent to the street kerb. Any deviations must be approved by the Municipal Manager on application.

The impact of proposed outdoor dining on pedestrian movements, is subject to an assessment in terms of the Municipality's Sidewalk Accessibility Policy and the Municipal Manager is mandated to amend the layout and demarcation of the area when assessing applications.

(c)(iii) That a site development plan be submitted for approval which must address at least the following requirements:

- (a) Demarcation of the lease area relative to its abutting context with the street, the user property, and neighbouring properties. The demarcation of the outdoor dining area must be clearly demarcated as per the approved site development plan. The type of demarcation must be done in consultation with the Municipal Manager. If natural features is not possible the demarcation must be indicated on the plan with lines and applicable measurements. A line indicating the area for outdoor dining must then be used and must be painted on the pavement in a colour as decided on by the Municipal Manager. In the event that the outdoor dining spills over the demarcated area the furniture will be confiscated.
- (b) Indicate the accurate location of all existing infrastructure, landscaping features and street furniture. The layout of all furniture and features that will be used for the outdoor dining activity.

(c)(iv) Demarcation must be provided and maintained by the lessee.

(c)(v) No advertising signs(including A- frames) to be placed on the sidewalk or displayed against the building without the prior approval of the Municipal Manager or delegate and if such signs is displayed, it must be within the demarcated area. All signs displayed outside the demarcated area may be removed by law enforcement and outdoor dining furniture outside the demarcated area can be confiscated and repeated offences may result therein that the lease be cancelled after a 30 day notice period.

(c)(vi) All umbrellas to be used has to be at least 2.2m high.

(c)(vii) Any awnings will require pre-approval from council.

(c)(viii) Council is indemnified against all possible 3rd party claims.

(c)(ix) The municipality or other public service providers must not be prohibited from maintaining, repairing, upgrading and / or installing new public services within the leased area. For planned maintenance and repairs, upgrades or new installations, the applicant will be provided with a 5-day written notice to remove all furniture for the

municipality and any other public service provider to gain access. For emergency work the applicant will be required to remove everything immediately for the municipality or other public service providers to gain access.

- (c)(x) The municipality reserves the right to end the lease agreement when the need arises, i.e. when the leased area is required for municipal or other public services purposes or when the applicant refuses the municipality or other public service providers access if required.
- (d) That the rental amount be determined by the Municipal Manager in terms of the approved tariffs and an escalation of CPI per annum applies.
- (e) Where the establishments do not comply with the conditions attach to their leases within 30 days after receipt of the approval, the approval may be withdrawn and the lease ended after a 30 day notice period. Such establishment will not be allowed to trade on Municipal Property until they comply and then re-apply for approval.
- (f) The lease agreement with the municipality must be signed within 30 days after receipt of the letter of approval and the draft agreement.
- (g) Where Establishments put furniture or signs outside the demarcated agreed areas such furniture and signs will be removed by Law Enforcement after a notice was served on the establishment.
- (h) Establishments who have not applied for permission and have been given a letter putting them to terms, must apply within 30 days of receipt of the letter. Should they fail they will be given a notice and must cease outdoor dining trading on municipal land.

FOR FURTHER DETAILS CONTACT:

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REPORT DATE	2024 – 10 - 07

7.3.7	RETURN ITEM: RENEWAL OF LEASE AGREEMENT: SUPER GROUP TRADING (PTY) LTD: ERF 52 STELLENBOSCH
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Collaborator No: 775204
 IDP KPA Ref No: Good Governance
 Meeting Date: 16 October 2024

1. SUBJECT: RETURN ITEM: RENEWAL OF LEASE AGREEMENT: SUPER GROUP TRADING (PTY) LTD: ERF 52 STELLENBOSCH

2. PURPOSE

To provide feedback to the Executive Mayoral Committee after the Public Participation process was followed the advertise Council's intent to lease Erf 52 Stellenbosch to Mercedes-Benz a division of Super Group Trading (Pty) Ltd.

3. DELEGATED AUTHORITY

In terms of the approved System of Delegations the Executive Mayor, in consultation with the Executive Mayoral Committee, has the delegated Authority to consider applications for Lease Agreements, up to a contract value not exceeding R5M and not exceeding a period of 10 years.

The Municipal Manager has approved delegations to enter into agreements on behalf of the municipality.

4. EXECUTIVE SUMMARY

An application has been received from Mercedes – Benz, a division of Super Group Trading (Pty) Ltd, for a lease agreement for Erf 52 Stellenbosch for parking purposes. They have been making use of the property for over 15 years and more recently signed a five-year lease agreement with the municipality which came to an end on 29 February 2024. The agreement does not make provision for extension and therefore a new application for lease of the property was filed. The application does not specify for how long they wish to lease the premises, but they have indicated that the parking is fundamentally important to them to continue with their business. Before the lease agreement which was signed in 2019 the applicant also had a five-year lease agreement with the municipality and the new agreement was entered into after a Council resolution.

The previous monthly rental was determined by a valuator in 2019. Council should therefore consider if a new valuation report should be obtained in order to determine the monthly rental. As per the previous lease agreement the amount was set and a yearly escalation of 7% was applicable. The property is currently zoned for “mixed use” and “public parking area”.

The matter was before the Executive Mayoral Committee in April 2024 where the application was approved in principle and the administration had to obtain a valuation report as well as go out on public participation to call on the public to provide comments, objections or alternative proposals. The advertisement was placed in Die Burger on 30 August 2024 with a closing date for comments on 26 September 2024. No comments were received from the public.

A valuation report was also obtained and is attached hereto. The monthly rental valuation amounts to R34 700.00 (excluding VAT).

EXECUTIVE MAYORAL COMMITTEE: 2024-10-16: ITEM 7.3.7**RESOLVED**

- (a) that the Executive Mayoral Committee takes note of the Official Notice which was published and that no comments, objections or alternative proposals were received;
- (b) that it is confirmed that erf 52, Stellenbosch is not needed for basic service delivery;
- (c) that the Executive Mayoral Committee approves the lease agreement for a period of 5 years; and
- (d) that the monthly rental be R34 700.00 (excluding VAT), with a yearly escalation of 6%.

FOR FURTHER DETAILS CONTACT:

NAME	<i>Annalene de Beer</i>
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DIRECTORATE	<i>Corporate Services</i>
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REPORT DATE	<i>2024-10-03</i>

7.3.8	PORTION OF FARM 528 AND PORTION OF FARM 529C ALSO FORMERLY KNOWN AS MOUNTAIN BREEZE CARAVAN PARK
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

16 October 2024

1. SUBJECT: PORTION OF FARM 528 AND PORTION OF FARM 529C ALSO FORMERLY KNOWN AS MOUNTAIN BREEZE CARAVAN PARK

2. PURPOSE

Is to inform Council on the challenges experienced with the tender process for the implementation of the council resolution on 27 July 2022.

3. DELEGATED AUTHORITY

Council must consider the matter.

4. EXECUTIVE SUMMARY

At the Council meeting held on 28 July 2021, Council decided to provide an opportunity for the public to submit written inputs on the most possible future use of the facility, before deciding on a way forward. The public notice requested inputs on/before 3 September 2021. Various written submissions were received. Council resolved on 30 March 2022:

- (a) that Council take note of all the proposals received;
- (b) that Council identifies Portions 528 and 529C, Stellenbosch as not currently needed for minimum municipal services;
- (c) that a call for proposal for development of the facilities for Cycling, hiking groups, an Eco-education and Adventure centre for school groups along with overnight facilities be advertised;
- (d) that the existing buildings and infrastructure be use for the above purpose;
- (e) that the facility to be leased for a period of 5 years; and
- (f) that successful lessee enters into a rental agreement with the municipality and be responsible for the security, maintenance and the payment of all services of the facility.

This decision was subject to section 34 and 35 of the Asset Transfer Regulations published under the MFMA that entailed a further public participation process indicating the specific intent for the land moving forward. The combined municipal valuation for the land is R16,7 million and the current zoning is agriculture and rural and it had a consent use for a camping site, taking into consideration that it is situated in an area surrounded by agricultural use and the airfield. Council approved the Information statement on 25 May 2022, which was subsequently published. Responses were received from four people – see discussion under 6.2.6 below. Council considered the inputs and made an in-principle decision in July 2022 to rent the property through a tender process. In compiling the tender document several

obstacles were encountered especially around services to the site. The four staff members have been employed temporary to look after the site but recently despite their presence on the property there were vandalism taking place even in daylight. The municipality has appointed a night guard to try and prevent the vandalism but is not a sustainable long-term solution due to the costs of security guards. There are also still illegal people with buildings on the site which will require eviction processes to give vacant occupation. Council has not made a final resolution as the tender process is not finalised.

Tender documents are in draft form since March 2024, but has not been finalised due to the following issues:

- i) Access to the property with a big amount of people accessing the area for the proposed uses as the current access is over a small gravel road over the property of an adjacent owner. Building a new access road will be very costly and as we are intending to rent the property will be for the municipality's account
- ii) The water is currently bought from the Zettlers. Putting in our own connections will cost in the vicinity of R 1 000 000 and will also be for our own account as it remains our property and the municipality must provide water to the property. This will be subject to provincial approval as it will have to go under the Stellenrust road.
- iii) The property is not zoned for education or business and will have to be rezoned by the municipality before it can be used in terms of the in-principle decision.
- iv) It must be noted that the property is outside the urban edge.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2024-10-16: ITEM 7.3.8

- (a) that the Council resolutions taken on 2022-07-27 be reviewed and rescinded;
- (b) that Portions 528 and 529C, Stellenbosch (also known as Mountain Breeze Caravan Park) be identified as land not needed for basic Municipal Services;
- (c) that an information statement be prepared for approval by council to indicate Council's intention to sell the property on auction to the highest bidder and that the item and information statement returns to Council for approval of the information statement;
- (d) that provision be made for a fall-back clause if the buyer wants to sell the property within 10 years;
- (e) that the property must be used as per the current zoning and will be sold voetstoots; and
- (f) that an updated property valuation report be obtained before the item be resubmitted to Council.

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REPORT DATE	2022 – 07-11

7.3.9	POSSIBLE REVIEW AND RESCISON OF COUNCIL RESOLUTION ON THE FUTURE USE OF ERF 9194 STELLENBOSCH (TECHNOPARK)
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

16 October 2024

1. SUBJECT: POSSIBLE REVIEW AND RESCISON OF COUNCIL RESOLUTION ON THE FUTURE USE OF ERF 9194 STELLENBOSCH (TECHNOPARK)

2. PURPOSE

To obtain Council's approval to review and rescind the Council resolution on the future plans of Erf 9194 Stellenbosch (Technopark) alternatively to obtain guidance on the implementation of the previous Council resolution.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

On 27 February 2019 Council resolved, *inter alia*, that Council should buy back the property as per the Municipal valuation and that Erf 9194 Stellenbosch be earmarked for empowerment of local black entrepreneurs within the Stellenbosch area.

Erf 9194 Stellenbosch was purchased from the Municipality in February 2008 for a price of R8 436 000.00. Clause 11 of the sales agreement states that "*if building operations in respect of the development of the Property have not commenced within 3 (three) years after the date of transfer.... then the SELLER shall have the right/option to repurchase the property at the same price that the PURCHASER has bought from the SELLER, plus a fair escalation thereon.... to be determined by an independent valuer.*"

- a) In April 2016 the purchaser requested consent from the Municipality to allow him to sell the undeveloped erf. The matter was brought to Council and it was resolved that the Municipality repurchase the property. The property was repurchased at a price of R17 250 000.00 and registered in the name of the Municipality in 2019. Council resolved *inter alia* as follows: *That Council resolves to buy back the property as per the Municipal evaluation and that this property be earmarked for empowerment of local black entrepreneurs within the Stellenbosch Municipal area;*

It further needs to be note that Technopark has its own provisions limiting the type of use that the purchaser of such a property can use it for. For the municipality to move forward a decision is needed as to determine the manner in which the property must be "earmarked". The section is seeking guidance on the intention of Council in terms of the implementation of the 2019 resolution. It is unclear if the property should be disposed of and if so, if it should be done by way of tender or auction. As the municipality as a rule would not do a development on the land it is assumed that it was meant to be sold. We do however require a method of disposal and if there should be special conditions that must be adhered to if the property is developed going forward over and above the provisions in the Technopark development scheme. Should the involvement of black entrepreneurs be a use for any development on the property and therefore be included in the title deed or

should it be sold to a company consisting of Black Entrepreneurs. The latter may be problematic as it may be seen as discriminatory and double application of a preference to a certain group. The municipality already apply the BBEEE principles when for instance evaluating a company in a tender process, but those points are not limited to Black people and there is no manner of knowing whether they are entrepreneurs or not when awarding the BEE points. The principles of BEE also does not apply to an auction situation.

The property is situated next to the offices of Bester Voer & Graan in Technopark and is currently vacant and being used as a parking lot for the overflow of cars in the area.

The matter was before the Executive Mayoral Committee in September 2024 and was referred back in order for the administration to obtain a copy of the Deed of Transfer as well as the rules pertaining to Technopark as a whole. Both is now attached as **APPENDIX 1 and 2.**

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2024-10-16: ITEM 7.3.9

- (a) that Council review and rescind the Council resolution on 27 February 2019;
- (b) that an in-principle decision be taken to dispose of the property through a public auction process;
- (c) that a valuation of the property be obtained which should form the basis of the reserve price for the auction;
- (d) that the land only be used as per the Technopark overlay zone;
- (e) that a fall-back clause be written into the title deed that the land may not be sold within 5 (five) years. If the owner intends to sell the property within the 5 years, the property falls back to the Municipality at the price it was bought at the auction.
- (f) that the item return to Council after the auction for a final decision.

FOR FURTHER DETAILS CONTACT:

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DIRECTORATE	Corporate Services
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REPORT DATE	2024/10/03

7.3.10	REPORT ON ERF 286 GROENDAL (LE ROUX)
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

16 October 2024

1. SUBJECT: REPORT ON ERF 286 GROENDAL (LE ROUX)**2. PURPOSE**

To report to Council on the status of Erf 286 Groendal (Le Roux) and to obtain guidance on the way forward.

3. DELEGATED AUTHORITY

For consideration and decision by Municipal Council.

4. EXECUTIVE SUMMARY

Erf 286 Groendal (Le Roux) is an unregistered erf which has been sub-divided from Erf 233 Groendal (Le Roux), which was acquired from the Western Cape Government in terms of Section 19 of the Western Cape Housing Development Act. Erf 233 Groendal (Le Roux) is registered in the name of the Municipality (mother erf). Erf 286 is an unregistered portion of erf 233 and the portion on which Kabouterland is build. As erf 286 is not registered as a separate entity it is not officially recognised in the deeds office as a separate erf and will only become a registered erf after registration. Kabouterland creche, who has been occupying the premises since at least the early 2000's disputes the Municipality's ownership of this portion.

During 2000 the Franschhoek/Belgian Development Trust (Belgian Trust) made available R206 000.00 for the purpose of converting one of the existing buildings in Mooiwater into a creche. The former Franschhoek Council accepted the donation on the condition that a trilateral agreement be entered into between Council, The Belgian Trust and Kabouterland creche. On 27 March 2001 Council resolved, *inter alia*, that Council approves the signing of a trilateral agreement. During this time attorneys were appointed to attend to the registration of Erf 286 Groendal in the name of the Municipality and the negotiations with Kabouterland to enter into a lease agreement started. During these negotiations and on suggestion of the attorneys acting on behalf of the Municipality it was decided that the property be registered in the name of Kabouterland and that it then be donated to the Municipality since there was an existing building on it. The registration from Province to Kabouterland and from Kabouterland to the Municipality would have been done on the same day. There are several letters between the attorneys acting for the Belgian Trust, the attorneys acting on behalf of the municipality and the State's attorneys. In 2003 the correspondence stopped and the registration to Kabouterland did not proceed. The property therefore remains part of the mother erf which belongs to the Stellenbosch Municipality.

Since 2002 Kabouterland has been stating that they are the owners of the property. However, in terms of the agreement between the Belgian Trust, Kabouterland and the municipality, the trust would only make the donation on the condition that the property be registered in the name of the Municipality and that the Municipality will attend to the maintenance of the property. The administration has not been able to obtain a copy of the signed agreement however this was the condition on which the 2001 Council resolution was based and the correspondence between the attorneys as well as the

Trust confirms the agreement. The donation of the money was accepted and the upgrades to Kabouterland was attended to. This is seen as Phase 1 of the building.

During 2017 a request was received from Cape Winelands Biosphere to allow them to make an offer to build the second phase on Erf 286 Groendal. The offer was accepted by the Municipality, building works proceeded, the occupation certificate was issued and in April 2019 Efata Creche moved into the building.

Since almost the start of Efata taking occupation there has been numerous issues with Kabouterland. Kabouterland has locked the premises (there is only one access gate for both ECD facilities) and they are refusing a key to Efata and completely control the access to the property for both the staff as well as the children attending Efata. They have also on numerous occasions refused access to the Municipality as well as our consultants. The Directorate Community and Protection services is busy with a capital expenditure project which includes the upgrades to this ECD facility. Due to the refusal of Kabouterland to grant access to our consultants on our own property the project cannot continue for these ECD's. It therefore has a direct influence on the capital expenditure of the Municipality.

Efata has applied for a formal lease agreement which at this stage can't be processed as we are unable to provide them access to the property as and when needed. Kabouterland on the other hand refuses to apply for a lease agreement stating on the one hand that they are in fact the owners of the property and on the other hand that there is already a lease agreement in place. We have not been able to find any records of an existing lease agreement and Kabouterland has never paid to make use of the premises. Despite Mr Smit previously indicating that there is a lease agreement, he when pressured acknowledged that no formal written agreement ever existed and claims he referred to a verbal agreement. The content of this verbal agreement cannot be determined and as such is therefore in law regarded as illegal. It is also a known fact that when a municipality wants to dispose of land it must be in writing. Leases are also seen as a form of disposal and therefore Kabouterland has no legal footing for their allegations of ownership. Especially as the land is part of a bigger property registered in the name of the Municipality.

The Property Management Section as well as the Community Development Department has had several engagements with Kabouterland over the last 18 months to try and reach an amicable solution, however we have been met with hostility and no effort from Kabouterland to reach an agreement. It has now reached a stage where not only are they refusing access to Efata, but they have also applied for an interdict against Efata and they are refusing access to the public who makes donations to the Efata school. Last week when a food delivery arrived, they were refused access and could not deliver the food to the school.

Council must consider the way forward with Kabouterland as at this stage it appears that they are hi-jacking Municipal property by refusing the Municipality and Efata access and further by refusing to apply for a lease agreement and pay for their usage of the property.

The municipality must also continue to subdivide the property and register all in the Municipality's name.

The administration suggests that Kabouterland receives a formal notice to apply for a lease agreement within 30 days failing which an attorney be appointed to proceed with eviction proceedings against them and that Kabouterland received a formal notice to immediately grant full access to Efata creche. That Kabouterland immediately grant access to the Municipality and the contractors of the Municipality to proceed with the renovations.

The matter was before the Executive Mayoral Committee in September 2024 and referred back in order to provide a copy of the Title Deed as well as confirm that there is no lease agreement in place. A copy of the Title Deed is attached to the item. The administration has not been able to obtain a copy of any formal written lease agreement with Kabouterland. Kabouterland has also on several occasions confirmed in writing that they do not have a copy of a formal written lease agreement. It must be noted that the previous Manager Properties confirmed during an investigation that the allegations made in a memo to the Executive Mayor indicating the existence of an agreement referred to a oral agreement and that no written agreement exists. It is required that when rights are provided on land it must be in writing and if not the terms of an oral agreement must be clear and determinable. We have been unable to determine the terms of such an agreement and therefore there is no legal agreement with the institution.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2024-10-16: ITEM 7.3.10

- (a) that Council takes note of the challenges that is experienced with Kabouterland;
- (b) that the administration writes a letter to Kabouterland to inform them that they have 30 days to apply for a lease agreement, alternatively provide a copy of a signed lease agreement with the Municipality, failing which the municipality will appoint an attorney to attend to an eviction;
- (c) that the letter further indicates that Kabouterland must provide full access to Efata Creche to the premises, failing which an attorney will be appointed to attend to an eviction; and
- (d) that the letter states that Kabouterland must give reasonable access to the Municipality to do inspections, upgrades and maintenance on the premises, failing which an attorney will be appointed to attend to an eviction.

FOR FURTHER DETAILS CONTACT:

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REPORT DATE	2024-10-07

7.3.11	FARM 502L: STELLENBOSCH FLYING CLUB APPLICATION EXTENSION OF LEASE AGREEMENT
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

16 October 2024

1. SUBJECT: FARM 502L: STELLENBOSCH FLYING CLUB APPLICATION EXTENSION OF LEASE AGREEMENT

2. PURPOSE

Is to consider an application from the Stellenbosch Flying Club to enter into a long-term lease agreement with the club.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

Stellenbosch Municipality concluded a Lease Agreement with the Stellenbosch Flying Club on 10 February 1992, which agreement expired on 21 March 2021. At that stage the club applied for a 30-year lease agreement and the matter was before Council in August 2020. Council approved a lease agreement for a further 9 years 11 months with certain other requirements. A lease agreement was entered into which is valid from 1 April 2021 until 28 February 2031.

The Stellenbosch Flying Club has filed another application for a 30-year lease agreement in August 2024. If Council decide to, in principle, enter into a private treaty the intention to enter into the long-term lease must be advertised for public inputs/objections/alternative proposals. The matter will then be brought back to Council to consider any inputs received from the public.

An Information Statement for publication needs approval from Council and the inputs from National and provincial treasury given the term so the application.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2024-10-16: ITEM 7.3.11

- (a) that Council approves the Information Statement attached to the item for publication;
- (b) that Council only considers the approval of an extension of the current agreement beyond 10 years after a public participation process and the input from National and provincial treasury is obtained; and
- (c) that, following the public participation process a report be submitted to Council in order to in principle consider the request of the Flying Club for a longer lease.

7.4	FINANCIAL SERVICES: (PC: CLLR JC ANTHONY)
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NONE

7.5	HUMAN SETTLEMENTS: (PC: CLLR R DU TOIT)
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NONE

7.6	INFRASTRUCTURE SERVICES : (PC : R PHEIFFER)
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7.6.1	STATUS REPORT ON THE ALTERNATIVE ENERGY GENERATION PROGRAMME – OCTOBER 2024
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

16 October 2024

1. SUBJECT: STATUS REPORT ON THE ALTERNATIVE ENERGY GENERATION PROGRAMME – OCTOBER 2024

2. PURPOSE

For Council to note the progress of the Municipality's as well as Provincial Government initiatives regarding the Alternative Energy Programme projects which are underway at present.

3. DELEGATED AUTHORITY

Municipal Council.

4. EXECUTIVE SUMMARY

4.1 The draft application for load curtailment was submitted to Eskom on 07 March 2024 and is due to serve at the Eskom Loadshedding Committee. Though the indication from Eskom was that this application would serve at the April 2024 Loadshedding Committee, confirmation has been received from Eskom that the application has not yet served. At the meeting held on 31 July 2024, further proposals were provided by Eskom for the Municipality to amend the current application so that Eskom's Loadshedding Committee can take it into consideration. A revised application was submitted to Eskom on 22 August 2024. A Stellenbosch Load Curtailment Meeting with Eskom is scheduled for 15 October 2024 to finalize the load curtailment application.

4.2 A tender for the purchase of 20MW of electricity from an Independent Power Producer (IPP), was conditionally approved by the BAC on 16th September 2024. Consultation with the successful bidder to conclude the Power Purchase Agreement (PPA) will commence after the 21-day appeal period.

4.3 The Supervisory Control and Data Acquisition (SCADA) project is on track with the implementation of remote viewing at six of the seven main substations completed under Phase 1 of the project in the 2023/2024 financial year. Phase 2 of the project commenced in October 2024 and will include the complete plant to master station verification/testing and implementation of remote switching at Golf, Jan Marais-, Markotter, Suidwal- and Cloetesville substations as well as the installation of the SCADA system and implementation of remote viewing and remote switching at Franschoek substation, which could not be completed in Phase 1.

The two remaining main substations (Main and University) can only be completed once the project to replace the 66kV switchgear at the two substations are completed. According to the project programme for implementing the 66kV

switchgear at Main and University substations, the project is planned to be completed in March 2025.

4.4 All municipal buildings that require alternative energy supplies are being investigated as part of the AEG initiatives. The municipality has successfully applied for grant funding of R5 million from DMRE Energy Efficiency Demand Side Management for 2024/25 financial year. This funding will be utilized for the installation of energy efficient lighting in Municipal offices and buildings, retrofitting of LED streetlights and the installation of two PV installations on critical plant buildings. These initiatives are driven by the South African National Energy Development Institute (SANEDI) & Department Mineral Resources and Energy (DMRE). This grant funding will also be utilized to ensure compliance to energy performance certificates (EPC's). The EPC have been completed and is registered on the SANEDI website.

4.5 The tender for the Stellenbosch Fire Station battery storage system is awarded with a contractual completion date of end November 2024. The Main (Neethling Huis Building) and NPK buildings have been earmarked for Business Continuity Initiatives, which entails the installation of BESS, Hybrid Inverters and PV, investigations are currently underway. An assessment report including estimated costs to establish the feasibility of the implementation of the projects was prepared on the 26 August 2024.

There were certain recommendations made by the user department which will be submitted to the AEG Committee. The revised report for the NPK building is being reviewed by the user department before submitting the AEG committee. A meeting with the Electrical Department is being scheduled where the revised submission will be presented for comment / approval.

4.6 Provincial Initiatives

4.6.1 Provincial Initiative to Establish a 50MW Solar Plant:

- Feasibility Study for the 50 MW MIPPP item was approved by Council in August 2024.
- The Transactional Advisory (TA) Team met with Stellenbosch Municipality and Eskom to determine the next procurement steps. An Expression of Interest has been advertised on the 7th of September 2024.
- On the 24th of July 2024 the office of the Premier sent a letter to Eskom regarding the MIPPP projects in the province and the Eskom areas of concern. Eskom acknowledged the letter from the Premier's office but did not adequately address any of the issues, however agreed to an engagement with the Western Cape Government. The TA team met with the Municipality to scrutinize the Eskom response in detail and there was cause for concern regarding the response from Eskom. Very little detailed responses were provided by Eskom, and they (Eskom) suggested that the Municipality cannot be treated as a load curtailment customer. The Premier's letter request was for a clear written response from Eskom.
- At a follow up meeting with the TA team, Provincial Government officials and the Municipality, the different steps (technical, financial and legal) were discussed and considered. A risk assessment was suggested, which

includes legal and finance elements to assist in the drafting of the Request for Proposal (RFP). At this meeting the CFO recommended that the formal SCM processes and BSC will be followed. The RFP document is planned to be completed by January 2025.

- Eskom's stance is a concern for the TA team and further engagements with Eskom are planned to unpack wheeling generation capacity. All the risks indicated in the letter from Eskom will be prepared by prepared the TA team which will be served in the next Council's Alternative Energy Generation Programme item.
- An extreme concern is that there are no decisive answers from Eskom. The Council must be informed that the project cannot be supported without clear answers, because the Provincial Government is expending costs on the Transaction Advisor and Project Management firm consultancy fees. Updates on the project are crucial to keep Council informed. The Provincial Government colleagues were requested to intervene with Eskom on behalf of the Municipality as well.

4.6.2 Provincial Project: Municipal Pooled Buying initiative:

Following Stellenbosch's and the City of Cape Town's input after reviewing the Pool Buying report, it was indicated by Province that this project has been put on hold until further notice. A further workshop was held with the Finance colleagues regarding the World Bank financing platform for municipalities.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2024-10-16: ITEM 7.6.1

that Council notes the Alternative Energy Generation project updates identified by the AEG Committee and the latest progress with the Alternative Energy Generation projects in implementation at present.

FOR FURTHER DETAILS CONTACT:

NAME	<i>Nombulelo Zwane / Mark Benson</i>
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DIRECTORATE	<i>Infrastructure Services</i>
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REPORT DATE	<i>03 October 2024</i>

7.6.2	ROLL – OUT OF RECYCLING DROP OFF POINTS
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

16 October 2024

1. SUBJECT: ROLL – OUT OF RECYCLING DROP OFF POINTS**2. PURPOSE**

To request Council to approve the Waste Management's plan to increase recycling and drop off points that are accessible to people within the municipal area.

3. DELEGATED AUTHORITY

Municipal Council

4. EXECUTIVE SUMMARY

Municipalities are required to divert waste from the landfill as per the National Waste Management Strategy. According to goal five of Stellenbosch Municipality's Integrated Waste Management Plan (IWMP) is to increase waste diversion and recycling to promote a circular economy. One of the key objectives of the IWMP in line with goal five is to increase the diversion of recyclables through implementing a pilot project to increase accessibility in terms of recycling by placing facilities/containers in parks for people to take their recyclables to.

In meeting the target for waste diversion from landfill sites and to increase recycling, the Department has identified the need to install bulk underground waste receptacles. The underground waste receptacles are a preferred option because they maximize waste management capacities in a minimal space, odorless due to the coolness of the ground and aesthetically pleasing.

This will assist in increasing recycling and drop off points that are accessible to people. They will also provide convenient opportunities for park users to participate in waste diversion programs. Various parks were identified with the help of the Parks and Recreation Section.

The Department identified parks for installation of signage and underground receptacles as follows:

- Raithby: Watson Way
- Die Boord: Rokewood Road Park
- Krigeville: Suidwal Road
- Idas Valley: Sonnebloem Street

The item served before the section 80 committee on 3 October 2023 and the committee recommended:

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2024-10-16: ITEM 7.6.2

- (a) that the Ward Councillors and ward committees be consulted first, and public participation be undertaken within the wards identified for the pilot project; and
- (b) that Council notes that the item will return to Council after the public participation process for consideration.

FOR FURTHER DETAILS CONTACT:

NAME	Shane Chandaka
POSITION	<i>DIRECTOR: INFRASTRUCTURE SERVICES</i>
DIRECTORATE	<i>INFRASTRUCTURE SERVICES</i>
CONTACT NUMBERS	021 808 8213
E-MAIL ADDRESS	Shane.chandaka@ Stellenbosch.gov.za
REPORT DATE	10 October 2024

7.6.3	REPORT ON THE PROMOTION AND IMPLEMENTATION OF NON-MOTORIZED TRANSPORT (NMT) IN STELLENBOSCH
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

16 October 2024

1. SUBJECT:REPORT ON THE PROMOTION AND IMPLEMENTATION OF NON-MOTORIZED TRANSPORT (NMT) IN STELLENBOSCH

2. PURPOSE

For Council to note the revitalization of the Provincial Sustainable Transport Programme (PSTP) by the Provincial Department of Mobility; the promotion of Non-Motorized Transport (NMT), and the NMT infrastructure implemented to date.

3. DELEGATED AUTHORITY

Municipal Council.

4. EXECUTIVE SUMMARY

The Municipality is required to promote and prioritize Non-Motorised Transport (NMT), as outlined in the Comprehensive Integrated Transport Plan (CITP) and Spatial Development Framework (SDF). The promotion of NMT also forms part the Provincial and National Government's strategy for transport.

The Municipality had previously embarked on an annual programme to expand the NMT network. The previous focal point of the provision of roads and NMT facilities were low-income communities that had, in the past, been disadvantaged in terms of transport infrastructure. During the past 8 years, on average between 4km and 5km of NMT was rolled out annually. During the 2023-2024 financial year, a concerted effect was made and 11.2km of NMT facilities was implemented. (See **Annexure A** for details).

The Municipality had been supported by the Western Cape Provincial Government with funding and a team of consulting engineers to review the public transport plan and oversee NMT implementation. The Provincial Cabinet approved the Provincial Sustainable Transport Programme (PSTP), which is aimed at enhancing the Public Transport and the NMT networks in low-income communities.

Between 2016 and 2018, the PSTP provided NMT infrastructure in Kayamandi, Klapmuts, Cloetesville and Idasvalley. During 2019 and 2020, support was received through the provision of expert guidance on the most appropriate approach to Public Transport. Between 2020 and 2024, 242 bicycles were distributed in the Municipal area mostly to schools in low-income communities.

Going forward, the Department of Mobility intends to revitalize the PSTP programme and provide increased support to the Municipality, which will require increased collaboration and a strengthening of the partnership between the Municipality and the Department. The item served before the Section 80 Committee on 3 October 2024.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2024-10-16: ITEM 7.6.3

- (a) that Council notes the revitalization of the Provincial Sustainable Transport Programme (PSTP), and the increased collaboration and strengthening of the partnership between the Municipality and the Department of Mobility that is required;
- (b) that Council notes the rollout of NMT infrastructure to date and particularly infrastructure implemented in the 2023-2024 financial year; for details refer to **ANNEXURE A**;
- (c) that Council notes the support received from the Department of Mobility's Provincial Sustainable Transport Programme (PSTP) to date; and
- (d) that Council notes the Municipality's strategy of promoting Non-Motorised Transport (NMT), as outlined in the Comprehensive Integrated Transport Plan (CITP) and Spatial Development Framework (SDF).

FOR FURTHER DETAILS CONTACT:

NAME	Shane Chandaka
POSITION	<i>Director</i>
DIRECTORATE	<i>Infrastructure Services</i>
CONTACT NUMBERS	<i>021 808 8213</i>
E-MAIL ADDRESS	Shane.chandaka@ Stellenbosch.gov.za
REPORT DATE	<i>10 October 2024</i>

7.6.4	REQUEST TO USE INTERNAL FUNDING FOR ALTERNATIVE ACCOMMODATION FOR LANGRUG DAM RESIDENTS ON ERF 3229, MOOIWATER
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That this item be withdrawn from the agenda.

7.7	PARKS AND OPEN SPACES: (PC: N OLAYI)
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NONE

7.8	PLANNING AND LOCAL ECONOMIC DEVELOPMENT AND TOURISM :(PC: CLLR M SLABBERT)
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7.8.1	APPROVAL OF THE CORE FESTIVE PERIOD AND ARRANGEMENTS FOR THE PROCESSING OF LAND USE AND BUILDING PLAN APPLICATIONS AND ASSOCIATED PUBLIC PARTICIPATION
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Collaborator No: 774777
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 16 October 2024

1. SUBJECT: APPROVAL OF THE CORE FESTIVE PERIOD AND ARRANGEMENTS FOR THE PROCESSING OF LAND USE AND BUILDING PLAN APPLICATIONS AND ASSOCIATED PUBLIC PARTICIPATION

2. PURPOSE

Is to seek approval for arrangements for the processing and associated public participation pertaining to land use planning and building plan applications over the festive period.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

Land use and building development applications are subject to prescribed legislative timeframes and associated public participation processes. During the festive season most families undertake extended holiday breaks away from home, which presents a challenge when most staff is also on holiday breaks and during which notices are not received by potential interested and affected parties on land use applications. For this purpose, it has become a practice to determine a core festive period during which public participation is not permitted or, alternatively, that such periods are disregarded with the extension of notice periods, and that such core festive period is also not taken into account in the prescribed timeframes for the processing for such applications. It is consequently proposed to adopt these arrangements to ensure ongoing compliance with legislative prescripts on timeframes as well as fair administrative processes regarding public participation for any potential interested and affected parties.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2024-10-16: ITEM 7.8.1

that Council recognise the core festive period determined as 13 December 2024 to 10 January 2025 **BE APPROVED** for the purpose:

- (a) That no serving or publishing of land use and land development application notices be undertaken during the determined core festive period.
- (b) That the determined core festive period is not taken into account for purposes of calculating the number of days for public participation and/ or the processing of land use and building development applications, and that any such periods affected be accordingly extended.
- (c) That any new land use and building plan applications submitted during the determined core festive period will not be administratively processed and that this period will also not be taken into account for the purpose of calculating any of the legislative prescribed timeframes for the processing of land use and building plan applications.
- (d) That no appeal period can commence which will be affected by the core festive period and that no notifications of decisions on land use applications will be communicated after 29 November 2024, and only be communicated from 13 January 2025.

NAME	Stiaan Carstens
POSITION	Senior Manager: Development Management
DIRECTORATE	Planning and Economic Development
CONTACT NUMBERS	021 808 8674
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REPORT DATE	1 October 2024

7.9	COMMUNITY SERVICES:(PC: CLLR X KALIPA)
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NONE

7.10	RURAL MANAGEMENT AND ENVIRONMENT: (PC: CLLR J WILLIAMS)
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NONE

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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9.1	MUNICIPAL PARTNERSHIP FOR HUMAN RIGHTS: PROGRESS REPORT BY THE MUNICIPAL MANAGER
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

16 October 2024

1. SUBJECT: MUNICIPAL PARTNERSHIP FOR HUMAN RIGHTS: PROGRESS REPORT BY THE MUNICIPAL MANAGER

2. PURPOSE:

- 2.1** To report to Council in terms of Council Item 11.11.1 of the 19th Council meeting of 24 January 2024. See attached **ANNEXURE 1**, reference to resolution (b) of the minutes of this meeting.

***Resolution (b):** "that Council take note of the Municipal Manager's progress report / feedback dated 24 January 2024."*

- 2.2** To report to the Council the progress made with the pilot project for the upgrading / re-imagining of the Upper George Blake Avenue area.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

Stellenbosch Municipality entered into a partnership agreement with Jönköping Municipality on the topic of Human Rights on 17 December 2020, which culminated in a multi-year agreement in December 2022. In accordance with the reporting standards created in the preceding years, the Municipal Manager must provide an annual report and / or alternatively an interim progress report to Council (as and when required), detailing the relevant activities undertaken during the reporting period.

The feedback to Council will deal with the following:

- 4.1 Visit by representatives from Stellenbosch Municipality to Jönköping Municipality in August and September 2024;
- 4.2 Visit by representatives from Stellenbosch Municipality to Refugees Association in Istanbul, Turkey in September 2024;
- 4.3 Report on Steering Group / Committee meetings and activities;
- 4.4 Progress made in terms of the multi-year programme;

- 4.5 The International Training Programme of Swedish International Centre for Local Democracy and their visit to Cape Town in October 2024.
- 4.6 The feedback on the Pilot Project – Upper George Blake Avenue - Urban and Social Revitalisation Project
- 4.7 Progress on energy discussions, in particular water to energy

5. RECOMMENDATIONS

- (a) that Council takes note of the visit by representatives of Stellenbosch Municipality to Jönköping Municipality during August and September 2024;
- (b) that Council takes note of the visit by representatives of Stellenbosch Municipality to Refugees Association in Istanbul, Turkey in September 2024;
- (c) that Council take note of the Municipal Manager's progress report / feedback dated October 2024;
- (d) that Council take cognizance that 2025 is the final year of the multi-year programme;
- (e) that Council take note that for continuity the Steering Group remains unchanged during the final year of the multi-year programme;
- (f) that Council take note of ICLD's conference in October 2024 in Cape Town and Stellenbosch Municipality's attendance at same;
- (g) that Council take note of ICLD's requirement of a visit by the respective municipalities' representatives to their partner municipalities;
- (h) that Council takes note that the next visit for Stellenbosch Municipality to Jönköping Municipality is March 2025 to coincide with the Normstorm exhibition in Sweden;
- (i) that Council take note of the progress made with the Normstorm project; and
- (j) that Council takes note of the progress made with the pilot project for upgrading / re-imagining of the Upper George Blake Avenue (RUGBA) area.

6. DISCUSSION / CONTENTS

6.1 Background

Stellenbosch Municipality entered into a partnership agreement with Jönköping Municipality on the topic of Human Rights on 17 December 2020, which culminated in a multi-year agreement in December 2022. In accordance with the reporting standards created in the preceding years, the Municipal Manager must provide an annual report and / or alternatively an interim progress report to Council (as and when required), detailing the relevant activities undertaken during the reporting period.

Abbreviations

ATC - Adam Tas Corridor

GBA	-	George Blake Avenue
GBB	-	Gender Based Budgeting
GBP	-	Gender Based Planning
ICLD	-	Swedish International Centre for Local Democracy
ITP	-	International Training Programme
NS	-	Normstorm
MPP	-	Municipal Partnership Programme
SDG	-	Sustainable Development Goal
WCED	-	Western Cape Department of Education

6.2 **Visit by Jönköping Municipality to Stellenbosch Municipality**

Representatives of Jönköping Municipality visited Stellenbosch Municipality for a week during end February 2024 and beginning March 2024. Their visit coincided with the ICLD Steering Group meetings scheduled for this period. During this period many of the short-term objectives for the multi-year programme has been met, such as visits to the three schools for the Normstorm pilot project. They also attended ward committee meetings and a Council meeting. This experience resulted in our Swedish counterparts requesting Stellenbosch Municipality to make a presentation to their full Council on gender budgeting and gender mainstreaming.

6.3 **Stellenbosch Municipality visit to Jönköping Municipality**

6.3.1 **Visit to Jönköping Municipality**

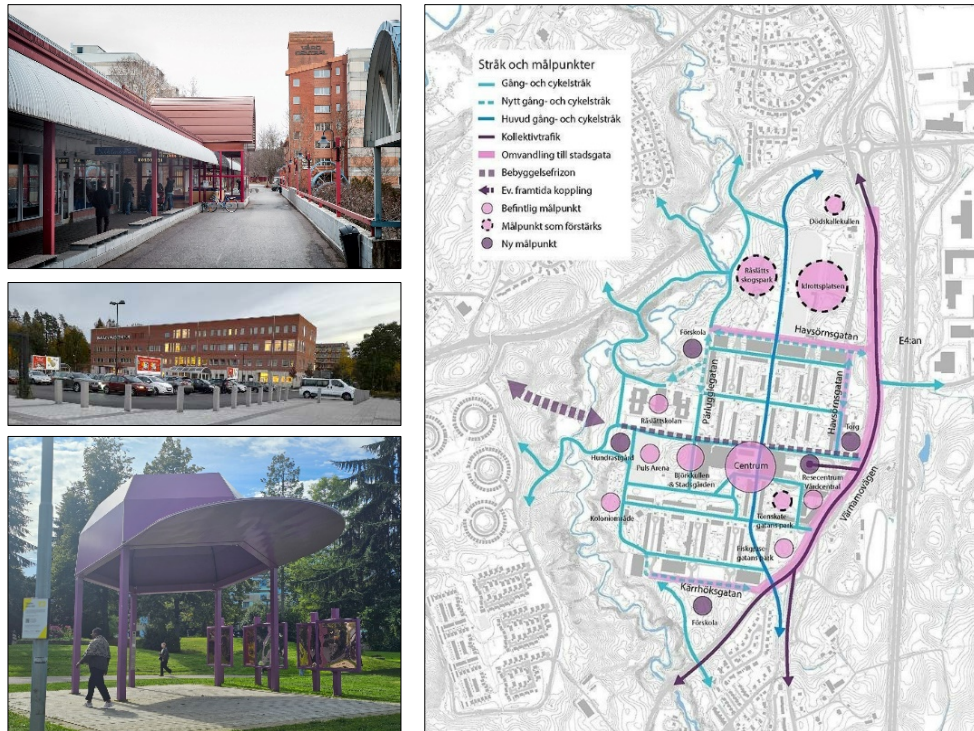
Representatives from Stellenbosch Municipality visited Jönköping Municipality for a week during the end August and the beginning of September 2024. As is now the norm, the Swedes had a full programme planned, which centred not only around gender issues and energy, but also cementing the discussions on these topics from the previous visits, discussions and meetings.

6.3.2 **Visit to Refugee Association in Istanbul, Turkey**

The visit to Jönköping Municipality was followed up by a visit to an ICLD proposed organisation in Istanbul Turkey, i.e. The Refugee Association. This organisation specialises in gender issues, concentrating on integrating women and children who were displaced as a result of conflict in the Middle East region.

6.3.3 **Presentation**

Following their visit during February / March 2024, Jönköping Municipality requested Stellenbosch Municipality to make a presentation to their full Council, for the latter to understand budgeting processes at local government level in South Africa. The presentation emphasised Stellenbosch Municipality's role in

Figure: Råslätts, Jönköping

6.3.6 Energy Discussion

The visit also concentrated on energy, in particular what steps the Swedes have taken to obtain energy from waste and other alternative sources. Meetings and contacts were arranged between senior staff from both municipalities, and all indications are that there is synergy between the two municipalities on the concept of energy, especially the exploration of renewable energy.

Figure : Biogas plant, Jönköping

A Swedish delegation will visit Stellenbosch Municipality in October 2024 to meet with our Infrastructure services directorate to discuss the possibility of a joint pilot project.

This component of the visit also included a visit to the biogas plant. The majority of the public bus system in Jönköping are either electrical vehicles or run on

biogas. The biogas plant obtains its electricity from the municipal dumping site which is abutting the biogas plant.²

6.3 **ICLD Programmes (ITP)**

ICLD has scheduled a conference in South Africa in October 2024. Stellenbosch Municipality was however unsuccessful in convincing the ICLD to host the conference in Stellenbosch. The conference will be held in Cape Town. Notwithstanding, Stellenbosch Municipality managed to convince ICLD to bring delegates to Stellenbosch Municipality on 22 October 2024. They will amongst other do the GBA walk.

International Training Programme (ITP)

The cornerstone of the ITP programme is to create municipal partnerships within the ambit of fostering and enhancing human rights. The project management training component of the ITP culminated at the end of 2023. The municipalities were given a couple of months since then to cement their partnership and get their respective projects underway. This part of the training session therefore concentrates on reporting, giving feedback and observing best practices. The ITP session includes lectures from UCT³ as well as a session with local government agencies amongst others SALGA⁴ and its southern African counterparts in Zambia and Botswana.

Logical Framework Approach (LFA)

ICLD uses the logical framework approach (LFA) as the basis for its training programme. This approach is further integrated in the concepts of local democracy and possibly creating or instituting organisational change. This concept is further elaborated on in the paragraphs below.

Visit by ICLD Senior Management

Additionally Senior Management from ICLD has requested to meet with senior management, as well as senior politicians from Stellenbosch Municipality. It is proposed that this meeting will be held on or about the 22nd of October 2024 in Stellenbosch. This meeting will run concurrent with the same visit of the ICLD representatives. As far as it can be ascertained, it is the first time that ICLD'S senior management requested a meeting with any of the municipalities in the ITP programme.

6.4 **Feedback on Stellenbosch and Jönköping Municipality partnership**

Proposed interventions and programmes that Stellenbosch Municipality will / must undertake in collaboration with Jönköping Municipality. The partnership is broadly premised on three programmes, i.e.

- i. Normstorm
- ii. Organisational change (respectively), and
- iii. Re-imagining George Blake Avenue (GBA) in context of safety and gender-based violence (GBV)

² <https://www.hzi-jonkoping-biogas.com/>

³ University of Cape Town – Institute for Democracy, Citizenship and Public Policy in Africa

⁴ SALGA – South African Local Government Association

6.4.1 Normstorm

As mentioned in previous Council items, Stellenbosch Municipality and Jönköping Municipality collaborated on the concept of Normstorm, which is in essence the attempts to address the negative normative patterns that learners experience in their adolescent and pre-adolescent years. Due to a difference in municipal organisational structures, i.e. education is not a local government competency in South Africa, the assistance of the WCED was obtained in realising this programme of the partnership. Stellenbosch Municipality therefore portrayed the role of matchmaker and enabler in this process.

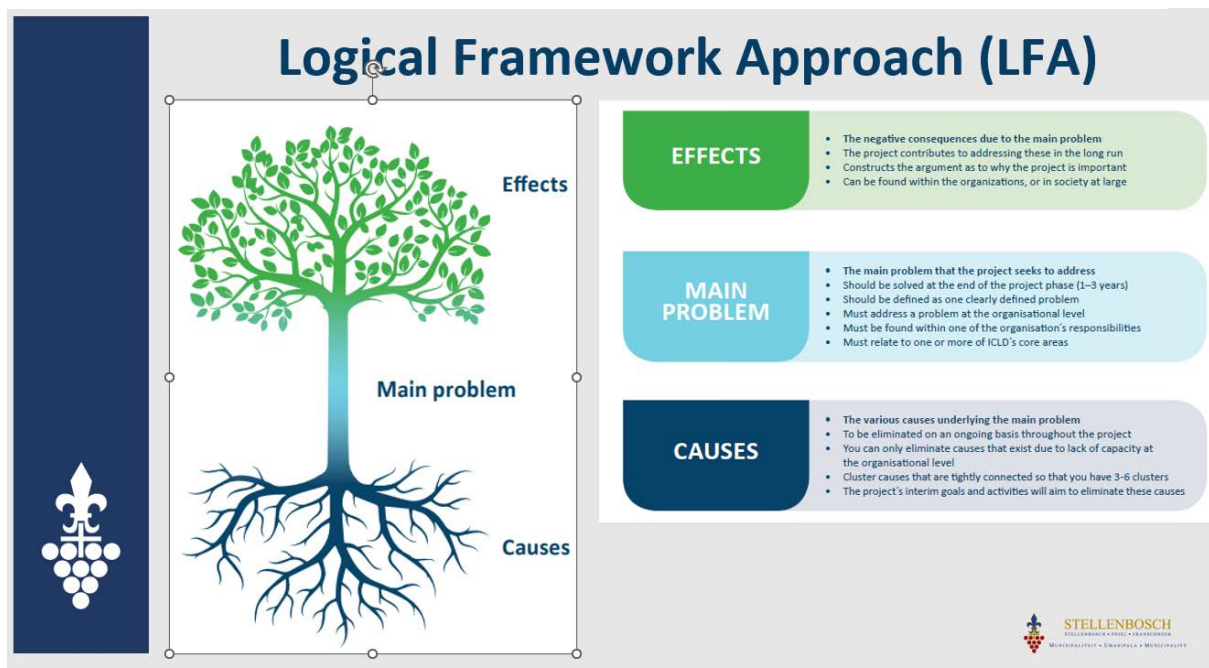
Notwithstanding, currently, there are three local high schools that form part of the programme. Some of their work has been exhibited in Sweden during this year's round of the Normstorm exhibitions. There is also a strong possibility that the teachers from the identified school might visit the respective schools in Jonkoping. Also, the WCED indicated that there is also a strong possibility that the programme might be rolled out to a wider number of schools.

6.4.2 Organisational Change

Organisational change is one of the key pillars of ICLD's International Training Programme (ITP). Accordingly, delegates to the training sessions are constantly required to evaluate the partnership project against any influence on organisational change. Previously it was reported on the influence that the programme had on Stellenbosch Municipality's approach to the Employee Wellness Day activities and integration of departments on municipal projects.

The ICLD programme is therefore premised on the Logic Framework Approach (LFA),

Figure 1: LFA tree



i.e. identifying issues and more importantly identifying the (root) causes of the issues, drilling down to the main problem, which includes finding possible and plausible solutions to the problem. Lastly it includes the evaluation of the effects or impacts of change that was introduced. See figure below.

The interpretation of the LFA is henceforth expressed in terms of the upgrading of the GBA project. To provide context, until recently the importance of George Blake Avenue as an economic artery of the Stellenbosch municipal area, was severely underestimated. It is estimated that up to 4000 pedestrians use this road as their main link between Kayamandi and the economic opportunities in Stellenbosch town centre. The area until recently presented itself with:

- i. overgrown trees and shrubs,
- ii. damage to the road infrastructure,
- iii. a river in bad health and
- iv. a generally unsafe area for especially female pedestrians and school going children. See picture collage hereunder.

Figure: Images of George Blake Avenue



Stellenbosch Municipality therefore launched the upgrading of George Blake Avenue as in part meeting the requirements of ICLD, but also to adhere to its own pillars of dignified living and a safe environment for all. This initiative is premised on addressing gender-based violence (GBV).

Accordingly, a development strategy was introduced at the previous feedback session and a scorecard of same is included hereunder.

Review of multi-year programme (Year 2)

This review is broken down into short term, medium term and long-term interventions:

Short term interventions

Table 1: Short-term interventions

Convince ICLD to host final conference in Stellenbosch	✗
SG to visit a Ward meeting	✓
It was requested that a public meeting must be attended by the SG (if public meeting must be arranged for the period of their next visit)	✓
SG requests attendance to Council meeting (preferably the meeting of February 2024)	✓
Walk through Upper George Blake area	✓
Attendance to the street Soiree	✓
SG meeting in February 2024	✓
Discussion on the follow up meeting for representatives to visit the Swedish Municipality	✓

6.7 Medium term interventions and innovations

Table 2: Medium-term interventions and innovations

Department (Written / Verbal Report)	GBA Maintenance Plan	GBA Innovation / Intervention
Electricity	Yes	<ul style="list-style-type: none"> Tilt lights (Innovation) more lights, adding additional arms to the pole to increase light, solar in future
Environmental Management	GBA Winter / Summer Programme	<ul style="list-style-type: none"> River rehabilitation by removing waste and logs from river strategically, landscaping of the natural area to increase visibility but also allow vegetation to regrow focusing energy on healthy parts, introduced benches strategically to avoid litter here but optimized rest for user through natural shade cover,

		<ul style="list-style-type: none"> plans to remove alien and invasive species and set up embankments to stabilize riverbanks
Roads and Stormwater	GBA Winter / Summer Programme	<ul style="list-style-type: none"> Road infrastructure maintained where possible and adjustments made to existing infrastructure to be more universally inclusive (Innovation), added signage, resealed roads to accommodate high intensity used road areas such as truck stops, clearing blocked culverts to have an uninterrupted flow of the river in GBA.
Informal Settlements	No	<ul style="list-style-type: none"> Liaising from a humanistic perspective, dealing with
Governance	No	<ul style="list-style-type: none"> Poster(s), Reviewing booklet, Liaising with WCED representative to assist Normstorm in South African context through professional photography, reworking collages etc
Community Development	No has a yearly program that changes according to needs identified in IDP	<ul style="list-style-type: none"> Keyrings, GBV safety pamphlets, programs for safety geared at parents during 16 days of activism, programs for menstruation and gender issues at schools, Walk arrange for community to encourage awareness.
Traffic	No	<ul style="list-style-type: none"> Bicycle patrols, more patrols, Bins / waste picker strategy, benches

Law Enforcement	No	• more patrols
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Lastly, the feedback after the Cape Town conference will include the changes to GBA since the inception of the project.

Steering Group Activities

The Steering Group has the following remaining activities planned for Year 2 of the multi-year programme:

1. ITP conference in Cape Town (October 2024)
2. Pilot Joint exhibition during the 16 days of activism (South Africa) and Orange week (Sweden) in November 2024

The Steering Group has the following remaining activities planned for Year 3 of the multi-year programme:

- i. Visit by Stellenbosch Municipality to Jönköping Municipality during March 2025 (date to be confirmed)
- ii. Explore the possibility of the South African teachers in the Normstorm programme visiting Jönköping
- iii. A joint exhibition in July 2025
- iv. Visit by Jönköping Municipality (date to be confirmed)

7. Financial Implications

None. Swedish International Centre for Local Democracy covers all costs directly associated to the project(s), as well as the cost for accommodation and travelling as and when required.

8. Legal Implications

None

9. Staff Implications

None

10. Risk Implications

This report has no risk implications for the Municipality.

11. Comments from Senior Management

No comments required.

12. Previous / Relevant Council Resolutions**19TH COUNCIL MEETING: 2024-01-24: ITEM 11.11.1**

- (a) that Council takes note of the visit by representatives of Stellenbosch Municipality to Jönköping Municipality during August 2024 and September 2024;
- (b) that Council takes note of the Municipal Manager's progress report / feedback dated 25 October 2024;
- (c) that Council takes note of the integration between the Employee Wellness Programme (EWP) and Municipal Partnership Programme (MPP);
- (d) that Council takes note of the guidelines by ICLD for changing Steering Group members;
- (e) that Council replaces Cllr Z Dalling as office bearer, as representatives to the Swedish International Centre for Local Democracy with Deputy Mayor, Cllr J Fasser and second Cllr C van Wyk and second second Cllr L Nkamisa;
- (f) that Council takes cognizance that the ICLD requires an annual inter-partnership visit, i.e. that Stellenbosch Municipality visits Jönköping Municipality in Sweden once a year for the duration of the multi-year programme; and
- (g) that Council takes note of the proposed pilot project for upgrading / re-imagining of the Upper George Blake Avenue (RUGBA) area.

17TH COUNCIL MEETING: 2023-10-25: ITEM 11.11.1**RESOLVED (nem con)**

- (a) that Council takes note of the visit by representatives of Jönköping Municipality during February 2023;
- (b) that Council takes note of the visit to Gaborone Botswana during March 2023 by a delegation from Stellenbosch Municipality as part of the International Training Programme;
- (c) that Council takes note of the training in Lusaka, Zambia during December 2022 and October 2023 by a delegation from Stellenbosch Municipality as part of the International Training Programme;
- (d) that Council takes note of the Municipal Manager's progress report / feedback;
- (e) that Council takes note of the approval multi-year application by Swedish International Centre for Local Democracy; and
- (f) that Council takes note of the integration between the Employee Wellness Programme and the Municipal Partnership Programme.
- (g) that Council re-evaluate and confirm the delegates / representatives from Stellenbosch Municipality that will serve on the Steering Group created by the multi-year agreement, by no later than end January of every calendar year.
- (h) that Council takes cognizance that the International Centre for Local Democracy requires an annual inter-partnership visit, i.e., that Stellenbosch Municipality visits Jönköping Municipality in Sweden once a year for the duration of the multi-year programme.

8TH COUNCIL MEETING: 2022-10-26: ITEM 13.5**RESOLVED (nem con)**

- (a) that Council takes note of the visit to Jönköping Municipality by a delegation from Stellenbosch Municipality;
- (b) that Council takes note of the visit to Lund Municipality by a delegation from Stellenbosch Municipality as part of the International training programme;
- (c) that Council takes note of the Municipal Manager's progress report / feedback;
- (d) that Council takes note for the multi-year application;
- (e) that the Municipal Manager submits an updated (interim) report to Council as soon as the final application to the International Commission for Local Democracy is approved by the latter;
- (f) that the possibility of a Twinning Agreement be investigated and the results be reported to Council; and
- (g) that Council takes note of the training in Lusaka, Zambia during December 2022.

3RD COUNCIL MEETING: 2022-03-30: ITEM 11.11.7**RESOLVED (nem con)**

- (a) that Council takes note of the Municipal Manager's progress report / feedback;
- (b) that Council take note of the visit to Stellenbosch Municipality by a delegation of from Jönköping Municipality;
- (c) that the Municipal Manager submits an updated report to Council as soon as the final application to Swedish International Centre for Local Democracy is approved by the latter; and
- (d) that Council appoints the following office bearers, as representatives to the Swedish International Centre for Local Democracy:
 - (i) Cllr Z Dalling (Ms)
 - (ii) Cllr M Nkopane (Ms)

40th COUNCIL MEETING: 2021-01-27: ITEM 11.10.2**RESOLVED (majority vote)**

- a) that Council takes note of the requirement to identify and confirm the appointment of two (2) suitable Councillors to represent the Municipality in this partnership;
- b) that Council takes note of the requirements to identify and confirm the appointment of two (2) suitable Officials to represent the Municipality in this partnership;

- c) that council takes note that the traveling and accommodations requirements for the four (4) staff members will be covered by Swedish International Centre for Local Democracy;
- d) that Council takes note of the fact that there currently are international travel restrictions in place as a result of the ongoing Covid 19 pandemic;
- e) that Council confirms the appointment of Cllrs WC Petersen (Ms) and Z Dalling (Ms) – with Cllr E Groenewald (Ms) to be second- to represent the Municipality in this partnership, who's particular will be recorded in the Inception Application; and
- f) that Council confirms the appointment of the Municipal Manager, Ms Geraldine Mettler, and the Manager: Housing Administration, Ms Rotanda Swartbooi, as the two (2) suitable Officials to represent the Municipality in this partnership.

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

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

RESOLVED (majority vote with 1 abstention)

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

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2024-01-17: ITEM 7.11.1

- (a) that Council takes note of the visit by representatives of Stellenbosch Municipality to Jönköping Municipality during December 2023;
- (b) that Council takes note of the Municipal Manager's progress report / feedback dated 25 October 2023;
- (c) that Council takes note of the integration between the Employee Wellness Programme (EWP) and the Municipal Partnership Programme (MPP);
- (d) that Council takes note of the guidelines by ICLD for changing Steering Group members;
- (e) that Council re-evaluate and confirm the delegates / representatives from Stellenbosch Municipality that will serve on the Steering Group created by the multi-year agreement, by no later than end January of every calendar year;

- (f) that Council takes cognizance that the ICLD requires an annual inter-partnership visit, i.e. that Stellenbosch Municipality visits Jönköping Municipality in Sweden once a year for the duration of the multi-year programme; and
- (g) that Council takes note of the proposed pilot project for upgrading / re-imagining of the Upper George Blake Avenue (RUGBA) area.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2024-10-16: ITEM 7.11.1

- (a) that Council takes note of the visit by representatives of Stellenbosch Municipality to Jönköping Municipality during August and September 2024;
- (b) that Council takes note of the visit by representatives of Stellenbosch Municipality to Refugees Association in Istanbul, Turkey in September 2024;
- (c) that Council take note of the Municipal Manager's progress report / feedback dated October 2024;
- (d) that Council take cognizance that 2025 is the final year of the multi-year programme;
- (e) that Council take note that for continuity the Steering Group remains unchanged during the final year of the multi-year programme;
- (f) that Council take note of ICLD's conference in October 2024 in Cape Town and Stellenbosch Municipality's attendance at same;
- (g) that Council take note of ICLD's requirement of a visit by the respective municipalities' representatives to their partner municipalities;
- (h) that Council takes note that the next visit for Stellenbosch Municipality to Jönköping Municipality is March 2025 to coincide with the Normstorm exhibition in Sweden;
- (i) that Council take note of the progress made with the Normstorm project; and
- (j) that Council takes note of the progress made with the pilot project for upgrading / re-imagining of the Upper George Blake Avenue (RUGBA) area.

ANNEXURES

ANNEXURE 1 – Minutes of 19th Meeting of Council: 2024-01-24: Item 11.11.1

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>2024-10-10</i>

10.	MATTERS TO BE CONSIDERED IN-COMMITTEE
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SEE PINK DOCUMENTATION

The meeting adjourned at 11:50

CHAIRPERSON:

DATE:

Confirmed on

6.	STATUTORY MATTERS
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6.1	INTEGRATED DEVELOPMENT PLAN (IDP) COMMUNITY INPUTS AND COMMENTS SUBMITTED WITHIN THE PUBLIC PARTICIPATION PERIOD IN 09 – 30 SEPTEMBER 2024
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

21 November 2024

1. SUBJECT: INTEGRATED DEVELOPMENT PLAN (IDP) COMMUNITY INPUTS AND COMMENTS SUBMITTED WITHIN THE PUBLIC PARTICIPATION PERIOD IN 09 – 30 SEPTEMBER 2024

2. PURPOSE

To submit the following to the Council for notification the IDP community inputs and comments submitted within the public participation period of 09 – 30 September 2024 for the 3rd review of the 5th Generation Integrated Development Plan (IDP) 2022 – 2027, attached as **ANNEXURE A**.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

In terms of legislation, a municipality is required to conduct a public participation process to solicit community input and comments in preparation for the review of the IDP and budget for the new financial year. In preparation for the drafting of the 3rd review of the 5th Generation IDP 2022 – 2027, open days and a stakeholder engagement were held.

The public participation period commenced on 09 September 2024 and concluded for input and comments on 30 September 2024 at 16:30. The public participation open days occurred at designated venues from 10 - 16 September 2024. A stakeholder engagement was held on 25 September 2024.

The community input and comments will be submitted to the ward councillors to discuss with their respective ward committees and to review (if so required) their ward priorities for the 2025/26 financial year and / or outer financial years in line with the community inputs received.

In addition, the community input and comments will also be submitted to the various directorates for consideration in their respective strategies, projects, programmes, and master plans.

A copy of the combined IDP input and comments are herewith submitted to the Council and are attached as **ANNEXURE A**. As noted above, the due date for submission(s) was 30 September 2024 @ 16:30, however, the municipality received late submissions until 02 October 2024. The table below lists the late submissions:

No.	Surname	Initial	Organisation	Date Submission received	Description
1.	Crawford	G	Resident	01 Oct 2024 (late submission: Tuesday, 01 October 2024 07:23)	Objection to Wildebosch extension
2.	Williams	J	Ward Councillor	02 Oct 2024 (late submission: Wednesday, 02 October 2024 11:23)	Include Vaaldraai/ Elsenburg within the Urban Edge of WCO24
3.	Coetzee	A	Resident	02 Oct 2024] (late submission: Monday, 30 September 2024 at 22:59:48)	Smart City Precinct include Farms 1515, RE/ 742, 26/32, RE24/32 and 27/32.
4.	Coetzee	A	Resident	02 Oct 2024 (late submission: Tuesday, 01 October 2024 00:02)	Development of Portion 1 of Farm 1151 including industrial and agro-industrial
6.	van Zyl	D	Resident	02 Oct 2024 (late submission: Tuesday, 01 October 2024 09:53)	Inclusion of a portion of Ptn 33 of Farm 748, into the Klamputs Urban Edge
7.	Crawford	G	Resident	01 Oct 2024 (late submission: Tuesday, 01 October 2024 07:23)	Objection to Wildebosch extension

5. RECOMMENDATIONS

- (a) that the Council **takes note** of the community inputs and comments received during 09 – 30 September 2024 public participation process, attached as **ANNEXURE A**;
- (b) that the Council **takes note** that the ward councillor will, in consultation with the ward committee, review the ward priorities of the respective ward; and
- (c) that the Council **takes note** that the [re]prioritised ward priorities and community inputs will be considered by the municipality for implementation in the 2025/26 and / or outer financial years.

6. DISCUSSION

Background

In terms of Section 17 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), a municipality must establish appropriate mechanisms, processes, and procedures to enable the local community to participate in the affairs of the municipality. The Council approved the IDP Public Participation Open Days on 23 August 2023 as a method of public participation to fulfill this legislated mandate.

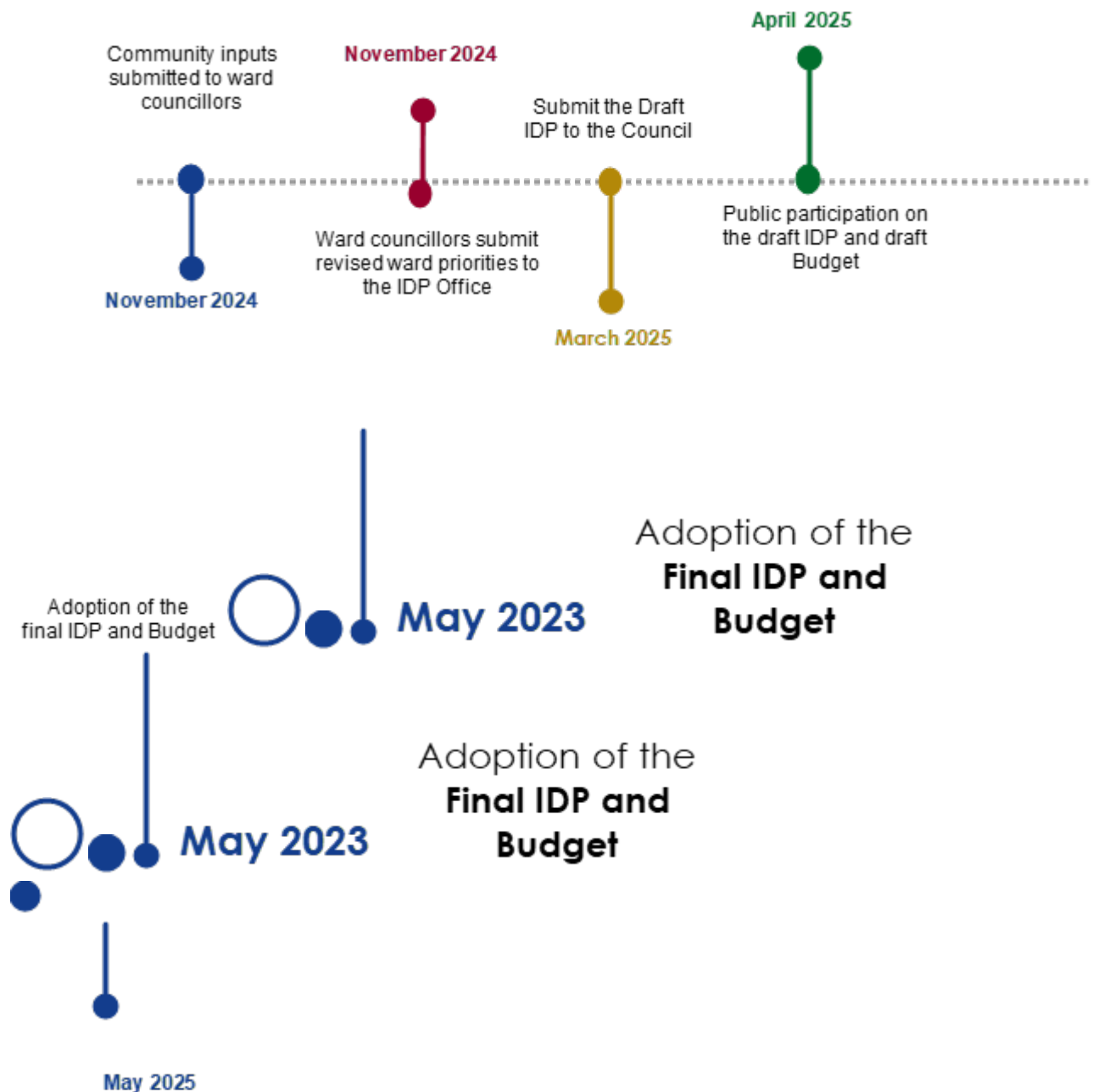
A total of eight (8) open days were held from 09 – 16 September 2024 at the specific venues. The municipality advertised a public notice in the local newspaper, on the municipal website, broadcast it on WhatsApp, and published it on Facebook and X.

The municipality also facilitated a stakeholder engagement on 25 September 2024, inviting stakeholders to attend and submit their input. The sectoral organisations had

the chance to provide verbal inputs and comments, which the municipality included in **ANNEXURE A**.

The below diagram illustrates how the municipality will process the inputs and comments received during the period 09 – 30 September 2024 until May 2025, when the final 3rd review of the 5th Generation IDP 2022 – 2027 will be submitted to the Council for consideration and adoption.

Figure 1: 3rd review of the 5th Generation IDP 2022 – 2027 inputs timeline



2. **Financial Implications**

Public Participation -Sept 2022

- Inputs and comments were captured and forwarded to ward councillors for consideration.

There are no financial implications beyond that which was approved in the 2024/25 MTREF Budget.

6.3 **Legal Implications**

Section 16 (1) of the MSA states that:

A municipality must develop a culture of municipal governance that complements formal representative government with a system of participatory governance, and must for this purpose—

a. encourage, and create conditions for, the local community to participate in the affairs of the municipality, including in—

i. the preparation, implementation and review of its integrated development plan in terms of Chapter 5;

ii. the establishment, implementation and review of its performance management system in terms of Chapter 6:

iii. the monitoring and review of its performance, including the outcomes and impact of such performance:

iv. the preparation of its budget; and

v. strategic decisions relating to the provision of municipal services in terms of Chapter 8;

b. contribute to building the capacity of—

i. the local community to enable it to participate in the affairs of the municipality; and

ii. councillors and staff to foster community participation; and

- c. use its resources, and annually allocate funds in its budget, as may be appropriate for implementing paragraphs (a) and (b).

Section 17(2) of the MSA further specifies that:

A municipality must establish appropriate mechanisms, processes and procedures to enable the local community to participate in the affairs of the municipality, and must provide for -

- a. the receipt, processing and consideration of petitions and complaints lodged by members of the local community;
- b. notification and public comment procedures, when appropriate;
- c. public meetings and hearings by the municipal council and other political structures and political office bearers of the municipality, when appropriate;
- d. consultative sessions with locally recognised community organisations and, where appropriate, traditional authorities; and
- e. report back to the local community.

6.4 Staff Implications

This report has no additional staff implications for the municipality.

6.5 Risk Implication

This report has no direct risk implications for the municipality.

6.6. Previous / Relevant Council Resolutions

None.

7. Comments from Senior Management

7.1 Director: Community and Protection Services

Supported.

7.2 Chief Financial Officer

Supported.

7.3 Director: Infrastructure Services

Supported.

7.4 Director: Corporate Services

Supported.

7.5 Director: Planning and Economic Development

Supported.

7.6 Municipal Manager

Supported.

ANNEXURES

Annexure A: IDP Public Participation Community and Stakeholder Inputs and
Comments: September 2024

FOR FURTHER DETAILS CONTACT:

NAME	Geraldine Mettler
POSITION	Municipal Manager
DIRECTORATE	Office of the Municipal Manager
CONTACT NUMBERS	021 – 808 8025
E-MAIL ADDRESS	Geraldine.Mettler@ Stellenbosch.gov.za
REPORT DATE	01 November 2024

ANNEXURE A

List of written submissions received via email

IDP Public Participation – September 2024 – List of Written Submissions

No.	Surname	Name	Organisation	Date Submission received	Description	Email address	Responsible Manager
1.	Schäfer	Siegfried	Councillor	11 Sept 2024	Ward 1 IDP	siegfried.schafer@gmail.com	Clayton Hendricks Johan Fullard Albert van der Merwe Nombulelo Zwane
2.	Davids	Isaac	Wemmershoek Community	11 Sept 2024	Ward 3 Projects and Budget	wemmershoekcommunity@gmail.com	Monique Steyl
3.	Harley	Jade	Resident	21 Sept 2024	Objection: Eastern Link Rd	jadeharley.pvt@gmail.com	Johan Fullard
4.	Lutjeharms	Maria	Resident	21 Sep 2024	Objection: Eastern Link Rd	mlutjeharms@mweb.co.za	Johan Fullard
5.	Channell	Marietha	Resident	23 Sept 2024	Objection: Eastern Link Rd	mariethachannell@gmail.com	Johan Fullard
6.	Baptiste	Trevor	Resident	23 Sept 2024	Eastern Link Rd and Farm Brandwacht No1049	tb@oceansfc.com	Johan Fullard Stiaan Carstens
7.	Mcombring	Nateshia	Ward Councillor	26 Sept 2024	IDP Inputs - Ward 6	Nateshia.Mcombring@stellenbosch.gov.za	Albert van der Merwe Nombulelo Zwane Johan Fullard Charl Kitching Lesley van Gensen
8.	Fick	Acama	Resident	25 Sept 2024	Objection: Eastern Link Rd	acama68@gmail.com	Johan Fullard
9.	Heys	Clifford	TV3 PROJECTS (PTY) LTD	27 Sept 2024	Brandwacht No 1049 and Wildebosch Extension	Clifford@tv3.co.za	Stiaan Carstens Johan Fullard
10.	Eksteen	Adriaan	Resident	30 Sept 2024	Objection: Eastern Link Rd	adriaan_e@yahoo.co.uk	Johan Fullard
11.	Joubert	Andre	Resident	30 Sept 2024	Objection: Eastern Link Rd	joubertaw@gmail.com	Johan Fullard

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No.	Surname	Name	Organisation	Date Submission received	Description	Email address	Responsible Manager
12.	Anton	Lotz	Anton Lotz Town and Regional Planning	30 Sept 2024	Adjustment: Klappmuts Urban Edge	alotz@iafrica.com	Jeremy Benjamin
13.	Anton	Lotz	Anton Lotz Town and Regional Planning	30 Sept 2024	Adjustment: Lynedoch Urban Edge	alotz@iafrica.com	Jeremy Benjamin
14.	Hayes	Berta	Stellenbosch Interest Group	30 Sept 2024	Libertas Farm and Eastern Link Rd	interestgroupstellenbosch@gmail.com	Stiaan Carstens Johan Fullard Jeremy Benjamin
15.	Shepherd	Brian	Paradyskloof Neighbourhood Watch	30 Sept 2024	Objection: Eastern Link Rd	bshepherd.log@gmail.com	Johan Fullard
16.	Mette	Claus-Peter	Brandwacht Action Group (BRAG)	30 Sept 2024	Objection: Eastern Link Rd	cp@mettesauto.co.za	Johan Fullard
17.	Basson	Daniel	EDEN HOMEOWNERS ASSOCIATION (EHOA)	30 Sept 2024	Objection: Eastern Link Rd	danielbasson2@gmail.com	Johan Fullard
18.	Algotsson	Emma	Brandwacht Action Group (BRAG)	30 Sept 2024	Objection: Eastern Link Rd	emma@kompost-it.co.za	Johan Fullard
19.	Serdyn	Johanna	Ward Councillor	30 Sept 2024	Ward 11 IDP Input	johanna.serdyn@stellenbosch.gov.za	Albert van der Merwe Johan Fullard
20.	von der Heyden	Sophie	Resident	30 Sept 2024	Objection Eastern Link road, and 'Trumali road extension' Stellenbosch	svdh@sun.ac.za	Johan Fullard Stiaan Carstens Jeremy Benjamin
21.	Wilson	Simon	Stellenbosch Ratepayers Association	30 Sept 2024	CITP and Eastern Link Rd	simon@landsgate.co.za	Johan Fullard Jeremy Benjamin
22.	Baptiste	Trevor	Resident	30 Sept 2024	Objection: Eastern Link Rd and Brandwacht No 1049	tb@oceansfc.com	Johan Fullard Jeremy Benjamin Stiaan Carstens
23.	Crawford	Graham	Resident	01 Oct 2024 (late submission: Tuesday, 01 October 2024 07:23)	Objection to Wildebosch extension	crawfg@gmail.com	Johan Fullard

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No.	Surname	Name	Organisation	Date Submission received	Description	Email address	Responsible Manager
24.	Williams	James	Ward Councillor	02 Oct 2024 (late submission: Wednesday, 02 October 2024 11:23)	Include Vaaldraai/ Elsenburg within the Urban Edge of WCO24	James.Williams@stellenbosch.gov.za	Jeremy Benjamin
25.	Coetzee	Anelia	Resident	02 Oct 2024 (late submission: Monday, 30 September 2024 at 22:59:48)	Smart City Precinct include Farms 1515, RE/ 742, 26/32, RE24/32 and 27/32.	anelia@rumboll.co.za	Jeremy Benjamin
26.	Coetzee	Anelia	Resident	02 Oct 2024 (late submission: Tuesday, 01 October 2024 00:02)	Development of Portion 1 of Farm 1151 including industrial and agro-industrial	anelia@rumboll.co.za	Jeremy Benjamin
27.	van Zyl	Deon	Resident	02 Oct 2024 (late submission: Tuesday, 01 October 2024 09:53)	Inclusion of a portion of Ptn 33 of Farm 748, into the Klapmuts Urban Edge	deon@al-a.co.za	Jeremy Benjamin

Siegfried Schäfer

Catherine Muller

From: Siegfried Schäfer <siegfried.schafer@gmail.com>
Sent: Wednesday, 11 September 2024 08:17
To: idp
Subject: [EX] Ward 1 IDP contributions

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning,

Herewith some contributions to the Ward 1 IDP:

1. Streetlights: Even when reported via Let's Fix It, it takes weeks for street lights to be repaired in Franschoek. This is not acceptable. It might help if the municipality has a dedicated team repairing streetlights.
2. Rubbish Bins: There appears to be no obvious schedule when it comes to cleaning out overflowing rubbish bins. I keep reporting the same ones month after month yet no attempt appears to be made to empty the problematic ones more often.
3. Dog Poo Bins: Two dog poo bins were removed in Fhk (a corner of the Patrysfontein Reservoir and on the corner of Lambrechts and Nerina St. Please can they be replaced?
4. Bushes at Bowls Club: The overgrown bushes around the perimeter of the Bowls Club are a security and health hazard. Vagrants are sleeping under the bushes and people are using them as public toilets.
5. Franschoek Town Hall: The grounds around the town hall are in a very bad state: Paving is breaking up all over, there are mismatched bollards, gutters are blocked, rain water pipes & gullies are blocked and broken, there's a broken notice board next to La Rochelle St, I could go on...
6. Mont Rochelle Entrance Road: The entrance road to the Mont Rochelle Nature Reserve needs serious intervention – more than just an application of laterite. It's washed out to the bedrock and a permanent solution such as paving is required.
7. Half-dead Roses: The three or four half-dead rose bushes on the corner of Huguenot Rd and Excelsior Rd should be removed. It will look much better if there is only lawn there instead of these sad specimens.
8. Hand-painted Road Names: There are a number of places along Dirkie Uys and Akademie St where the names of Berg and La Rochelle Streets have been hand painted on the kerb. It looks terrible. Proper cast streetnames should be installed in the kerbs.
9. Problematic / Dangerous Intersection: There is a deep dip in the intersection of Dirkie Uys & La Rochelle Streets – heading towards the school in Akademie St. Cars can't cross straight over the intersection without scraping their noses. This results in drivers undertaking dangerous manoeuvres in the face of oncoming traffic to avoid damage to their cars. A pipe needs to be installed under this intersection so the dip can be flattened out.
10. Patrysfontein Stream: The section of this stream running past the reservoir is still problematic when heavy rains fall. Not only are there large boulders in the upper section, but also at least 5 trees of varying sizes that are growing right in the middle of the streambed. Debris is already accumulating against them and it will only get worse as the trees get even bigger. These trees should be removed and new trees planted in appropriate positions on the streambanks to stabilise them.

11. Short-term Rentals: Short-term rentals, particularly where entire dwelling units are used as STRs, are out of control in Fhk. There are numerous street blocks with only one or two permanent residents. Using entire dwelling units as STRs should be banned completely. The municipality has a duty to protect our community.

Kind regards | Vriendelijke groete
Siegfried Schäfer
siegfried.schafer@gmail.com | 0823915327

Wemmershoek Community

Nwabisa Jozana

From: Wemmershoek Community <wemmershoekcommunity@gmail.com>
Sent: Wednesday, 11 September 2024 09:19
To: idp
Subject: [EX] Ward 3 Budget & Projects Allocated

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning

We would like to know what the Ward budget of the above is?

Secondly what projects was allocated towards that Ward Budget please.

The meeting of yesterday doesn't do any presentation like other IDP meetings.

Waiting for your reply

Kind regards
Isaac Davids

Jade Harley

Nwabisa Jozana

From: Jade Harley <jadeharley.pvt@gmail.com>
Sent: Saturday, 21 September 2024 17:05
To: idp
Subject: [EX] OBJECTION to Wildebosch Ext./Eastern Link Road

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To whom it may concern.

I cannot believe that Stellenbosch Municipality is even considering this extension be built through such an intruding part of Stellenbosch.

This will pose many degrading issues to the areas of Paradyskloof, Brandwacht, Dalsig and surrounds for where the proposed road is to run through. Issues primarily as safety come to mind as a priority concern, and following that road noise, lowering of property value, and more.

I OBJECT to this project going ahead, in agreement with many other local residents and home owners, their families and those whom work for them.

Why not focus on maintaining the town as is, and focus energies on all new developing areas on the outskirts of the town. Everyone knows there is no place for new developments along the proposed route.

Regards.

Jade Harley

Maria Lutjeharms

Nwabisa Jozana

From: mlutjeharms <mlutjeharms@mweb.co.za>
Sent: Saturday, 21 September 2024 20:06
To: idp
Subject: [EX] Wildebosch verlenging

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Aan wie dit mag aangaan.

Stellenbosch en omgewing bars uit sy nate met nuwe ontwikkeling.

Dit veroorsaak soveel meer motors op die paaie en al hoe stadiger verkeer.

Kan ons nie die dorp behou vir die nageslag nie.
Kan dit nie ñ pragtige dorp bly ipv ñ probeer stad nie.

Los die nuwe paaie en klompe uitbreidings.

Groete Maria Lutjeharms

Sent from my Galaxy

Marietha Channell

Nwabisa Jozana

From: Marietha Channell <mariethachannell@gmail.com>
Sent: Monday, 23 September 2024 14:54
To: idp
Subject: [EX] Eastern Link Road

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To whom it may concern.

It should be obvious to the planners in the Department of Road Infrastructure of the Stellenbosch Municipality, that it is not feasible to execute a plan that was conceived 56 years ago in 1968.

What was conceived as the Eastern Bypass is no longer possible. In 1968 that was rural area, allowing for a bypass. That is no longer the case. It is now a densely populated residential area. To build a multi lane road in Wildebosch will have dire consequences for the residents.

Not only will it impact extremely negatively on the property prices, but also the quality of life of the residents will be affected by noise and car fume pollution.

The fact that the original plan will now only be completed as far as Trumali Rd indicates the folly of the exercise. To change the name from the Eastern Bypass to the Eastern Link Road, does not address the problem. What was originally conceptualised can no longer be executed.

As a long term ratepayer, I trust that Stellenbosch Municipality will take the interest of ratepayers into consideration and reject this project.

Regards
Marietha Channell
Longifolia Street 14
Stellenbosch.

Trevor Baptiste

Nwabisa Jozana

From: Trevor Baptiste <tb@oceansfc.com>
Sent: Monday, 23 September 2024 08:50
To: idp
Cc: emma@kompost-it.co.za
Subject: [EX] Eastern Link Road ("Wildebosch Extension")_OBJECTION
Attachments: 240923_Objection Form_Baptiste.pdf; Annexure A_220926_Objection Form_Baptiste.pdf

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good day

Please find attached my objection.

Kind regards,

Trevor Baptiste
tb@oceansfc.com [+27 82 773 8042](tel:+27827738042)



www.oceansfc.com

Eastern Link Road ("Wildebosch Extension")

STELLENBOSCH

OBJECTION

ldp@stellenbosch.gov.za

Stellenbosch

To whom it may concern

23 September 2024

OBJECTION

I'm objecting to the intended construction of parts of the Eastern Link Road ("Wildebosch Extension") which is to be completed by June 2026.

The two segments to be built very soon are from the R44/Techno Park intersection to the south end of Wildebosch, and from the north end of Wildebosch across the vineyards to Trumali Road.

The new road just stops at Trumali Rd and does not continue to Brandwacht and Coetzenburg. This new road will therefore serve no purpose and is irrational. It is paid for by Stellenbosch ratepayers' money.

Please also find support for my objection attached as Annexure A.

The real but unstated purpose of the road construction is threefold:

Yours faithfully,

Trevor Baptiste

Trevor Baptiste

**REMAINDER OF THE FARM BRANDWACHT No. 1049,
TRUMALI ROAD, STELLENBOSCH
OBJECTION TO APPLICATION REFERENCE: LU/13953**

Mr Clifford Heys

TV3 Projects (Pty) Ltd

97 Dorp Street

Stellenbosch

7600 clifford@tv3.co.za

Mr Stiaan Carstens

Senior Manager; Development Management

Planning and Economic Development

Stellenbosch Municipality Stiaan.Carstens@ Stellenbosch.gov.za

27 September 2022

Dear Mr Heys

APPLICATION IN TERMS OF SECTION 15.2 (a) OF THE STELLENBOSCH MUNICIPALITY LAND USE PLANNING BY-LAW, 2015 FOR THE REZONING OF THE REMAINDER OF THE FARM BRANDWACHT NO. 1049 FROM AGRICULTURE AND RURAL ZONE TO SUBDIVISIONAL AREA TO PERMIT A VARIETY OF URBAN LAND USES: OBJECTION TO THE APPROVAL OF THE APPLICATION

1 INTRODUCTION

- 1.1 TV3 Projects (Pty) Ltd (under brief from Brandwacht Land Development (Pty) Ltd – the registered owner) has applied for rezoning and deviation from the Stellenbosch Municipality's Spatial Development Framework in respect of Remainder of the Subject Matter Farm Brandwacht No. 1049, in the division of Stellenbosch, Province of the Western Cape (**"the Subject Matter Farm"**).
- 1.2 The Application has been submitted to the Stellenbosch Municipality for consideration under Application Reference: LU/13953 (Rezoning and deviation from the Spatial Development Framework) (**"the Application"**).

- 1.3 In summary, the Application states: ***“The aim of this land use planning application report is to provide the Stellenbosch Municipality with sufficient information to approve a site specific deviation from the Stellenbosch Municipality’s Spatial Development Framework to initiate an urban infill development outside the approved urban edge of Stellenbosch, and to approve the rezoning of the subject property from Agriculture and Rural Zone to Subdivisional Area.”***
- 1.4 Whilst the Application is not for approval of the development of the Subject Matter Farm, one cannot ignore the concept development plan and ultimate desired development on the Subject Matter Farm were the Application successful.
- 1.5 My details are set out below:

<u>RESIDENTIAL ADDRESS</u>	<u>E-MAIL</u>	<u>TEL/CEL</u>
Erf 16163, Nr 7, Twaalfde Slot, Brandwacht Aan Rivier, Stellenbosch, 7600	trevor@mergon.co.za chantelleb@fairtree.com	082 773 8042 082 344 5922

- 1.6 As a resident of Brandwacht Aan Rivier, I have an interest in the subject Application as my rights and legitimate expectations may be affected by the approval of the Application.
- 1.7 I wish to object to the Application and express my strong opposition thereto for the reasons set out herein.

2 **OBJECTION**

- 2.1 I urge the Municipality to disapprove and reject the Application for the various reasons referred to below, including:
- 2.1.1 the Application is in direct conflict with the Municipality’s stated and adopted position in, inter alia, its Spatial Development Framework, as well as the Constitution and other national, provincial and local legal frameworks within which the Municipality must act;
- 2.1.2 the urban edge cannot and should not be amended based on draft ideas and visions of the Applicant;
- 2.1.3 the approval of this Application would result in a piecemeal, inefficient and disjointed approach, contrary to the fundamental principle that the IDP/SDF and its application should be based on sustainable development and long-term sustainability considered in the Greater Stellenbosch context;
- 2.1.4 the Application does not fit within the concept of an infill-development – it falls squarely within the concept of urban sprawl and if allowed will set an undesirable precedent for further development outside of the urban edge;

- 2.1.5 were the Application successful, and the envisioned development thereon be ultimately permitted, the Eastern Link Road will almost certainly be required to manage the additional traffic between the proposed development and Stellenbosch. The Eastern Link Road is a flawed concept from the 1960s that is no longer feasible or viable for Stellenbosch in 2022. Amongst the many technical reasons, including legal and land-use issues, transport planning considerations and financial considerations. These needs to be assessed separately from the Application to ensure that the Eastern Link Road is not forced upon the Municipality, with the concomitant legal and financial consequences for the municipality, as an aftermath of approving the Application. The Eastern Link Road is vigorously opposed and requires public participation;
- 2.1.6 should this Application be considered, thus amending the urban edge of Stellenbosch and rezoning Agricultural and Rural land, this process requires a comprehensive public participatory and consultative process;
- 2.1.7 Attached as annexure A (Letter from the Minister for local government, environmental affairs and development planning dated 30 April 2009 and stamped by Stellenbosch Municipality on 11 May 2009 states (in particular clause 3.11) that the remainder of farm 1049 must be retained for agricultural purposes and that no further urban development be allowed. This is also the reason why we recently purchased our home at erf 16163, nr 7, Twaalfde Slot, Brandwacht Aan Rivier for a substantial premium.
- 2.1.8 with reference to the Applicant's summary of facts and motivation, I comment as follows quoting their assertions:
- 2.1.8.1 *"The farm's agricultural potential is limited"* – this has been inadequately assessed and its veracity is contested. This especially considering the Applicant, contrary to conditions imposed on the existing Brandwacht aan Rivier development, has failed to farm the land to demonstrate its viability or lack thereof, and never had any intention of farming the land;
- 2.1.8.2 *"The proposed urban development will generally support the municipal spatial planning policies"* – this statement is false and the Application should be rejected on the basis that it does not support the Municipality's spatial planning policies;
- 2.1.8.3 *"The proposed development of the application property for urban development purposes is compatible with the character of the immediate surrounding area"* – this statement is false as the proposed urban development is in no way compatible with the character of the immediate surrounding area, including the foothills of the mountain behind it, the vineyards alongside it and the "sense of space" of Stellenbosch;
- 2.1.8.4 *"It will not lead to a loss of a critical biodiversity area"* – the Subject Matter Farm falls within The Cape Winelands Biosphere Reserve that has been included in the world Network of Biosphere Reserves. Known for its uniqueness and high species diversity, the renosterveld of the Stellenbosch Mountain is already under serious

under threat with only 5% of its original extent remaining and further urban sprawl into the fynbos biome is undesirable;

- 2.1.8.5 *"It will have a limited impact on heritage resources"* – the Subject Matter Farm is close to and visible from a "Scenic Route" of the Winelands, and is part of the heritage resources of Stellenbosch. Stellenbosch has a unique combination of mountain scenery and rural landscape that makes this area a prime tourist destination of critical importance to the economy of the region. The heritage value of Stellenbosch is under great threat of fragmentation through creeping urbanization and the Application ignores this;
- 2.1.8.6 *"It will have a limited visual impact"* – there is medium to high visual impact of including the Subject Matter Farm inside the urban edge and the consequent development thereon will destroy the beauty of Stellenbosch for which it is known and admired. Without the view of the mountains, including the Stellenbosch Mountain, without the vineyards and fynbos close to our urban areas, it is simply not Stellenbosch;
- 2.1.8.7 *"It will have significant socio-economic benefits for Stellenbosch town (e.g. it will create new employment opportunities)"* – this statement is false as there is no evidence of any socio-economic assessment being done that supports this sweeping statement. The short-term job creation benefits of a development such as this must be offset against the long-term impact on the infrastructure and cost of the municipality, the nature of the town, the historic and biodiversity value of the winelands, its tourism potential and various other factors that undermine economic growth and prosperity. There is no evidence that this has been considered and it is my contention that the development will have long-lasting negative impacts associated with its urban sprawl, its impact on already strained existing municipal infrastructure (roads, water supply and sewerage, electricity, stormwater management, etc), on the provision of school and hospital facilities, along with the impact on biodiversity, heritage and tourism value;
- 2.1.8.8 *"It will increase the municipal tax base"* – the factual accuracy of this statement should be interrogated further and should be tested before the Application is approved. The increased long-term cost and financial risk to the municipality arising from this development must be carefully considered against any possible increased municipal tax revenue. In addition, the financial risks of individual residents in Stellenbosch, and the associated risk and impact for the Municipality, must be investigated as there is an imminent risk for a decline in house prices, at least for the landowner adjacent to the Subject Matter Farm, as well as an increased burden on residences outside of the proposed residential estate to cross-subsidise municipal tariffs;
- 2.1.8.9 *"The resulting traffic impact will be limited"* – this statement is false, even based on the information included in the Application. The traffic impact will be substantial and will compound the significant congestion and traffic challenges that

Stellenbosch already faces. Should the Application result in the Eastern Link Road being progressed through, there is no doubt it will result in increased traffic through the quiet suburb and over the beautiful reserve leading to Coetzenburg. As stated elsewhere, the technical, financial, legal and operational viability of this Link Road is strongly in doubt and there is no evidence that the Link Road will alleviate the congestion and traffic issues of Stellenbosch nor the additional burden that the proposed development imposes. It is clear that contrary to the statement in the application, the proposed development will lead to additional congestion of Stellenbosch roads, with all the concomitant impacts;

2.2 I thus object to the approval of:

- 2.2.1 the site-specific deviation from the Stellenbosch Municipality's Spatial Development Framework to initiate an urban infill development outside the approved urban edge of Stellenbosch on the Subject Matter Farm; and
- 2.2.2 the rezoning of the Subject Matter Farm from Agriculture and Rural Zone to Subdivisional Area.

Yours faithfully

Trevor Baptiste

Trevor Baptiste

Chantelle Baptiste

Cllr Nateshia Mcombring

Nwabisa Jozana

From: Nateshia Mcombring
Sent: Thursday, 26 September 2024 11:42
To: idp
Subject: IDP Inputs - Ward 6
Attachments: 2024 - 2027 IDP (September 2024).docx

FYA



Vriendelike groete, Kind regards,
Nateshia Mcombring
Councilor/Raadslid:
Corporate Services

T: +27 21 808 8150 C: +27 72 539 6257
Idas' Valley Ward Office, Idas' Valley
Stellenbosch 7600

Safety and Security

- ❖ Installation of Close Circuit Camera on Old Helshoogte Park in Old Helshoogte Road
- ❖ Installation of an LPR Camera at the Main Road 5 (Traffic lights on the corner of Helshoogte Road and R44)
- ❖ New camara installation on the corner of Rustenburg Road and Sonnebloem Street
- ❖ Use of building at the Community Market as a Satellite Police Station
- ❖ Cleaning and fencing (Clearview of Betafence) of all Electricity Boxes in the ward. (Hotspots Electricity Box in front of Idas Valley Primary in Bloekom Avenue; Miniature substation between Old Helshoogte Road and Helshoogte Road opposite Beltane; Madrassa in Protea Street and on the corner of Weber Street and Old Helshoogte Road.
- ❖ More visibility and regular patrols of the Police and Law Enforcement officials in all roads, the Sport Ground, and farms in the area. If the budget allows using neighbourhood watches and give them a stipend.
- ❖ Regular pruning of tress hanging over electricity wires in the roads of Ward 6, as the need requires,
- ❖ Removal of the trees between the back of the houses in Botmanskop Road and Helshoogte Road

Infrastructure

- ❖ Construct of pavements or sidewalks for Weber Street, Erasmussmith Street, Bakker Street, Botmanskop Road, Dahlia Street and Speler Street
- ❖ Tar the Public parking area next to Idas Valley Library and the Ward Office.
- ❖ Upgrading and resealing of roads and potholes as required in the ward.
- ❖ More regular basis cutting of the grass on the parks and on all pavements in Ward 6. As well as on Helshoogte Road and R44. Not only the 6 weeks cycle as currently implemented for the Main Roads
- ❖ Request traffic lights on the turn-off from Kromme Rhee Road in the direction of Koelenhoff and turn-off from Elsenburg (near Kanonkop)
- ❖ PWarning sign board indicating pupils/people crossing the R44 near the second entrance of Cloetesville near Nietvoorbij in the direction of Klapmuts
- ❖ Warning sign board indication pupils/people crossing the R44 near Timerlea Farm (Blue Jay) in the direction of town.
- ❖ Warning sign boards indication pupils/people rossing the R44 on both sides near Remhoogte and Lavinir
- ❖ Pedestrian Traffic light on Helshoogte Road near Spar in the direction of Stellenbosch Primary and High School
- ❖ Replacement of current outdated sewerage and water pumps as needed in the ward
- ❖ Parking Embayment in front of Old Apostolic Church in Luckhoff Street to help ease the parking problem of dropping and picking up pupils of Idas Valley Primary School.
- ❖ Parking Embayment in front of the New Apostolic Church in Hahn Street
- ❖ Paint the Bus shelters in the ward which is covered by graffiti.
- ❖ Regular cleaning of the drains to prevent overflowing during rainy conditions.
- ❖ Regular maintenance and repairs of all street lights in Ward 6.

LED Planning

- ❖ Request waterproof covers for the Community Market to allow residents to use the facility as a hall and through all weather conditions.
- ❖ Support and funding for Tourism/Running/Cycling/Walking
- ❖ Support and funding for Skills Development (Arts and Crafts), Reading and other Soft Skills Programs (First Aid, Learners), ect.

Recreation and Sport

- ❖ Replacement of the vibrance wall with a solid wall or clear view fencing on the Sport Grounds
- ❖ Conduct a feasibility study for the planning of a new rugby clubhouse.
- ❖ Conduct regular maintenance of the facilities of the sport field in Idas Valley
- ❖ Tar the entrances of Idas Valley Sportsground
- ❖ Upgrade of the lights on the Rugby Fields
- ❖ Upgrade seating in the stadium with recycling chairs or wooden panels.
- ❖ Upgrade of BMX Track and clear view fencing around it
- ❖ Purchase of BMX Bicycles
- ❖ Request First Aid equipment set and a stretcher per sport code.
- ❖ 5 x 65 cm Large Garden Chessboards Sets with nylon chess board bag and storage bag for the ward for skills development and recreational purposes.

Human Settlements

- ❖ Conduct a need and cost analysis for a Frail Care Centre in WCO23

Acama Fick

Nwabisa Jozana

From: Acama Fick <acama68@gmail.com>
Sent: Thursday, 26 September 2024 19:13
To: idp
Subject: [EX] Eastern link road

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From: acama68@gmail.com>
Date: Mon, 25 Sept 2024
Subject: Eastern Link Road

To whom it may concern.

When, in 1968, I arrived in Stellenbosch to begin my teaching/lecturing/music conducting career I wasn't yet 24 years old. That was 56 years ago. I had a premonition that I would die in this idyllic, historic South African small town. I recently became 80 and realised clearly that Stellenbosch is not an idyllic living - or working - space anymore. It has become a semi-nightmare already. Stellenbosch seems to be striving to become a kind of metropolis while the glaringly simple **geographical fact** is: it can not.

How can the planners in the Department of Road Infrastructure of the Stellenbosch Municipality think that it is feasible to execute a plan that was conceived 56 years ago in 1968 - (when I, for one, arrived here 😊)?

What was conceived then as the "Eastern Bypass" is no longer possible. In 1968 the area where I/we now live was a rural area, allowing for a bypass. That is no longer the case. It is now a densely populated residential area. To construct a multi lane road in Wildebosch Street will have dire consequences for most/all the residents.

For instance:

1. Property devaluation to a high degree.
2. Constant noise, even screaming ambulances on its way to the new hospital.
3. Raising of psychological stress levels which impact the quality of one's "daily job" to provide for the family, or even for the lone self, without becoming a total burden on "the state" or your neighbours.
4. Constant inhaling of car fumes - and we have babies and young kids of all "skin colours" in our area.

**Re: the problem of Overberg/ Somerset - West commuters:
 Couldn't railroad travelling be a new possibility?**

We all trust and pray that Stellenbosch Municipality - and the entire Western Cape - will retain a serious sense of the history of this town, its international fame as a place of great pastoral beauty and civilized but un-ostentatious culture. To repeat: Stellenbosch

is geographically not an area designed by the Creator to evolve to a mini-metropolis. It already has far too many inhabitants including "instreamers" from other African countries seeking jobs. And - NB - the University has expanded beyond the capacity of this town in terms of student population.

Please reject this new project.
History will one day judge us harshly if this madness continues.

Thank you and regards.

Acama Fick
24 Anesta
Paradyskloof. Stellenbosch



AntwoordStuur aan
Voeg reaksie by

TV3 Projects (PTY) LTD

Nwabisa Jozana

From: Clifford Heys <Clifford@tv3.co.za>
Sent: Friday, 27 September 2024 14:44
To: idp
Subject: [EX] STELLENBOSCH INTEGRATED DEVELOPMENT PLAN 2025/26: PUBLIC PARTICIPATION
Attachments: TV3 letter [2024-09-25][34].pdf

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Dear sir/madam

See attached letter.

Clifford Heys

Pr Pln (TRP SA), B Econ, M (T&RP), MSAPI
DIRECTOR • TOWN PLANNING
Cell: +27 (0)83 309 9770
[Directions](#)



Our Reference: 3504-P

27 September 2024

Municipal Manager
Stellenbosch Municipality
Town House
7600 STELLENBOSCH

FIRST FLOOR
LA GRATITUDE
OFFICE BUILDING
97 DORP STREET
STELLENBOSCH 7600
TEL 021 861 3800

Attention: Ms. Geraldine Mettler

Madam

STELLENBOSCH INTEGRATED DEVELOPMENT PLAN 2025/26: PUBLIC PARTICIPATION PROCESS

1. We refer to the draft Integrated Development Plan and the invitation to interested and affected parties in the *Eikestad* of 29 August 2024 to give an input thereon. This letter is addressed to you on the instructions of Brandwacht Land Development (Pty) Ltd, the owner of the Remaining Extent of the farm Brandwacht No 1049, Stellenbosch. Brandwacht Farm is situated adjacent to Trumali Road. The draft IPD provides for the construction of an extension of Wildebosch Road that will connect Trumali Road with the recently constructed Schuilplaats Road.
2. The owners of Brandwacht farm are in the process of preparing the necessary applications for planning permission to undertake a residential development on the farm. The owners are not in convinced of the need for the proposed extension of Wildebosch Road, as described in the draft Integrated Development Plan, or that any need that might be found to exist will justify the construction cost thereof. The extension is not necessary for the proposed residential development on Brandwacht farm, and the owners do not back it. The proposed development on Brandwacht farm can proceed without it.

3. The owners received from Zantè Eberhardt, environmental specialist on behalf of Zutari, notice of an application, *inter alia* for an environmental authorisation of a proposed Wildebosch Road extension to Trumali Street, as required under the National Environmental Management Act 1998. Insofar as the owners may consider it necessary, they will participate therein. We submit that, despite its inclusion in the Integrated Development Plan, the construction of the extension should be guided by the outcome of the environmental impact assessment.

Yours faithfully



CLIFFORD HEYS

TV3 PROJECTS (PTY) LTD

Adriaan Eksteen

Nwabisa Jozana

From: Adriaan Eksteen <adriaan_e@yahoo.co.uk>
Sent: Monday, 30 September 2024 16:55
To: idp
Subject: [EX] Objection to Eastern Link Road

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Objection to the building of the Eastern link road (Wilderbosch extention) as proposed in the Stellenbosch IDP plan and budget

I wish to object to the building of the above and express my strong opposition thereto.

As an opening comment I wish for the Municipality to take note and appreciate the immense feelings of frustration and anger amongst the citizens and rate payers of Stellenbosch to the way the Municipality continues to pursue the spatial development projects at odds with the wishes of most of the residents of the town.

A few recent developments spring to mind:

- * The opposition to and sheer disgust of The Botmaskop development speaks for itself
- * The Parking garage in the centre of town that will lead to more, not less, congestion and to which the Municipality have not been able to argue a case that this will not be so
- * Various gated developments in and on the outskirts of Stellenbosch, changing the character of the town and surely also leading to insurmountable traffic problems

The Eastern link road does not make any logical sense if indeed the intention is not to, with time, continue this road over the Brandwacht area and down into Stellenbosch. The opposition from residents to this project is absolutely clear, and the Municipality must not underestimate the level of anger to this proposal. If ever a situation is ripe for a rate payers revolt, this is it. Also, it would be nice to hear an explanation of why the link to Trumali is ending so high up on Trumali road, cutting across vineyards and disturbing the peace of residents all along its route.

The Municipality and Mayor seem to be beholden to the wishes of Developers, to the detriment of the residents of Stellenbosch.

We are also seeing the character and nature of the town constantly being further eroded. Tourists come here to experience the vineyards and nature of the town. And a town that is quickly starting to resemble the Northern suburbs of Johannesburg will surely slowly kill off the goose that lays the golden egg, namely tourism.

Adriaan Eksteen

23 Le Sueur Road, Brandwacht.

Andre Joubert

Nwabisa Jozana

From: Andre Joubert <joubertaw@gmail.com>
Sent: Monday, 30 September 2024 17:42
To: idp
Subject: [EX] Objection Eastern Link Road
Attachments: Objection Eastern link road.docx

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi

Please find attached objection to the proposed Eastern Link Road

Regards
Andre Joubert

**OBJECTION TO THE EASTERN LINK ROAD (“WILDEBOSCH EXTENSION”) AS PROPOSED IN
STELLENBOSCH IDP PLAN AND BUDGET**

Date: 30 September 2024

idp@stellenbosch.gov.za

Objection

On 24 October 2022, the Brandwacht Action Group (BRAG) submitted an objection to developing the remainder of the farm Brandwacht no 1049, attached as annexure A. The objection was submitted on behalf of 753 residents of Brandwacht, Bo Dalsig, Dalsig, Welgelegen, Paradyskloof, Brandwacht aan Rivier, and beyond, who stand to be affected by the wider consequences of development in the area.

Whilst the objection to the development was not for approval of the traffic management measures, the residents objected to the construction of the Eastern Link Road. The concern was that the Eastern Link Road would almost certainly be required to manage the additional traffic between the proposed development and Stellenbosch. In this regard, the residents noted that the Traffic Impact Study in the application concluded that the Eastern Link Road, along with other traffic upgrades, would be required to address the traffic impacts of the proposed development. The development application was therefore not divisible from the construction of the Eastern Link Road.

The intended construction of parts of the Eastern Link Road (“Wildebosch Extension”), is likewise not divisible from future developments in the area. It is essential that the needs of the entire Eastern Link Road be assessed to ensure that the construction of the road is not forced upon the Municipality and its residents by prospective developments, with the concomitant legal and financial consequences for the Municipality, as an aftermath.

The Wildebosch extension, which stops at Trumali road, does not continue through Brandwacht, Dalsig, and Welgevallen Proefplaas. However, it is noted that the Wildebosch - Trumali segment opens up the opportunity for further development, including the proposed development on farm Brandwacht 1049, and for future construction of the Eastern Link Road all the way to Coetzenburg. The Wildebosch extension serves no purpose if not extended and is an irrational and wasteful expenditure of Stellenbosch ratepayers' money.

I, as resident in 11 Linnes Road, Brandwacht, further objects to the Eastern Link Road for the following reasons:

- 1.1 The Eastern Link Road is a flawed concept from the 1960s that is no longer feasible or viable for Stellenbosch in 2022 and will serve very little purpose in relieving traffic;
- 1.2 The viability of the Eastern Link Road is in question for various reasons, including the availability of land for road reserve; feeder and distribution access to the link road which is inadequate to accommodate any more traffic than is currently carried; the environmental, social and economic impact of such a substantial road development; and the financial impact of such mega-infrastructure on the municipal financial

resources and standing; amongst others. There is no indication that the municipality has undertaken an adequate technical, financial and legal feasibility assessment of the Eastern Link Road, and therefore approval of the Application, which is reliant on the Eastern Link Road, is non-sensical.

- 1.3 The Eastern Link Road will do much aesthetic and environmental damage, especially over Brandwacht and Coetzenburg, over the Eerste Rivier and through Boland College;
- 1.4 The Eastern Link Road is vigorously opposed, including by several Ward Committees in affected areas of Stellenbosch, and for a project with such potential irrevocable negative impacts (possibly the most destructive act committed by the Municipality to date), a thorough public participation process and input from professionals on its impacts on town and transport planning, urban design, the natural environment, and heritage is required.
- 1.5 I also question the investment in this road as opposed to the investment needed in our poorer communities including Kayamandi and Cloetesville. For example the street lights installed at the taxi rank before the bridge has not work for more than 2 months and the taxi rank has no roof for commuters so they not protected from the elements. The priority of investment of the council into this road does not make rational sense given the lack of infrastructure investment in poorer communities of Stellenbosch.

In addition, I object to the timing of the deadline to submit comments on the IDP process which falls within the school holidays. Revisions of the IDP are matters of fundamental importance to the sustainable development of Stellenbosch and its environments and should not be allowed to be pushed through as a consequence of a rushed public participation process.

Regards,

Andre Joubert

Anton Lotz
Town and Regional Planning

Nwabisa Jozana

From: Anton Lotz <alotz@iafrica.com>
Sent: Monday, 30 September 2024 15:39
To: idp
Cc: mm; JC Anthony
Subject: [EX] Klapmuts IDP Input
Attachments: IDP Input 29-09-24.pdf

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Good afternoon

Attached, please find our input into the current IDP process currently underway.

Kind regards
Anton



AntonLotz
TOWN & REGIONAL PLANNING

083 4877 869



P O Box 51799 Waterfront 8002
Cellphone + 27 (0)83 487 7869
Email: alotz@iafrica.com

29 September 2024

Our Ref: 2015 908

The Manager: IDP
Stellenbosch Municipality
PO Box 17
Stellenbosch
7599

INPUT TO IDP UPDATE

This comment is submitted on behalf of Stellenbosch Bridge (Pty) Ltd, the developers of the The Bridge project located to the west of the existing town of Klapmuts on Farms 744/2, 742/5, 742 Remainder and 1515 (Refer to **Figure 1** below).

The implementation of The Bridge is underway with the first infrastructure being completed and construction of the first development site progressing. The development will combine a range of residential, business, industrial and institutional uses in an integrated mixed-use development. It is anticipated that this project will have a significant catalytic impact on Klapmuts through socio-economic development, skills development, job creation and business opportunities.

The 2019 Stellenbosch SDF, under Catalytic Initiatives (Section 6.9.2 & Figure 56) recognise The Bridge as a catalytic project and Figure 56 includes the urban edge that is proposed as part of the development of the project (Refer to **Figure 2**). The urban edge incorporates the proposed development areas on Remainder Farm 742 (which excludes the conservation-worthy vegetation areas) as well as the eastern sections of Farm 1515 for which a land use application still needs to be submitted. Further to environmental and visual assessment inputs during the approval of the land use application for Farm 742/5, the ridgeline of the Bridge will be protected as a green open space, which has resulted in an update of the Bridge Master Plan (Refer to **Figure 3**) but still located within the urban edge as included into the Stellenbosch SDF as Figure 56.

Figure 4 shows the discrepancy between the Klapmuts urban edge (blue line) indicated on Figure 30 and The Bridge's urban edge as indicated on Figure 56 (Red line). To avoid any uncertainty we request that as part of the IDP update an adjustment to the Klapmuts urban edge be made to follow the alignment of the Bridge's urban edge (red line) to allow the full development proposal as per the Master Plan.

Please contact me should you require further information.

Yours sincerely

Anton Lotz

Figure 1: Contextual Plan

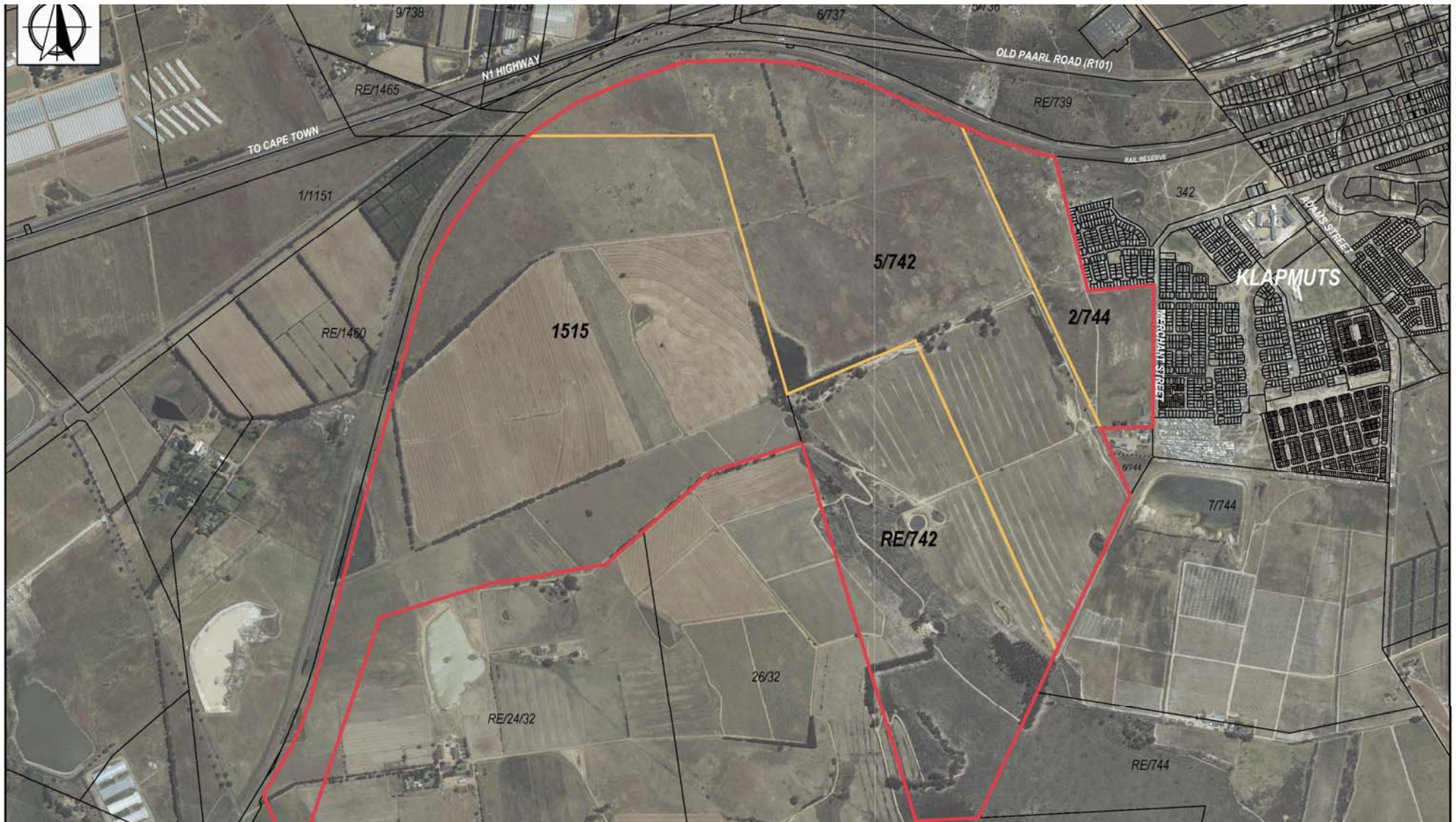


Figure 2: Klapmuts Innovation Precinct

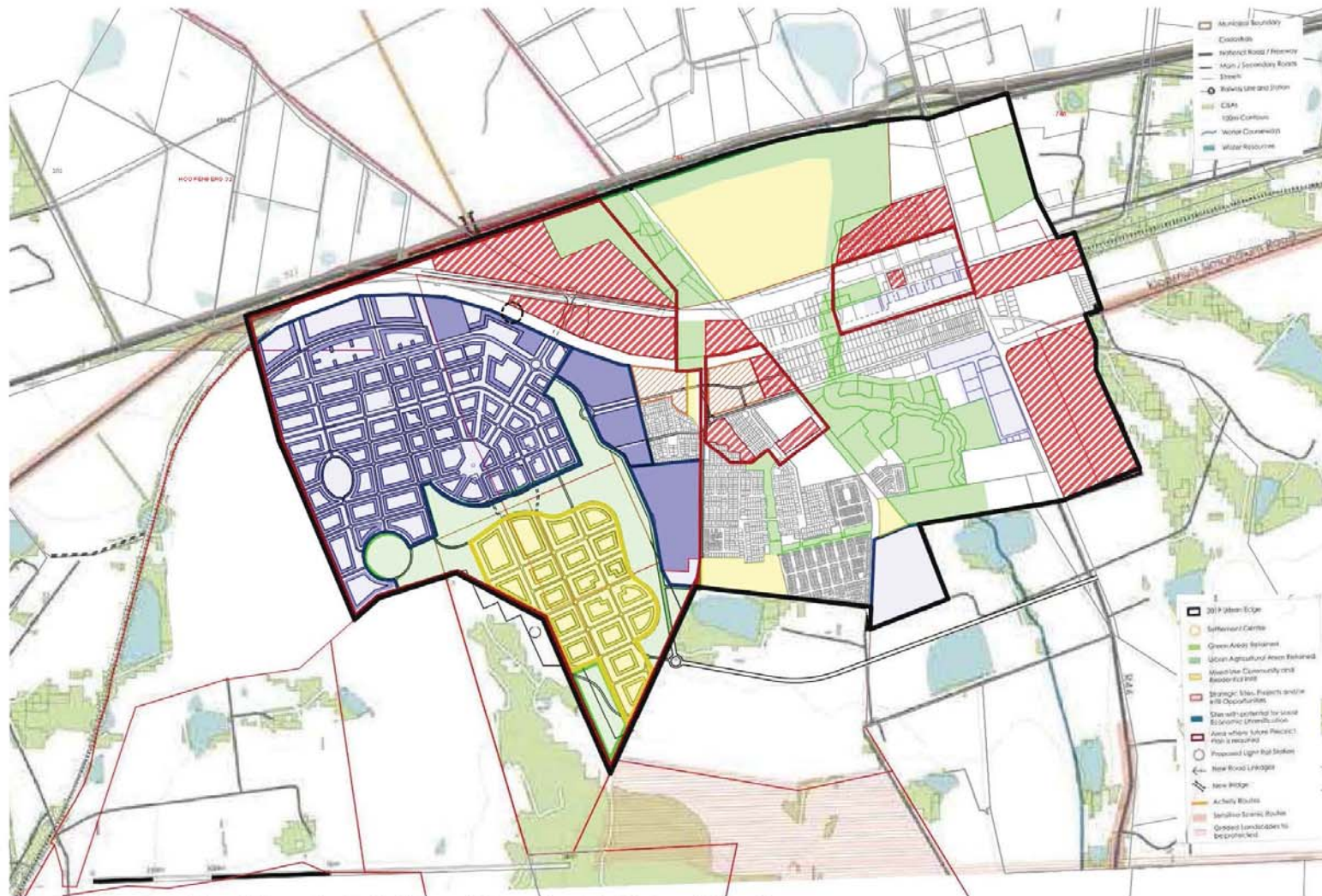
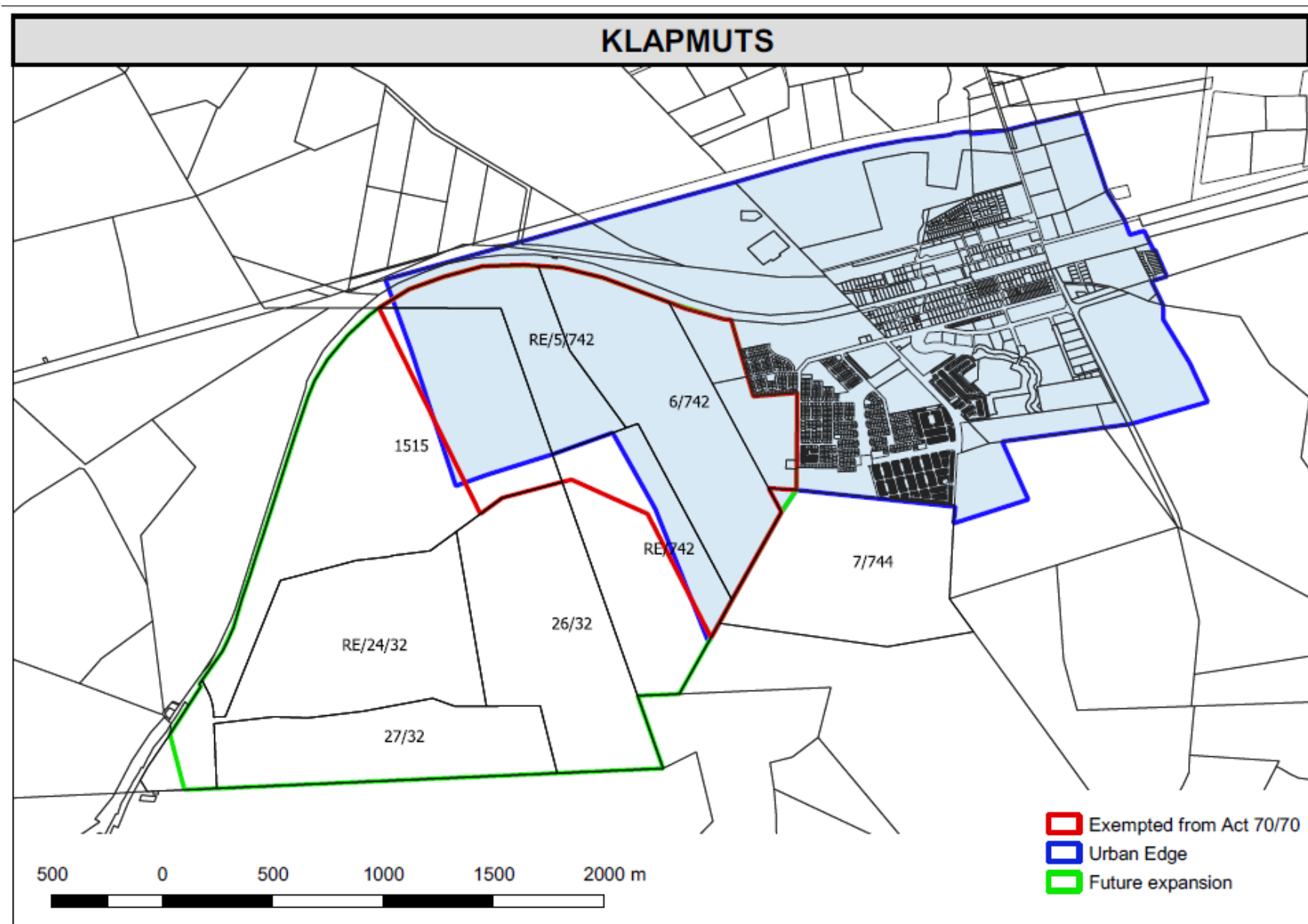


Figure 56. The proposed Klapmuts "Innovation Precinct" Concept (Osmond Lange Architects and Planners)

Figure 3: The Bridge Master Plan



Figure 4: Urban Edge Options



Anton Lotz
Town and Regional Planning

Nwabisa Jozana

From: Anton Lotz <alotz@iafrica.com>
Sent: Monday, 30 September 2024 17:11
To: idp
Subject: [EX] Lynedoch Input
Attachments: IDP Input 30-09-24.pdf

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon

Please find our input on the Lynedoch node.

Regards
Anton



AntonLotz
TOWN & REGIONAL PLANNING

083 4877 869



AntonLotz
TOWN & REGIONAL PLANNING

P O Box 51799 Waterfront 8002
Cellphone + 27 (0)83 487 7869
Email: alotz@iafrica.com

30 September 2024

Our Ref: 2015 908

The Manager: IDP
Stellenbosch Municipality
PO Box 17
Stellenbosch
7599

INPUT TO IDP UPDATE - LYNEDOCH

This comment is submitted on behalf of The Billy Visser Trust (IT 5284/1996), the owner of Remainder of Ptn 27 of the Farm Welmoed 468 located to the east of Baden Powell Drive (R310) in the Lynedoch area (Refer to **Figure 1** below).

Figure 1: The Property



As per the concept for Lynedoch included as Figure 45 of the Stellenbosch SDF, 2019 (Refer to **Figure 2** below) parts of Ptn 27 on either side of the Annandale Road intersection with Baden Powell could be incorporated into the Lynedoch urban edge as an opportunity to expand the commercial value and socio-economic benefit that this location could offer.

It is understood that the potential impact of the Eerste River floodlines and access considerations were reasons why the land was excluded.

A floodline study of the Eerste River conducted by AED has confirmed that large areas of this land, particularly the sites north and south of Annandale Road are not affected by the 100 yr floodline (Refer to **Figure 3** below).

Traffic engineers, UDS have determined that both site areas could be accessed from Annandale Road via vehicular access points that would conform to authority standards.

Figure 2: Lynedoch concept**Figure 45. Vloffenburg - Spier - Lynedoch Concept**

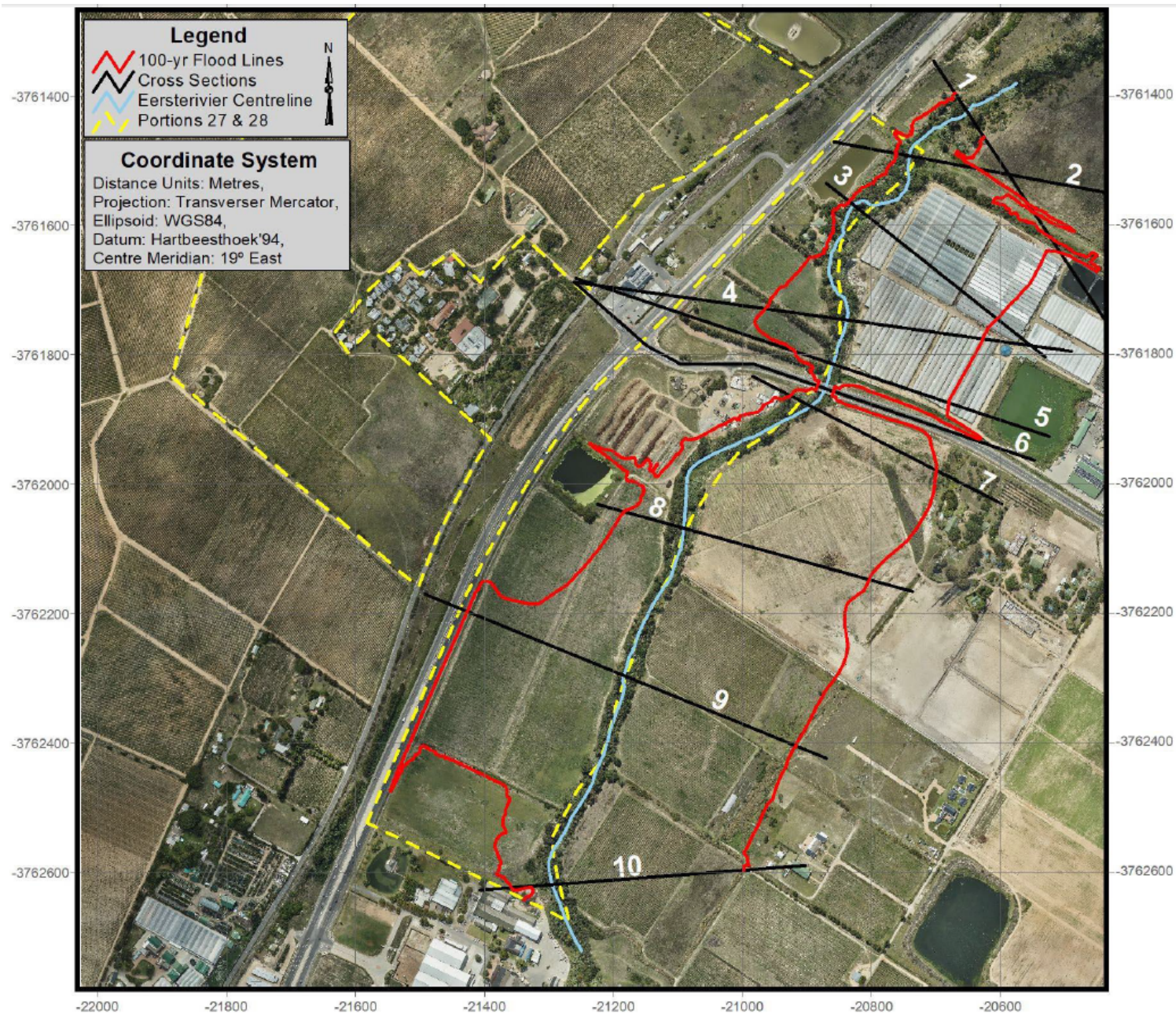
We request consideration of amendment of the Lynedoch urban edge to incorporate these areas of Ptn 27 as shown in Figure 45 of the SDF as a opportunity to expand the socio-economic value of the node and benefit from this property's location at an important intersection.

Please contact me should you require further information.

Yours sincerely

Anton Lotz

Figure 3: Farm 468/27 - 100yr Flood Lines



Stellenbosch Interest Group

Nwabisa Jozana

From: Stellenbosch Interest Group <interestgroupstellenbosch@gmail.com>
Sent: Monday, 30 September 2024 16:28
To: idp
Cc: Annalene De Beer; Shane Chandaka; Donaldson, Ronnie, Prof [rdonaldson@sun.ac.za]; claire.louise.erasmus
Subject: [EX] Comment on the IDP
Attachments: IDP STAKEHOLDER ENGAGEMENT - SIG Comment.pdf

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Attached please find comment by the Stellenbosch Interest Group.
Please acknowledge receipt

Kind regards
Berta Hayes



Belangegroep Stellenbosch Interest Group

30 September 2024

idp@stellenbosch.gov.za

Ms Annalene de Beer Annalene.deBeer@stellenbosch.gov.za
Director, Corporate Services, Stellenbosch Municipality

Mr Shane Chandaka Shane.Chandaka@stellenbosch.gov.za
Director, Infrastructure Services, Stellenbosch Municipality

Mr Anthony Barnes Anthony.Barnes@stellenbosch.gov.za
Director, Planning and Economic Development, Stellenbosch Municipality

Dear Ms De Beer, Mr Barnes and Mr Chandaka

INTEGRATED DEVELOPMNET PLAN (IDP): STAKEHOLDER ENGAGEMENT MEETING, STELLENBOSCH TOWN HALL: 25 SEPTEMBER 2024: NEED TO REACH CONSENSUS AND TAKE COLLECTIVE OWNERSHIP OF A SHARED VISION FOR THE DEVELOPMENT OF STELLENBOSCH

1. I refer to the above-mentioned meeting, chaired by Ms De Beer and attended, *inter alia* by several members of the Stellenbosch Interest Group (SIG). In the introduction it was mentioned that the challenges facing the Municipality were being addressed by the Municipality against the background of, **“Stellenbosch as a place or destination of choice,”** which suggests a bias favouring development.

2. A developer friendly, private motor car-oriented bias unfortunately stands in sharp contrast to the policy contained in the 1988 Statutory Guide Plan for Stellenbosch. The 1988 document states that; “Because of the existing restraints as regards the potential of Stellenbosch for long-term physical expansion, the **urban development that does take place should, (1) be qualitative rather than quantitative** and a compact urban structure with higher residential densities should be aimed at, and (2) The protection of the area’s good agricultural land should enjoy priority at all times.”

3. Because the challenges facing Stellenbosch today are similar to those faced in 1988, a developer friendly bias is exacerbating rather than ameliorating current problems. The commitment to a bottom-up rather than a top-down approach to addressing issues is laudable but it is not helped by statements made by the Provincial Minister of Environmental Affairs and Development Planning, that Stellenbosch will simply have to accommodate another hundred thousand residents in the next ten years.

4. As a result of the developer friendly bias displayed by the Municipality, the SIG is not surprised that scant attention is often paid to inputs made by the SIG and other interest groups who align themselves with policy guidelines for development contained in the 2019 Municipal Spatial Development Framework (MSDF) which to a great extent echo the 1988 guidelines . **There is accordingly an urgent need for the Municipality and interest groups to agree on a shared vision for Stellenbosch or the current conflict will continue**, to the detriment of the broader community. To cite one example, during the discussions the Municipal Manager strongly supported the development of a “bulk parking facility” north of the town hall, based on a perception that motorists drive around the historic core looking for parking. In terms of the needs of the broader community this is, however, not a justifiable reason and requires a change in mindset, especially where and when the focus needs to be on non-motorised and public transport, not to mention safeguarding the heritage of the town.

5. To focus on specific inputs into the IDP document, Mr Jeremy Benjamin, Senior Manager, Spatial Management, indicated that in addition to a site-specific application to amend the urban edge to include the **historic Libertas Farm**, submitted more than a year ago, the applicant has also submitted a similar application in terms of the current revision of the IDP. The SIG, in conjunction with other interest groups, submitted comprehensive reasons during June 2023 why the application should not be approved. It is accordingly trusted that neither of the applications will be approved. This is especially important in the light of the emphasis at the meeting, placed on the need to focus on the development of the Adam Tas Corridor.

6. It is trusted that you will recall that during October 2023 various interest groups submitted comprehensive comments on the IDP pointing out the serious mismatch between the MSDF and the Comprehensive Integrated Transport Plan (CITP). Instead of taking the comments into account, the Municipality has gone ahead and approved the CITP and now apparently intends to push ahead, implementing irrational projects contained in the CITP. The result of this approach will lead to increased congestion on the road network because it is impossible to provide additional road capacity in the historic core of Stellenbosch. The SIG specifically requests that the following issues be revisited and reconsidered by the Municipality:

- 6.1 The proposed construction of the Trumali Link Road, extending from the Technopark/R44 intersection to Trumali Road as this project appears to be irrational. (The traffic modelling in the Roads Master Plan diagram shows that traffic on such an “extension” would be minimal.)
- 6.2 The need to provide a commitment that bulk parking facilities in the historic core will not be permitted as there is extremely limited road capacity to serve such facilities. There is also an urgent need to reduce the carbon footprint, protect agricultural land and the rural/agricultural landscape which is unique to the wider municipal area (WC024). As part of this process attention needs to be given to the protection of indigenous flora and the eradication of alien vegetation.
- 6.3 The need to provide peripheral parking areas linked to park and ride facilities to limit the need to cater for private parking in the historic core and to provide for efficient inter-town public transport.

- 6.4 The need to shift budget priorities to provide for non-motorised transport (NMT) and efficient public transport rather than widening existing roads or building new roads.
- 6.5 The need to safeguard the urban edge between Metropolitan Cape Town and Stellenbosch to prevent overspill development from encroaching on the Winelands.
- 6.6 To draft policies to limit gentrification development especially in settlements such as Jamestown, Pniel and Raithby. As indicated on the approved MSDF the introduction of gated villages in these and other settlements should not be permitted.

7. As indicated during the discussions on 25 September 2024, the SIG urgently requests that the Municipality reconsider its vision for Stellenbosch, accept that there are rational restraints to expanding the urban edge, and give priority to non-motorised and public transport. Unlocking further agricultural land for residential development and attempting to cater for private motor-vehicle transport should not be permitted as this will lead to increased congestion.

8. Please note that the above inputs and comments are based on the guidelines contained in **the approved June 2023 Municipal Spatial Development Framework (MSDF)** which are repeated below. Development which is does not conform with these guidelines will simply not be sustainable.

“Even if difficult, it is a matter of now or never. We cannot behave and live like before. We cannot afford to lose more nature and agricultural land and prioritise building roads for private cars more than public transport. If we do that, the system will fail. Material wealth will not assist.”

“Containing settlement footprints by curtailing the further development of peripheral dormitory housing projects.”

“Containment of settlements to protect nature/ agricultural areas and enable public and non-motorized transport and movement.”

“A focus on public and non-motorized transport and movement.”

9. For the Municipality to deviate from its own guidelines is hardly conducive to good governance.

Kind regards

Ronnie Donaldson
Chairperson

Brian Shepherd

Nwabisa Jozana

From: Brian Shepherd <bshepherd.log@gmail.com>
Sent: Monday, 30 September 2024 15:01
To: danielbasson2@gmail.com
Cc: idp; Annemi Van Zyl; Henry de Ruyter; krynauwvanvuuren@gmail.com; Lasni Millar; Cjteunissen@gmail.com
Subject: [EX] Re: Eastern Link Road ("Wildebosch Extension")

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All,

As Chairman of the Paradyskloof Neighbourhood Watch I am totally in agreement with the letter sent by our Chairman of our EHOA. Over the years we as residents have lived with criminals coming into our suburb. With a great deal of expense to our residents we have 2 security companies contracted to patrol our suburb, security cameras installed on the current two entrances into our neighbourhood as well as residents doing regular patrols of our own. This has resulted in our neighbourhood crime dramatically reduced.

If the proposal to develop the road system to allow additional access into our suburb goes ahead it will increase not only the traffic going through our suburb but allow criminals to access and leave our suburb a lot easier.

I am proposing that our Paradyskloof residents representative committee be officially consulted and our concerns be heard.

Please respond to this email.

Thank you,

Brian Shepherd
 Chairman Paradyskloof NW.

On Mon, Sep 30, 2024 at 2:08 PM <danielbasson2@gmail.com> wrote:

To Whom It May Concern

I write this note as the Chairperson of the EDEN HOMEOWNERS ASSOCIATION.

Eden neighbourhood has a Northern border that borders Wildebosch Road. Eden forms part of Paradyskloof and if anyone may wonder about the names of the area there is nothing more befitting as the area is quiet, it has fantastic wildlife and birdlife, and it has walking trails and bicycle routes.

The area is also very popular due to low crime excellent value for properties and the proximity to town, schools and hospitals.

It is also a fact that Stellenbosch residents have placed the office bearers and officials of the Municipality in place through their collective votes.

This does not mean that we gave officials a license to run over the citizens and allow development in the Stellenbosch district without proper consideration of the pleas of the affected neighbourhoods. We ask that we be heard in our plea to stop this Road Extension of the Wildebosch Road.

This road will not only destroy our way of living, but it will destroy the whole ecosystem of Paradyskloof. The road will also not stop the traffic problems in Stellenbosch as the town itself is not extended and is not able to handle the inflow into town with the present street network in town. This extension will only re-route traffic from the R44 to Trumali Rd which means the traffic will just flow into the R44 again which is congested. Thus it begs the question of why the expenditure of taxpayers' money for an extension which does not solve the problem?! Furthermore, it will bring a flow of traffic to a neighbourhood which is unnecessary and illogical as it changes the flow of traffic without any real relief to the existing problem.

I believe that there is more to this development than we are led to believe. Blauwklippen, Grondves, Stellenrust etc. I call on the Stellenbosch Municipal Board to act in good faith and listen to the citizens they are supposed to serve. It seems that there is an urge to develop Stellenbosch into a mega city without any effort to preserve our precious agricultural land, ecosystems and heritage.

Why must a neighbourhood pay the price for this neverending development drive that further frustrates the traffic problems in Stellenbosch? Most of these developments are in Central Town and the entrances to town Groenvlei, Bothmaskop, and Kyamandi which further frustrate the flow of traffic in and around Stellenbosch, something which will not be alleviated by the proposed extension of the Wildebosch Road.

Paradyskloof will become vulnerable due to the quick access and exit this will create for crime and housebreaking.

There will be a significant impact on the property values along Wildebosch Road.

The quiet ecosystem will be disturbed and the natural wildlife will be detrimentally affected.

The road leading to the Medi Clinic Hospital will be congested and will bring risk to those who need instant care and attention.

The noise factor will increase.

The flow of traffic will remain at the current levels as the extension flows back into the R44.

No matter where such an extension will be flowing into Stellenbosch Town the town streets are limited and thus the flow will not improve as the town will always be limited to the street capacity in town.

The EDEN HOMEOWNERS COMMITTEE ask that this extension be scrapped and that the money be used for more fruitful projects.

I hope regard will be had to our plea.

Kind regards

Daniel Basson

Chairperson EHOA

2 Pison Street

EDEN

Paradyskloof

Stellenbosch

7600

e-mail: danielbasson2@gmail.com

Cell: 0824117728

Claus-Peter Mette

Nwabisa Jozana

From: cp@mettesauto.co.za
Sent: Monday, 30 September 2024 18:12
To: idp
Subject: [EX] OBJECTION TO THE EASTERN LINK ROAD ("WILDEBOSCH EXTENSION") AS PROPOSED IN STELLENBOSCH IDP PLAN AND BUDGET

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OBJECTION TO THE EASTERN LINK ROAD ("WILDEBOSCH EXTENSION") AS PROPOSED IN STELLENBOSCH IDP PLAN AND BUDGET

I herewith give my objection against the proposed Eastern Link road.

Objection

On 24 October 2022, the Brandwacht Action Group (BRAG) submitted an objection to developing the remainder of the farm Brandwacht no 1049. The objection was submitted on behalf of 753 residents of Brandwacht, Bo Dalsig, Dalsig, Welgelegen, Paradyskloof, Brandwacht aan Rivier, and beyond, who stand to be affected by the wider consequences of development in the area.

Whilst the objection to the development was not for approval of the traffic management measures, the residents objected to the construction of the Eastern Link Road. The concern was that the Eastern Link Road would almost certainly be required to manage the additional traffic between the proposed development and Stellenbosch. In this regard, the residents noted that the Traffic Impact Study in the application concluded that the Eastern Link Road, along with other traffic upgrades, would be required to address the traffic impacts of the proposed development. The development application was therefore not divisible from the construction of the Eastern Link Road.

The intended construction of parts of the Eastern Link Road ("Wildebosch Extension"), is likewise not divisible from future developments in the area. It is essential that the needs of the entire Eastern Link Road be assessed to ensure that the construction of the road is not forced upon the Municipality and its residents by prospective developments, with the concomitant legal and financial consequences for the Municipality, as an aftermath.

The Wildebosch extension, which stops at Trumali road, does not continue through Brandwacht, Dalsig, and Welgevalen Proefplaas. However, it is noted that the Wildebosch -Trumali segment opens up the opportunity for further development, including the proposed development on farm Brandwacht 1049, and for future construction of the Eastern Link Road all the way to Coetzenburg. The Wildebosch extension serves no purpose if not extended and is an irrational and wasteful expenditure of Stellenbosch ratepayers' money.

BRAG, on behalf of the residents in Brandwacht, Bo Dalsig, Dalsig, Welgelegen, Paradyskloof, Brandwacht aan Rivier further objects to the Eastern Link Road for the following reasons:

The Eastern Link Road is a flawed concept from the 1960s that is no longer feasible or viable for Stellenbosch in 2024 and will serve very little purpose in relieving traffic;

The viability of the Eastern Link Road is in question for various reasons, including the availability of land for road reserve; feeder and distribution access to the link road which is inadequate to accommodate any more traffic than is currently carried; the environmental, social and economic impact of such a substantial road development; and the financial impact of such mega-infrastructure on the municipal financial resources and standing; amongst others. There is no indication that the municipality has undertaken an adequate technical, financial and legal feasibility assessment of the Eastern Link Road, and therefore approval of the Application, which is reliant on the Eastern Link Road, is non-sensical.

The Eastern Link Road will do much aesthetic and environmental damage, especially over Brandwacht and Coetzenburg, over the Eerste Rivier and through Boland College;

The Eastern Link Road is vigorously opposed, including by several Ward Committees in affected areas of Stellenbosch, and for a project with such potential irrevocable negative impacts (possibly the most destructive act committed by the Municipality to date), a thorough public participation process and input from professionals on its impacts on town and transport planning, urban design, the natural environment, and heritage is required. In addition, BRAG is objects to the timing of the deadline to submit comments on the IDP process which falls within the school holidays. Revisions of the IDP are matters of fundamental importance to the sustainable development of Stellenbosch and its environments and should not be allowed to be pushed through as a consequence of a rushed public participation process.

Please don't take the mountain and nature from us and what it offers to residents of Stellenbosch.

Yours sincerely

Claus-Peter Mette
Welgelegen resident

Daniel Basson

Nwabisa Jozana

From: danielbasson2@gmail.com
Sent: Monday, 30 September 2024 14:08
To: idp
Cc: 'Annemi Van Zyl'; Henry de Ruyter; krynauwvanvuuren@gmail.com; 'Lasni Millar'; Cjteunissen@gmail.com
Subject: [EX] Eastern Link Road ("Wildebosch Extension")
Attachments: 221123-rmp-fig6-13-elr-001.png; 231129-council-citp-wildebosch-extension.pdf; 240900-idp-ward21-presentation-wildebosch-extension.pdf; stb-south-bk-erfnos.png

Importance: High

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To Whom It May Concern

I write this note as the Chairperson of the EDEN HOMEOWNERS ASSOCIATION.

Eden neighbourhood has a Northern border that borders Wildebosch Road. Eden forms part of Paradyskloof and if anyone may wonder about the names of the area there is nothing more befitting as the area is quiet, it has fantastic wildlife and birdlife, and it has walking trails and bicycle routes.

The area is also very popular due to low crime excellent value for properties and the proximity to town, schools and hospitals.

It is also a fact that Stellenbosch residents have placed the office bearers and officials of the Municipality in place through their collective votes.

This does not mean that we gave officials a license to run over the citizens and allow development in the Stellenbosch district without proper consideration of the pleas of the affected neighbourhoods. We ask that we be heard in our plea to stop this Road Extension of the Wildebosch Road.

This road will not only destroy our way of living, but it will destroy the whole ecosystem of Paradyskloof. The road will also not stop the traffic problems in Stellenbosch as the town itself is not extended and is not able to handle the inflow into town with the present street network in town. This extension will only re-route traffic from the R44 to Trumali Rd which means the traffic will just flow into the R44 again which is congested. Thus it begs the question of why the expenditure of taxpayers' money for an extension which does not solve the problem?!! Furthermore, it will bring a flow of traffic to a neighbourhood which is unnecessary and illogical as it changes the flow of traffic without any real relief to the existing problem.

I believe that there is more to this development than we are led to believe. Blauwklippen, Grondves, Stellenrust etc. I call on the Stellenbosch Municipal Board to act in good faith and listen to the citizens they are supposed to serve. It seems that there is an urge to develop Stellenbosch into a mega city without any effort to preserve our precious agricultural land, ecosystems and heritage.

Why must a neighbourhood pay the price for this neverending development drive that further frustrates the traffic problems in Stellenbosch? Most of these developments are in Central Town and the entrances to town Groenvlei, Bothmaskop, and Kyamandi which further frustrate the flow of traffic in and around Stellenbosch, something which will not be alleviated by the proposed extension of the Wildebosch Road.

Paradyskloof will become vulnerable due to the quick access and exit this will create for crime and housebreaking.

There will be a significant impact on the property values along Wildebosch Road.

The quiet ecosystem will be disturbed and the natural wildlife will be detrimentally affected.

The road leading to the Medi Clinic Hospital will be congested and will bring risk to those who need instant care and attention.

STELLENBOSCH TRANSPORT MODEL
 Future Network with Eastern Link Road
 2040 Land Use
 Private Transport Variable Demand Assignment
 (AM Vehicles/ Hour)



- 1 Lane
- 2 Lanes
- 3 Lanes
- 4 Lanes
- 5 Lanes

The noise factor will increase.

The flow of traffic will remain at the current levels as the extension flows back into the R44.

No matter where such an extension will be flowing into Stellenbosch Town the town streets are limited and thus the flow will not improve as the town will always be limited to the street capacity in town.

The EDEN HOMEOWNERS COMMITTEE ask that this extension be scrapped and that the money be used for more fruitful projects.

I hope regard will be had to our plea.

Kind regards

Daniel Basson

Chairperson EHOA

2 Pison Street

EDEN

Paradyskloof

Stellenbosch

7600

e-mail: danielbasson2@gmail.com

Cell: 0824117728

THE EASTERN LINK ROAD

The Eastern Link Road (previously incorrectly referred to as the Eastern Bypass) has been contemplated for a long time but has never been formally adopted due to public and environmental concerns. The road was first proclaimed by the Provincial Government in 1968, however, portions along the initial alignment have since been impacted upon. Near the Central Business District (CBD) developments that were previously approved and implemented, Boland College is located on the alignment of the Eastern Link Road, the alignment also crosses the Coetzenburg Sports Ground. In addition, the environmentally sensitive area between Trumali Road proclaimed and Van Rhee de Road is also a concern. Thus, these portions of the proclaimed path will be omitted, pending further analysis of the feasibility of the entire proclaimed alignment. Therefore, only the following portions are proposed for further assessment, refer to Figure 7-1.

- Wilderbosch Extension North to Trumali as the first priority.
- Wilderbosch Extension South to Technopark as the second priority.

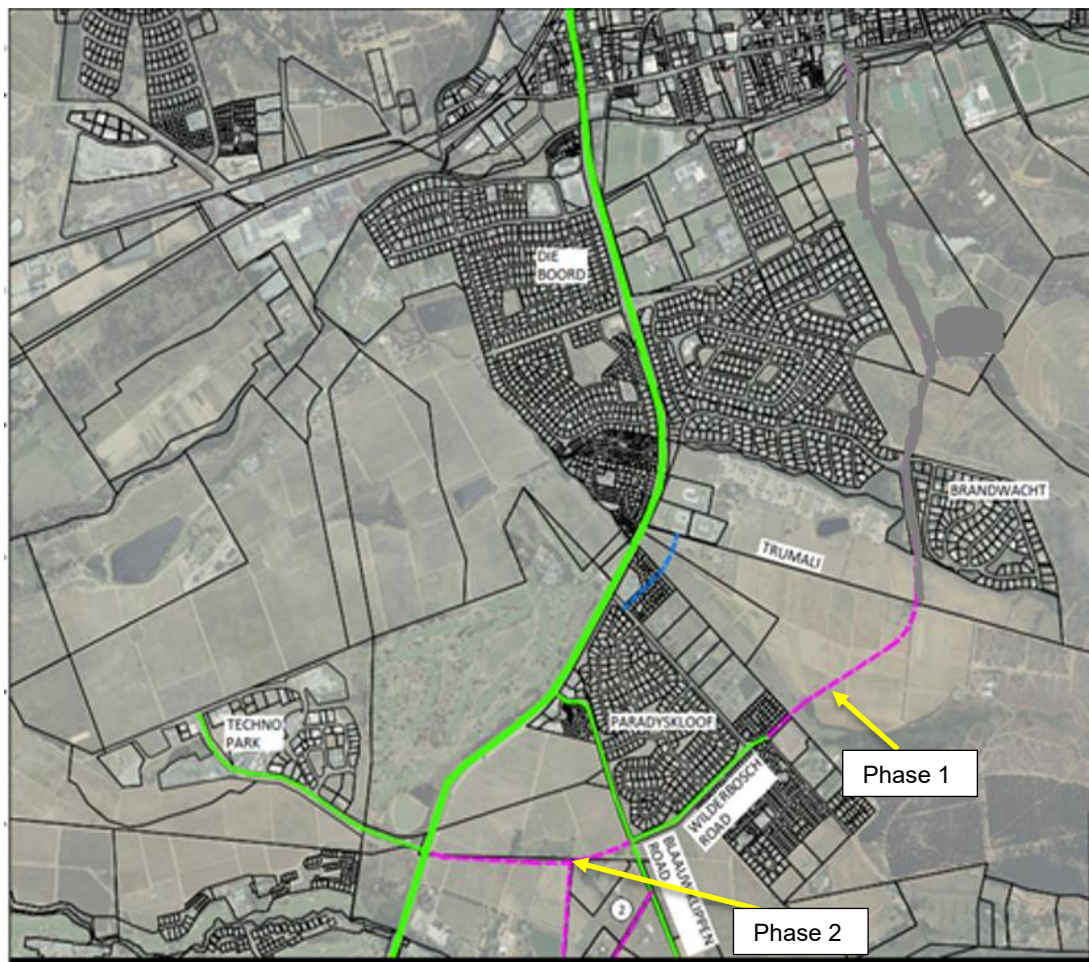


Figure 7-1: Portions of the Proposed Eastern Link Road allowed for in the 10 year budget

Western Bypass - Stellenbosch is known as a destination, as many commuters that study and work in Stellenbosch, travels from outside its borders. Geographically Stellenbosch does play an important role in North/South Regional mobility. A key role of the R44 is to serve as a north/south (regional mobility) route connecting Strand, Somerset West, Helderberg and Overstrand regions with areas to the north such as Paarl, Wellington and Malmesbury. In the Stellenbosch area, especially in the vicinity of Jamestown, it also serves as a commuter route bringing workers from the southern suburbs and Somerset West to employment opportunities in Stellenbosch and to regions in the north. This dual function leads to the R44 probably being the most congested road in the Stellenbosch area.

One of the solutions for this is to construct a parallel route on the western side past Stellenbosch which can then serve the longer distance traffic. Such a route will be highly sensitive to environmental concerns - investigations into this have been commissioned. The 2019 Stellenbosch Roads Master Plan referred to the 2012 RMP's description of the three preliminary road alignments for such a route:



Priority 4: Roads and Transport

Description

Departmental Comment

Wilderbosch Extension



The project is expected to be completed by the 30 June 2026.

Priority 5: Parks

Upgrading of play park equipment with benches and fencing



New play park equipment has been installed.

On der
Papegaaiberg

Page 144

Coetzenburg
Sports Ground

US Coetzenburg
Campus

Sport Eerste

Die Boord

Kleingeluk

Brandwacht

Stellenbosch
Golf Club

Technopark

Paradyskloof

1457

510/837

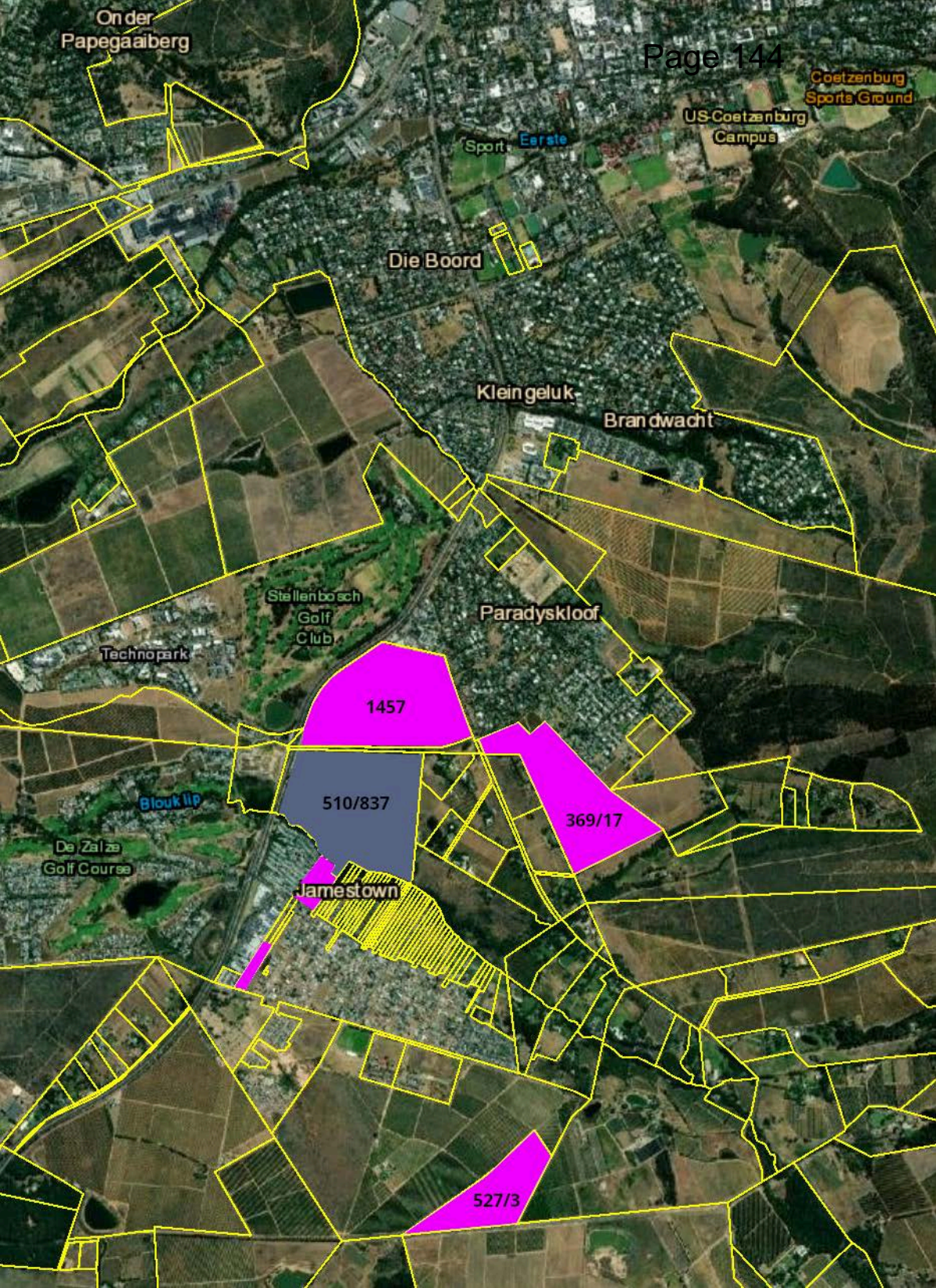
369/17

Blouklip

De Zalze
Golf Course

Jamestown

527/3



Emma Algotsson

Nwabisa Jozana

From: Emma Algotsson <emma@kompost-it.co.za>
Sent: Saturday, 28 September 2024 11:03
To: idp
Subject: [EX] Eastern Link Road objection
Attachments: Annexure A.pdf; Objection ELR.docx

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To whom it may concern,

On behalf of the Brandwacht Action Group (BRAG) I am hereby submitting an objection to the Eastern Link Road (Wildebosch Extension) as proposed in the Stellenbosch IDP Plan and budget.

With kind regards,

Emma Algotsson

OBJECTION TO THE EASTERN LINK ROAD (“WILDEBOSCH EXTENSION”) AS PROPOSED IN STELLENBOSCH IDP PLAN AND BUDGET

Date: 28 September 2024

idp@ Stellenbosch.gov.za

Objection

On 24 October 2022, the Brandwacht Action Group (BRAG) submitted an objection to developing the remainder of the farm Brandwacht no 1049, attached as annexure A. The objection was submitted on behalf of 753 residents of Brandwacht, Bo Dalsig, Dalsig, Welgelegen, Paradyskloof, Brandwacht aan Rivier, and beyond, who stand to be affected by the wider consequences of development in the area.

Whilst the objection to the development was not for approval of the traffic management measures, the residents objected to the construction of the Eastern Link Road. The concern was that the Eastern Link Road would almost certainly be required to manage the additional traffic between the proposed development and Stellenbosch. In this regard, the residents noted that the Traffic Impact Study in the application concluded that the Eastern Link Road, along with other traffic upgrades, would be required to address the traffic impacts of the proposed development. The development application was therefore not divisible from the construction of the Eastern Link Road.

The intended construction of parts of the Eastern Link Road (“Wildebosch Extension”), is likewise not divisible from future developments in the area. It is essential that the needs of the entire Eastern Link Road be assessed to ensure that the construction of the road is not forced upon the Municipality and its residents by prospective developments, with the concomitant legal and financial consequences for the Municipality, as an aftermath.

The Wildebosch extension, which stops at Trumali road, does not continue through Brandwacht, Dalsig, and Welgevallen Proefplaas. However, it is noted that the Wildebosch - Trumali segment opens up the opportunity for further development, including the proposed development on farm Brandwacht 1049, and for future construction of the Eastern Link Road all the way to Coetzenburg. The Wildebosch extension serves no purpose if not extended and is an irrational and wasteful expenditure of Stellenbosch ratepayers' money.

BRAG, on behalf of the residents in Brandwacht, Bo Dalsig, Dalsig, Welgelegen, Paradyskloof, Brandwacht aan Rivier further objects to the Eastern Link Road for the following reasons:

- 1.1 The Eastern Link Road is a flawed concept from the 1960s that is no longer feasible or viable for Stellenbosch in 2022 and will serve very little purpose in relieving traffic;
- 1.2 The viability of the Eastern Link Road is in question for various reasons, including the availability of land for road reserve; feeder and distribution access to the link road which is inadequate to accommodate any more traffic than is currently carried; the environmental, social and economic impact of such a substantial road development; and the financial impact of such mega-infrastructure on the municipal financial

resources and standing; amongst others. There is no indication that the municipality has undertaken an adequate technical, financial and legal feasibility assessment of the Eastern Link Road, and therefore approval of the Application, which is reliant on the Eastern Link Road, is non-sensical.

- 1.3 The Eastern Link Road will do much aesthetic and environmental damage, especially over Brandwacht and Coetzenburg, over the Eerste Rivier and through Boland College;
- 1.4 The Eastern Link Road is vigorously opposed, including by several Ward Committees in affected areas of Stellenbosch, and for a project with such potential irrevocable negative impacts (possibly the most destructive act committed by the Municipality to date), a thorough public participation process and input from professionals on its impacts on town and transport planning, urban design, the natural environment, and heritage is required.

In addition, BRAG is objects to the timing of the deadline to submit comments on the IDP process which falls within the school holidays. Revisions of the IDP are matters of fundamental importance to the sustainable development of Stellenbosch and its environments and should not be allowed to be pushed through as a consequence of a rushed public participation process.

On behalf of BRAG,

Emma Algotsson

**REMAINDER OF THE FARM BRANDWACHT No. 1049,
TRUMALI ROAD, STELLENBOSCH
GROUP OBJECTION AND PETITION TO APPLICATION
REFERENCE: LU/13953**

Mr. Clifford Heys
TV3 Projects (Pty) Ltd
97 Dorp Street
Stellenbosch
7600 clifford@tv3.co.za

Mr. Stiaan Carstens
Senior Manager, Development Management
Planning and Economic Development
Stellenbosch Municipality Stiaan.Carstens@stellenbosch.gov.za

Date: 24 October 2022

Dear Mr. Heys

APPLICATION IN TERMS OF SECTION 15.2 (a) OF THE STELLENBOSCH MUNICIPALITY LAND USE PLANNING BY-LAW, 2015 FOR THE REZONING OF THE REMAINDER OF THE FARM BRANDWACHT NO. 1049 FROM AGRICULTURE AND RURAL ZONE TO SUBDIVISIONAL AREA TO PERMIT A VARIETY OF URBAN LAND USES: GROUP OBJECTION AND PETITION AGAINST THE APPROVAL OF THE APPLICATION

1 INTRODUCTION

- 1.1 TV3 Projects (Pty) Ltd (under brief from Brandwacht Land Development (Pty) Ltd – “the registered owner”) has applied for rezoning and deviation from the Stellenbosch Municipality’s Spatial Development Framework in respect of Remainder of the Subject Matter Farm Brandwacht No. 1049, in the division of Stellenbosch, Province of the Western Cape (“the Subject Matter Farm”).
- 1.2 The Application has been submitted to the Stellenbosch Municipality for consideration under Application Reference: LU/13953 (Rezoning and deviation from the Spatial Development Framework) (“the Application”).
- 1.3 In summary, the Application states: *“The aim of this land use planning application report is to provide the Stellenbosch Municipality with sufficient information to approve a site-specific deviation from the Stellenbosch Municipality’s Spatial Development Framework to initiate an urban infill development outside the approved urban edge of Stellenbosch, and to approve the rezoning of the subject property from Agriculture and Rural Zone to Subdivisional Area.”*
- 1.4 Whilst the Application is not for the approval of the development of the Subject Matter Farm, one cannot ignore the concept development plan and ultimate desired development on the Subject Matter Farm were the Application successful.
- 1.5 Similarly, whilst the Application is not for the approval of the traffic management measures, including notably the Eastern Link Road, one cannot ignore that rezoning and development of the size and extent proposed in the Application is contingent on the implementation of substantial traffic management measures, including the building of the Eastern Link Road
- 1.6 We, the residents of Brandwacht, Bo Dalsig, Dalsig, Welgelegen, Die Boord, Paradyskloof, Brandwacht aan Rivier, and beyond, stand to be affected by the wider consequences of the subject Application and submit this petition as a group of residents whose rights and legitimate expectations may be affected by the approval of the Application.



- 1.7 As a group, we object to the Application and express our strong opposition thereto for the reasons set out herein.
- 1.8 This group objection and the petition are being submitted by the authorized representative, Emma Algotsson, 9 Linnes Street, Stellenbosch, emmaa@mweb.co.za, on behalf of objectors 1-753 as attached.

2 OBJECTIONS

- 2.1 We urge the Municipality to disapprove and reject the Application for the various reasons referred to below, including:
- 2.1.1 the Application does not comply with sections 35, 45, and 47 of the Stellenbosch Municipality Land Use Planning By-Law (2015) as the Applicant **failed to serve a notice of the Application for rezoning "on every owner of land adjoining the land concerned"**, which makes the application incomplete, and the Municipality should on that basis refuse to accept the Application as a whole;
- 2.1.2 **the timing of the Application**, which requires the amendment of the Municipal Spatial Development Framework (MSDF), to coincide with the Integrated Development Plan (IDP) public participation **process is deliberate and mischievous**. Revisions of the IDP and SDF are matters of fundamental importance to the sustainable development of Stellenbosch and its environments and should not be allowed to be pushed through as a consequence of a rushed public participation process. While we appreciate the extension that was granted for the submission of comments, this extension was only provided after extensive pressure from residents and only for those who were informed about the requirement to individually request for the extension. September is exam time and includes a public holiday; parents are occupied with their children's studies and preparations for very important record exams and cannot be expected to pay due attention to the IDP, SDF, and related Application during this time;
- 2.1.3 the Application has been **rejected by several Ward Committees** in affected areas of Stellenbosch. Ward committees have an important role to play in actively taking part and determining the core municipal process. Ward committees further allow for members of the community to influence municipal planning in a manner that best addresses their needs. The rejection of the Application by these Ward committees demonstrates strong residential objection to the rezoning and proposed development and should guide the Municipality in its rejection of the Application;
- 2.1.4 the Application fails to make mention of condition 3.11 of the Amendment of the Stellenbosch Urban Structure Plan (Guide Plan), and the Rezoning of a portion of the farm, Brandwacht No 1049, Stellenbosch, 11 May 2009 which states that **"the remainder of the property must be retained for agricultural purposes and no further urban development be allowed"**. The imposition of condition 3.11 aligned the planning decision to the Environmental Authorization and served to reinforce the application proposal for the development of Brandwacht aan Rivier. On this basis alone the Application must be rejected, as it contravenes a stated municipal condition which is municipal policy. The condition has not been revoked or repealed and there is no rational reason to revoke or repeal the condition, nor has the due process been followed in this regard. It is of great concern that the condition has not been enforced by the Municipality through amendment of the title deeds, formation of servitude, or similar measures to ensure that the agricultural nature of the land is retained and legally enshrined. However, municipal failure to enforce this municipal condition should not be in the Applicant's favor as the farm has been neglected for the sole purpose of demonstrating the lack of viability of the agricultural potentials of the farm and with the intention of future development, in clear contravention of the municipal condition and as demonstrated by the Application that we now have in front of us;
- 2.1.5 Contrary to the strategic planning processes of the Municipality, which are underpinned by evidence-based and normative urban and regional planning and seek to organize, coordinate and integrate how the economy, society, and the built environment operate in space and over time, the Application constitutes **development driven change to existing spatial and legal frameworks**, including the Municipal Spatial Development Plan (MSDP).

- 2.1.5.1 the Application proposed an unjustifiable deviation from the MSDF and it fails to provide a rationale for the proposed rezoning and consequential diversion of the current urban edge, and if allowed, will set an undesirable precedent for further development-driven development outside of the urban edge;
- 2.1.5.2 the subject matter farm is excluded from urban development in the MSDF (2019) with the arguments that its inclusion would negatively impact agricultural land, nature areas, historically significant precincts, and "choice" lower-density residential areas;
- 2.1.5.3 the subject matter farm is excluded from New Development Action as per the Amended MSDF (May 2022). The Application does not fit within the concept of an infill development as it is outside the urban edge and the use of this infill argument in the Application is mischievous and deliberately misleading. The Application falls squarely within the concept of urban sprawl, which is strongly contrary to municipal planning policy and practice;
- 2.1.5.4 the Application is in contradiction to the core principles of the MSDF which are 'to maintain and grow our natural assets, to respect and grow our cultural heritage, and to direct growth to areas of less natural and cultural significance;
- 2.1.5.5 at this point in time, the Adam Tas Corridor, which is a municipality driven and approved development project, should be a priority for the Municipality;
- 2.1.6 were the Application successful, and the envisioned development thereon be ultimately permitted, the Eastern Link Road will almost certainly be required to manage the additional traffic between the proposed development and Stellenbosch. In this regard, it is important to note that the Traffic Impact Study concludes that the Eastern Link Road, along with other traffic upgrades, will be required to address the traffic impacts of the proposed development. The development application is therefore not divisible from the construction of the Eastern Link Road and other road upgrades to service the proposed development.
 - 2.1.6.1 the Eastern Link Road is a flawed concept from the 1960s that is no longer feasible or viable for Stellenbosch in 2022 and will serve very little purpose to relieve traffic;
 - 2.1.6.2 the viability of the Eastern Link Road is in question for various reasons, including the availability of land for road reserve; feeder and distribution access to the link road which is inadequate to accommodate any more traffic than is currently carried; the environmental, social and economic impact of such a substantial road development; and the financial impact of such mega-infrastructure on the municipal financial resources and standing; amongst others. There is no indication that the municipality has undertaken an adequate technical, financial, and legal feasibility assessment of the Eastern Link Road, and therefore approval of the Application, which is reliant on the Eastern Link Road, is non-sensical.
 - 2.1.6.3 the Eastern Link Road will do much aesthetic and environmental damage, especially over Brandwacht and Coetzenburg, over the Eerste Rivier, and through Boland College;
 - 2.1.6.4 the needs of the Eastern Link Road must be assessed separately from the Application. This is to ensure that the Eastern Link Road is not forced upon the Municipality, with the concomitant legal and financial consequences for the Municipality, as an aftermath of approving the Application;
 - 2.1.6.5 the Eastern Link Road is vigorously opposed and for a project with such potential irrevocable negative impacts (possibly the most destructive act committed by the Municipality to date), a thorough public participation process and input from professionals on its impacts on the town and transport planning, urban design, the natural environment, and heritage is required;
- 2.1.7 The Application is contrary to the Heritage Inventory, which is municipal policy and is a requirement of the National Heritage Resources Act (NHRA), Act 25 of 1999, which clearly states that *"...heritage informants are an obligatory component of current and future proposals for any amendments to urban settlement and development planning*

instruments, spatial development frameworks, transportation plans and the like.” The Stellenbosch Inventory of Heritage Resources categorizes the affected area as having Very High Significance. The Application is contrary to the stated intent to maintain and maximize heritage value in the Stellenbosch municipal area and based on the **heritage impact of the proposed rezoning and its contravention of the Heritage Inventory** alone the Application should be rejected.

- 2.1.8 It is noted with concern that the application **does not include a comprehensive Environmental Impact Assessment**, which would presumably have considered many of the aspects raised above, particularly noting the sensitive nature of some of the areas that the Application impacts and the associated development, Eastern Link Road and other indivisible considerations of the Application. On this basis alone the Application must be rejected, as it does not adequately consider the impacts of the proposals contained in the Application and required or implied by the Application.

3 COMMENTS ON APPLICANT'S MOTIVATIONS

- 3.1 regarding the Applicant's summary of facts and motivation, we comment as follows quoting their assertions:

- 3.1.1 *“The farm's agricultural potential is limited”* – this has been inadequately assessed and its veracity is contested. This especially considering the Applicant, contrary to conditions imposed on the existing Brandwacht aan Rivier development, has failed to farm the land to demonstrate its viability or lack thereof, and never had any intention of farming the land;

- 3.1.1.1 the agricultural potential of wine farms is typically determined by the soil type, availability of water, climate conditions, appropriate vine cultivars planted, the size of the farm, etc. Quite contrary to claims made by the Applicant and the findings of the Agricultural Impact Assessment, we contest that all these conditions are present on the subject matter farm. This claim is supported by senior management at KWV and VINPRO (VINPRO holds the current lease of Grondves farm) – both hold that the slopes of Stellenbosch Mountain are of extreme agricultural potential and so are the vineyards and grapes produced by it. The Applicant fails to prove why the farming potentials (soil type and climate) at Brandwacht farm are of any less quality than the neighboring Grondves farm. Notably, in conversation with the parties named above, they have expressed an interest in leasing the Brandwacht Farm for vine cultivation, disproving the assertion that it is uneconomic to farm the land and indicating that farming of the land is not only viable but that there is significant potential and interest in doing so;

- 3.1.1.2 geological surveys suggest that there is plenty of water on the upper parts of Brandwacht farm and that the area is suitable for drilling. Brandwacht Farm further has the water rights to the dam at Brandwacht aan Rivier. This dam should have sufficient water for the remaining vineyards because vineyards only require water for certain times of the year and to assist the vines under extreme heat conditions. We have information that the Applicant never applied for water use rights from Theewaterskloof and contest that the Applicant must prove that such application was submitted and subsequently rejected;

- 3.1.1.3 in the documentation from Pierre Uys, ANC Minister of Agriculture in the Western Cape in 2009, it was submitted that the soil of Brandwacht aan Rivier is of lower quality, approved for development then, but that the remainder of the farm should remain as agricultural land and be farmed. By implication, this means that the soils of the remainder of Brandwacht farm are of high quality, and suitable for grape production. The Application has failed to prove otherwise;

- 3.1.1.4 based on the above, one would have expected that the Agricultural Potential Impact Assessment includes a financial viability study (number of ha, yields per ton, cultivar split per ha, and production costs). However, the impact assessment fails to address any of these important considerations, but

chooses to focus on the Brandwacht aan Rivier and how this development has defined the farm's future to be part of urban use;

- 3.1.1.5 it serves to remind the Applicant that the sole reason for the farm being stripped of its agricultural potential is the owner's rezoning and development of 18.5 ha of the farm in 2009. That the remainder of the farm is now only 30ha should have been considered by the owner before commencing with the development at Brandwacht aan Rivier. This is especially so since condition 3.11 compelled the owner to continue with farming operations on the remainder of the farm. The owner of the farm further could have investigated the possible merging of farming activities on Grondves and Brandwacht farms or the sale of the farm for agricultural purposes and has failed to do so;
- 3.1.1.6 instead, the farmer has since the development of Brandwacht aan Rivier deliberately neglected the farm and its vineyard and thus purposely sought to undermine or destroy the agricultural viability of the farm. The purpose of this has been to demonstrate the lack of viable agricultural potentials of the farm and for the short-term financial benefit of the owner. Not only are these actions in direct contravention of condition 3.11, but a disingenuous and mischievous attempt to obtain approval for the rezoning. Had the landowner complied with condition 3.11, and the farm had been retained for agricultural purposes, Western Cape Agricultural Department in their decision not to object to the rezoning application, would very likely have come to a different conclusion as should the Municipality when assessing this Application;
- 3.1.1.7 the Application fails to present approval from the National Department of Agriculture. All documents and underlying assumptions that were presented to the Western Cape Agricultural Department as well as the application to the National Department of Agriculture must be made public;
- 3.1.1.8 the Applicant further by neglecting to mention condition 3.11 in the Application, fails to provide any rationale as to why condition 3.11 is now being departed from or any reasoning why it should be removed as a condition on the 2009 development at Brandwacht aan Rivier;
- 3.1.1.9 senior management at both KVV and VINPRO categorically denies any knowledge of KVV or VINPRO requesting that no vine farming take place on the subject property farm.
- 3.1.2 *"It will have a limited impact on heritage resources"* – this statement is not only disingenuous but a misrepresentation of Stellenbosch and its surrounding as a significant heritage resource;
 - 3.1.2.1 a detailed heritage evaluation was carried out by a heritage consultant for the Brandwacht farm in 2003 (SRK Consultants). In terms of this assessment, the consultants concluded that Brandwacht farm should be classified as a Provincial Heritage Site. This opinion was based on the farm's location, its history, aesthetics, and own character, as well as the visual context and the farm's cultural contributions;
 - 3.1.2.2 the heritage report of 2003 further suggested that some of the proceeds generated from the development of Brandwacht aan Rivier be applied for the rehabilitation of the river and the re-establishment of the vineyards on the remainder of the farm. These recommendations however were simply ignored;
 - 3.1.2.3 the importance of protecting the terrain from the adverse visual impact of potential development on the Subject Matter Farm is discussed at length in chapter 5 of the report. If compromised, this would severely impact the environment in terms of a 'sense of place' and the 'rural character' of Stellenbosch in general;
 - 3.1.2.4 from an aesthetic perspective, the heritage value of the Subject Matter Farm is of critical importance for the whole of Stellenbosch. Stellenbosch has a unique combination of mountain scenery and rural landscape that makes this area a prime tourist destination of critical importance to the economy of the

region. The farm is close to and visible from a "Scenic Route" of the Winelands and is part of the heritage resources of Stellenbosch;

- 3.1.2.5 the heritage value of Stellenbosch is under great threat of fragmentation through creeping urbanization;
- 3.1.2.6 the Application fails to disclose that the Subject Matter Farm is classified as Very High Significance in the Stellenbosch Heritage Inventory (pg 44) and thus give a substantial rationale for departure from the policy;
- 3.1.2.7 the Application fails to present approval from Heritage Western Cape, given the stated heritage importance of the affected area and the heritage impact of the Application;
- 3.1.2.8 the original Brandwacht Manor House remains intact and is a significant heritage resource along with the remainder of the Brandwacht Farm. The current owner of the Brandwacht Manor House is strongly opposed to the proposed rezoning and development;
- 3.1.3 *"It will have a limited visual impact"* – The Application proposes the development of a high-density residential area on one of Stellenbosch's most known and admired mountain slopes. The Application suggests that the proposed development will have medium to high visual impact, especially on the high-lying areas of the farm, and present mitigating actions (development rules, residential densities, erf sizes, building form, style and colour, and landscaping) to lessen the impact of the development;
 - 3.1.3.1 the Application however fails to consider the heritage right to a view. Existing erven in Brandwacht have unobstructed views of Stellenbosch, Helderberg, and Table mountains and well beyond False Bay and Bottellary hills. Also, from a large distance outside of Stellenbosch there are unobstructed views of the farm. Any development will be clearly seen at distances up to 50 km and will be a deviation from the heritage value of a view of Stellenbosch and its vineyards;
 - 3.1.3.2 when the development of Brandwacht aan Rivier was under construction, the visual impact of the proposed development was a very important consideration, but because this development would be below the 160 m contour, the development was eventually approved. The addendums to the Application suggest that the proposed development would be well above the very important general 240 m contour guideline, which would make it the highest development in Stellenbosch. Given the fact that even the Brandwacht aan Rivier development was highly contentious, the current Application for rezoning and development on the remainder of the farm, on much higher slopes, is incomprehensible;
 - 3.1.3.3 while South African courts generally are reluctant to attribute value to an existing view, courts have further held that the loss of a view and the potential effect that a proposed development may have on the value of surrounding properties must be investigated and considered when assessing a development application. The Application has failed to properly investigate any of these aspects. The fact that this Application is for re-zoning and not for development makes this argument even more compelling as the farm, which is situated outside of the urban edge, does not have a right in its own to obscure views;
- 3.1.4 *"Brandwacht Farm has already succumbed to urban development"* – this statement is disingenuous and misleading. This is especially misleading considering condition 3.11 of the Brandwacht aan Rivier development, which clearly states that 'no further urban development be allowed.
 - 3.1.4.1 the Application is proposing to develop a large-scale development that has the potential of significantly altering the appearance of the area as well as the perceived amenity value of the neighborhood. Evidence from elsewhere shows that large scale-residential developments such as the one proposed have a significant negative effect on neighboring properties and especially on nearby detached properties. The Applicant fails to demonstrate any evidence

of pre-existing property trends in the neighborhood and what measures will be implemented to mitigate or compensate for the significant risk of a decline of property prices in nearby neighborhoods;

- 3.1.4.2 the Application is not compatible with the characters of the immediate surrounding area, which is situated at the foothill of Stellenbosch mountain, with vineyards alongside it and the 'sense of space' of Stellenbosch;
- 3.1.4.3 it is further not aligned with the important viticulture practices on the adjacent Grondves farm. VINPRO has expressed opposition to the Application and the diversion of the urban edge closer to their farming operations;
- 3.1.5 *"The property is not an environmentally sensitive area and there will be no loss of a critical biodiversity area"*—this statement is not substantiated and the Application does not include an Environmental Impact Assessment (EIA). An independent EIA is an essential part of any rezoning application, and the finding of the EIA needs to be carefully considered by the Municipality when assessing the Application and the site-specific biodiversity conservation and management constraints and requirements.
 - 3.1.5.1 Contrary to claims by the Applicant, the loss of open space to urban uses will have an impact on the biodiversity of the surrounding area. The Subject Matter Farm falls within The Cape Winelands Biosphere Reserve that has been included in the world Network of Biosphere Reserves. Known for its uniqueness and high species diversity, the renosterveld of the Stellenbosch Mountain is already under serious threat with only 5% of its original extent remaining, and further urban sprawl into the fynbos biome is undesirable.
 - 3.1.5.2 The Application is further a threat to the nomination of the Cape Wineland as a World Heritage Site.
- 3.1.6 *"It will have significant socio-economic benefits for Stellenbosch town (e.g. it will create new employment opportunities)"* – this statement is false as there is no evidence of any socio-economic assessment being done that supports such a sweeping statement.
 - 3.1.6.1 the short-term job creation benefits of this must be offset against the long-term impact on the infrastructure and cost of the municipality, the nature of the town, the historic and biodiversity value of the Winelands, its tourism potential, and various other factors that undermine economic growth and prosperity;
 - 3.1.6.2 there is no evidence that this has been considered and we contend that the development will have long-lasting negative impacts associated with its urban sprawl, its impact on already strained existing municipal infrastructure (roads, water supply, sewerage, electricity, stormwater management, etc), on the provision of school and hospital facilities, along with the impact on biodiversity, heritage, and tourism value;
 - 3.1.6.3 in addition, the Application conveniently fails to detail the financial risks of severely compromising the municipal value of properties based in the Dalsig/Brandwacht areas and thus inadvertently decreasing the tax base for the municipality;
- 3.1.7 *"The resulting traffic impact will be limited"* – this statement is false, even when considering the information included in the Application.
 - 3.1.7.1 the traffic impact of the proposed development will be substantial and will compound the significant congestion and traffic challenges that Stellenbosch already faces. Should the Application result in the Eastern Link Road being implemented, which the Application's own Transport Impact Study concludes is a requirement of the proposed development, there is no doubt it will result in increased traffic through these quiet suburbs and over the beautiful reserve leading to Coetzenburg;
 - 3.1.7.2 as stated elsewhere, the technical, financial, legal, and operational viability of Eastern Link Road is strongly in doubt and there is no evidence that the road will alleviate the congestion and traffic issues of Stellenbosch nor the

additional burden that the proposed development imposes. It is clear that contrary to the statement in the application, the proposed development will lead to additional congestion of Stellenbosch roads, with all the concomitant impacts;

- 3.1.7.3 the Applicant's Transport Impact Study is fatally flawed and extremely disingenuous – it wrongfully assesses the impact on the number of units that are mentioned in the Application and not on the number of units the rezoning would actually allow. Also, the Applicants make the hugely underestimated assumption that each unit will have one car.
- 3.1.8 *"The development provides for different housing typologies"* – the Application attempts to suggest that the proposed development would benefit the broader cross-section of the community and therefore allow a broad-based typology;
 - 3.1.8.1 the Application fails to address how it will benefit the lower end of the housing market and how the increased need for lower-income houses will be addressed. It has been demonstrated elsewhere that the development of higher-income residents, as proposed in the Application, will lead to an increased need for settlements that accommodate a labor force (comprised of domestic workers, gardeners, painters, plumbers, bricklayers, etc).
 - 3.1.8.2 The Application mentions just under 300 units in the development plan while the approval sought would actually allow for up to 1000 units.
- 3.1.9 *The application will have no impact on bulk services* - the Application has failed to prove that bulk services are available to accommodate the new proposed land use as required by the Stellenbosch zoning scheme by-law, 2019, s.13(9).
 - 3.1.9.1 It is common knowledge that the current sewage capacity in the area in question is severely overextended and it is highly likely that the proposed development will exacerbate the infrastructural backlog in Stellenbosch;
- 3.1.10 *A transparent application* – the Application fails to mention whether the Applicant has had any pre-application meetings with the Municipality and the outcome of these meetings as required by Stellenbosch zoning scheme by-law, 2019, s. 38(1).
 - 3.1.10.1 Minutes of these meetings should be made public to ensure a transparent process and for the public to understand whether pre-application financial or otherwise agreements have been reached between the Applicant and the Municipality. This is of utmost importance considering the history of developers and their agents attempting to escape public surveillance and input by making behind-the-door agreements with the Municipality;

4 CONCLUSION

- 4.1 In conclusion, we categorically object to the approval of:
 - 4.1.1 the site-specific deviation from the Stellenbosch Municipality's Spatial Development Framework to initiate an urban infill development outside the approved urban edge of Stellenbosch on the Subject Matter Farm; and
 - 4.1.2 the rezoning of the Subject Matter Farm from an Agriculture and Rural Zone to a Subdivisional Area.

Signed at Stellenbosch on 24 October 2022


Emma Algotsson

Cllr Johanna Serdyn

Nwabisa Jozana

From: Johanna Serdyn
Sent: Monday, 30 September 2024 20:30
To: idp
Subject: Ward 11

Good Day .

Here by we want to request to add the following needs in Ward 11 TO IDP .

- 1) TO plant more trees in the ward special Onderpapegaaiberg area and also in the lower ares of Dorp street where the trees damage in the winter storm.
- 2) The beautification of the circle on the new road to Devonvally.
- 3) To paint the road lines ,stop signs and speed bumps more regular
- 4) Neighborhood sign boards in area of Ward 11
- 5) Regards
- 6) Ald Serdyn

Regard
Ald Serdyn

Prof. Sophie von der Heyden

Nwabisa Jozana

From: Von der Heyden, S, Prof [svdh@sun.ac.za] <svdh@sun.ac.za>
Sent: Monday, 30 September 2024 10:31
To: idp; Emma Algotsson
Subject: [EX] Objection to Eastern Link Road
Attachments: Objection to development of farm_Sophie von der Heyden_30Sept2024.docx

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Stellenbosch Municipality, attached my individual objection to the development of the Eastern Link Road, in addition to the 'Trumali Road' extension. Please acknowledge receipt.

Regards,

Prof. Sophie von der Heyden

Professor | Marine Genomics and Conservation
Department of Botany and Zoology &
School for Climate Studies
University of Stellenbosch
South Africa

Web: www.vonderHeydenlab.com

Facebook: www.facebook.com/vonderheydenlab

ORCID: orcid.org/0000-0001-9166-976X

Whatever you do in life, always give 100%. Except when you are donating blood (anon)

Save the earth! It is the only planet with chocolate... (anon)

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Die integriteit en vertroulikheid van hierdie e-pos word deur die volgende bepalinge bereël. [Vrywaringsklousule](#)

OBJECTION to potential Eastern Link Road, and 'Trumali Road extension' STELLENBOSCH

Mr Stiaan Carstens / Stellenbosch Municipality

Senior Manager; Development Management

Planning and Economic Development

Stellenbosch Municipality Stiaan.Carstens@ Stellenbosch.gov.za / idp@ Stellenbosch.gov.za

Date: 30 September 2024

Dear Sir / Madam,

In addition to many other residents of Stellenbosch that will see their natural heritage irrevocably damaged, I am extremely concerned regarding the above application and hereby detail again my strongest objection to the Eastern Link Road, as well as the proposed non-sensical 'Trumali Road extension'. As such, I urge the Municipality to disapprove and reject the application for the various reasons referred to below. I have broken down my objection into three broad sections that highlight the impacts not only on 1. the Brandwacht/Dalsig community, including non-residents who use the mountain, hiking and cycling trails, but also 2. for the residents of Stellenbosch, and 3. the continued well-being of the natural heritage and natural capital of Stellenbosch mountain. **In particular I wish to draw your attention to point 3, given that points 1 and 2 will have been extensively highlighted. With ongoing climatic changes, it is the responsibility of Stellenbosch municipality to safeguard the natural heritage of Stellenbosch mountain into the future and to put the long-term ecological and nature-based-solution capital of the mountain before short-term economic gains.**

Brandwacht community

- Loss of opportunities to access **mountain**
- Increasing **noise and light pollution**
- **Increased traffic** into an already over-crowded road system
- **Decreasing access to quality education** at primary and secondary level
- **Loss of sense of community** in an established suburb

Stellenbosch community, including the municipality

- Loss of opportunities to access mountain
- **Increased traffic** into an already over-crowded road system, leading to increasing challenges of accessing Stellenbosch town centre
- Decreasing access to quality primary and secondary education
- **Impacts on natural and biodiversity capital** that draws visitors to Stellenbosch
- **Loss of heritage** of Stellenbosch through urban sprawl and continuing developments
- **Loss of trust** by community members that the municipality works in their best, and not developers, best interest
- **Devastating impacts** on municipal efforts as guardians of the Cape Biosphere reserve

Stellenbosch mountain

- Accelerated **biodiversity impacts** on fauna and flora through light, noise and traffic pollution
- **Increasing human-wildlife conflict**, including 'harvesting' of natural resources
- **Loss of an urban buffer zone** through existing urban edge
- Accelerated effects of **climate change** through construction of additional houses and roads

1. BRANDWACHT and DALSIG COMMUNITY

Brandwacht and Dalsig are well established suburbs of Stellenbosch, with many community members having called these suburbs their home for many years; in fact, there are families that have lived in the area since its establishment in the 70s. We have been lucky enough to call Brandwacht our home since 2007 and to think that it could be destroyed through the greed and small-mindedness of a development company is unthinkable. In the past ten years the suburbs have seen significant changes in traffic and development as transitions between older home owners and younger families have occurred. The most noticeable change has been in traffic volume and speed of road users, including heavy trucks, which has meant that the municipality has implemented several traffic calming measures, such as speed bumps and stop streets. The roads are generally narrow and the layout is supportive of a neighbourhood that supports families to utilize the streets. One disastrous aspect of the proposed development and the Eastern Link Road (the latter an outdated concept that cannot seriously be under consideration from anyone who understands traffic flow in Stellenbosch), would be unthinkable additional traffic volumes through Brandwacht and Dalsig in order to access Stellenbosch town centre. Every additional car that is added to this system will add to the already strained road system, which is just not designed to handle even current traffic volumes. With users from the new development, as well as people from outside that will use the Eastern Link road to circumvent the traffic chaos of the R44 (between Stellenbosch Gold Club and the R44/Bird Street intersection), the traffic situation in a family suburb, will become unsustainable. How will this Eastern Link road fit with the already crowded road capacity in central Stellenbosch, where the roads are narrow and have no ability to absorb additional traffic? Where will its inhabitants go to exercise and enjoy the outdoors? And how will it current homeowners access Stellenbosch, which is already challenging? The simple answer to this problem is that Stellenbosch municipality *needs to stop adding roads and cars, but look into a car-free options, that allow access to*

Stellenbosch and its opportunities beyond those privileged few that own personalized transport. As such, adding yet another high-end development and opening the potential for more developments between Brandwacht and Paradyskloof in future risks beyond another 2000+ cars just from the area. This is disastrous.

In addition to the traffic disaster that granting the development of Farm 1049 would allow, are additional pressures, which include an already over-subscribed education system, resulting in a **lack of access to quality primary and secondary education**, increasing **pressures on medical facilities** (even with the new MediClinic development taken into consideration), **increasing crime and other transgressions** such as road traffic infringements, which the municipality is already failing to address. Many of these issues will have been taken up in other objections, so I do not provide further details here, but urge the municipality to include these objectives into their decision-making. Finally, Stellenbosch mountain is a special place for many of the residents in this community; adding the proposed development impacts on access to Eden Forest, with the proposed Eastern Link Road ensuring loss of access to Stellenbosch mountain and one of the main reasons for investing in Brandwacht suburb. In addition, there will be extensive noise and light pollution from the housing development, as well as the road.

2. STELLENBOSCH COMMUNITY and impact on the loss of trust in Stellenbosch Municipality

Many of the reasons provided above extend to the community of Stellenbosch in terms of traffic chaos and negative impacts on education opportunities, so I will not expand on these here. However, a very large impact of the proposed development and the Eastern Link Road is through adding significantly to **climate change**, particularly through the use of unsophisticated building materials such as **concrete**. The latter has been estimated to contribute between 4-8% of all CO₂ emissions globally¹, which will not differ for Stellenbosch Municipality, which however prides itself on its natural capital² and is well aware of the fragile and unique environment that surrounds the town. The municipality cannot seriously pride itself on a green and sustainable municipality, when allowing for the proposed development to go ahead. In addition, the water consumption of concrete and building, as well as the urban heat island effect³ from additional concrete structures and the road, will accelerate the effects of climate change in Stellenbosch, making it harder for all residents to adapt to an already changing climate. As such, the municipality needs to consider *how to adapt to climate change ensuring long-term and sustainable solutions for all its residents, rather than adding to the climate load and endangering the lives of the town's residents and the persistence of biodiversity*. Planting a few trees as the municipality has been doing through initiatives such as Arbor week, will not in any way contribute to the massive climate and environmental impact that the proposed development will have. **Planned developments have to be in the best interest of Stellenbosch town and its inhabitants, across all economic backgrounds and not serve private interests that only benefit a few.**

The proposed development also falls outside of the current urban edge, which is a safe-guard against urban sprawl such as the proposed development. The municipality's own Environmental Management Framework², highlights that one of the greatest threats to biodiversity and agriculture comes through development and

recognises the utmost importance of maintaining agricultural land; *High potential agricultural land in close proximity to settlements are often subjected to non-agricultural development pressure, while negative social impacts associated with such settlements often have a significant detrimental impact on the production potential of such land. It is therefore imperative that the highest priority be given to the protection of high potential agricultural land and that measures be instituted to create and maintain circumstances conducive to sustainable agriculture*, such as that on the remaining portion of the farm 1049. The EMF states that *'high potential agricultural land must be excluded from non-agricultural development and must be appropriately used in accordance with sustainable agriculture principles'*. The return of Renosterbos, *Dicerothermus rhinocerotis*, is an excellent indicator of fertile soils and highlights the potential of the farm for agriculture, which will be lost if planning permission is provided to TV3 developers. THE EMF must be followed in this regard, in order to continue access to quality agricultural land in the face of climate change.

Finally, the proposed development and Eastern Link Road will decimate the many years of hard-work and commitment that groups like the Stellenbosch Trail fund have put into building world-class hiking, running and mountain bike routes. These are a major draw to Stellenbosch and their loss would be catastrophic for the town's image as a leader in outdoor facilities and healthy living, as well as losing the associated economic benefits of visitors to Stellenbosch. There are no alternatives when the trails are lost due to building of the Eastern Link Road.

3. Impact on the most beautiful mountain in South Africa, STELLENBOSCH MOUNTAIN

Stellenbosch mountain and the surrounding peaks are iconic to the town. Not only is the mountain responsible for ecosystem services such as clean water and clean air, but it provides additional benefits for human wellbeing through access to and interaction with nature, as well as being an enormous draw for tourists. Hiking up to the cross (and beyond) is a very popular past time; imagine standing at this remarkable spot only to see a busy road directly below. This will seriously detract from the nature capital of the mountain and people coming to visit it, as well as spending money in the region from such a visit. The mountain is already experiencing extensive anthropogenic pressures through invasive species, climate change and human disturbance. As such, the urban buffer that is created by Brandwacht and Paradyskloof are crucial in delineating the town from the mountain. Adding another development impacts a wonderful wetland created by mountain run-off, as well as habitat for species such as Aardwolf, Black-backed jackal, Blue cranes (that are increasingly spotted on the farm and flying to their nesting site above Paradyskloof), various species of antelope, as well as over-looked species such as many reptiles, amphibians and invertebrate species that use the wetland on Farm 1049, as well as below Brandwacht Road (site of proposed Eastern Link road throughfare). In a world of accelerated biodiversity loss, developing this property is another nail in the coffin for healthy ecosystems that provide refuge to many species.

Away from the site of the housing development, the building of the Eastern Link Road above Brandwacht is a potential biodiversity catastrophe. This section of the mountain is currently recovering Renosterveld, where numerous plant species are making a comeback; it is an excellent example of biodiversity

recovery. In addition, there are many animal species that rely on this area for movement and foraging and we have seen porcupine, caracal, numerous species of antelope, birds of prey (including specialist species such as Black sparrowhawk that have successfully reared a chick in August/October 2024), Blue Crane (our national bird), at least fifty species of birds (including many at the range edge of their distribution and highly endemic species such as Olive woodpecker, Cape sugarbird and Orange-breasted sunbird), at least five species of snake and incredible diversity of insects just in this small area. Building a road through this paradise will threaten the existence of all of these, through direct impacts from traffic, increasing the access for harvesting (for both flora from 'bush doctors' and fauna – we have seen evidence of hunting of porcupines), but also through **noise and light pollution**, that are unintended and under-estimated impacts from additional roads. As an example, light pollution^{4,5} is a major threat to natural systems, because it can change the way that species breed by impacting circadian rhythms and how individuals move through and interact with their habitats. Brandwacht suburb is an excellent buffer that ensures that the biodiversity of Stellenbosch mountain and the town's residents are able to co-exist. *The existing urban edge has to be maintained to ensure long-term and sustainable patterns of unique biodiversity of Stellenbosch mountain.*

Above I have highlighted just a few of the impacts that developing the remainder of Farm 1049 and the construction of the Eastern Link Road would have on the citizens of Brandwacht/Dalsig and Stellenbosch, as well as on the iconic biodiversity of Stellenbosch mountain. As such, I thus object to the approval of:

1. the site-specific deviation from the Stellenbosch Municipality's Spatial Development Framework to initiate an urban infill development outside the approved urban edge of Stellenbosch on the Subject Matter Farm; and
2. the rezoning of the Subject Matter Farm from Agriculture and Rural Zone to Subdivisional Area.
3. The construction of the Eastern Link Road.



Professor Sophie von der Heyden

58 Brandwacht Road, Stellenbosch, 7600; Email: svdh@sun.ac.za; Telephone: +27 833890940

References:

1. <https://www.nature.com/articles/d41586-021-02612-5>
2. <https://stellenbosch.gov.za/download/stellenbosch-environmental-management-framework-june-2014/?ind=1604581405610&filename=Stellenbosch%20Environmental%20Management%20Framework%20June%202014.pdf&wpdmdl=8174&refresh=633a8049135801664778313>: Stellenbosch Municipality Environmental Management Framework
3. <https://www.sciencedirect.com/science/article/pii/S0301479717303201>
4. <https://www.wits.ac.za/news/latest-news/opinion/2019/2019-04/light-pollution-the-dark-side-of-keeping-the-lights-on.html>
5. <https://www.sciencedirect.com/science/article/pii/S0959378021000972?via%3Dihub>

Stellenbosch Ratepayers' Association

Nwabisa Jozana

From: mm
Sent: Monday, 30 September 2024 18:07
To: simon@landsgate.co.za
Cc: idp; Nomie Tshefu; mm
Subject: RE: [EX] FW: SRA COMMENT ON CITP 2024 - IDP MEETING COMMENT & FEEDBACK (25th September 2025)

Good afternoon

I herewith acknowledge receipt of your correspondence.



Groete/Kind regards,

Annelene Rooifontein

Senior Clerk: Risk Management

Department: Governance

Office of the Municipal Manager

T: +27 21 808 8752

3rd Floor, Townhouse, 17 Plein Street,

Stellenbosch, 7600

www.stellenbosch.gov.za



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

From: Simon Wilson <simon@landsgate.co.za>
Sent: Monday, 30 September 2024 15:40
To: Anthony Barnes <Anthony.Barnes@stellenbosch.gov.za>; Shane Chandaka <Shane.Chandaka@stellenbosch.gov.za>
Cc: mm <Municipal.Manager@stellenbosch.gov.za>; Annalene De Beer <Annalene.DeBeer@stellenbosch.gov.za>
Subject: [EX] FW: SRA COMMENT ON CITP 2024 - IDP MEETING COMMENT & FEEDBACK (25th September 2025)

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon, Mr Barnes, Mr Chandaka, Ms Mettler & Ms de Beer,

I hope this find you well. We appreciate your effort in arranging the IDP discussion last week.

Please find the attached letter for your consideration, as per the comment on the CITP 2024, from the Stellenbosch Ratepayers Association (SRA). While I am sure you are aware of the effort and opinion that goes

into this preparation, from many Ratepayers and the Mayor, some acknowledgement of these after our input would be much appreciated.

We look forward to hearing from you.

Please acknowledge receipt by return.

Kind regards

Mr Simon Wilson
Chairman of the SRZ

Stellenbosse Belastingbetalersvereniging *Stellenbosch Ratepayers' Association*

✉ 399 Stellenbosch 7599 • info@stellenboschratedpayers.org

20 October 2023

Mr Shane Chandaka Shane.Chandaka@stellenbosch.gov.za
Director: Infrastructure Services
Stellenbosch Municipality

Dear Mr Chandaka

STELLENBOSCH INTEGRATED DEVELOPMENT PLAN 2023 – 2024: OPEN DAY BRIEFING HELD IN THE TOWN HALL ON 13 SEPTEMBER 2023: CONCERN ABOUT THE LACK OF ALIGNMENT BETWEEN LAND USE (SPATIAL) AND TRANSPORT PLANNING AS CONTAINED IN THE DRAFT COMPREHENSIVE INTEGRATED TRANSPORT PLAN (CITP)

1. Thank you for providing the Ward Committee for Ward 22 with a searchable copy of the 3rd final draft CITP document. As you are aware the Stellenbosch Ratepayer's Association (SRA) is most concerned about the mismatch between the MSDF and the CITP, especially in terms of the impact this may have on the quality of life currently enjoyed by residents of Ward 22. I am accordingly writing to you as a member of both the Ward Committee for Ward 22 and of the SRA.

2. For the record, the concerns that the SRA has about the shortcomings of the draft CITP are shared by, Friends of Stellenbosch Mountain (FSM), the Stellenbosch Interest Group (SIG), the Boord Belangegroep (BBG) and residents of Ward 22, all of whom have made representations to the Consultants (who drafted the CITP document) and to the Municipality. Unfortunately, virtually none of the concerns have been addressed by the Municipality or the Consultant to date, and it appears that the Municipality intends to continue with an outdated and discredited approach of building additional roads at the expense of addressing public transport issues.

3. Please note that the 3rd final draft of the CITP conflicts with the following five key principles contained in the approved June 2023 MSDF:

"Even if difficult, it is a matter of now or never. We cannot behave and live like before. We cannot afford to lose more nature and agricultural land and prioritise building roads for private cars more than public transport. If we do that, the system will fail. Material wealth will not assist."

"Containing settlement footprints by curtailing the further development of peripheral dormitory housing projects."

"Containment of settlements to protect nature/ agricultural areas and enable public and non-motorized transport and movement."

“A focus on public and non-motorized transport and movement.”

“Allow future opportunity to build on existing infrastructure investment.”

Stellenbosch simply cannot afford the capital required to build the road links contained in the CITP.

4. Of pressing or immediate concern are the proposals to build sections of the so-called Eastern and Western Link Roads. The caption to fig. 7.3 (western link road) on page 106 of the draft CITP, namely, **“Alignment of link road currently being designed between R44 and R310”**, is particularly problematic and disturbing. This is so because the proposal is currently the subject of an EIA process, and **it is imperative that alternatives (to provide a second access road to the Thecno Park) should be workshopped** and considered with IAP’s before any detailed design should commence.

5. The proposed **construction of a section of Eastern link road between Paradyskloof and Trumali Avenue (SRMP053) also appears to be irrational**. It accordingly needs to be determined whether this is part of a salami-slice strategy by the Municipality to eventually extend the “link road” through Brandwacht and Dalsig in Ward 22. If no such strategy exists, it makes no sense to build the road now.

6. Please note that the most recent draft CITP has been met with well-founded resistance! While the principles in the CITP tick all the right boxes of sustainability, the implementation proposals are in direct conflict with a sustainable solution to the transport problems of Stellenbosch (building more Roads for private car use)! New Roads are not part of the priority list of the IDP and not part of the MSDF. This fact is highlighted in the concept below:

Updated Stellenbosch CITP Concept, Key Strategies, Proposals

- Using existing infrastructure as efficiently as possible;
- Reduce demand for car use;
- Reduce environmental impact of private transport;
- Support investment in public transport, and
- Support investment in NMT.

Three categories of TDM strategies have been identified:

1. Improving travel options for residents and visitors – Address safety of people walking and cycling and ensure that future growth and urban design support these modes;
2. Reduce need for investment in large-scale public infrastructure – create significant shifts in travel behaviour to reduce the need for new road capacity, and
3. Increase revenue to finance infrastructure – Consider tolls, congestion pricing, parking pricing and development charges as financing strategies available to manage demand.

Stated that Traffic Demand Management (TDM) contributes directly to the seven key development principles of the 2019 SDF, namely:

- Provide public transport for all;
- Create walkable neighbourhoods;
- Grow economy to create jobs;
- Make wise use of land;
- Conserve, restore and regenerate resources;
- Grow more food for ourselves, and
- Care for our heritage.

7. The issues referred to in paragraphs 4 and 5 above have been raised in comments on the draft CITP during May 2023 and again at the IDP meeting held in the Town Hall on 13 September 2023. It is accordingly important, in the interest of democracy, that IAP's meet with you on an urgent basis to determine the best way forward. To order the discussion, the recommendations contained in the letter of the FSM dated May 2023 are copied below for ease of reference.

“10. Section 7 of the 12 May 2023 FSM comments sketch what SM and Western Cape Government could still achieve if they act now. Some of our recommendations are:

- **Cancel the draft CITP and begin a new CITP process.**
- **Drastically reduce new road building.**
- **Revise draft 2023/24 MTREF to reflect these realities.**
- **Give budget priority to funding sustainable infrastructure such as the Adam Tas Corridor, public transport, NMT, the railway station, bringing the taxi industry into the fold etc.**
- **Stellenbosch must get serious about Travel Demand Management, i.e. changing peoples' behaviour and mindset.**
- **Future transport/mobility budgets must be aligned with SPLUMA and the MSDF in pushing for densification rather than opening up rural land for further road-driven urban sprawl.**

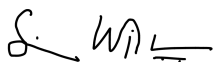
11. Also, Western Cape Government grants allocated to Stellenbosch should be re-aligned to reflect stated provincial and national transport priorities; see Appendix C below.

12. The new CITP and revised MTREF must comply with the following sections of the National Land Transport Act not only as tickbox but in terms of actual funding:

- **section 11(1)(c)(xi) on promotion of public transport**
- **section 11(1)(c)(xvi) on traffic management techniques aimed at improving road traffic movement;**
- **section 11(1)(c)(xxii) on applying travel demand management.”**

8. I trust that you will agree with the necessity of meeting with members of the SRA, the Ward Committee for Ward 22 and other IAP's to decide on the best way forward. I accordingly look forward to hearing from you in this regard.

Kind regards



Simon Wilson (Chairman of the SRA)

Cc Adv Gesie van Deventer, Executive Mayor, Stellenbosch Municipality
Mayor@stellenbosch.gov.za

Cllr Carli van Wyk, Chairperson of the Planning and Economic Development portfolio
carli.vanwyk@ Stellenbosch.gov.za

Cllr Peter Johnson. Chairman of the Infrastructure Development portfolio
Peter.Johnson@ Stellenbosch.gov.za

Cllr Esther Groenewald, Ward Councillor for Ward 22
Esther.Groenewald@ Stellenbosch.gov.za

Ms Geraldine Mettler, Municipal Manager, Stellenbosch Municipality
Municipal.Manager@ Stellenbosch.gov.za

Mr Anthony Barnes, Director of Planning and Economic Development
Anthony.Barnes@ Stellenbosch.gov.za

Trevor Baptiste

Nwabisa Jozana

From: Trevor Baptiste <tb@oceansfc.com>
Sent: Monday, 30 September 2024 16:12
To: idp
Subject: [EX] Objection_ELR
Attachments: 240930 Objection ELR.pdf

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good day

Please find attached my objection.

Kind regards,

Trevor Baptiste
tb@oceansfc.com [+27 82 773 8042](tel:+27827738042)



www.oceansfc.com

OBJECTION TO THE EASTERN LINK ROAD ("WILDEBOSCH EXTENSION") AS PROPOSED IN
STELLENBOSCH IDP PLAN AND BUDGET

Date: 30 September 2024

idp@ Stellenbosch.gov.za

Objection

On 24 October 2022, the Brandwacht Action Group (BRAG) submitted an objection to developing the remainder of the farm Brandwacht no 1049, attached as annexure A. The objection was submitted on behalf of 753 residents of Brandwacht, Bo Dalsig, Dalsig, Welgelegen, Paradyskloof, Brandwacht aan Rivier, and beyond, who stand to be affected by the wider consequences of development in the area.

Whilst the objection to the development was not for approval of the traffic management measures, the residents objected to the construction of the Eastern Link Road. The concern was that the Eastern Link Road would almost certainly be required to manage the additional traffic between the proposed development and Stellenbosch. In this regard, the residents noted that the Traffic Impact Study in the application concluded that the Eastern Link Road, along with other traffic upgrades, would be required to address the traffic impacts of the proposed development. The development application was therefore not divisible from the construction of the Eastern Link Road.

The intended construction of parts of the Eastern Link Road ("Wildebosch Extension"), is likewise not divisible from future developments in the area. It is essential that the needs of the entire Eastern Link Road be assessed to ensure that the construction of the road is not forced upon the Municipality and its residents by prospective developments, with the concomitant legal and financial consequences for the Municipality, as an aftermath.

The Wildebosch extension, which stops at Trumali road, does not continue through Brandwacht, Dalsig, and Welgevallen Proefplaas. However, it is noted that the Wildebosch - Trumali segment opens up the opportunity for further development, including the proposed development on farm Brandwacht 1049, and for future construction of the Eastern Link Road all the way to Coetzenburg. The Wildebosch extension serves no purpose if not extended and is an irrational and wasteful expenditure of Stellenbosch ratepayers' money.

I further object to the Eastern Link Road for the following reasons:

- 1.1 The Eastern Link Road is a flawed concept from the 1960s that is no longer feasible or viable for Stellenbosch in 2022 and will serve very little purpose in relieving traffic;
- 1.2 The viability of the Eastern Link Road is in question for various reasons, including the availability of land for road reserve; feeder and distribution access to the link road

which is inadequate to accommodate any more traffic than is currently carried; the environmental, social and economic impact of such a substantial road development; and the financial impact of such mega-infrastructure on the municipal financial resources and standing; amongst others. There is no indication that the municipality has undertaken an adequate technical, financial and legal feasibility assessment of the Eastern Link Road, and therefore approval of the Application, which is reliant on the Eastern Link Road, is non-sensical.

- 1.3 The Eastern Link Road will do much aesthetic and environmental damage, especially over Brandwacht and Coetzenburg, over the Eerste Rivier and through Boland College;
- 1.4 The Eastern Link Road is vigorously opposed, including by several Ward Committees in affected areas of Stellenbosch, and for a project with such potential irrevocable negative impacts (possibly the most destructive act committed by the Municipality to date), a thorough public participation process and input from professionals on its impacts on town and transport planning, urban design, the natural environment, and heritage is required.

In addition, I object to the timing of the deadline to submit comments on the IDP process which falls within the school holidays. Revisions of the IDP are matters of fundamental importance to the sustainable development of Stellenbosch and its environments and should not be allowed to be pushed through as a consequence of a rushed public participation process.

Kind regards,

Trevor Baptiste

Trevor Baptiste

Late Submission Received
after 30 September 2024

Graham Crawford

Nwabisa Jozana

From: Graham Crawford <crawfg@gmail.com>
Sent: Tuesday, 01 October 2024 07:23
To: idp
Subject: [EX] Objection to Wildebosch extension

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Sir, Madam

Please note my objection to the proposed Wilderbosch extension / Eastern link road.

I am a Stellenbosch rate payer (Red Dragon Trust).

Please reach out to me should you require further information.

Best regards
Graham Crawford

Stellenbosch Smart City

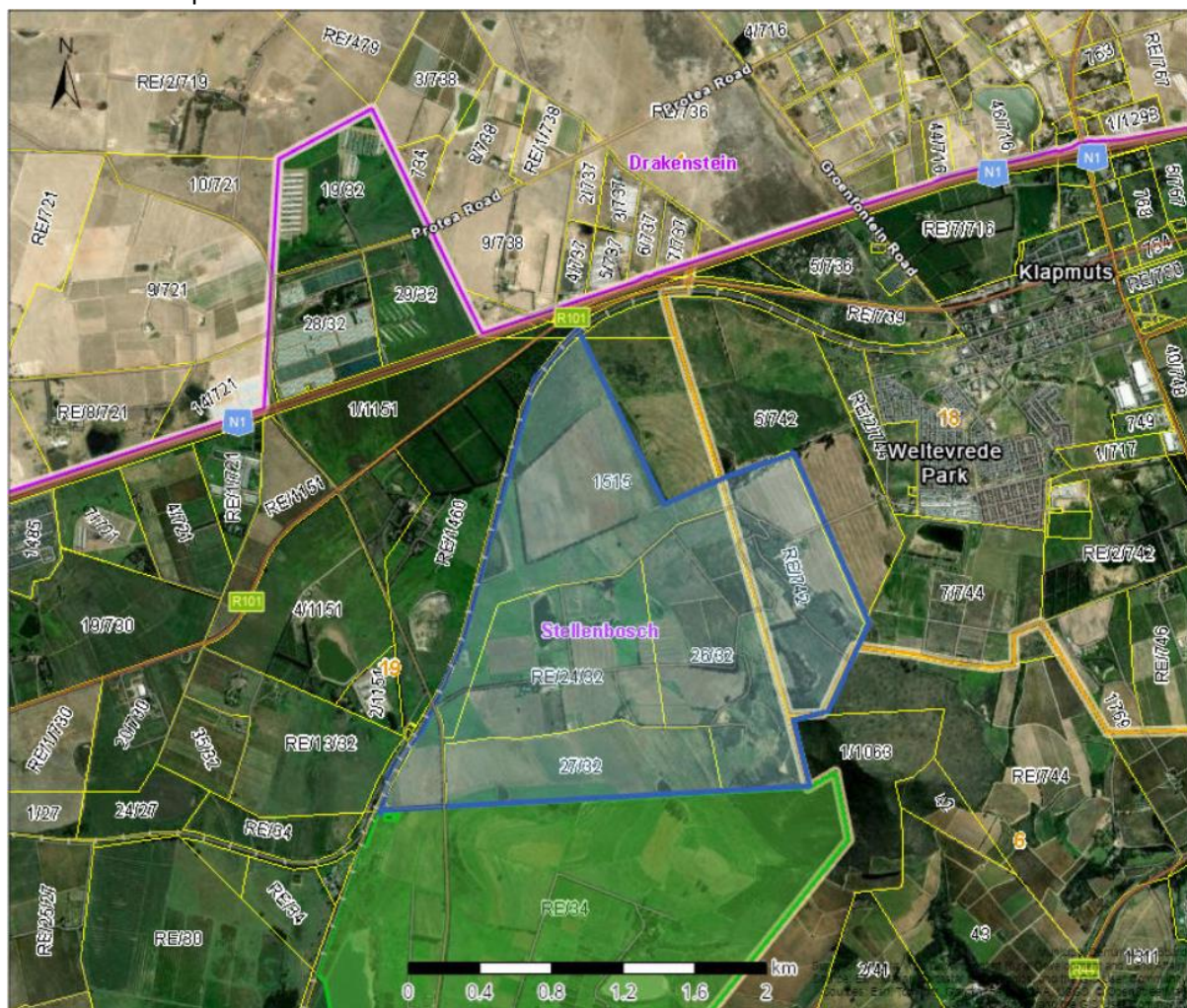
Submission to Stellenbosch SDF review public participation process ending 30 September 2024, for Ward 18 and 19.

The submission is made as part of the Stellenbosch Municipal IDP review public participation process on behalf of Stellenbosch Smart City Pty Ltd.

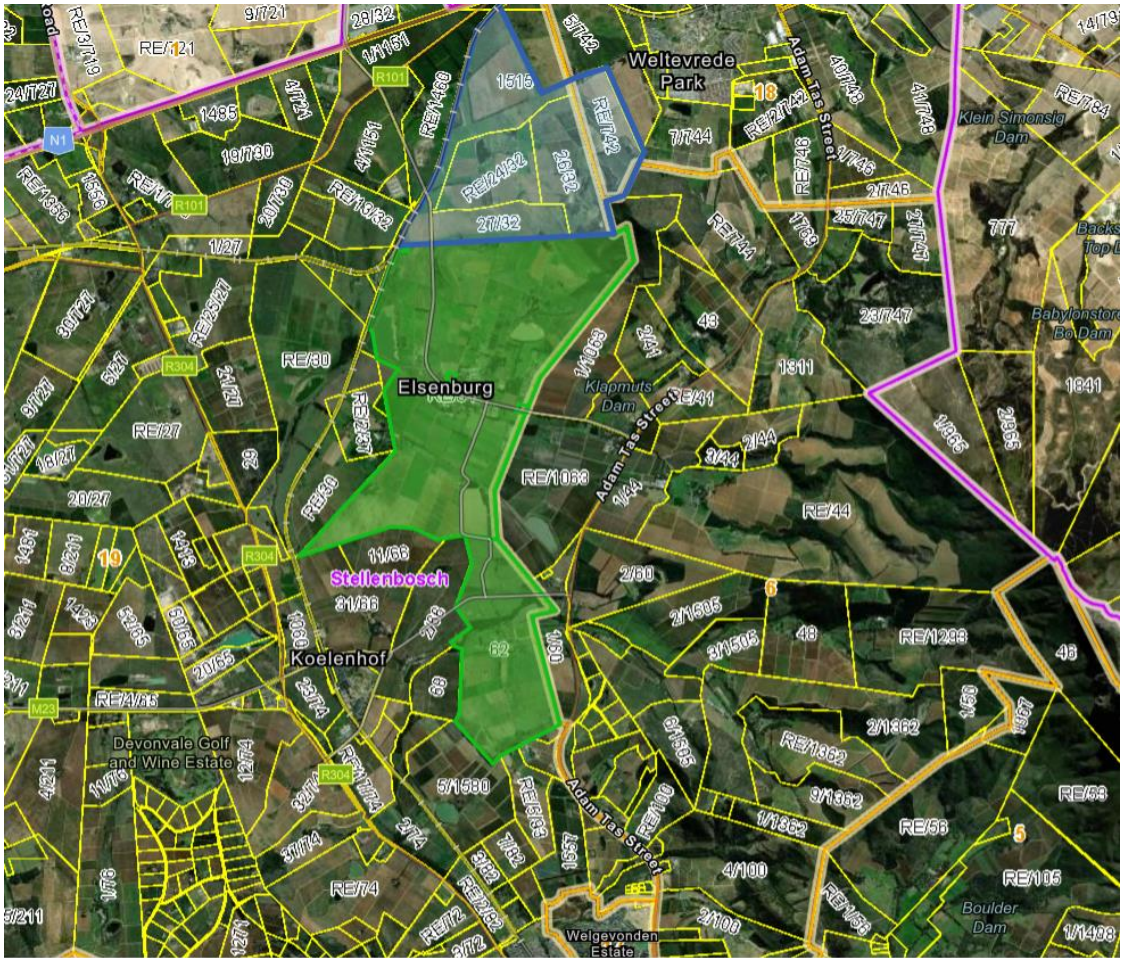
The Smart City Precinct includes Farms 1515, RE/ 742, 26/32, RE24/32 and 27/32. It stretches from the western boundary of Klapmuts along the railway line and ends at Muldersvlei.

Context of the proposed Smart City Precinct support the development of the Smart City Precinct:

- a) In its immediate surroundings, the proposed precinct has **training and education facilities on its southern boundary such as the Elsenburg campus and the Kromme Rhee training centre** which is in close proximity of Stellenbosch and the University of Stellenbosch (See map 1 and 2). The precinct itself provides for tertiary facilities of which one is public and one is a private tertiary education provider.



Map 1: Elsenburg Campus south of Stellenbosch Smart City



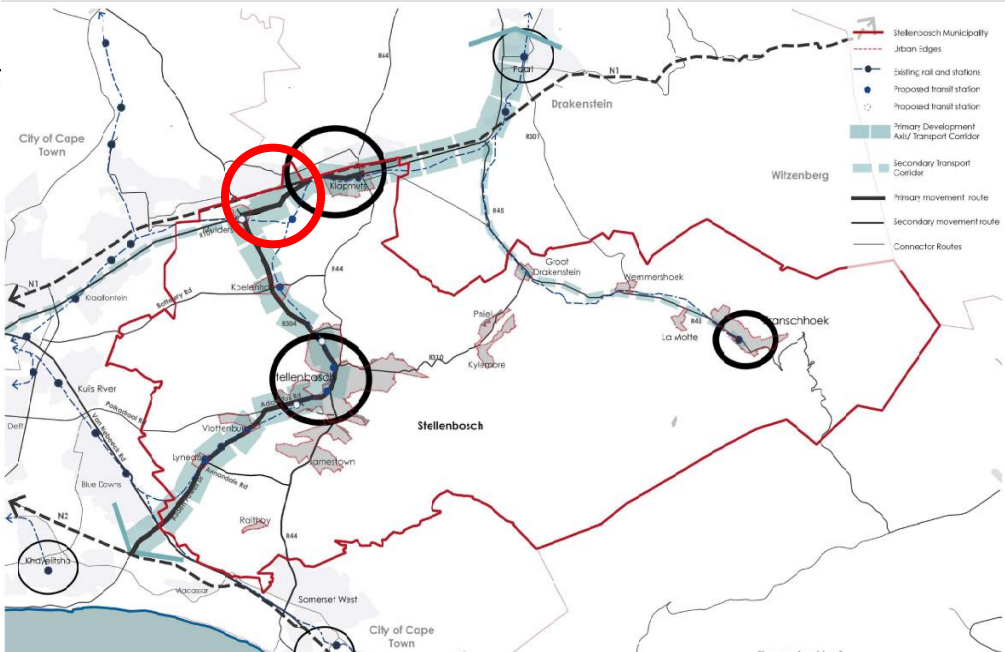
Map 2: Kromme Rhee located south of Elsenburg and in close proximity of Stellenbosch.

- b) The settlement node within the precinct is according to the Stellenbosch MSDF, viewed as a **development link between Muldersvlei and Koelenhof along the R304 corridor**, that should accommodate more growth. As a long term proposal, it requires private sector led institutional arrangements and support to enable planning and development.

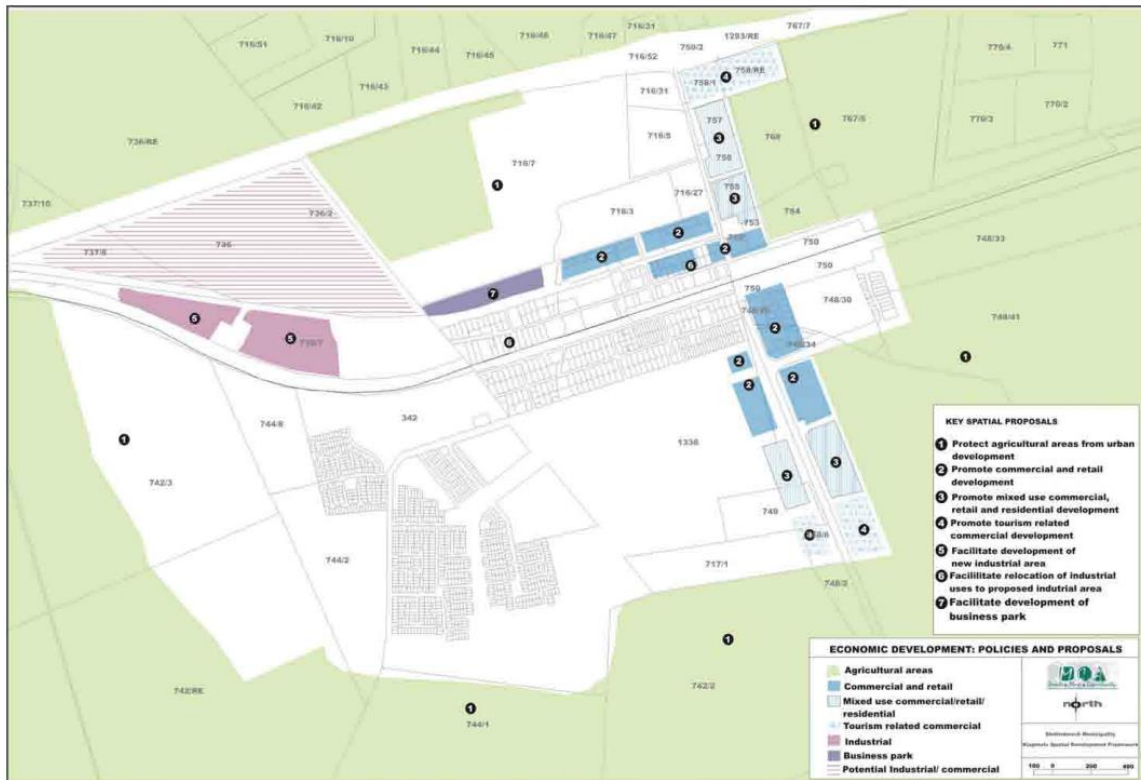
- From MSDF 20223

NEW DEVELOPMENT ACTIONS	SIGNIFICANT NEW MIXED USE DEVELOPMENT	<p>Over the longer term, Muldersvlei and Koelenhof along the R304 corridor could possibly accommodate more growth, and be established as inclusive settlements offering a range of opportunities. However, these settlements are not prioritised for development at this stage.</p> <p>Explore the feasibility of changing/complementing the rail service along the Baden Powell Drive-Adam Tas-R304 corridor to a system providing a more frequent, flexible service better integrated into the urban realm.. Alternatively, a regular bus service should be explored serving the same route.</p>	<div>Support private sector led institutional arrangements to enable joint planning and development.</div>
	SIGNIFICANT NEW RESIDENTIAL DEVELOPMENT		
	SIGNIFICANT CHANGE TO ACCESS AND MOBILITY PROVISION		

Table 26: Plan Elements and Proposa



- c) According to the MSDF, the **proposed business and industrial development within Klapmuts is limited and the socio-economic environment of the municipal area beckoning**, as the settlement has a high unemployment rate 15,2% (SEP 2022) of and low levels of income, whilst the link between the R304 Corridor and Muldersvlei and indirectly to Klapmuts is being earmarked as a longer-term solution with private led initiatives which is what the Stellenbosch Smart City intend to achieve.



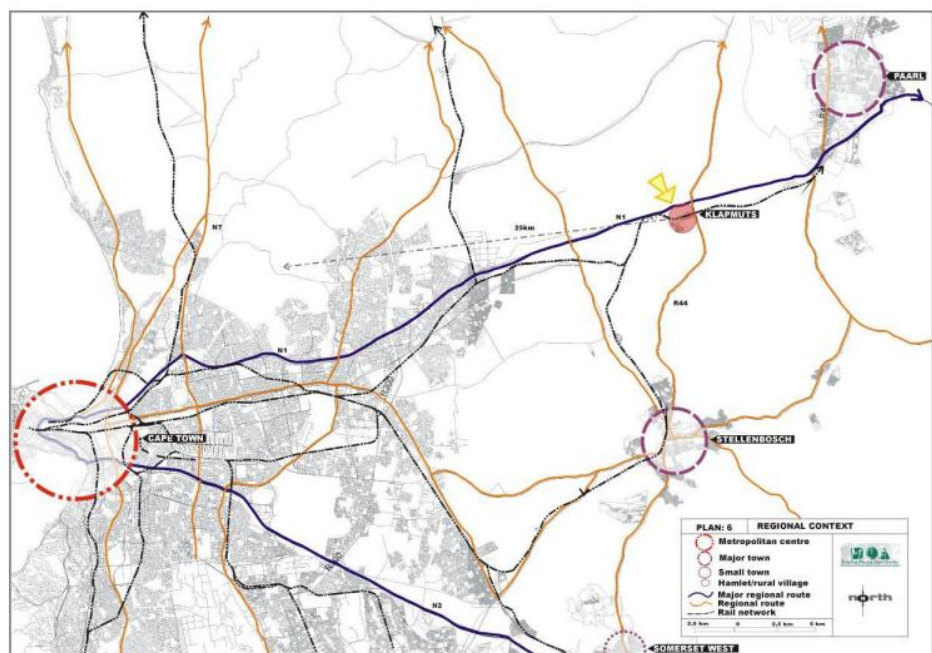
Plan 24: Klapmuts Spatial Development Framework: Economic Development

Klapmuts Spatial Development Framework
Stellenbosch Municipality
September 2007

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- d) CoCT MSDF supports linkages to **Klapmuts and its role as a settlement in the regional context** as

- Firstly, its proximity and linkages to significant economic activities and markets, and
- Secondly, the challenges being faced in Cape Town functional region.



Plan 6: Regional context

- d) CoC MSDF, promotes **development corridors, nodes** and Transit Accessible Precincts: Development corridors are broadly defined as **urban areas of high-intensity** (i.e. dense and diverse nodal or 'strip' development **focussed around (a combination of)** rail (Belville Paarl line and beyond), **high-capacity roads** (N1, R44, R304 and R101) and **trunk bus routes** (R304). They are characterised by a dynamic, mutually supporting relationship between land use the movement system. Klapmuts is located along such a corridor that connects and includes Cape Town CBD, Belville and Brackenfell.

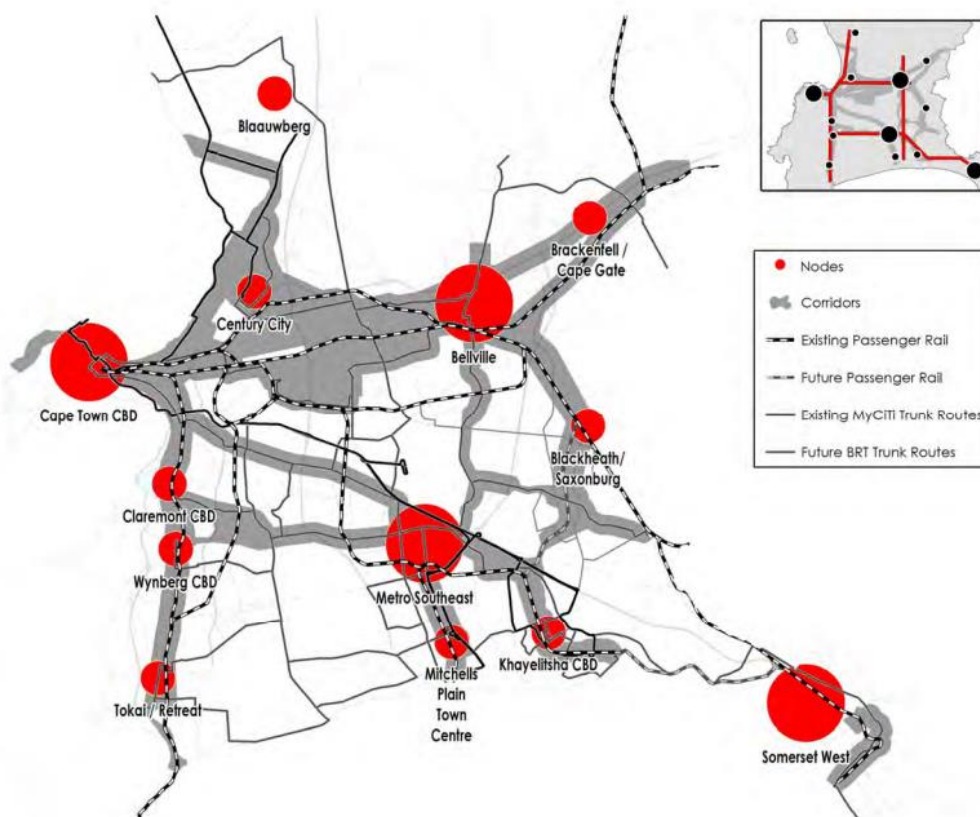
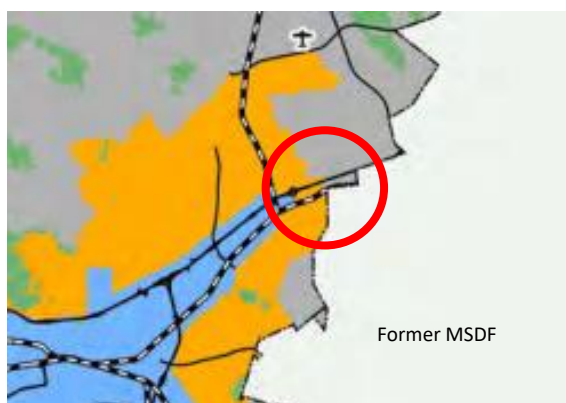
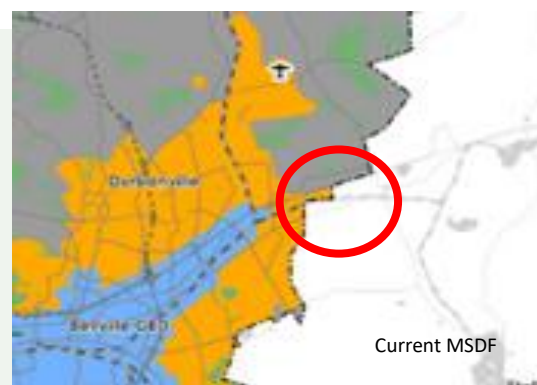


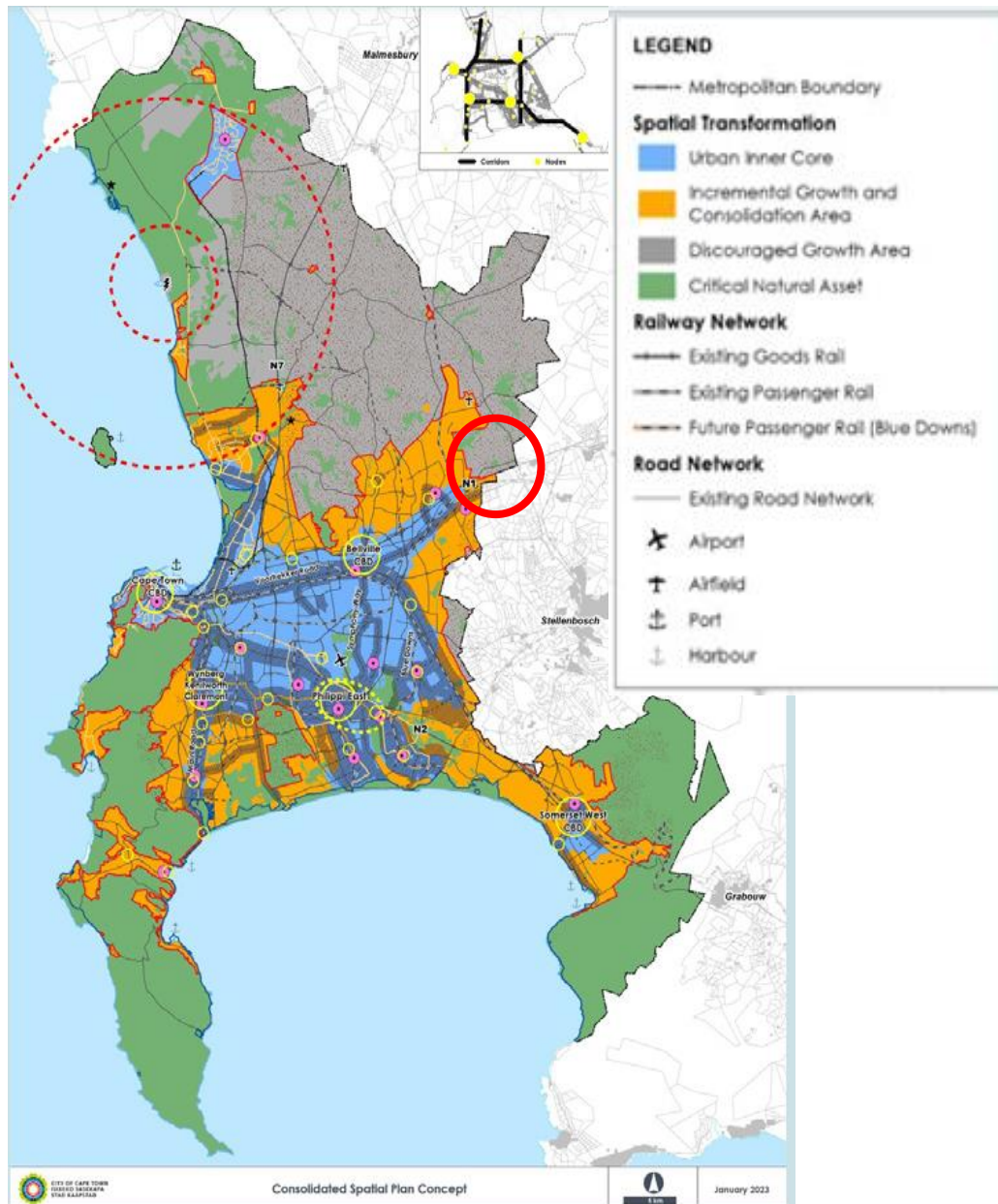
Diagram 20: Conceptual development corridors and existing and emerging urban nodes

- e) The **development corridors** from Brackenfell in the direction to Klapmuts is once again portrayed as a new development that is subject to capacity and particularly as **Incremental Growth and consolidation areas**. For such development Investment Partnerships are a requirement. Such a partnership between the City and the private sector will attend to the bulk infrastructure and will be implemented as condition of approval.



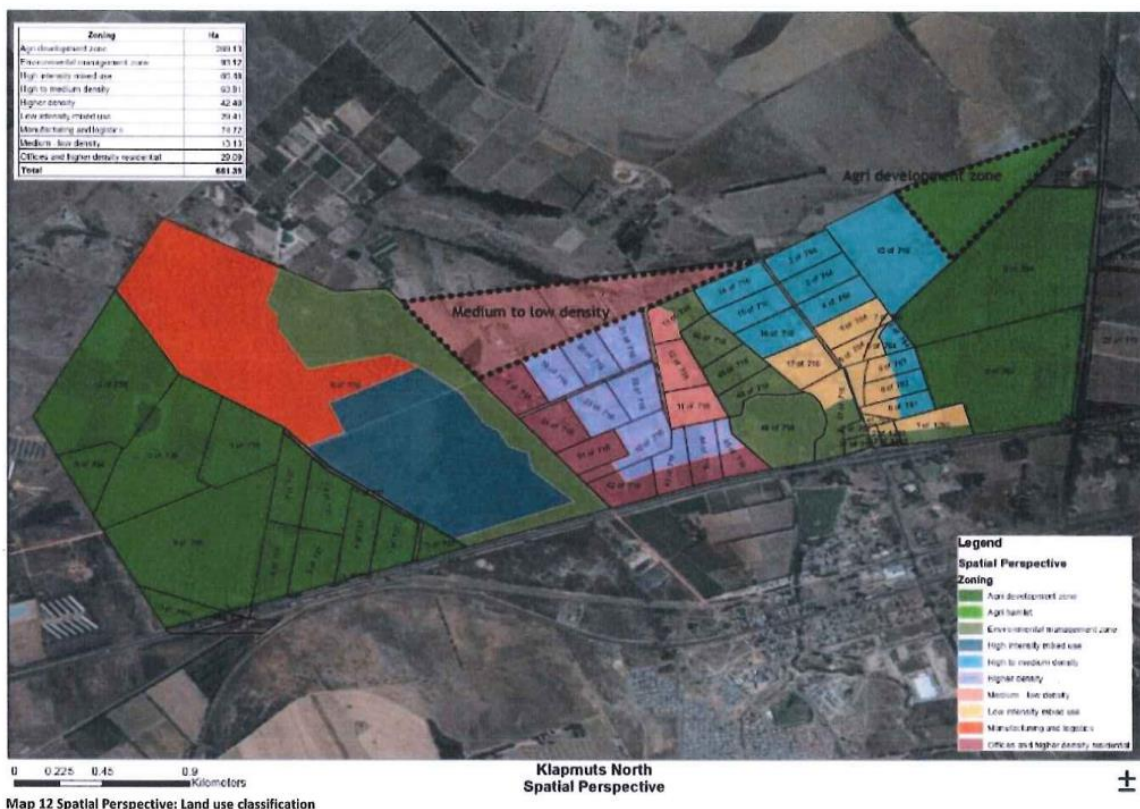
- f) The **Incremental development** area on the edge of CoC along the N1 is a new initiative being promoted. Desired spatial outcomes and Land Use guidelines for incremental development areas include:

- consolidation and diversification of land uses in support of city growth
- incremental upgrading where applicable



- g) **Incremental development is further promoted by routes and roads fulfilling a mobility function for people and goods, but that do not permit direct access to abutting land uses** (freeways/ primary roads). The high connectivity provided by direct freeway/ expressway connection trends to attract manufacturing, warehousing, major retail and industrial uses. These opportunities tend to be realized around key intersections or off-ramps and on roads running parallel to, or linked to, freeways. In the case of Klapmuts, the R101 runs parallel to the N1 and there are several connections where access off the N1 can be obtained.
- h) **Regional Development Nodes** provide further support to develop Klapmuts and similarly:

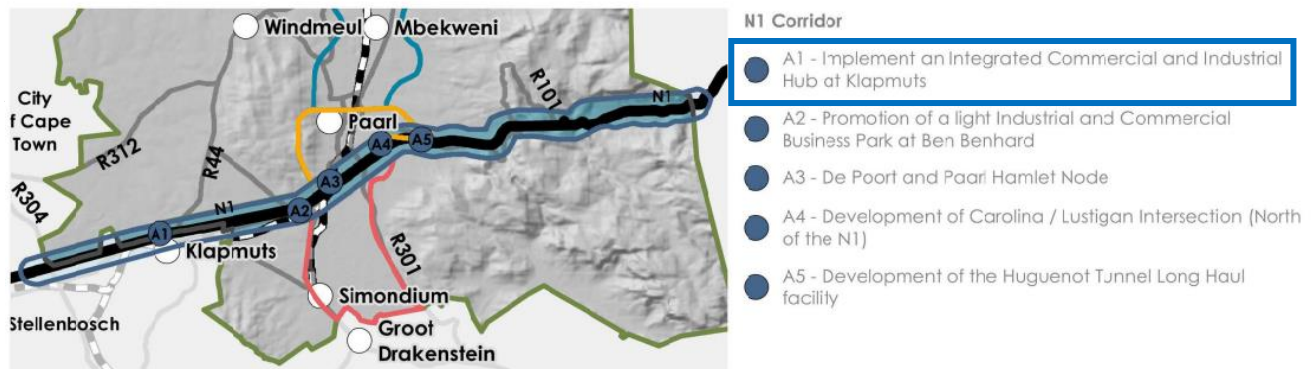
- Enhancing the **role and potentials of existing settlement nodes** based on the capacity of existing infrastructure to accommodate change and growth.
 - i.e., railway infrastructure that guides how other sectors, services, or functional areas, should adjust their focus and work to support change and growth.
- address the **challenge to restructure Stellenbosch town** having manufacturing concerns leaving Stellenbosch town in search of better locations such as
 - the economic generative opportunities associated with Klappmuts and current development pressure of settlements on the periphery in the SM:
 - Distell has made the decision to consolidate its operations, and relocate to Farm 736/RE, which is located north of the N1 road. These operations include: beverage production, bottling, warehousing and a distribution facility. The total area of the farm is approximately 200ha, but the Distell operations would only comprise approximately 53ha of the site. The proposed development is located on land which is not environmentally sensitive and which, in turn, will provide opportunities for other businesses, suppliers and industries to co-locate to the area (Stellenbosch SDF, 2019).
 - And as per the proposed Agri-industrial node at Muldersvlei station and proposed Agri-industrial precinct between Muldersvlei and Klappmuts.
- Support **New Industrial Developments**:
 - Such as the Proposed Distell Development – Klappmuts is a light industrial and commercial node that has the potential to grow into a sub-regional growth node in the medium to long-term.



- And the identification for land for investment purposes, e.g. having the Fisantekraal airport development being implemented that is in close proximity of Klappmuts.

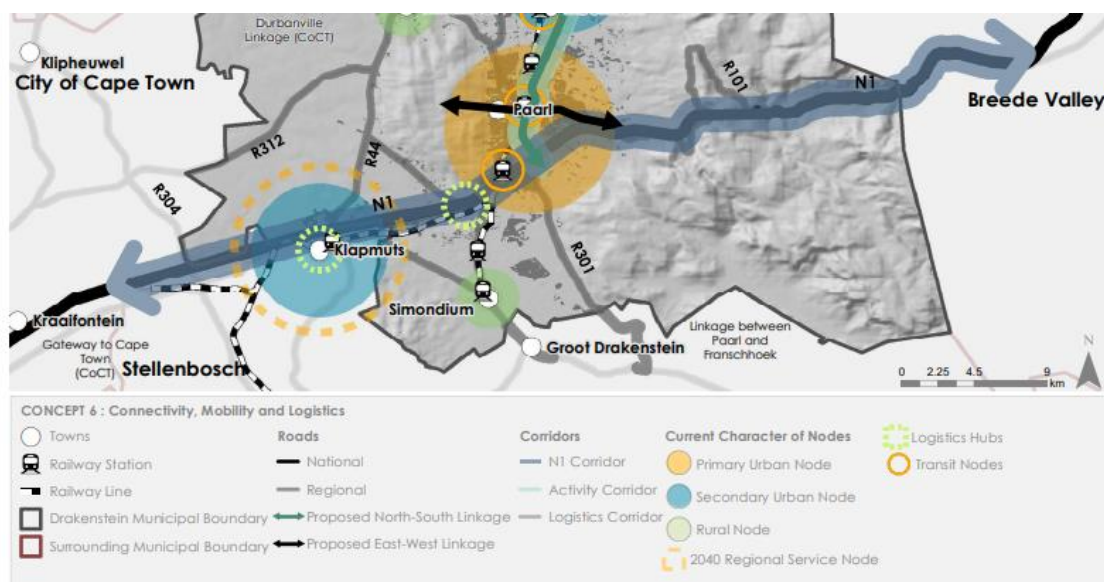
- i) The Drakenstein MSDF support a **N1 Corridor** (big move project) development from Klapmuts North, Ben Bernhard, De Poort, Paarl Hamlet (including the Paarl Mall precinct) to Huguenot Tunnel). The implementation of an **integrated Commercial and Industrial Hub at Klapmuts** (Big Move Project) should be funded by Drakenstein Municipality and Cape Wineland District Municipality. Such a development corridor should:

- Implement an Integrated Commercial and Industrial Hub at Klapmuts
- Promotion of a Light Industrial and Commercial Business Hun at Ben Bernhard
- Development of De Poort and Paarl Hamlet node
- Development of Carolina / Lustigan Intersection Area (North of the N1)
- Development of the Huguenot Tunnel Long Haul Facility



Map 4.7: Drakenstein N1 Corridor indicating proposed Big Moves

Taking advantage of the favourable location of the N1 Corridor (between Klapmuts and Paarl) and the associated ease of access and visibility. Specifically, Ben Bernhard has already started attracting significant investment and new development. Using this momentum, it is critical that the Drakenstein Municipality takes a strong leading role in guiding this development in a sustainable and desirable way. This also involves the addressing the shortage of bulk services specifically water, electricity and sewerage in this area



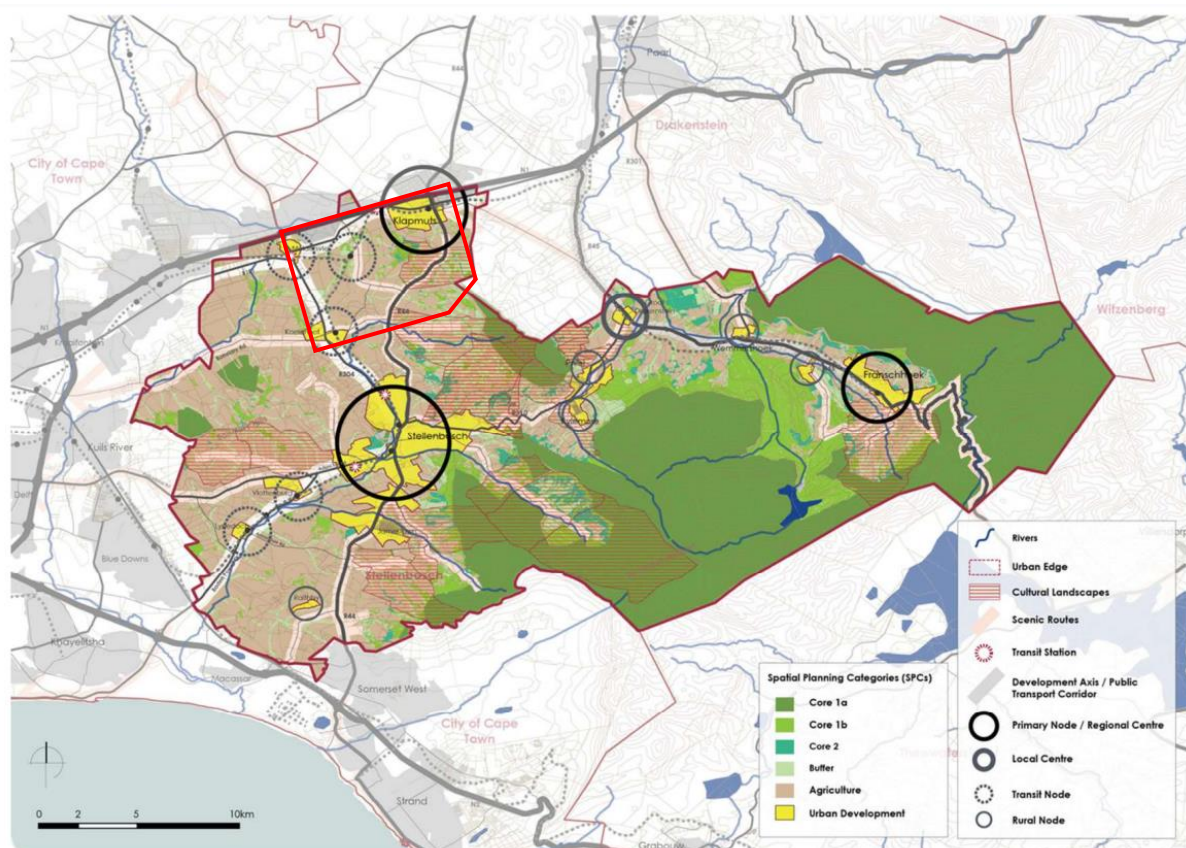
Map 4.12: Concept 6 - Promoting Connectivity, Mobility and Logistics Corridors

The N1 Corridor

- Promotes Connectivity, Mobility and Logistics Corridoes.

- Promotes Spatial Transformation toward resilient, inclusive, smart and sustainable settlements
- Advances “Gateway”, “Infill Development”, “Proposed Industrial”, and “Business/ Commercial” and establish
- Connections with the Cape Metro and serving as “Mobility Route”

The above directives firmly locate the **Smart City precinct within a rural corridor** that links Klapmuts in the east and the R304 (Joostenberg) in the west including the Muldersvlei station and Elsenburg to the south and the N1, to the north, including Old Paarl Road. **The corridor will be referred to as the Klapmuts N1 Muldersvlei Rural Corridor.** The corridor support the SDF vision of “being a valley of opportunity and innovation” and “being a valley of dignified living”





Such a rural development corridor should be delineated with its own edge and its own development parameters that promote the following uses:

- Agri-industry,
- alternative energy,
- educational facilities (institutions that are linked to tertiary education and can become community facilities)
- some residential node development and
- some industrial development particularly along the N1, in support of the Agri- industry and agricultural activities.

The Stellenbosch Smart City enhance the development of an Agri-industrial and development precinct and supports a development zone to link Klappmuts and Muldersvlei Station and include the development of Muldersvlei station as an Agri-industrial hub supporting Klappmuts.

The proposed development should be similar in intensity and not in use per se to Koelenhof station as to optimally utilize the existing mobility networks. Whilst Koelenhof provides for residential development, Muldersvlei station should provide for a farmstall, a farmers' market and Agri-processing units whilst Muldersvlei precinct should provide for a Park, a Golf academy, sites for tertiary education, a wine center, upgrading of an existing village, a solar facility (green alternative energy) and space for a Tiny House Zone, a Residential Estate and an a community development coordinating agency (Ranyaka).

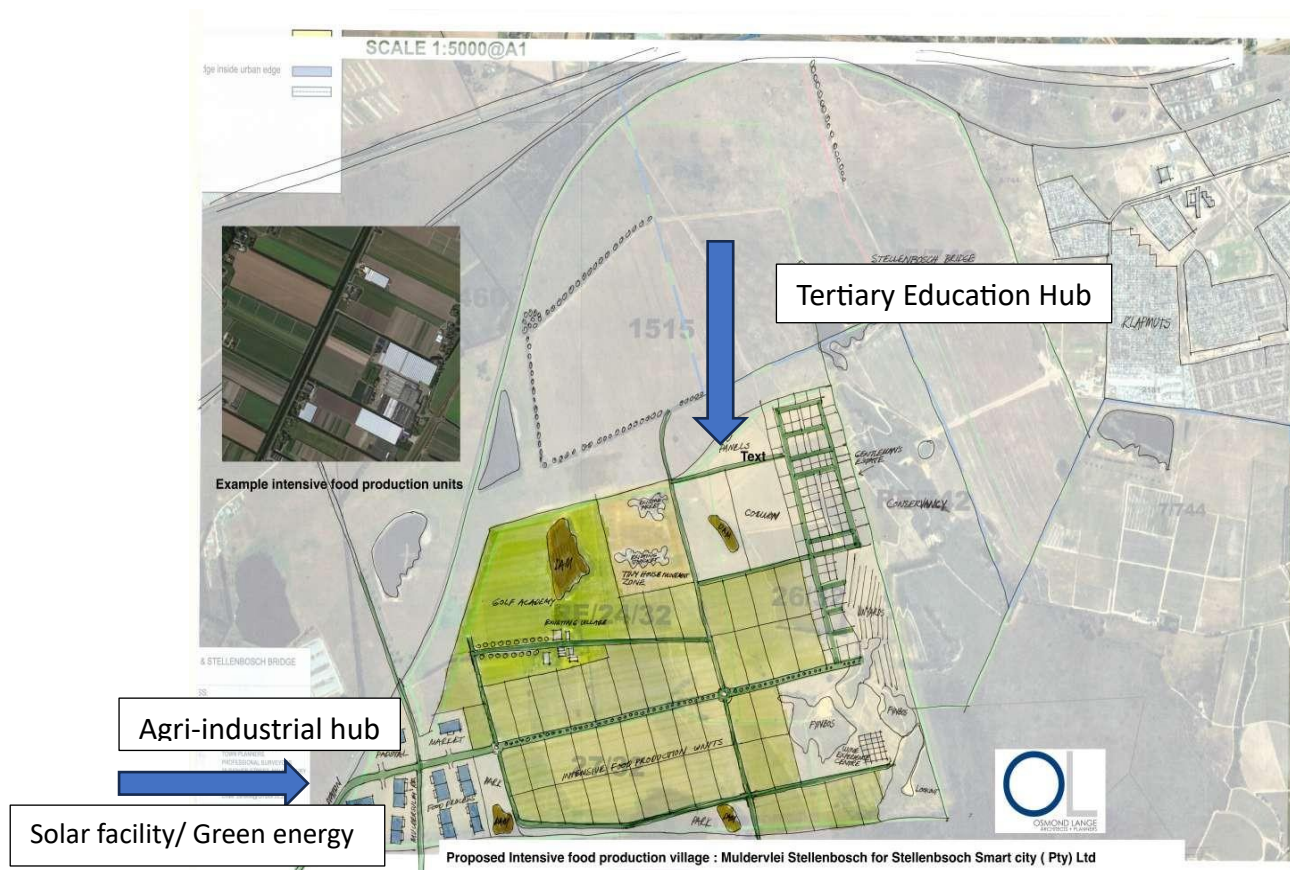
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Agri- industry Hub
Solar facility/ Green energy

Such a node should be supportive to a future intensive Agri-industry and rural development corridor along Old Paarl Road between Klappmuts, Muldersvlei station and Muldersvlei with the N1 as the northern boundary. As such the proposed Agri- and Agri-processing facilities should enhance the Stellenbosch municipal vision “being a valley of opportunity and innovation”.

In summary,

- Muldersvlei Station should be developed as agri-business hub.
 - As employment opportunities are in close proximity of Klappmuts
- Muldersvlei Station node should promote development of similar intensity (not use) to Koelenhof station and
 - The optimal use of mobility networks.
 - Promote Muldersvlei as an Agri-hub that include a farmstall, farmer’s market and Agri-processing.
- Stellenbosch Smart City precinct provides for
 - Tertiary education: two tertiary institutions (Stellenbosch and private)
 - a Golf Academy,
 - a wine centre,
 - an existing village, Tiny House zone and
 - a Residential Estate.
 - Alternative Green Energy facility
 - A community development coordinating agency (Ranyaka)



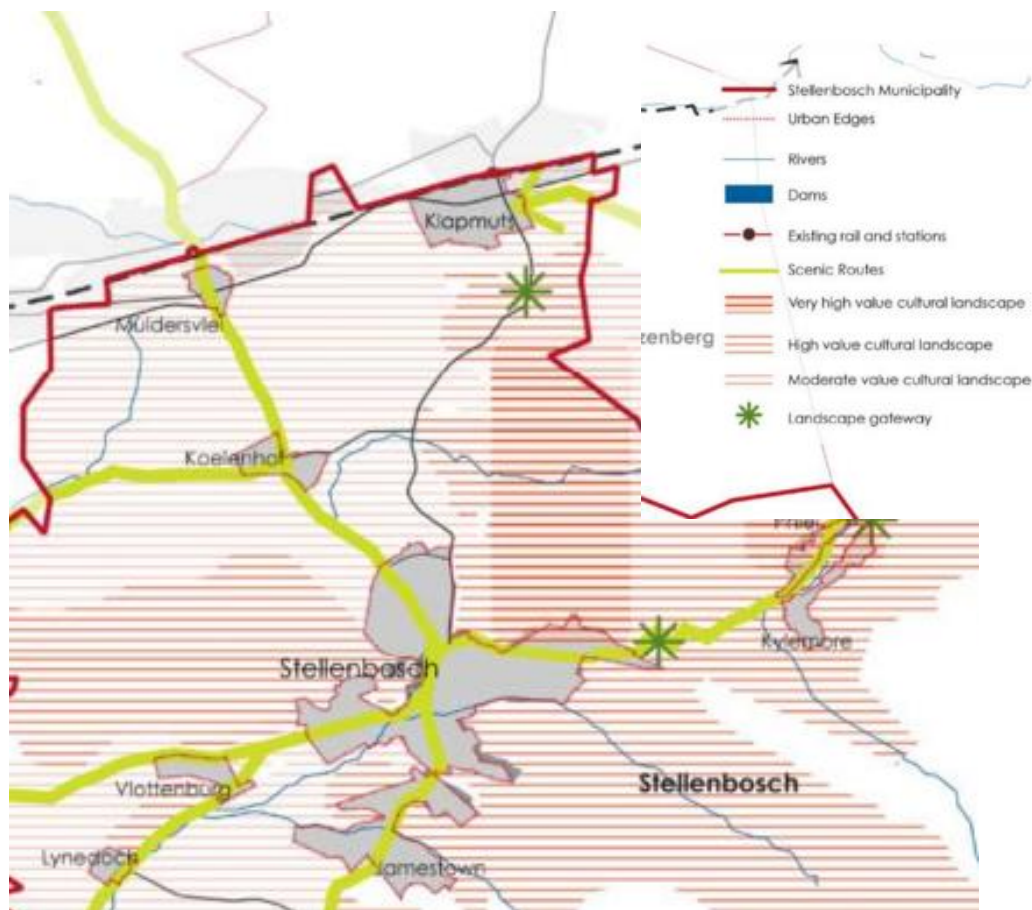
The development of such an Agri-industrial and development precinct should contribute to:

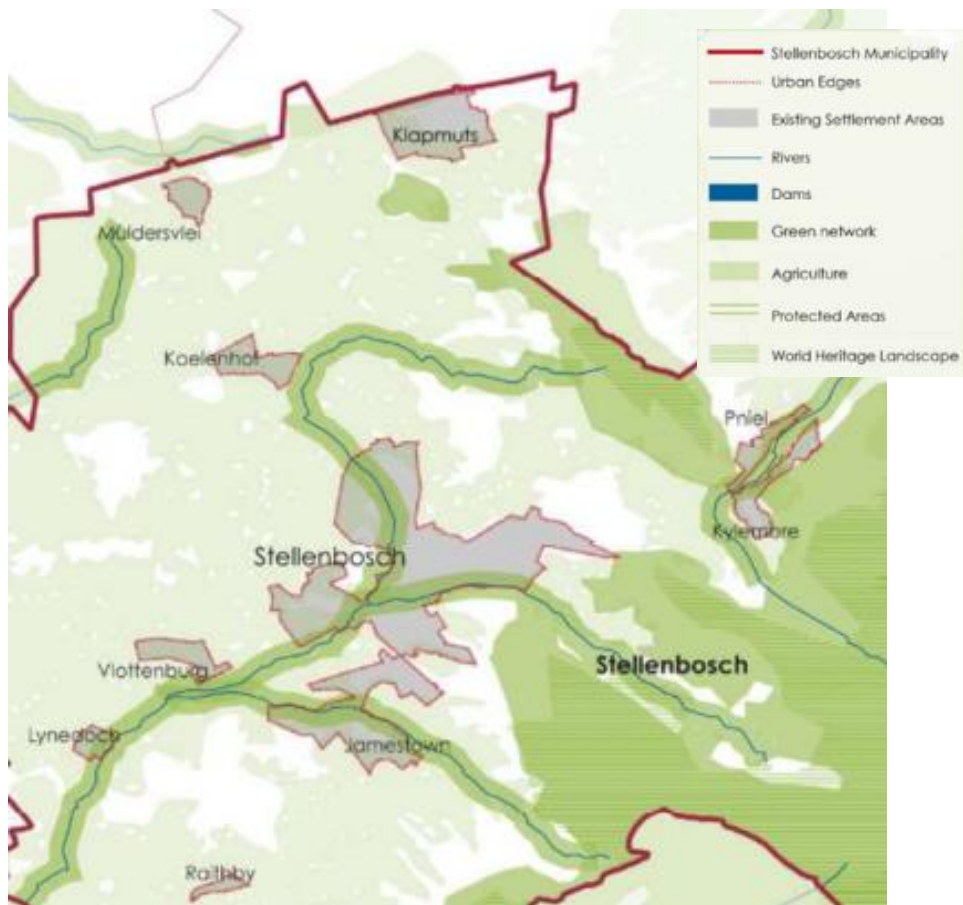
- a) *Economic development and employment opportunities*

- addressing the socio-economic challenges of having one of the highest Gini-Coefficients in South Africa, having 53% of households classified as low-income, with 20% of these having no registered income, having an unemployment rate of 20% in 2011, which continues to rise particularly in low and semi-skilled sectors and having almost 23% of the population being under 15 years in age who will be entering the labor market in the next two decades.
- In a sustainable form: as the precinct and corridor integrates with the natural and productive landscapes and is linked to other settlements by means of public transport. The proposed node and precinct provide for a range of citizens from all walks of life, with significant choice in place of work and residence.
- directing growth to areas of lesser natural and cultural significance as well as movement opportunity. The proposed precinct and corridor are not located in a graded landscape to be protected yet sensitive scenic routes (links between R44 and Old Paarl Road) dissect some of the land units.

b) *Directing growth to areas of lesser natural and cultural significance:*

Both the node and precinct are not located in a graded landscape to protect sensitive scenic routes (links between R44 and Old Paarl Road).





c) *Mobility and transportation*

- as 60% of households do not have access to a car, and are dependent on unsupported informal public transport or travel on foot. Hence mobility and the development of
- transport systems and approaches that serve the most effective and sustainable movement of people and goods should be a priority. The transport infrastructure, Muldersvlei railway station provides access to public transport. It is easily accessible from the N1 and R304 and R44.
- And explore the feasibility of changing/ complementing the rail service along the Baden Powell Drive-Adam Tas-R304 corridor to a system providing a more frequent, flexible service that is better integrated into the urban realm. Alternatively, a regular bus service should be explored serving the same route.

d) *Private public partnerships*

- enabling joint planning of new development actions led by private sector.
- the eastward extension of the proposed R304 corridor towards Klapmuts (and ultimate link to Paarl) and in addition contribute to the 2019 approved Stellenbosch Spatial Development Framework's long term planning framework that earmarked Muldersvlei and Koelenhof being part of the R304 corridor to possibly accommodate more growth, and be established as inclusive settlements offering a range of opportunities.

e) *Regional Development Nodes*

- Enhancing Klapmuts as a significant new regional economic node within the metropolitan area and spatial target for developing a "consolidated platform for export

of processed agri-food products (e.g., inland packaging and “containerization port”) and “an inter-municipal growth management priority”.

- Utilizing existing infrastructure in the area (i.e., N1, R101, R44 and the Paarl-Bellville railway line and station), which dictate the location of certain transport, modal change or break-of-bulk land uses as being encouraged by both the SDF and RSIF
- addressing service needs in cluster developments (Agri-industrial, industrial and alternative energy corridor and supportive settlement nodes inclusive of training and tertiary institutions and facilities) and in this way improving mixed use and enhancing economic opportunities.
- Enhancing the role and potentials of existing settlement nodes based on the capacity of existing infrastructure to accommodate change and growth of activities in space. i.e., railway infrastructure that guides how other sectors, services, or functional areas, should adjust their focus and work to support the change and growth.
- addressing the challenge to restructure Stellenbosch town having manufacturing concerns leaving Stellenbosch town in search of better locations such as the economic generative opportunities associated with Klapmuts and as per Figure 17.
- Current development pressure of settlement on the periphery in the SM, p45 and as per the proposed Agri-industrial node Muldersvlei station and Agri-industrial precinct between Muldersvlei and Klapmuts.

To conclude, the establishment of the Smart City Precinct does:

- Enable joint planning of new development actions led by private sector.
and
- Klapmuts be established as inclusive settlements offering a range of opportunities.
- Enhance Klapmuts as
 - a significant new regional economic node within the metropolitan area
 - spatial target for developing a “consolidated platform for export of processed agri-food products (e.g., inland packaging and “containerization port”)
 - “an inter-municipal growth management priority”.
 - Anchor on the eastward extension of proposed R304 development and movement corridor and ultimate link to Paarl (SMSDF long term planning framework) to accommodate growth,
- Utilize existing infrastructure in the area (i.e., N1, R101, R44 and the Paarl-Bellville railway line and station),
 - dictating the location of certain transport, modal change or break-of-bulk land uses as being encouraged by both the SDF and RSIF
- address service needs in cluster developments (Agri-industrial corridor and settlement nodes) and in this way improving mixed use and enhancing economic opportunities.

At a regional scale the establishment of such a corridor, precinct and node is facilitated as both City of Cape Town and Drakenstein MSDFs promote corridor development

As the proposed node and precinct development supports the Stellenbosch SDF vision and regional proposals, and address the challenge to restructure Stellenbosch town by relocating industries to better locations such Klapmuts, Muldersvlei station and surroundings, the proposal should be considered and should be included and illustrated as an Agri-industry and rural development corridor delineated by its own development edge, in the revised SDF. The Stellenbosch Smart City proposal includes farms the following farms in the Stellenbosch Registration District: Remainder of Farm 1515

not included in the urban edge, Remainder of Portion 24 of Farm 32, Portions 26 and 27 of Farm 32, and Remainder of Farm 742, Paarl Registration Division not included in the urban edge.

Going forward, the DEA&DP, DoA and DEDAT need to collectively assess the need for the development of a rural development corridor regional implementation framework, or if there are perhaps other means to better support the sustainable economic development and growth of these regions, such as the development of an infrastructure plan.

In Conclusion

- The proposed node and precinct development
 - supports Stellenbosch SDF vision and regional proposals
 - Address challenges to restructure Stellenbosch town through relocation of industries to better locations (Klapmuts, Muldersvlei station and surroundings)
- Proposal to be considered and included in MSDF are: Area should be delineated with a rural corridor edge to allow for educational institution and Agri-industry, related industry development and residential development all being part of rural development corridor in revised MSDF.

Addendum A:

Stellenbosch Smart City properties include:

- Stellenbosch Registration Division:
 - Farm 1515
 - Remainder Ptn 24 Farm 32
 - Portion 26 Farm 32
 - Portion 27 Farm 32
- Paarl Registration Division:
 - Remainder Farm 742



Addendum B**Properties included in Rural Corridor**

Name	Size (ha)
RE/1/730 Kleinjoostenberg	136.49
14/730 Kleinjoostenberg	5.61
18/730 Kleinjoostenberg	13.39
19/730 Kleinjoostenberg	87.28
20/730 Kleinjoostenberg	31.02
1485 ESKOM	24.53
7/721	21.68
4/721 Weltevreden	32.22
RE/1/721 Weltevreden	18.43
RE/1151	46.12
4/1151	66.18
2/1151	9.93
1/1151	43.18
RE/1460 Deltameer	83.36
1515	144.59
RE/742 Klapmuts Rivier	64.93
26/32 Hoopenberg	85.45
RE/24/32 Hoopenberg	92.91
27/32 Hoopenberg	57.79
RE/13/32	61.21
35/32 Hoopenberg	18.69
RE/34 Elsenburg A	20.02
24/27	18.60
1/27	20.96

CK Rumboll and Partners

Nwabisa Jozana

From: Michelle Maluqua
Sent: Wednesday, 02 October 2024 13:06
To: Nwabisa Jozana
Subject: FW: [EX] Development of Ptn 1 of Farm 1151, Stellenbosch
Attachments: Stellenbosch Ptn 1_1151 - IDP submission.pdf



Kind regards / Vriendelike groete

Michelle Maluqua
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From: JC Anthony <JC.Anthony@stellenbosch.gov.za>
Sent: Tuesday, 01 October 2024 11:07
To: Michelle Maluqua <Michelle.Maluqua@stellenbosch.gov.za>
Subject: FW: [EX] Development of Ptn 1 of Farm 1151, Stellenbosch

Hierdie een ook asb



Kind regards / Vriendelike groete

Ald JC Anthony
 Ward Councillor
 Ward 18

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From: Anelia Coetzee <anelia@rumboll.co.za>
Sent: Tuesday, 01 October 2024 00:02
To: JC Anthony <JC.Anthony@stellenbosch.gov.za>; Michelle Maluqua <Michelle.Maluqua@stellenbosch.gov.za>;
 James Williams <James.Williams@stellenbosch.gov.za>; Candace Wesso <Candace.Wesso@stellenbosch.gov.za>
Subject: [EX] Development of Ptn 1 of Farm 1151, Stellenbosch

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good evening Clr JC Anthony and J Williams

Find attached a contribution to the IDP review for the development of Portion 1 of Farm 1151 and the amendment of the MSDF.

Kind regards
Anelia

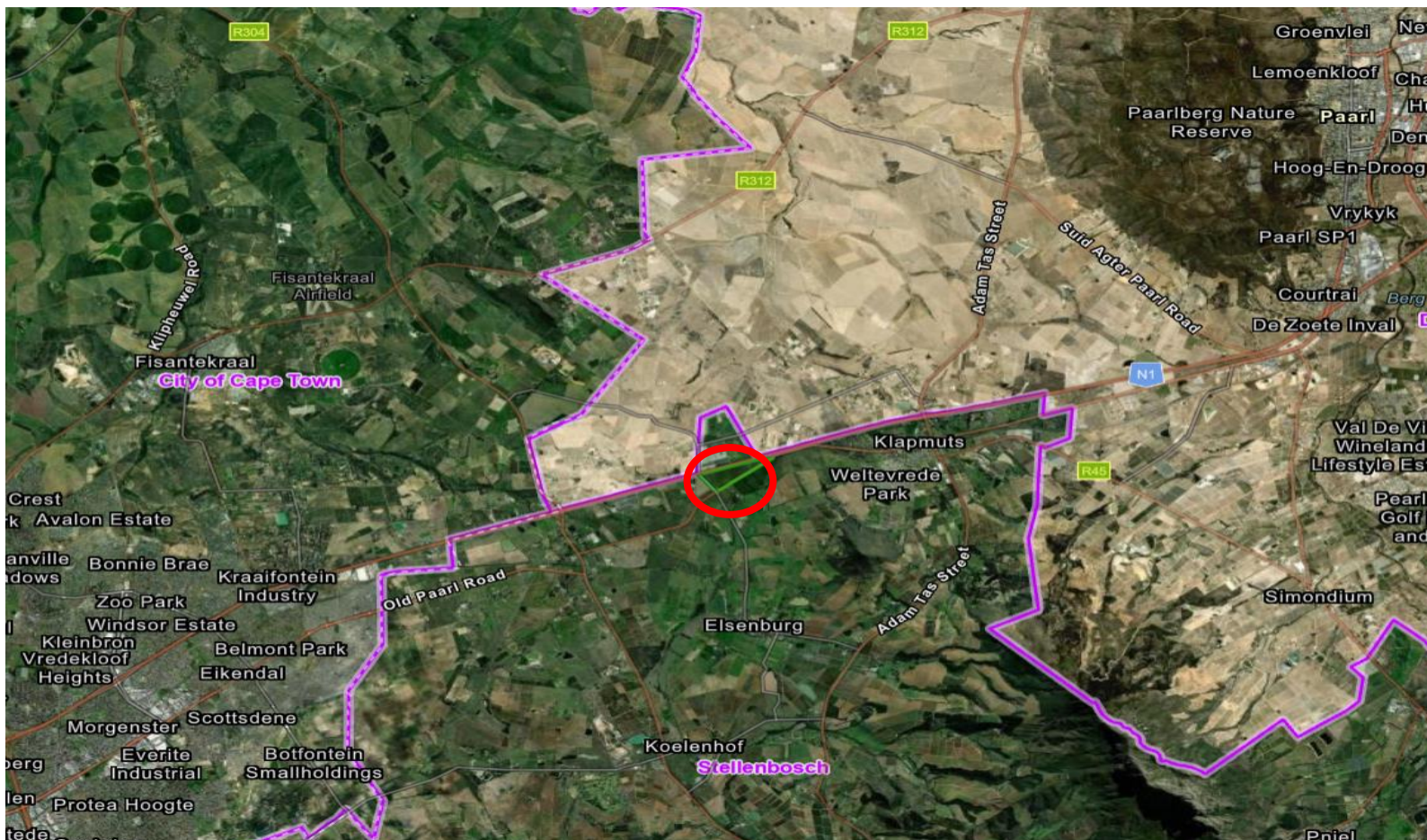
CK Rumboll and Partners
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Submission to Stellenbosch IDP and SDF review public participation process ending 30 September 2024, for Ward 18 and 19.

The submission is made as part of the Stellenbosch Municipal IDP review public participation process on behalf of the owners of Portion 1 of Farm 1151, Stellenbosch.

Portion 1 of Farm 1151, Stellenbosch is located south and along the N1 between Klapmuts and Joostenberg.



Context of proposed development of Portion 1 of Farm 1151, Stellenbosch:

- a) Portion 1 of Farm 1151, Stellenbosch could be part of a **development link between Muldersvlei and Koelenhof along the R304 corridor**, as promoted by the Stellenbosch MSDF that should accommodate more growth. As a long term proposal, it requires private sector led institutional arrangements and support to enable planning and development.

- From MSDF 20223

NEW DEVELOPMENT ACTIONS	SIGNIFICANT NEW MIXED USE DEVELOPMENT	Over the longer term, Muldersvlei and Koelenhof along the R304 corridor could possibly accommodate more growth, and be established as inclusive settlements offering a range of opportunities. However, these settlements are not prioritised for development at this stage.	Support private sector led institutional arrangements to enable joint planning and development.
	SIGNIFICANT NEW RESIDENTIAL DEVELOPMENT	Explore the feasibility of changing/complementing the rail service along the Baden Powell Drive-Adam Tas-R304 corridor to a system providing a more frequent, flexible service better integrated into the urban realm.. Alternatively, a regular bus service should be explored serving the same route.	
	SIGNIFICANT CHANGE TO ACCESS AND MOBILITY PROVISION		

Table 26: Plan Elements and Proposa

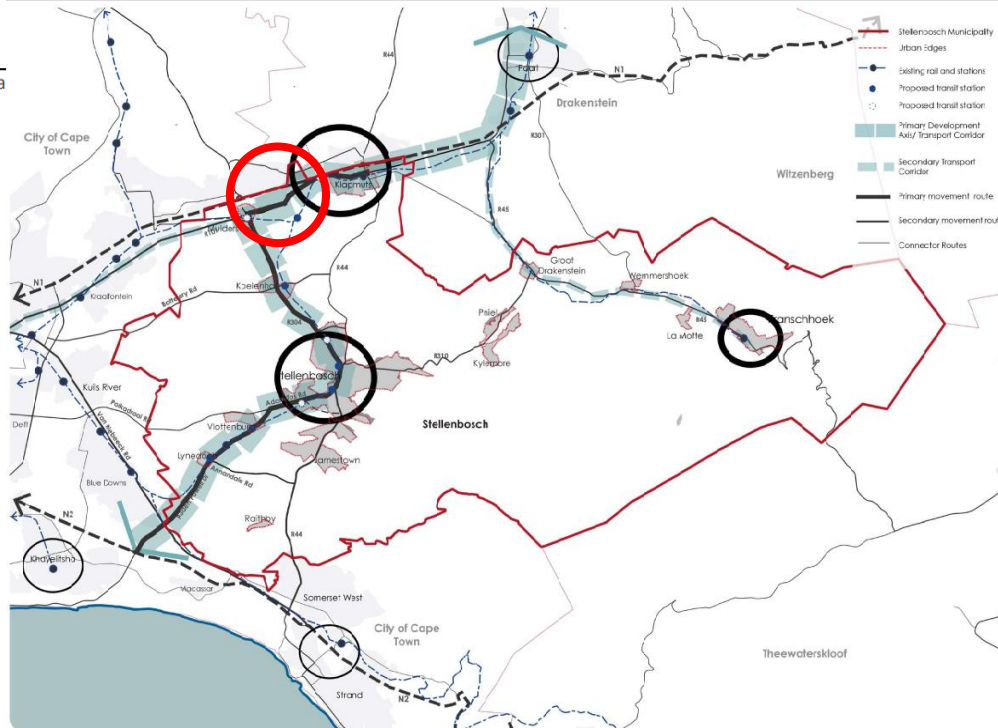
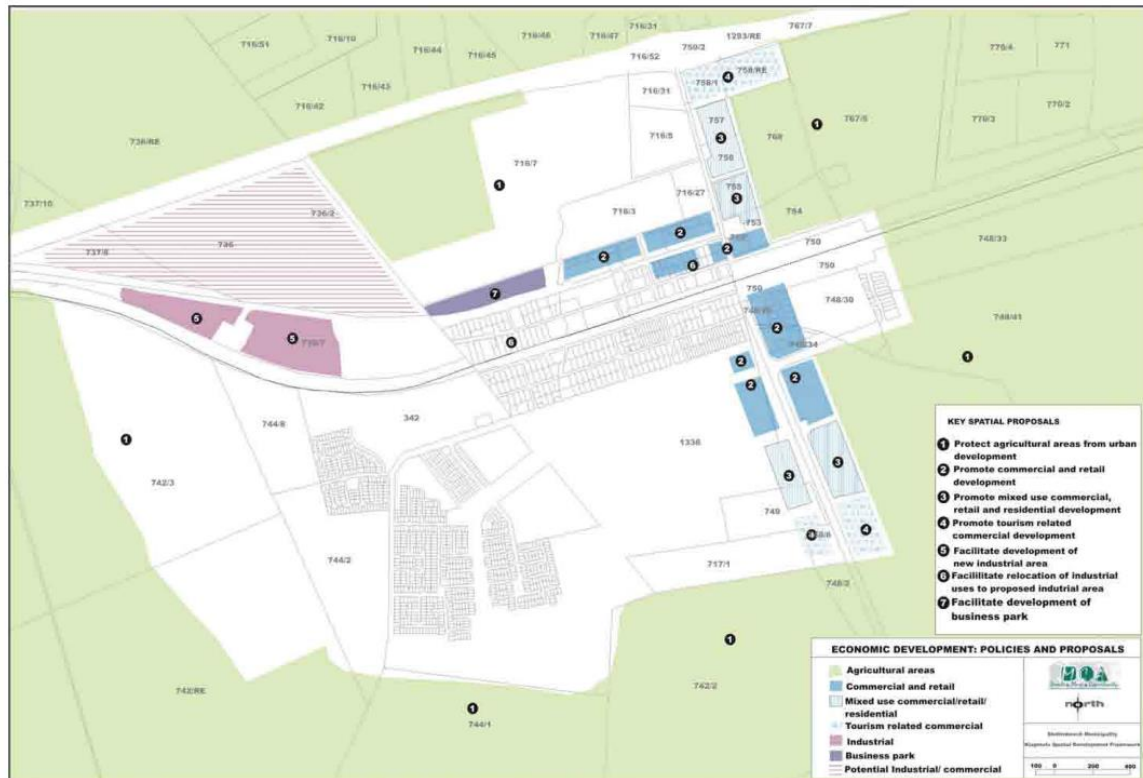


Figure 20. Concept 3 - Direct growth to areas of lesser natural and cultural significance as well as movement opportunity SMSDF,

- b) According to the MSDF, the **proposed business and industrial development within Klapmuts is limited and the socio-economic environment of the municipal area beckoning**, as the settlement has a high unemployment rate 15,2% (SEP 2022) of and low levels of income, whilst the link between the R304 Corridor and Muldersvlei and indirectly to Klapmuts is being earmarked as a longer-term solution with private led initiatives which is what the development of Portion 1 of Farm 1151 intend to achieve.



Plan 24: Klapmuts Spatial Development Framework: Economic Development

Klapmuts Spatial Development Framework
Stellenbosch Municipality
September 2007

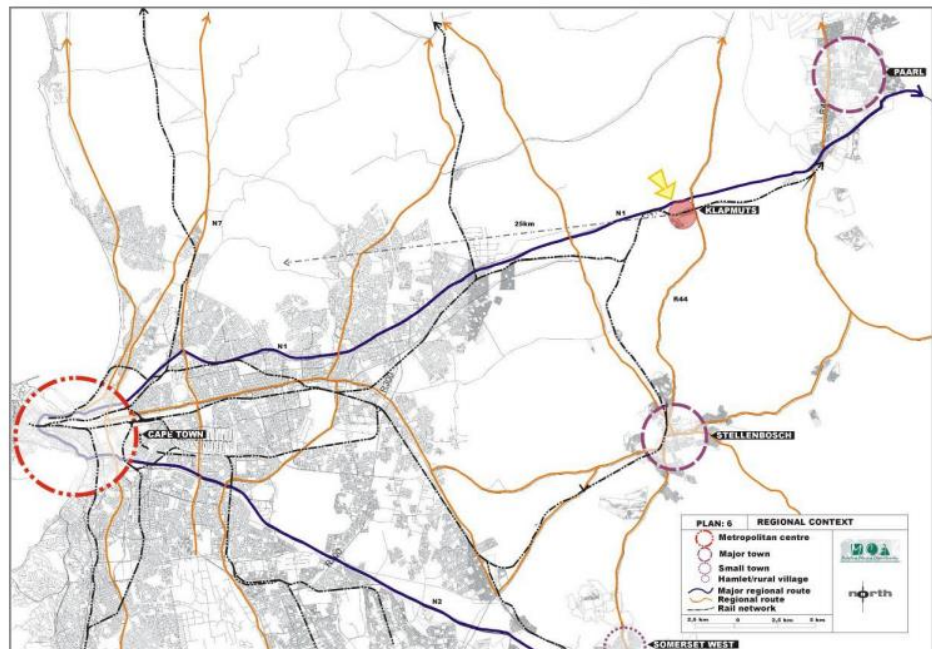


84

d) CoCT MSDF supports linkages to **Klapmuts and its role as a settlement in the regional context** as

- Firstly, its proximity and linkages to significant economic activities and markets, and
- Secondly, the challenges being faced in Cape Town functional region.

c) CoC MSDF, promotes **development corridors, nodes**



Plan 6: Regional context

and Transit Accessible Precincts: Development corridors are broadly defined as **urban areas of high-intensity** (i.e. dense and diverse nodal or 'strip' development **focussed around (a combination of)** rail (Belville Paarl line and beyond), **high-capacity roads** (N1, R44, R304 and R101) and **trunk bus routes** (R304). They are characterised by a dynamic, mutually supporting

relationship between land use the movement system. Klapmuts and Portion 1 of Farm 1151 are located along such a corridor that connects and includes Cape Town CBD, Belville and Brackenfell.

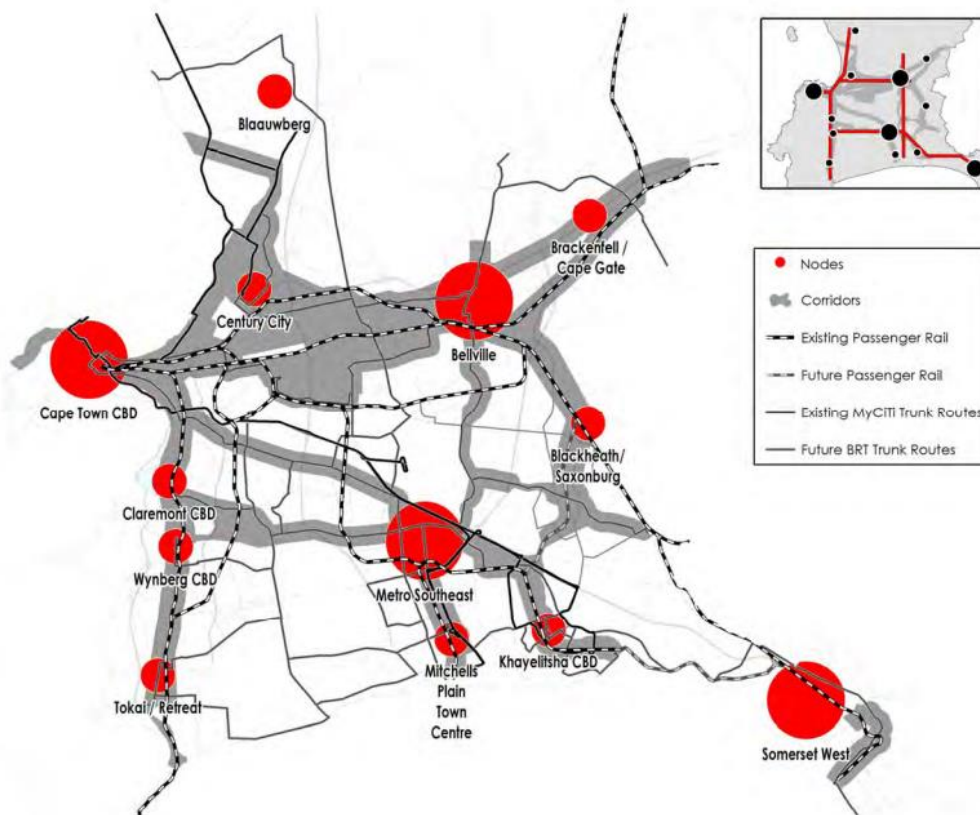
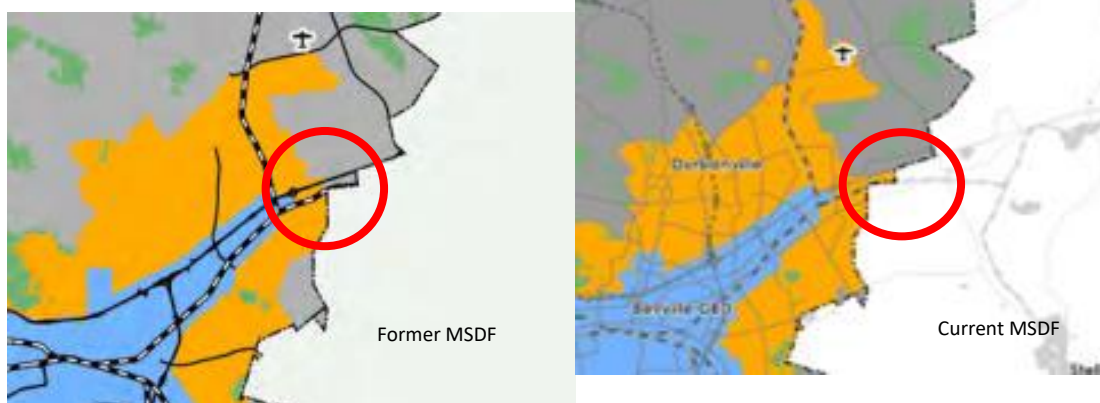
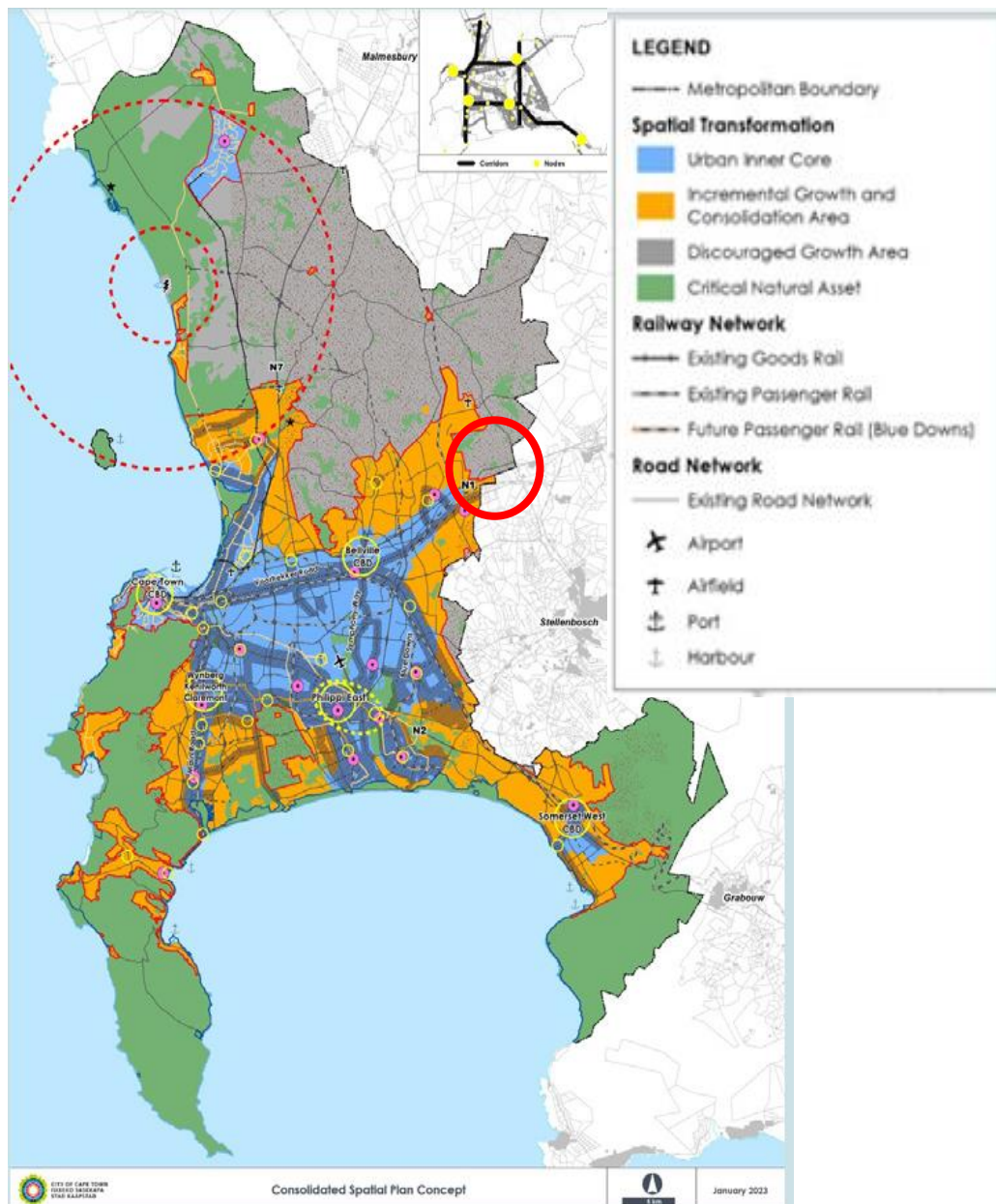


Diagram 20: Conceptual development corridors and existing and emerging urban nodes

- d) The **development corridors** from Brackenfell in the direction to Klapmuts is once again portrayed as a new development that is subject to capacity and particularly **as Incremental Growth and consolidation areas**. For such development Investment Partnerships are a requirement. Such a partnership between the City and the private sector will attend to the bulk infrastructure and will be implemented as condition of approval.

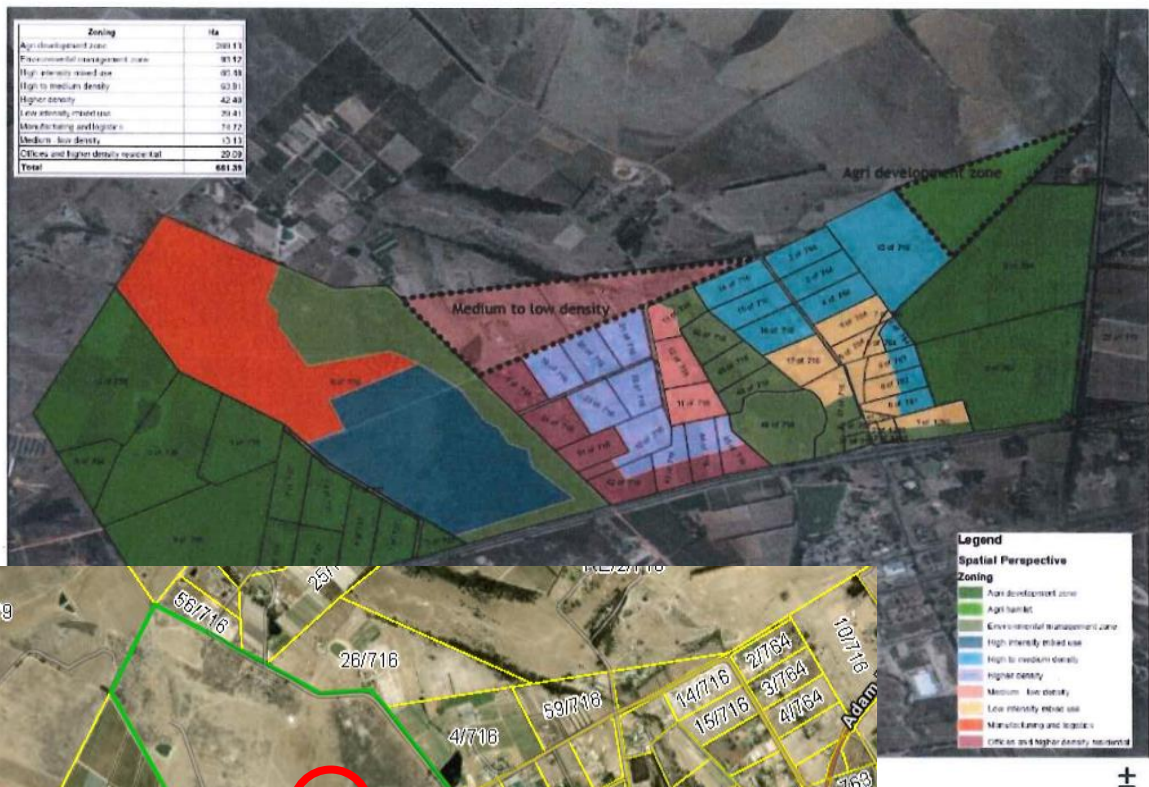


- e) The **Incremental development** area on the edge of CoC along the N1 is a new initiative being promoted. Desired spatial outcomes and Land Use guidelines for incremental development areas include:
- consolidation and diversification of land uses in support of city growth
 - incremental upgrading where applicable

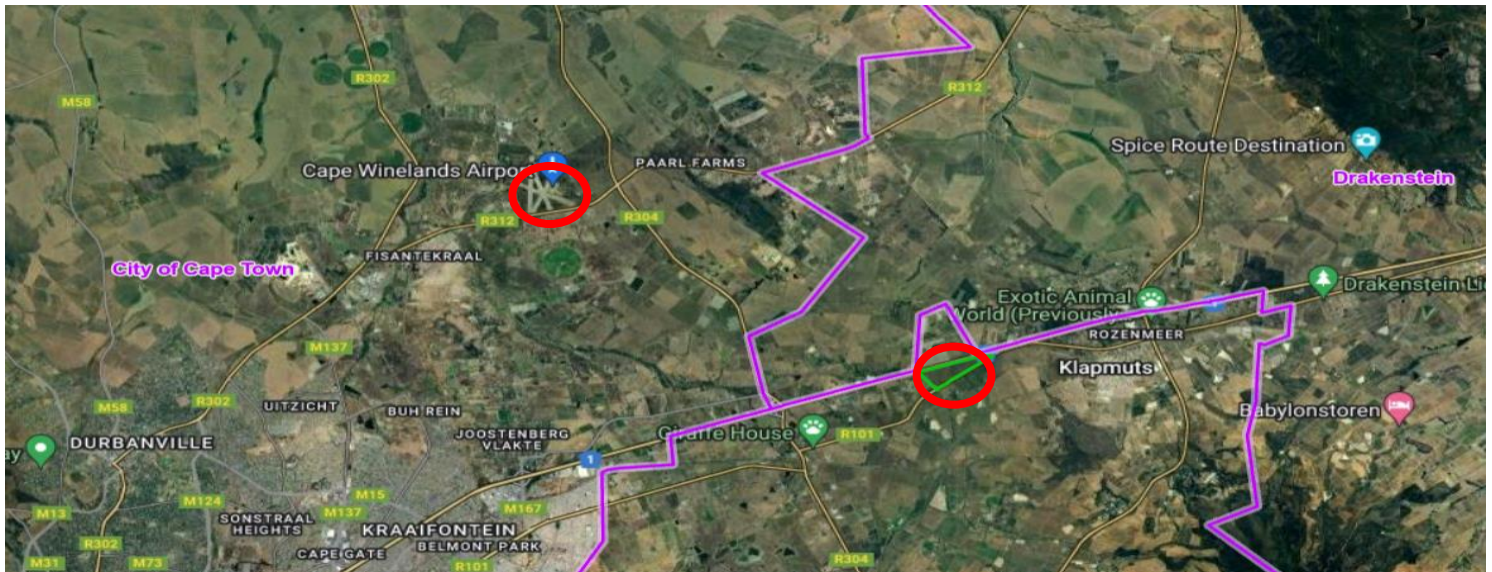


- f) **Incremental development is further promoted by routes and roads fulfilling a mobility function for people and goods, but that do not permit direct access to abutting land uses** (freeways/ primary roads). The high connectivity provided by direct freeway/ expressway connection trends to attract manufacturing, warehousing, major retail and industrial uses. These opportunities tend to be realized around key intersections or off-ramps and on roads running parallel to, or linked to, freeways. In the case of Klapmuts, the R101 runs parallel to the N1 and there are several connections where access off the N1 can be obtained.
- g) **Regional Development Nodes** provide further support to develop Klapmuts and similarly:
- Enhancing the **role and potentials of existing settlement nodes** based on the capacity of existing infrastructure to accommodate change and growth.
 - i.e., railway infrastructure that guides how other sectors, services, or functional areas, should adjust their focus and work to support change and growth.
 - address the **challenge to restructure Stellenbosch town** having manufacturing concerns leaving Stellenbosch town in search of better locations such as

- the economic generative opportunities associated with Klapmuts and current development pressure of settlements on the periphery in the SM:
 - Distell has made the decision to consolidate its operations, and relocate to Farm 736/RE, which is located north of the N1 road. These operations include: beverage production, bottling, warehousing and a distribution facility. The total area of the farm is approximately 200ha, but the Distell operations would only comprise approximately 53ha of the site. The proposed development is located on land which is not environmentally sensitive and which, in turn, will provide opportunities for other businesses, suppliers and industries to co-locate to the area (Stellenbosch SDF, 2019).
- And as per the proposed industrial and Agri-industrial node on Portion 1 of Farm 1151.
- **Support New Industrial Developments:**
 - Such as the Proposed Distell Development – Klapmuts is a light industrial and commercial node that has the potential to grow into a sub-regional growth node in the medium to long-term. Portion 1 of Farm 1151 is located diagonally across the N1 and in close proximity of the relocation site purchased by Distell.

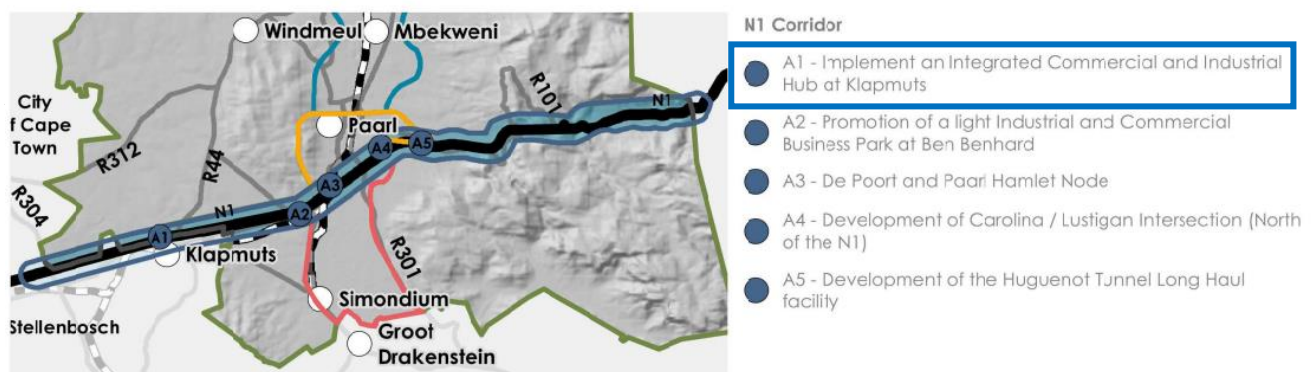


- And the identification for land for investment purposes, e.g. having the Fisantekraal airport development being implemented that is in close proximity of Klapmuts.



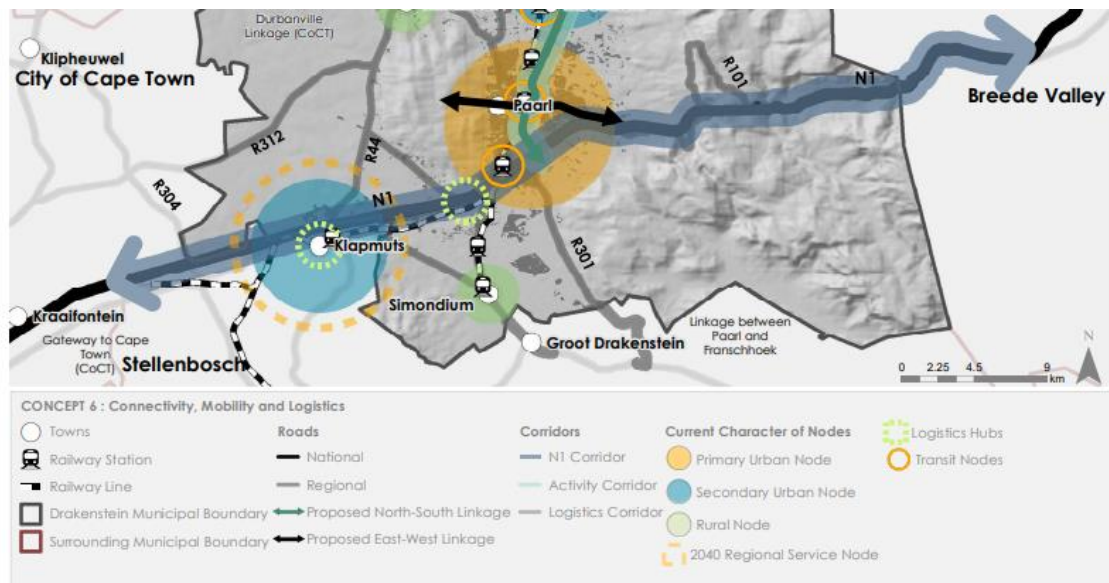
h) The Drakenstein MSDF support a **N1 Corridor** (big move project) development from Klapmuts North, Ben Bernhard, De Poort, Paarl Hamlet (including the Paarl Mall precinct) to Hugenot Tunnel). The implementation of an **integrated Commercial and Industrial Hub at Klapmuts** (Big Move Project) should be funded by Drakenstein Municipality and Cape Wineland District Municipality. Such a development corridor should:

- Implement an Integrated Commercial and Industrial Hub at Klapmuts
- Promotion of a Light Industrial and Commercial Business Hun at Ben Bernhard
- Development of De Poort and Paarl Hamlet node
- Development of Carolina / Lustigan Intersection Area (North of the N1)
- Development of the Hugenot Tunnel Long Haul Facility



Map 4.7: Drakenstein N1 Corridor indicating proposed Big Moves

Taking advantage of the favourable location of the N1 Corridor (between Klapmuts and Paarl) and the associated ease of access and visibility. Specifically, Ben Bernhard has already started attracting significant investment and new development. Using this momentum, it is critical that the Drakenstein Municipality takes a strong leading role in guiding this development in a sustainable and desirable way. This also involves the addressing the shortage of bulk services specifically water, electricity and sewerage in this area

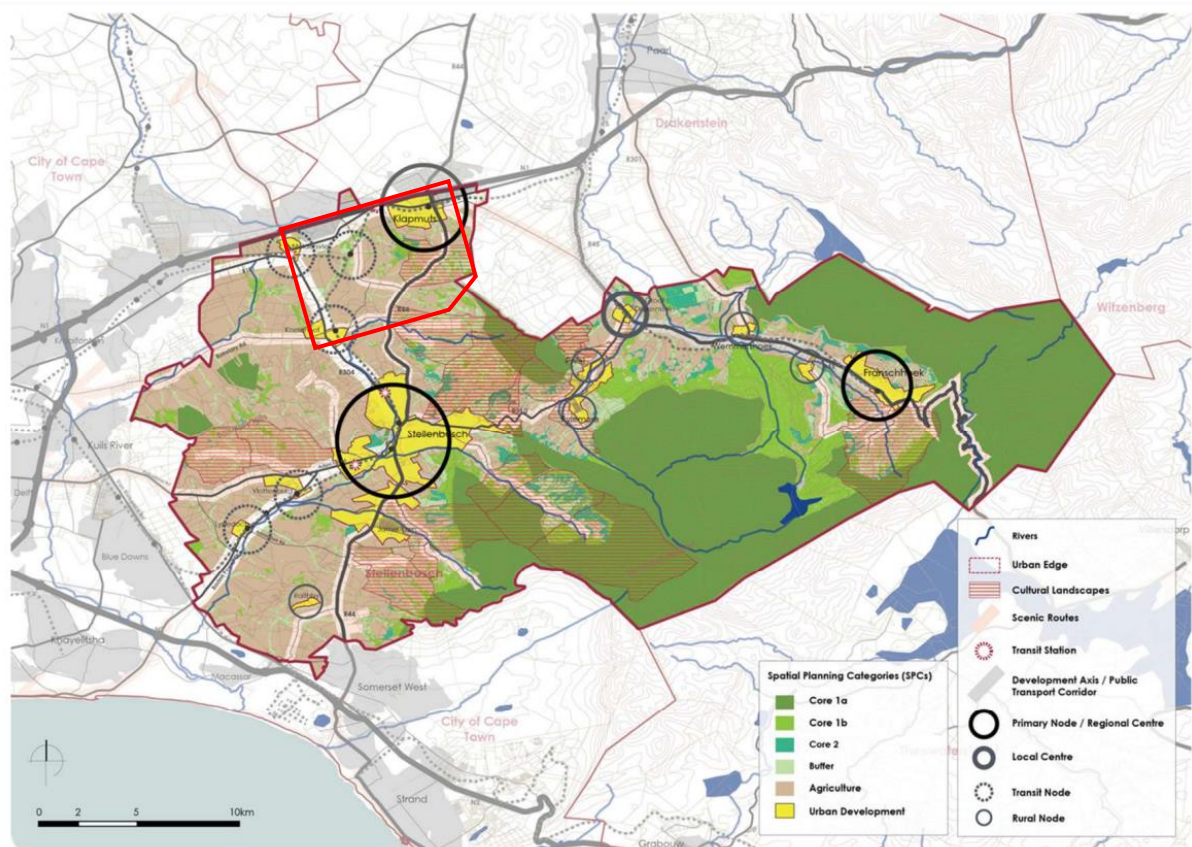


Map 4.12: Concept 6 - Promoting Connectivity, Mobility and Logistics Corridors

The N1 Corridor

- Promotes Connectivity, Mobility and Logistics Corridors.
- Promotes Spatial Transformation toward resilient, inclusive, smart and sustainable settlements
- Advances “Gateway”, “Infill Development”, “Proposed Industrial”, and “Business/ Commercial” and establish
- Connections with the Cape Metro and serving as “Mobility Route”

The above directives firmly locate the development of Portion 1 of Farm 1151 **within a rural corridor** that links Klapmuts in the east and the R304 (Joostenberg) in the west including the Muldersvlei station and Elsenburg to the south and the N1, to the north, including Old Paarl Road. **The corridor will be referred to as the Klapmuts N1 Muldersvlei Rural Corridor.** The corridor support the SDF vision of “being a valley of opportunity and innovation” and “being a valley of dignified living”



Such a rural development corridor should be delineated with its own edge and its own development parameters that promote the following uses:

- Agri-industry,
- alternative energy,
- educational facilities (institutions that are linked to tertiary education and can become community facilities)

- some residential node development and
- some industrial development particularly along the N1, in support of the Agri- industry and agricultural activities.

The development of Portion 1 of Farm 1151 supports Agri-industry and industry and a development zone to link Klipmuts to the R304 corridor. The proposed development should promote industry and Agri-industry as it has ease of access onto minor road crossing the N1 and linking onto the R304 and the R45. Portion 1 of Farm 1151 is located approximately 1,5km from the Eskom substation. The area along the N1 is thus ideal to promote alternative energy.



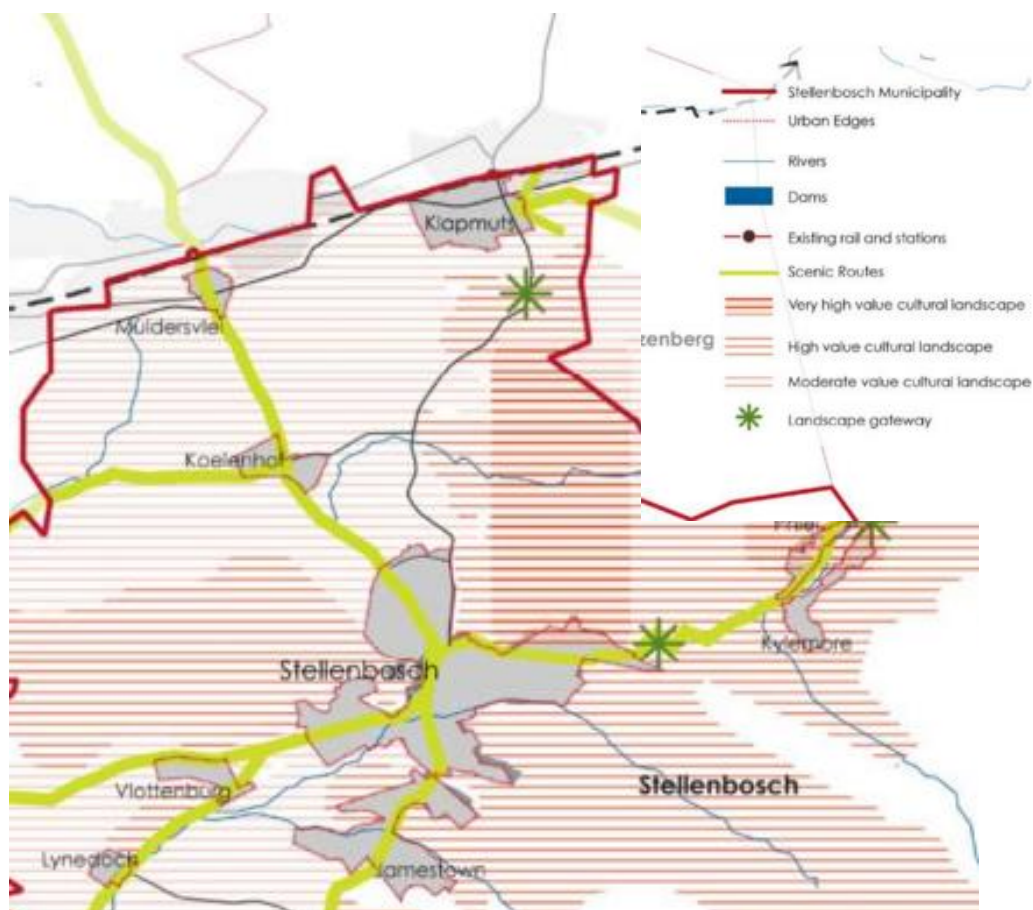
The development of such an industrial and Agri-industrial precinct should contribute to:

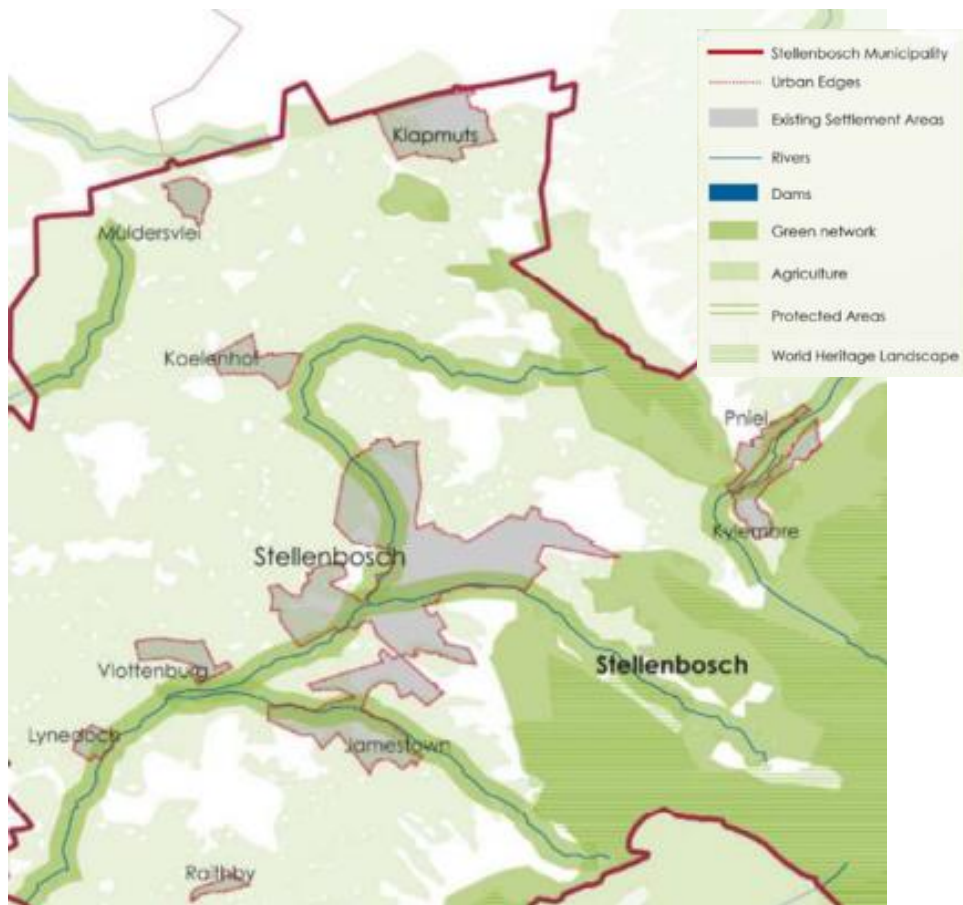
a) Economic development and employment opportunities

- addressing the socio-economic challenges of having one of the highest Gini-Coefficients in South Africa, having 53% of households classified as low-income, with 20% of these having no registered income, having an unemployment rate of 20% in 2011, which continues to rise particularly in low and semi-skilled sectors and having almost 23% of the population being under 15 years in age who will be entering the labor market in the next two decades.
- In a sustainable form: as the property integrates with the corridor and the natural and productive landscapes. The proposed development provide for a range of citizens from all walks of life, a significant choice in place of work.
- directing growth to areas of lesser natural and cultural significance as well as movement opportunity. Being located within the corridor ensure that placement within a graded landscape was avoided yet being adjacent to sensitive scenic routes (links between R44 and Old Paarl Road)

b) Directing growth to areas of lesser natural and cultural significance:

Both the node and precinct are not located in a graded landscape to protect sensitive scenic routes (links between R44 and Old Paarl Road).





c) *Mobility and transportation*

- as 60% of households do not have access to a car, and are dependent on unsupported informal public transport or travel on foot. Hence mobility and the development of
- transport systems and approaches that serve the most effective and sustainable movement of people and goods should be a priority. The transport infrastructure, Muldersvlei railway station provides access to public transport. It is easily accessible from the N1 and R304 and R44.
- And explore the feasibility of changing/ complementing the rail service along the Baden Powell Drive-Adam Tas-R304 corridor to a system providing a more frequent, flexible service that is better integrated into the urban realm. Alternatively, a regular bus service should be explored serving the same route.

d) *Private public partnerships*

- enabling joint planning of new development actions led by private sector.
- the eastward extension of the proposed R304 corridor towards Klapmuts (and ultimate link to Paarl) and in addition contribute to the 2019 approved Stellenbosch Spatial Development Framework's long term planning framework that earmarked Muldersvlei and Koelenhof being part of the R304 corridor to possibly accommodate more growth, and be established as inclusive settlements offering a range of opportunities.

e) *Regional Development Nodes*

- Enhancing Klapmuts as a significant new regional economic node within the metropolitan area and spatial target for developing a "consolidated platform for export

of processed agri-food products (e.g., inland packaging and “containerization port”) and “an inter-municipal growth management priority”.

- Utilizing existing infrastructure in the area (i.e., N1, R101, R44 and the Paarl-Bellville railway line and station), which dictate the location of certain transport, modal change or break-of-bulk land uses as being encouraged by both the SDF and RSIF
- addressing service needs in cluster developments (a Agri-industrial, industrial and alternative energy corridor) and in this way improving mixed use and enhancing economic opportunities.
- Enhancing the role and potentials of existing settlement nodes based on the capacity of existing infrastructure to accommodate change and growth of activities in space. i.e., railway infrastructure that guides how other sectors, services, or functional areas, should adjust their focus and work to support the change and growth.
- addressing the challenge to restructure Stellenbosch town having manufacturing concerns leaving Stellenbosch town in search of better locations such as the economic generative opportunities associated with Klapmuts.
- Current development pressure of settlement on the periphery in the SM, and as per the proposed Agri-industrial node Muldersvlei station and Agri-industrial precinct between Muldersvlei and Klapmuts being envisaged by private sector led development initiatives.

To conclude, the development of Portion 1 of Farm 1151 including industrial and agro-industrial uses does:

- Enable joint planning of new development actions led by private sector.
and
- Klapmuts be established as inclusive settlements offering a range of opportunities.
- Enhance Klapmuts as
 - a significant new regional economic node within the metropolitan area
 - spatial target for developing a “consolidated platform for export of processed agri-food products (e.g., inland packaging and “containerization port”)
 - “an inter-municipal growth management priority”.
 - Anchor on the eastward extension of proposed R304 development and movement corridor and ultimate link to Paarl (SMSDF long term planning framework) to accommodate growth,
- Utilize existing infrastructure in the area (i.e., N1, R101, R44 and the Paarl-Bellville railway line and station),
 - dictating the location of certain transport, modal change or break-of-bulk land uses as being encouraged by both the SDF and RSIF
- address service needs in cluster developments (Agri-industrial corridor and settlement nodes) and in this way improving mixed use and enhancing economic opportunities.

At a regional scale the establishment of a rural development and industrial corridor, precinct and node is facilitated as both City of Cape Town and Drakenstein MSDFs promote corridor development

As the proposed node and precinct development supports the Stellenbosch SDF vision and regional proposals, and address the challenge to restructure Stellenbosch town by relocating industries to better locations such Klapmuts, Muldersvlei station and surroundings, the proposal should be considered and should be included and illustrated as an Agri-industry, industry and rural development corridor delineated by its own development edge, in the revised SDF.

Going forward, the DEA&DP, DoA and DEDAT need to collectively assess the need for the development of a rural development corridor regional implementation framework, or if there are perhaps other means to better support the sustainable economic development and growth of these regions, such as the development of an infrastructure plan.

In Conclusion

- The proposed development of Portion 1 of Farm 1151:
 - supports Stellenbosch SDF vision and regional proposals
 - Address challenges to restructure Stellenbosch town through relocation of industries to better locations (along the N1, at Klapmuts, Muldersvlei station and surroundings)
- Proposal to be considered and included in MSDF are: Area should be delineated with an industrial and rural corridor edge to allow for Agri-industry, related industry development and educational institution development all being part of rural development corridor..

Addendum B**Properties included in Rural Corridor**

Name	Size (ha)
RE/1/730 Kleinjoostenberg	136.49
14/730 Kleinjoostenberg	5.61
18/730 Kleinjoostenberg	13.39
19/730 Kleinjoostenberg	87.28
20/730 Kleinjoostenberg	31.02
1485 ESKOM	24.53
7/721	21.68
4/721 Weltevreden	32.22
RE/1/721 Weltevreden	18.43
RE/1151	46.12
4/1151	66.18
2/1151	9.93
1/1151	43.18
RE/1460 Deltameer	83.36
1515	144.59
RE/742 Klapmuts Rivier	64.93
26/32 Hoopenberg	85.45
RE/24/32 Hoopenberg	92.91
27/32 Hoopenberg	57.79
RE/13/32	61.21
35/32 Hoopenberg	18.69
RE/34 Elsenburg A	20.02
24/27	18.60
1/27	20.96

Deon Van Zyl

Nwabisa Jozana

From: Michelle Maluqua
Sent: Wednesday, 02 October 2024 13:07
To: Nwabisa Jozana
Subject: FW: Stellenbosch IDP Review: Motivation for Inclusion of a portion of Ptn 33 of Farm 748, into the Klapmuts Urban Edge & associated amendment of SDF
Attachments: 190423 SIGNED Klapmuts SDF Inputs Final Draft 23 April 2019.pdf; Proposed Klapmuts Zoning Framework Plan 2019.pdf; 2406 - La Vita Concept - September 2024-1_240925_152608.pdf



Kind regards / Vriendelike groete

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 Ward Administrator 18

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 Centre, Merchant Street
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www.stellenbosch.gov.za

From: JC Anthony <JC.Anthony@ Stellenbosch.gov.za>
Sent: Tuesday, 01 October 2024 09:53
To: Michelle Maluqua <Michelle.Maluqua@ Stellenbosch.gov.za>
Subject: FW: Stellenbosch IDP Review: Motivation for Inclusion of a portion of Ptn 33 of Farm 748, into the Klapmuts Urban Edge & associated amendment of SDF



Kind regards / Vriendelike groete

Ald JC Anthony
 Ward Councillor
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From: Deon van Zyl <deon@al-a.co.za>
Sent: Monday, 30 September 2024 12:10
To: Jeremy Benjamin <Jeremy.Benjamin@ Stellenbosch.gov.za>; Bernabe De La Bat <Bernabe.DeLaBat@ Stellenbosch.gov.za>
Cc: Michael Back <michael@abackus.co.za>; JC Anthony <JC.Anthony@ Stellenbosch.gov.za>; Simon Beamish

<simon@sibane.co.za>

Subject: [EX] Stellenbosch IDP Review: Motivation for Inclusion of a portion of Ptn 33 of Farm 748, into the Klapmuts Urban Edge & associated amendment of SDF

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Dear Jeremy and Bernabe

(Cc. Councillor JC Anthony)

Stellenbosch IDP Review: Motivation for Inclusion of a portion of Ptn 33 of Farm 748, into the Klapmuts Urban Edge

Thank you for the meeting of 28 August 2024 and the constructive discussion regarding the development vision for an Agri-Estate on Ptn 30 & 33 of Farm 748 Klapmuts. Following your recommendation in the meeting we have been requested by the landowner (Mr Michael Back) to submit a formal motivation for a portion of Ptn 33 Farm 748 to be included into the Klapmuts Urban Edge as part of the Stellenbosch IDP Review that is currently underway. Your consideration of the following will be greatly appreciated.

1. Background to Ptn 33 Farm 748:

- i. In 1995 Ptn 33 of Farm 748 (±39 Ha in extent) was purchased by the Backsberg Trust for agriculture purposes.
- ii. Initially the farm was utilised for in situ vineyards that formed part of the greater Backsberg Wine Estate. However, ±15 years ago blueberry tunnels were constructed on the property which is a more viable crop than grapes.
- iii. 5 years ago, a Canadian Investor constructed a ±6 500m² state of the art cannabis product facility on a portion of the property, but this operator subsequently withdrew from the country and the facility now stands vacant.
- iv. Due to the lack of electricity and water storage facilities on the property only the portion which is currently under tunnels is considered viable for agriculture. Accordingly in 2018 the landowner participated in the '**Klapmuts Spatial Development Area Economic Feasibility Study**' (as drafted by Beal Africa on behalf of Stellenbosch Municipality). This study assessed the potential to maximise the socio-economic opportunities within Klapmuts. The findings of the study were a '**Zoning Framework for Klapmuts**', completed in 2019. This plan formed the basis of the local community stakeholders' groups **inputs into the Metropolitan Spatial Development Framework** (MSDF) which was being advertised at the time – see attached documents.
- v. The 2019 Zoning Frameworks Plan for Klapmuts also motivated for the extension of a residential zone over a portion of Ptn 33 of Farm 748, and for an associated minor amendment / rounding off of the eastern urban edge of Klapmuts, This would then have aligned with the approved urban development of Anura and the natural watershed running through the middle of Ptn 33 Farm 748 which also aligns with the historic provincial road and railway line boundary to the north of the property.
- vi. Unfortunately, these recommendations were not adopted in the 2019 Approved **Spatial Development Framework for Klapmuts**. In May 2023, the landowner provided further motivation for the amendment of the urban edge in public submissions on the Draft Stellenbosch MSDF.

2. Development Vision for an Agric-Estate on Ptn 30 & 33 of Farm 748 Klapmuts

- i. Failing further Municipal feedback for the proposals listed above and considering the lapsed development rights on the adjacent ±4,8Ha property (Ptn 30 Farm 748), the

landowner undertook a holistic reassessment of their land holding and agriculture position in the area. The outcome of this assessment proposed the following:

- A new development application is now required for Ptn 30 of Farm 748 to reinstate the lapsed or alternative development rights;
- With water / electrical capacities limiting expansion of any form of extensive agriculture activity on Ptn 33 of Farm 748 and noting the availability of the high-tech unutilised 6500m² cannabis facility, there is now an ideal opportunity to modernise the agriculture component on the property to account for new markets and the latest waterwise high tech agriculture technologies.
- The future of agriculture
- ii. The proposed **‘La Vita Agri-Estate’** as presented to you last month (see attached Plan) is the conceptual outcome of this reassessment in that:
 - Careful consideration has been given to the location and nature of the urban edge on the property (which is arguably the gateway to the Franschhoek Wine Route) whereby the intent of any redevelopment is for the realigned urban interface to add market value and sustainability to the agricultural component of the property and likewise the agricultural component to enhance the lifestyle of the urban component of the property.
 - Rather than a single stand-alone Residential Development (as was proposed in the 2019 ‘Zoning Framework for Klappmuts’), careful thought and design has gone into now ensuring a mix of sequentially compatible land uses that transition from urban to agriculture as follows:
 - higher density urban zone (lifestyle units) adjacent to the existing ‘Freedom Road’ farm worker cottages;
 - an urban park and associated early childhood development centre serving as a buffer to a low density residential estate;
 - a boutique retail & commercial convenience centre will then in turn buffers the residential estate zone from the boutique agriculture zone (intended for organic & lifestyle compatible crops that will be consumed by the in-estate market). The Convenience Centre will capitalise on the significant local demand from passing traffic arising from the upgrading of the Simondium Road;
 - the intent is that the urban “edge” be drawn at the interface between the convenience centre and the boutique agriculture zone i.e. everything to the west of the convenience centre will be urban and the area to the east will be agriculture – noting that both will form part of the integrated Agri-Estate;
 - In so doing the boutique agriculture zone will integrate into an Agri-Hotel facility which will look to draw more overnight tourism to the area;
 - This hotel facility will back onto the high-tech 6 500m² greenhouse facility which will look at modern hydroponic farming technologies and as well as training facilities.
 - A Regional Farmers Market showcasing local produce from the Valley is planned in the existing 500m² shed.
 - The most eastern portion of the property will be set aside for ±6 HA of intensive commercial farming which will supply the local market and Estate

3. Benefits to the Local Klappmuts Community and Stellenbosch Municipality

- i. An informal meeting took place with the Ward Councillor to obtain inputs into the development vision and to obtain advice on the process to amend the SDF. He advised

the landowner to first obtain input from the Spatial Development team as well as the Ward Committee.

- ii. The meeting with yourselves took place on 28 August 2024. We appreciate the advice provided.
- iii. This Ward Committee presentation, on 16 September 2024, went very well. The community representatives expressed the view that unlike another residential estate that would only provide limited jobs and training during construction and future occupation, it was envisaged that the Agi-Estate could generate significantly more long-term jobs and training as per the following initial estimates:
 - a. Estimated capital investment – **R960 mil**
 - b. Permanent employment opportunities (direct and indirect) after completion of total project – **710 new permanent jobs**
 - c. Construction job value – **R260 mil**
 - d. Construction jobs (annual for development period) – **1,440**
- iv. Further it is proposed to explore on-site training facilities in agriculture / hospitality / artisan crafts and cooking skills
- v. The Expected Rates & Taxes = **R6.28 mil** (excluding utility costs)

We trust that you will consider the information provided. Kindly advise on any additional information that you may require to consider the possible inclusion of Ptn 33 of Farm 748 in the urban edge.

Vriendelike Groete | Warm Regards | Iminqweno Emihle

Deon Van Zyl

Director

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WESTERN CAPE PROPERTY
DEVELOPMENT FORUM

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Date: 23 April 2019

The Manager
Spatial Planning, Heritage and Environment
Stellenbosch Municipality
PO Box 17
Stellenbosch
7599

Attention: Mr B. de La Batt / Me B. Henning

Sir / Madam

COMMENT STELLENBOSCH 2019 DRAFT MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK

We refer to your notice dated 6 March 2018 with reference to the drafting of the Stellenbosch Municipal Spatial Development Framework (MSDF) for the WC024 area in terms of Sections 28(3) and 29 of the Municipal Systems Act, 2000 (Act 32 of 2000), Section 20 of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013), Chapter 3 of the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014) and Chapter 2 of the Stellenbosch Land Use Planning By-Law (October 2015).

Further to your notice above we confirm that we are submitting the following comment in response to the Draft Stellenbosch MSDF (2019) on behalf of the following parties / land owners:

John Cornelius Anthony – on behalf of Klapmuts Community
Paul Novak - Arra Wines
Tymen Bouma - Anura
Klaus Göbel - Stellenbosch Wine Country Estate
Etienne du Toit - Braemar
Gielie du Toit - Duvelop
Michael Back - Backsberg
J Engelbercht – Klapmuts Small Business

Commenting Premise

The principle premise of our commenting relates to the apparent omission in our view from the Draft Stellenbosch SDF, the findings and recommendations of the **Klapmuts Special Development Area Economic Feasibility Study** as drafted by Beal Africa on behalf of the Stellenbosch Municipality. Accordingly, no or limited alignment exists between the proposed **Klapmuts Zoning Framework** (*copy attached as annexure A*) proposed as part of the Klapmuts Special Development Area Economic Feasibility Study and the Draft Stellenbosch SDF as published for comment. The implication of the above would be that if the Draft Stellenbosch SDF in respect of the Klapmuts node is to be adopted in

its current format, then any number of the provisions / proposals contained in, or as proposed as part of the Klapmuts Special Development Area Economic Feasibility Study, will not be able to be implemented as technically it would be considered to be inconsistent with the Stellenbosch SDF to be adopted in terms of the Municipal Systems Act (Act 32 of 2000).

Background to the drafting Klapmuts Special Development Area Economic Feasibility Study

Beal Africa was appointed by the Stellenbosch Municipality during 2017 to draft an Economic Feasibility Study to underpin the establishment of the Klapmuts Special Development Area with the specific purpose to:

- Firstly, investigate the development of an innovation hub which serves the region (Drakenstein Municipality and City of Cape Town included) and which attracts unique commercial and high technology (clean) industrial development that could in future qualify for the establishment of a SEZ (special economic zone). The Terms of Reference (ToR), highlighted that the focus of the development in the area should consider facilities for agriculture and veterinary research, development and educational facilities on the western side of the area; intensive agriculture activities in the centre, with a long-term reform focus on the eastern side on waste recovery and re-use facilities to complement the Drakenstein initiative and/or agriculture related industry; and
- Secondly, the purpose of the feasibility study was to develop a road map for the development and growth of Klapmuts based on a VISION that would inspire and motivate all role players towards an agreed upon future.

Confirmation of Klapmuts SDA Report Drafting Process

The above appointment and brief resulted in an exhaustive drafting process the key dates (milestones) of which are listed below. These milestones are also reflected in the broader Stellenbosch MSDF Process Plan a copy of which is attached hereto as *annexure B* for your reference.

Inter-Governmental Steering Committee Meetings (IGSC)

- 28th July 2017 - BEAL 1st Presentation of the Klapmuts SDA to the IGSC
- 4th August 2017 - BEAL 2nd Presentation of the Klapmuts SDA to the IGSC

Feedback received during and in response to the above presentations made to the IGSC was positive and in support of the recommendations as contained in the report.

Mayoral Meeting

- 31st July 2017 - BEAL Presentation of the Klapmuts SDA to the Mayor

Feedback received during and in response to the above presentation made to the Mayor was positive and in support of the recommendations as contained in the report.

The above process resulted in a **Klapmuts Status Quo Report** and the **Klapmuts SDA Draft Report** which was published by the Municipality for comment on the 25th August 2017, comments were required before the 25th October 2017.

The subsequent responses received in response to the above publishing for comment of the Draft Report were all in support of the proposals as contained in the report.

In addition to the above the **Klapmuts SDA Draft Report** was the subject of a further round of public participation conducted as part of the Stellenbosch Municipality's broader SDF process as set out below

Public Participation Meetings

- 8th Nov 2017 – Stellenbosch
- 9th Nov 2017 – Klapmuts
- 15th Nov 2017 – Franschhoek
- 16th Nov 2017 – Jamestown

In summary, the above illustrates that the **Klapmuts SDA Draft Report** and the proposed zoning framework proposes as part thereof, was the result of a detailed and exhaustive drafting process which resulted in a 91-page document which, based on the commenting received was generally well received and widely supported.

2019 Draft Stellenbosch Municipal SDF provisions and context

With above mentioned in mind our broad line comment on the current MSDF as it specifically relates to the Klapmuts node is as follows:

- The **Klapmuts Plan** labelled as Figure 30 (*attached hereto as annexure C*) in the MSDF Report clearly contains erroneous allocation of “green areas” to be contained, as it includes land portions with existing approved and established development rights as well as land portions which have in fact been developed.
- The MSDF refers to Klapmuts as a significant new regional economic node yet the land budget consideration only speaks to land required primarily for indigent housing and give no indication of allocation land to actually realise the “vision” for the establishment a significant new regional economic node. In the latter regard the MSDF spatial proposals from an economic perspective seems to focus on Re Farm 736 located to the north of the N1 for the proposed relocation of Distell whilst there is single statement require Klapmuts south of the N1 to provide for a range of housing opportunities. This clearly does not align with stated purpose of, nor the range of alternative land uses proposed with the **Klapmuts SDA Zoning Framework**.

- Following on the above it is noted that one of the Stellenbosch MSDF consultant firms, Built Environment Partnership is also the consultant for the individual development application specifically for the proposed relocation of Distell to Re Farm 736. This does raise the question of a potential conflict of interest that may arise from their involvement in this regard and how it in turn relates to their involvement with the drafting of the Stellenbosch MSDF with specific reference to the Klapmuts node.
- A further significant spatial consideration that is not reflected in the 2019 Stellenbosch Draft MSDF relates to the recent signing of a MOU between the Stellenbosch University and Stellenbosch Wine & Country Estate (Pty) Ltd which allows for the donation of approximately 30ha of land to the University as part of the Stellenbosch Smart City Development initiative. The latter allows for the develop of the donated 30ha for tertiary instruction; facilities supporting tertiary instruction; sports and recreational facilities; facilities supporting the commercialisation of any knowledge and/or know-how owned or co-owned by SU or licensed to SU; arts and culture, such as an amphitheatre; and relevant and appropriate supporting infrastructure. This initiative as amongst others provided for in the **Klapmuts SDA Zoning Framework** referred to above, represents a significant opportunity for the future development of Klapmuts. Due to the lack of integration of the **Klapmuts SDA** proposals within the 2019 Stellenbosch Draft MSDF, this particular initiative is as a result effectively spatially not provided for in the Klapmuts node. This particular consequence further strengthens the argument for duly adopting / integrating the **Klapmuts SDA** proposals within the 2019 Stellenbosch Draft MSDF. A copy of the MOU Public Press Release made by the Stellenbosch University on 25/03/2109 referred to above is attached as annexure D for your information and perusal.

In summary the spatial concept input with specific reference to the Klapmuts node has effectively been reduced to a 4-page section within the MSDF. It should be evident that this input cannot and should for all intents and purposes not replace or supersede the extensive 91-page **Klapmuts SDA Report** as drafted.

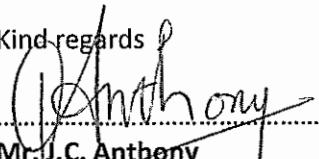
Conclusion and recourse sought

Following from the input received at a Klapmuts Ward Councillor Community held on 4 April 2019 as well as the subsequent Stellenbosch IDP Budget input meeting of 11 April 2019, it was decided the following recommendations be put forwarded as part of this comment ins response to the proposed Draft Stellenbosch 2019 MSDF:

- The Klapmuts Broader Community including the business fraternity take note of the proposals as contained in the Draft Stellenbosch 2019 MSDF;
- The Klapmuts SDA Report be adopted as it is considered to be significantly more detailed in content and process than the current Stellenbosch MSDF Report and should accordingly represent the basis for the spatial planning proposals to be contained in and to be approved as part of the 2019 Stellenbosch MSDF;
- Suitable land be identified for a cemetery; and
- In addition to land for subsidy/ indigent housing land should also be identified for affordable and GAP Housing development in the broader Klapmuts area.

We trust you will give the above comment and input the necessary consideration in the finalisation of the 2019 Stellenbosch MSDF.

Kind regards


.....
Mr. J.C. Anthony
(On behalf of the Klaphuts Community)

ANNEXURE A
KLAPMUTS SDA PROPOSED ZONING FRAMEWORK

ANNEXURE B
STELLENBOSCH MSDF PROCESS PLAN

STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT



Department Planning and Development

PROCESS PLAN		
ACTIVITY	DEADLINES and TIME FRAMES	NOTES
ANALYSIS PHASE		
Rural Area Plan Inception Report	July 2015	Report submitted
Inception Report for Heritage Inventory and Management Plan (Phase 1)	April 2016	Report submitted
Rural area Plan Status Quo Report (1 st draft)	August 2016	Report submitted
Heritage Inventory and Management Plan (Phase 2a)	February 2017	Report submitted
1 st Intergovernmental Steering Committee meeting	17 February 2107	Meeting held
Road - Investigation into alternative route alignments with basic input from specialists - <i>completed</i>		
Road- - First consultation with the various property owners directly affected - <i>completed</i>		
Rural Area Plan Status Quo Report (Final)	May 2017	Report submitted
2 nd Intergovernmental Steering Committee meeting	5 May 2017	Meeting held
Urban Development Strategy Status Quo Report	31 May 2017	Report submitted
Klapmuts Economic Development Strategy (draft report)	June 2017	Report submitted
Transit Orientated Development Report	June 2017	Report submitted
Western By-pass	June 2017	Report submitted
Paradyskloof study		Report submitted
Dennesig study		Report submitted

Road - Consultation with various authorities concerned, i.e. PGWC, various departments within municipality, etc.		In process
Traffic modelling based on existing data	14 July 20-17	
Further refinement to the possible route alignment based on the above and investigation into various types of intersection control	1 September 2017	
Submit MSDF Process Plan to Council	31 July 2017	Agenda item
1 st Klapmuts Intergovernmental Steering Committee Meeting	28 July 2017	Meeting Scheduled

STRATEGY PHASE		
Rural Area Plan Strategy Meeting	2 August 2017	Meeting scheduled
3 rd Intergovernmental Steering Committee Meeting	4 August 2017	Meeting Scheduled
Road - Second PMT-meeting	Week of 11 September 2017	
Road - Third PMT-meeting	Week of 6 November 2017	
Road - Fourth PMT-meeting	Week of 15 January 2017	
Drafting of Heritage Inventory database and report.	29 September 2017	Submit to HWC
Roads- Public Open Day	Week of 5 February 2018	
Heritage Inventory: 4 th Public Participation Meeting	2 March 2018	
Preparation of Heritage Management Plan Report	30 April 2018	Submit to HWC
UDS Strategy Formulation	April 2017 - November 2017	
Heritage Inventory Database System Training	25 June 2018	Departmental Training
4 th Intergovernmental Steering Committee meeting	1 st week of October 2017	
Draft UDS report	November 2017	
Compile Final UDS/MSDF	November 2017 – October 2017	
Submit draft UDS report	November 2017	
Public participation Area 1	1 st week of November 2017	
Public participation Area 2	1st November 2017	
Public participation Area 3	2nd November 2017	
Public participation Area 4	2nd November 2017	
5 th Intergovernmental Steering Committee Meeting	1 st week of February 2018	

MSDF Advertisements	17 November 2017 – 2 February 2018	11 weeks including December holiday
Roads - Fifth PMT-meeting	Week of 5 March 2018	
Public participation for UDS	March 2018 – April 2018	
Roads - Submit final Scoping Report to DEA&DP	Week of 12 March 2018	
Final Intergovernmental Steering Committee Meeting	1 st week of April 2018	
Final UDS submission	May 2018	
Final RAP submission	May 2018	
Roads - -Comment from DEA&DP as input into MSDF	Week of 14 May 2018	
Roads - Sixth PMT-meeting	Week of 4 June 2018	
Final Heritage Management Plan and Training submission	June 2018	
MAYCO Meeting	Mei 2018	Tabling of MSDF
COUNCIL Meeting	May 2018	Tabling of MSDF
Roads - Submit Specialist Reports and EIR Report for comment from public	Week of 23 July 2018	
SDF Notice to MEC	14 July 2018	14 days after final adoption
7 th PMT-meeting	Week of 3 September 2018	
Roads - Submit final documentation to DEADP	Week of 17 September 2018	
Roads - Submit final documentation to DEADP	Week of 17 September 2018	
Roads - Environmental Authorization	December 2018	

ANNEXURE C
KLAPMUTS MSDF PLAN (FIG 30)

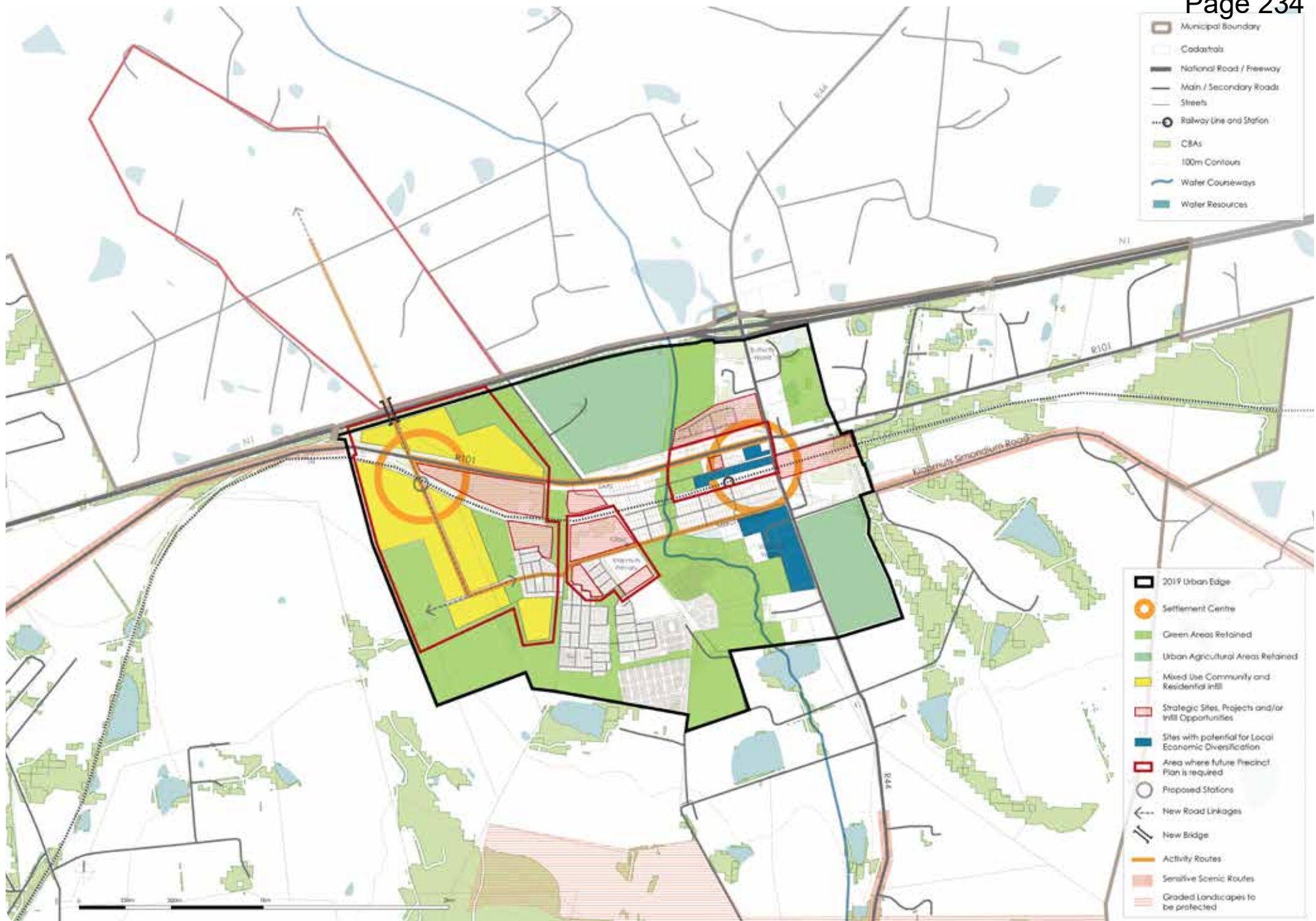


Figure 30. Klapmuts Plan

ANNEXURE D
STELLENBOSCH UNIVERSITY PUBLIC PRESS RELEASE
DATED 25 MARCH 2019

Stellenbosch University plans to expand Innovus within Stellenbosch Smart City

Innovation takes centre stage as Stellenbosch University enters its second century.

Stellenbosch University's vision to be Africa's leading research-intensive university, globally recognised as excellent, inclusive and innovative, a place where knowledge is advanced in service of society, is set to receive a major boost. This is thanks to a new world-class innovation hub to be established on 30 hectares of land that were recently donated to the University by the Stellenbosch Wine and Country Estate (Pty) Ltd.

The land donated is located in the Cape Winelands region of Klapmuts and forms part of 253 hectares of land owned by the Stellenbosch Wine and Country Estate; this land will be the site for the newly planned Stellenbosch Smart City development. Mr Jaap du Toit, in his capacity as chairperson and shareholder of the Stellenbosch Wine and Country Estate (the developer of this Smart City), was instrumental in making this donation possible. Du Toit, who graduated with a BAcc degree from SU in 1976, is also one of the founders of the investment management company the PSG Group and PSG Konsult.

The Stellenbosch Municipality sees the Klapmuts area as an important development node for the region over the next few decades.

"This wonderful gesture by the Stellenbosch Wine and Country Estate is testament to the trust that is placed in the future of Maties as we enter our second century as a university," SU Rector and Vice-Chancellor Prof Wim de Villiers said.

"We are particularly pleased about this donation as it is in line with our recently adopted Strategic Framework. It will help us to build a thriving Stellenbosch University and offer a transformative student experience, among other things.

"Mr Du Toit is a loyal alumnus of the University, and this is both a magnificent and magnanimous gift to his alma mater. We appreciate it deeply and are very excited about the possibilities that it has opened up."

According to a memorandum of understanding between the University and the Stellenbosch Wine and Country Estate, SU may develop the area for tertiary instruction; facilities supporting tertiary instruction; sports and recreational facilities; facilities supporting the commercialisation of any knowledge and/or know-how owned or co-owned by SU or licensed to SU; arts and culture, such as an amphitheatre; and relevant and appropriate supporting infrastructure.

Ms Anita Nel, Chief Director of Innovation at SU and Director of Innovus, said that although projects to utilise this area were still in the planning stages, the first order of business was likely to be to establish an innovation hub with conference facilities. "We aim to offer alternative space on the designated SU land for the startups outgrowing the space within the University's LaunchLab business incubator."

The [Nedbank-Stellenbosch University LaunchLab](#), a subsidiary company of [Innovus](#), is a startup incubator that aims to build a thriving ecosystem for entrepreneurs in Africa.

"Our focus is on the entrepreneurs themselves and helping them to build a viable business through coaching and mentorship programmes. We support new businesses and foster a culture of entrepreneurship to entrepreneurs wishing to grow their businesses," Nel added.

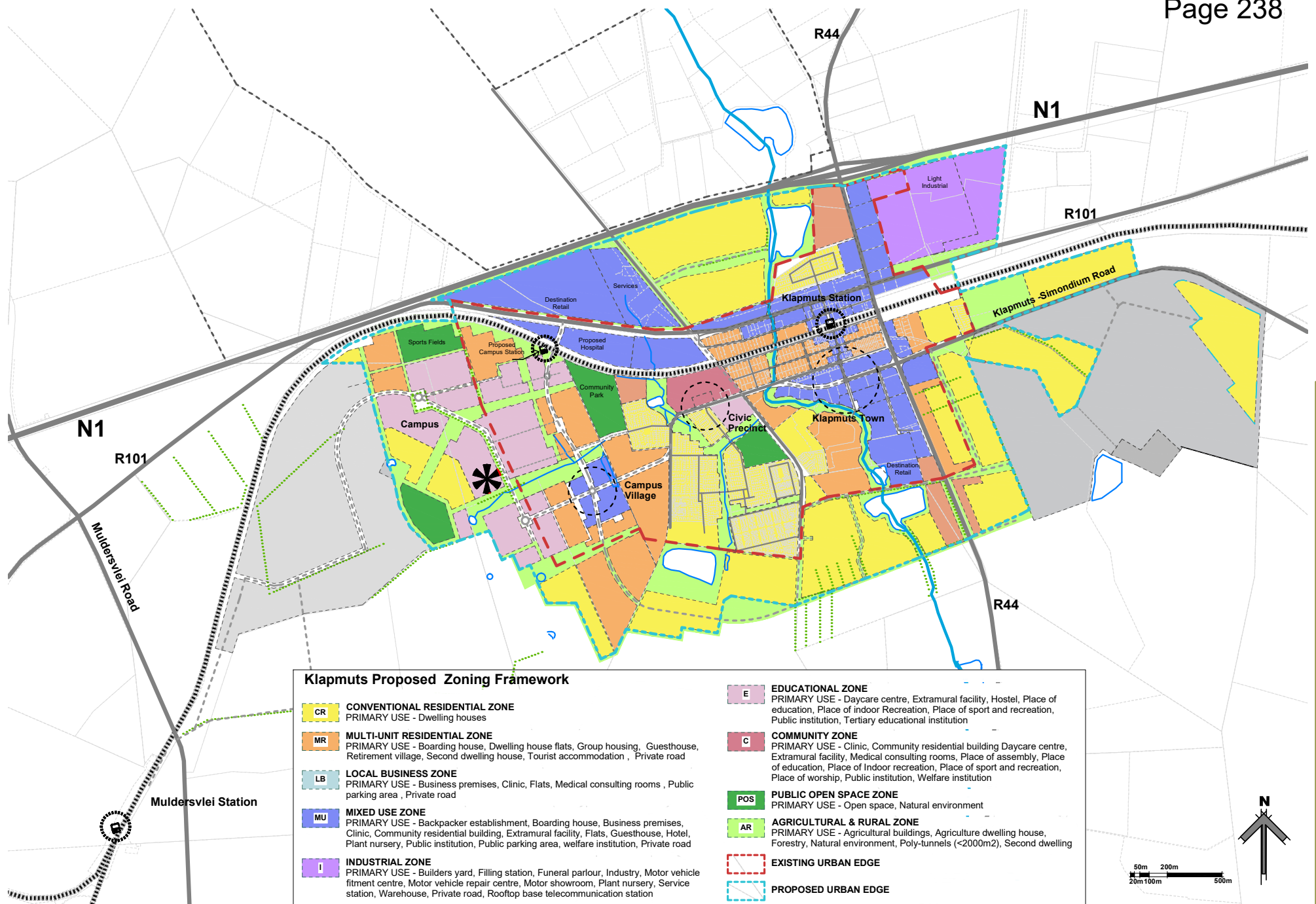
Said Du Toit: "Stellenbosch University started 100 years ago with a donation by Jan H Marais. In line with history, we believe and trust that this donation will give SU the opportunity to grow for the next 100 years and further expand tertiary education.

"The University is bursting at its seams on its Stellenbosch campus, and an innovation satellite node will make a wonderful contribution. We believe that this donation will put the University on a path to establish a world-class node of innovation, which over time will also be able to serve more students."

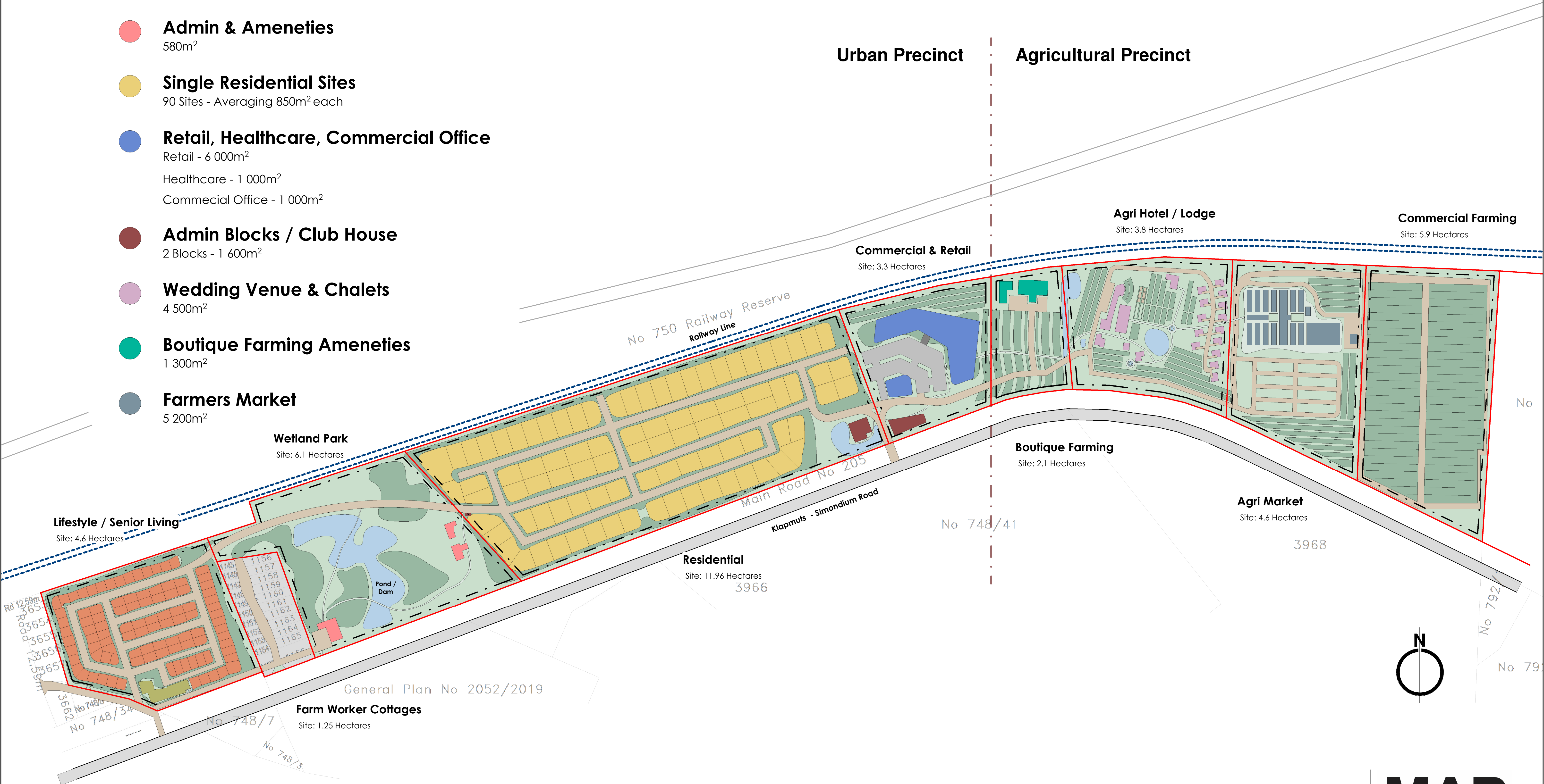
The Stellenbosch Wine and Country Estate will elaborate and provide more details regarding its vision for the Stellenbosch Smart City in a follow-up media announcement.

Media enquiries

- Stellenbosch University: Prof Stan du Plessis, Chief Operating Officer (stan@sun.ac.za; 021 808 2600)
- Stellenbosch Wine and Country Estate: Mr Klaus-Gustav Göbel, Chief Executive Officer (082 464 8700)



-  **Lifestyle / Senior Living**
130 Sites - Averaging 220m² each
 -  **Admin & Day Clinic**
1 100m²
 -  **Farm Worker Cottages**
Existing on 1.25 Hectare site
 -  **Admin & Amenities**
580m²
 -  **Single Residential Sites**
90 Sites - Averaging 850m² each
 -  **Retail, Healthcare, Commercial Office**
Retail - 6 000m²
Healthcare - 1 000m²
Commercial Office - 1 000m²
 -  **Admin Blocks / Club House**
2 Blocks - 1 600m²
 -  **Wedding Venue & Chalets**
4 500m²
 -  **Boutique Farming Amenities**
1 300m²
 -  **Farmers Market**
5 200m²



Cllr James Williams

Nwabisa Jozana

From: Candace Wesso
Sent: Wednesday, 02 October 2024 11:23
To: Gurswin Cain
Cc: Catherine Muller; Nwabisa Jozana
Subject: FW: WARD 19- IDP INPUT.

FYI

From: James Williams <James.Williams@ Stellenbosch.gov.za>
Sent: Wednesday, 02 October 2024 11:16
To: Candace Wesso <Candace.Wesso@ Stellenbosch.gov.za>
Cc: Jacqueline Beerwinkel (CouncilS) <Jacqueline.Beerwinkel@ Stellenbosch.gov.za>
Subject: WARD 19- IDP INPUT.

Good morning Candace.

As discussed, herewith the the information.

URGENT REQUEST:- Include Vaaldraai/ Elsenburg within the Urban Edge of WCO24.

Thank you.



Kind regards,

James Williams
Councillor: Ward 19

Mayoral Committee Member:
Rural and Environmental Management

T: +27 21 808 8032
T: +27 21 808 8027
C: +27 78 078 6949
2nd Floor, Main Building, Plein Street,
Stellenbosch, 7600
www.stellenbosch.gov.za

**Community input receive via
WhatsApp, Have Your Say
forms, IDP Open days, at Ward
Offices, and other**

3rd Review of the 5th Generation IDP 2022 - 2027: IDP and Budget Comments and Inputs: September 2024												
Community and Stakeholder Needs						Municipal Directorate and Western Cape Government Information						
No.	Source	Ward	Ward Councillor	Priority	Community Needs and Inputs	Departmental Action	Linkage to Directorate	Department	Responsible Mayoral Portfolio	Government Competency	WCG: Provincial Department	
1	Email	Ward 1	Cllr. Reginald Pheiffer	Land Use Management and Building	Franschhoek IDP Public Open Day - Enquiry about the subdivision of Erf 144 LaMotte	Jou navrae tydens die Franscchoek Publieke ope dag rakende die moontlikheid vir die onderverdeling van Erf 144 La Motte het betrekking. Die betrokke erf is 398m² groot. Alle ander erwe in La Motte is dieselfde grootte, of in sekere gevalle groter. Onderverdeling kan slegs gesteun word indien dit nie die bestaande karakter van die area sal verander nie. Omrede die erf dieselfde grootte is as wat algemeen voorkom, is dit dus onwaarskynlik dat so 'n aansoek gesteun sal word wat sal afwyk vanaf die huidige karakter van La Motte. Dit is egter wel moontlik om 'n tweede wooneenheid op die betrokke eiendom op te rig, wat ook sal vereis dat so 'n aansoek gedoen word vir toestemming. Indien die voorgestelde tweede wooneenheid binne die boulyne opgerig sal word wat sal verhoed dat daar verdere afwykings sal wees, kan so aansoek na verwagting gesteun word. Sou jy wel wou voortgaan om 'n aansoek vir onderverdeling te doen, sal die koste R 5200 wees. Sou 'n aansoek vir addisionele gebruik vir 'n tweede woning gedoen word, sal die koste R 2600 wees. Geen toegewing sal vir hierdie tariewe oorweeg kan word nie.	Directorate: PED	Department: Development Management	Planning, LED and Tourism	Local		
2	Email	Ward 1	Cllr. Reginald Pheiffer	Land Use Management and Building	Development Cr R44 Roberts Rd	Good day Mr. van Hoesslin. Your enquiry on the status of the above matter refers. I have established that the subject development is a historic approval. A building plan was subsequently approved within the validity period of the land use approval and the foundations for same commenced during the validity period of the building plan approval. Due to the timeous commencement of the subject building works in accordance with the approved building plan at the time, the building plan did not lapse, and they are entitled to continue with the building works. Due to the commencement of the building works, the subject land use approval consequently also vested accordingly.	Directorate: PED	Department: Development Management	Planning, LED and Tourism	Local		
3	Email	Ward 1	Cllr. Reginald Pheiffer	Electrical Services	Appointment of a dedicated team to repair streetlights in Franschhoek		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local		
4	Email	Ward 1	Cllr. Reginald Pheiffer	Waste Management	Develop a schedule to clean out overflowing rubbish bins in Franschhoek		Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local		
5	Email	Ward 1	Cllr. Reginald Pheiffer	Parks and Open Spaces	Replacement of the two dog poo bins that were removed in Franschhoek at the corners of Patryfontein Reservoir and Lambrechts and Nerina Street		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local		
6	Email	Ward 1	Cllr. Reginald Pheiffer	Recreation and Sport	Removal of overgrown bushes around the perimeter of the Bowls Club in Franschhoek		Directorate: Community and Protection Services	Department: Community Services	Youth, Sport and Culture	Local		
7	Email	Ward 1	Cllr. Reginald Pheiffer	Facilities	Repairing and maintenance of paving, mismatched bollards, blocked gutters, rainwater pipes, and blocked and broken gullies around the Franschhoek Town Hall		Directorate: Community and Protection Services	Department: Community Services	Community Services	Local		

3rd Review of the 5th Generation IDP 2022 - 2027: IDP and Budget Comments and Inputs: September 2024											
Community and Stakeholder Needs						Municipal Directorate and Western Cape Government Information					
No.	Source	Ward	Ward Councillor	Priority	Community Needs and Inputs	Departmental Action	Linkage to Directorate	Department	Responsible Mayoral Portfolio	Government Competency	WCG: Provincial Department
8	Email	Ward 1	Cllr. Reginald Pheiffer	Roads, Transport and Stormwater	Repairing of the broken notice board next to La Rochelle Street		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
9	Email	Ward 1	Cllr. Reginald Pheiffer	Roads, Transport and Stormwater	Installation of paving at the entrance road to the Mont Rochelle Nature Reserve		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
10	Email	Ward 1	Cllr. Reginald Pheiffer	Parks and Open Spaces	The three or four half-dead rosebushes on the corner of Huguenot Rd and Excelsior Rd in Franschoek need to be removed		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
11	Email	Ward 1	Cllr. Reginald Pheiffer	Parks and Open Spaces	Installation lawn instead of the sad specimens on the corner of Huguenot Rd and Excelsior Rd in Franschoek		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
12	Email	Ward 1	Cllr. Reginald Pheiffer	Roads, Transport and Stormwater	Installation of street names in the kerbs instead of hand-painted road names along Dirkie Uys and Akademie Street and Berg and La Rochelle Streets		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
13	Email	Ward 1	Cllr. Reginald Pheiffer	Roads, Transport and Stormwater	Installation of pipes under the intersection to flatten the dip at the intersection of Dirkie Uys and La Rochelle Streets towards the school in Akademie St in Franschoek		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
14	Email	Ward 1	Cllr. Reginald Pheiffer	Environmental Management	Removal of trees at Patryfontein Stream and new trees planted in appropriate positions on the streambanks in Franschoek		Directorate: Community and Protection Services	Department: Community Services	Rural Management and Environment	Local	
15	IDP Open Day	Ward 1	Cllr. Reginald Pheiffer	Electrical Services	Provide clarity on whether backyarders can apply for their own electrical meter	The owner must provide permission. An application can be done at Stellenbosch Municipality offices, and a cost will be applicable	Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
16	IDP Open Day	Ward 1	Cllr. Reginald Pheiffer	Electrical Services	Verification of the client on the database. The client applied for electricity to be installed but was not at home when the installations were done in K59 Franschoek	The department will follow up and inform the client	Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
17	IDP Open Day	Ward 1	Cllr. Reginald Pheiffer	Electrical Services	Verification of the database if the client's name is on the list for new connection at K12 in Franschoek	The department will check on the database and provide feedback to the client	Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
18	IDP Open Day	Ward 1	Cllr. Reginald Pheiffer	Safety and Security	Increase visibility of law enforcement to address crime and kidnapping in Franschoek, residents are scared to go hiking	All complaints must be reported to the control room. Law Enforcement core function is bylaw enforcement, and it will react to any bylaw complaints. SAPS deals with crime-related matters, law enforcement renders support	Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
19	IDP Open Day	Ward 1	Cllr. Reginald Pheiffer	Safety and Security	Address Mafoko Security, workers are not paid correctly. The subcontractor claims that the main contractor does not pay accordingly	Mafoko is being paid according to the PSIRA rate. Ms Felix requests that Mr Khwela set up a meeting and bring evidence as proof of allegations made that Mafoko Security does not pay the workers what they are supposed to get paid	Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
20	IDP Open Day	Ward 1	Cllr. Reginald Pheiffer	Waste Management	Provision of a wheelie bin at M55 Mooiwater Skool Street		Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local	

3rd Review of the 5th Generation IDP 2022 - 2027: IDP and Budget Comments and Inputs: September 2024											
Community and Stakeholder Needs						Municipal Directorate and Western Cape Government Information					
No.	Source	Ward	Ward Councillor	Priority	Community Needs and Inputs	Departmental Action	Linkage to Directorate	Department	Responsible Mayoral Portfolio	Government Competency	WCG: Provincial Department
21	IDP Open Day	Ward 1	Cllr. Reginald Pheiffer	Waste Management	Provision of a wheelie bin at M58 Mooiwater Skool Street		Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local	
22	IDP Open Day	Ward 1	Cllr. Reginald Pheiffer	Waste Management	Provide clarity on why EPWP has not been cleaning the streets in Franschhoek for three months		Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local	
23	IDP Open Day	Ward 1	Cllr. Reginald Pheiffer	Roads, Transport and Stormwater	Repairing of the pothole between Daisey Street and Leu Bekkie Street in Mooiwater		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
24	IDP Open Day	Ward 1	Cllr. Reginald Pheiffer	Housing Development	Provision of housing opportunities in Langrug, Franschhoek		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
25	IDP Open Day	Ward 1	Cllr. Reginald Pheiffer	Informal Settlements	Repairing of blocked ablution facilities in Langrug informal settlements		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
26	IDP Open Day	Ward 1	Cllr. Reginald Pheiffer	Informal Settlements	Cleaning of the dirty water running on the streets in Langrug informal settlements		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
27	IDP Open Day	Ward 1	Cllr. Reginald Pheiffer	Informal Settlements	Repairing of blocked toilets at M14, Skool Street in Mooiwater		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
28	IDP Open Day	Ward 1	Cllr. Reginald Pheiffer	Electrical Services	Installation of electricity in Langrug informal settlement		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
29	IDP Open Day	Ward 1	Cllr. Reginald Pheiffer	Electrical Services	Repairing of 3 streetlights at M57 Plakkerskamp in Mooiwater		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
30	IDP Open Day	Ward 1	Cllr. Reginald Pheiffer	Electrical Services	Assistance with applying for an electricity box at M27 in Mooiwater		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
31	IDP Open Day	Ward 1	Cllr. Reginald Pheiffer	Electrical Services	Repairing of the electric box at M14 Skool Street in Mooiwater		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
32	IDP Open Day	Ward 1	Cllr. Reginald Pheiffer	Roads, Transport and Stormwater	Repairing of regular blocking of drains in the yard at M27 Skool Street in Mooiwater		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
33	IDP Open Day	Ward 1	Cllr. Reginald Pheiffer	Informal Settlements	Installation of water and ablution facilities at Riverside informal settlement in Mooiwater		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
34	IDP Open Day	Ward 1	Cllr. Reginald Pheiffer	Roads, Transport and Stormwater	Repairing of the stormwater issue at the corridor / passage across the playpark at M56 Klein in Mooiwater	The department will investigate by October 2024 and provide feedback to residents on the conclusion of the investigation	Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
35	IDP Open Day	Ward 1	Cllr. Reginald Pheiffer	Electrical Services	Installation of electrical cable and pavement reinstated at the Upper Lea Smith side road in Franschhoek		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	

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36	IDP Open Day	Ward 1	Cllr. Reginald Pheiffer	Land Use Management and Building	Provision of information on the hotel development next to Hey Joe's Brewery (Robertsvei Road R45), how it was approved, and lapsing clause	The department has requested the records to ascertain the accurate status of the approvals and will revert to you once I have had the opportunity to consult the same.	Directorate: PED	Department: Development Management	Planning, LED and Tourism	Local	
37	IDP Open Day	Ward 1	Cllr. Reginald Pheiffer	Local Economic Development and Tourism	Provision of EPWP employment as his name has been on the EPWP database (Sandile Mavuso) but he never got a contract for employment to work on roads while those who applied after him were selected	The department will check why the person was not selected to qualify for a job on the R45 road, but others who applied with him were selected. One of two reasons is they required fewer people than what is on the database, and he was the unsuccessful candidate who did not meet the criteria.	Directorate: PED	Department: Development Planning	Planning, LED and Tourism	Local	
38	IDP Open Day	Ward 1	Cllr. Reginald Pheiffer	Waste Management	A wheelie bin has been placed at M550 School Street, Mooiwater.	Application to be lodged	Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local	
39	IDP Open Day	Ward 1	Cllr. Reginald Pheiffer	Housing Development	Seek clarification on the current status of erf – 284 that was allocated for housing development in Franschhoek area		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
40	IDP Open Day	Ward 1	Cllr. Reginald Pheiffer	Housing Development	Seek clarification on the current status of erf – 284 that was allocated for housing development in Franschhoek area		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
41	IDP Open Day	Ward 1	Cllr. Reginald Pheiffer	Housing Development	Arrangement of a meeting to provide an update on the current status of erf – 284 that was allocated for housing development		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
42	IDP Open Day	Ward 1	Cllr. Reginald Pheiffer	Informal Settlements	Provide a progress report on eviction cases	The client was advised to visit Andrea Lawrence for feedback on this matter	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
43	IDP Open Day	Ward 1	Cllr. Reginald Pheiffer	Housing Administration	Provision of assistance to register on the housing database or waiting list	The client was advised on the process of the waiting list and to visit their local ward office to enquire on their status or to update any information on their application. Also explained the process of roadshows, which happen yearly in all the municipal areas	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
44	IDP Open Day	Ward 1	Cllr. Reginald Pheiffer	Informal Settlements	Seek permission to demolish and erect a new structure at Klein Mooiwater for a person who was allocated an RDP	A meeting will be scheduled to discuss these matters with the residents	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
45	IDP Open Day	Ward 1	Cllr. Reginald Pheiffer	Housing Administration	See clarification on the client's pending housing application as informed by the ward office	The client was advised on the process of the waiting list and to visit their local ward office to enquire on their status or to update any information on their application. Also explained the process of roadshows, which happen yearly in all the municipal areas	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
46	IDP Open Day	Ward 1	Cllr. Reginald Pheiffer	Informal Settlements	Repairing of the structure, roof, and windows that were damaged by the cutting of trees at M12, Klein Mooiwater		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
47	IDP Open Day	Ward 1	Cllr. Reginald Pheiffer	Informal Settlements	Repairing of the ablution facility that is out of order at Klein Mooiwater		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	

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48	IDP Open Day	Ward 1	Cllr. Reginald Pheiffer	Informal Settlements	Seek permission to demolish the dilapidated structure and rebuild at Klein Mooiwater structure M28	The Department will engage with the community to determine the extent of the matter and a plan to address situation	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
49	IDP Open Day	Ward 1	Cllr. Reginald Pheiffer	Informal Settlements	Repairing of leaking roofs and broken doors at structure 16 in Riverside Mooiwater	The Department will engage with the community to determine the extent of the matter and a plan to address situation	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
50	IDP Open Day	Ward 1	Cllr. Reginald Pheiffer	Housing Development	Provision of housing opportunities in Franschhoek area		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
51	IDP Open Day	Ward 1	Cllr. Reginald Pheiffer	Informal Settlements	Seek permission to fix a dilapidated municipal windy house in Klein Mooiwater	The Department will engage with the community to determine the extent of the matter and a plan to address situation	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
52	IDP Open Day	Ward 1	Cllr. Reginald Pheiffer	Housing Administration	Provision of assistance with registering on the housing database	The client was advised on the process of the waiting list and to visit their local ward office to enquire on their status or to update any information on their application. Also explained the process of roadshows, which happen yearly in all the municipal areas	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
53	IDP Open Day	Ward 1	Cllr. Reginald Pheiffer	Housing Administration	Provision of assistance with registering on the housing database	The client was provided with the application form to complete	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
54	IDP Open Day	Ward 1	Cllr. Reginald Pheiffer	Informal Settlements	Repairing of the dilapidated municipal windy house in Klein Mooiwater	Meeting will be conducted to discuss issues the same as Klein Mooiwater	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
55	IDP Open Day	Ward 1	Cllr. Reginald Pheiffer	Informal Settlements	Seek permission to fix a dilapidated municipal windy house in Klein Mooiwater	The Department will engage with the community to determine the extent of the matter and a plan to address situation	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
56	IDP Open Day	Ward 1	Cllr. Reginald Pheiffer	Income and Expenditure	Reviewing of unsuccessful Indigent application	The client was contacted by the Indigent Office and informed that her current salary is above the R7 000.00 income threshold. She also informed that the household must use the water sparingly and fix any leaks on the property.	Directorate: Financial Services	Department: Revenue and Expenditure	Financial Services	Local	
57	IDP Open Day	Ward 1	Cllr. Reginald Pheiffer	Income and Expenditure	Provision of assistance with Indigent application process	The client was contacted by the Indigent Office and informed that her current salary is below the R7 000.00 income threshold and she must visit the Franschhoek Mun Office. She was also informed that the household must use the water sparingly and fix any leaks on the property	Directorate: Financial Services	Department: Revenue and Expenditure	Financial Services	Local	
58	IDP Open Day	Ward 1	Cllr. Reginald Pheiffer	Housing Administration	Provision of assistance with registration on the housing demand database	The department checked on the Western Cape Housing database, Registration number 688344, Registration Date 2018/10/10. The client was given an application form to update her information and explained which documents were needed	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	

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59	IDP Open Day	Ward 1	Cllr. Reginald Pheiffer	Housing Administration	Provision of assistance with registration on the housing demand database	The department checked on the Western Cape Housing data base registration number 729445, registration date 2019/09/25. The client is up to date on the waiting list	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
60	IDP Open Day	Ward 1	Cllr. Reginald Pheiffer	Housing Administration	Provision of assistance with registration on the housing demand database	The client was provided with the application form (first-time applicant) and explained which documents were needed	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
61	IDP Open Day	Ward 1	Cllr. Reginald Pheiffer	Housing Administration	Verification of registration on the housing database	The department checked, and the client was not on the waiting list, although he provided proof of registration. Further investigation will be conducted	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
62	Online Form	Ward 1	Cllr. Reginald Pheiffer	Recreation and Sport	<p>The condition of the rugby and soccer field on Groendal Sports Ground is really horrible. 90% of the field does not even have grass or is covered with dead grass with many holes all over the field. These 2 fields are used by almost all of the schools in the community and it is really disappointing to see that no attempt is made to maintain these fields. Both the community Rugby and soccer teams are playing in top Leagues but have to play and practice on such poor fields. The majority of the rugby and soccer players are young people from the community who needs these activities to keep them away from doing bad things in their free time. Sports keep them busy and active and teach them self-discipline to be good citizens. The facilities that go with the rugby and soccer field are just as poor. Toilets that are broken and running over at every tournament at the Sports Ground are really bad. We as Franschoek citizens are shy to refer visitors to these toilets as they are in such a poor condition. I don't think maintenance of these toilets on a monthly basis would be so expensive. Remember, hundreds of people have to use 2 toilets on a Saturday, it is bound to be broken every Saturday as it is impossible to expect 2 toilets to service so many people. The municipality can also look at the broken windows in the Hall/Club House on the field premises. These windows have been broken for years. Fixing it up once a year or once every second year wouldn't cost that much money. I don't think it has been fixed with the last hall upgrade as for as long as I can remember it has been broken.</p> <p>The security can also be addressed as most of the time they are sleeping, whether it is day or night. The other parties who share the sports grounds like the school and SCORE, should be informed of the purpose of the security, are they only there for the sports facilities and fields, so all parties are on the same page as to whom to approach should there be trouble on the grounds or at the school or at SCORE. With all the vandalism still going on, the</p>		Directorate: Community and Protection Services	Department: Community Services	Youth, Sport and Culture	Local	

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63	Online Form	Ward 1	Cllr. Reginald Pheiffer	Recreation and Sport	<p>There is an open piece of land in the middle of La Motte Village (White City), Bosbou, La Motte.</p> <p>I would urge the Municipality to do some recreation. there As it is tempting to become a dumping site. We do ask people to remove their rubbish but it would be nice if the land is being used proactively instead of just laying there. We do have lots of kids in Bosbou and White City who play soccer and it would be nice if the piece of land could be recreated into a turf soccer field. Enclosed of course to prevent people from going and sit on the field and using it for a hangout spot. One of the community people can maybe get a key and control access to the field. If some signs can be put up at the parky and soccer field if we do get one, that say "right of admission reserved by the community of La Motte Village", this would give those who live their permission to remove people or ask them to leave if we do see people who are using the facilities for the wrong reasons. We are very proud of where we live and would like to preserve it for future generations. We can only achieve that by working together with the municipality.</p> <p>Some positive feedback would be appreciated.</p>		Directorate: Community and Protection Services	Department: Community Services	Youth, Sport and Culture	Local	
64	Online Form	Ward 1	Cllr. Reginald Pheiffer	Informal Settlements	<p>Langrug community struggles to receive services in certain areas, as informal structures have been erected in the access roadways. Surely the owners of these illegal structures can be forced to relocate in the interests of community safety? (Or do squatting rules apply, even though the dwelling is located within a 'planned settlement')</p>		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
65	Online Form	Ward 1	Cllr. Reginald Pheiffer	Land Use Management and Building	<p>I would like to know where the council stands on the Skytram issue, which has divided the small Franschhoek community (with most of the community AGAINST the proposed development)</p>		Directorate: PED	Department: Development Management	Planning, LED and Tourism	Local	
66	Online Form	Ward 1	Cllr. Reginald Pheiffer	Land Use Management and Building	<p>I would also like to know how the Lion's Rest development (whose development application was revoked) who now reportedly has a new developer, is going to manage to develop a luxury estate next to Domaine des Anges, with only one tiny road (Dirkie Uys Str) as access (which also travels past a primary school)??</p>		Directorate: PED	Department: Development Management	Planning, LED and Tourism	Local	
67	Online Form	Ward 1	Cllr. Reginald Pheiffer	Safety and Security	<p>Franschhoek community is none the wiser regarding the recent spate of kidnappings on the Pass. When do we get feedback as to whether our valley is safe for outdoor activities or not? Summer season brings hordes of international tourists who are totally unaware of the safety issues in our valley.</p>		Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
68	Online Form	Ward 1	Cllr. Reginald Pheiffer	Safety and Security	<p>What is required from us to highlight to the council, the amount of petty crime that exists in the village, as well as the extent of emergency health issues, both of which are dealt with by private community service providers (e.g. Kurt Maske) - individual community members pay to keep security wardens on our main road - should SAPS not be doing foot patrols? Do local structures know what "Rent-a-Cop" is, and is this feasible for a village like Franschhoek?</p>		Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	

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69	Online Form	Ward 1	Cllr. Reginald Pheiffer	Roads, Transport and Stormwater	Traffic calming measures are needed at the busy intersections leading from Franschhoek village to R45 e.g., Uitkyk Street, DeVilliers Street, Louis Botha Street, Reservoir Street		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	Department of Infrastructure
70	Online Form	Ward 1	Cllr. Reginald Pheiffer	Roads, Transport and Stormwater	The R45 sidewalk from Groendal thru to De Villiers Street needs ongoing maintenance and sweeping, as it carries a lot of pedestrians and scholars, and more often than not it is covered in sand or overflowing water/sewerage spill (currently on the Ferme Chantelle portion of the sidewalk - this occurs every winter with NO permanent solution)		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
71	Online Form	Ward 1	Cllr. Reginald Pheiffer	Land Use Management and Building	Franschhoek village is losing it's sense of community, with many homes standing empty for up to 9 months of the year (some have zero garden or sidewalk maintenance in this period, lowering the aesthetic of an residential street) - should there not be regulations regarding exterior aesthetics of properties?		Directorate: PED	Department: Development Management	Planning, LED and Tourism	Local	
72	Online Form	Ward 1	Cllr. Reginald Pheiffer	Land Use Management and Building	Control and limit the use of private homes and flats for short-term rental in Franschhoek village - if homeowners do NOT re-zone their homes, who is any the wiser, and then the few permanent residents have to contend with poor behaviour of weekend and summer visitors - once again, this adds to the loss of community spirit in the Franschhoek village and also stops genuine prospective homeowners from purchasing in Franschhoek village, as it becomes unaffordable.		Directorate: PED	Department: Development Management	Planning, LED and Tourism	Local	
73	IDP Open Day	Ward 1	Cllr. Reginald Pheiffer	Housing Development	Provision of feedback about the housing project in Franschhoek	The HAD is in process to negotiate with NDoPW&I regarding the transfer and POA and a meeting needs to be arranged with Jonkershoek community to provide feedback	Directorate: PED	Department: Development Planning	Planning, LED and Tourism	Local	
74	IDP Open Day	Ward 2	Cllr. Wilhelmina Petersen	Electrical Services	Reconnection of electricity at E83, Langrug after fire disasters on 19 April 2024	The municipality explained that the disaster report was received in May 2024. All SCM processes had to be followed, and it was still in the process of appointing a contractor before work commences	Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
75	IDP Open Day	Ward 2	Cllr. Wilhelmina Petersen	Electrical Services	Reconnection of electricity in Langrug after fire disasters on 19 April 2024	The department explained that the disaster report was received in May 2024. All SCM processes had to be followed, and it was still in the process of appointing a contractor before work commences	Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
76	IDP Open Day	Ward 2	Cllr. Wilhelmina Petersen	Electrical Services	Reconnection of electricity in Langrug after fire disasters on 19 April 2024	The department explained that the disaster report was received in May 2024. All SCM processes had to be followed, and it is still in the process of appointing a contractor before work commences	Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
77	IDP Open Day	Ward 2	Cllr. Wilhelmina Petersen	Electrical Services	Reconnection of electricity in Langrug after fire disasters on 19 April 2024	The department explained that the disaster report was received in May 2024. All SCM processes had to be followed, and it is still in the process of appointing a contractor before work commences	Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
78	IDP Open Day	Ward 2	Cllr. Wilhelmina Petersen	Electrical Services	Reconnection of electricity in Langrug after fire disasters on 19 April 2024	The department explained that the disaster report was received in May 2024. All SCM processes had to be followed, and it is still in the process of appointing a contractor before work commences	Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	

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79	IDP Open Day	Ward 2	Cllr. Wilhelmina Petersen	Electrical Services	Reconnection of electricity in Langrug after fire disasters on 19 April 2024	The department explained that the disaster report was received in May 2024. All SCM processes had to be followed, and it is still in the process of appointing a contractor before work commences	Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
80	IDP Open Day	Ward 2	Cllr. Wilhelmina Petersen	Electrical Services	Reconnection of electricity in Langrug after fire disasters on 19 April 2024	The department explained that the disaster report was received in May 2024. All SCM processes had to be followed, and it is still in the process of appointing a contractor before work commences	Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
81	IDP Open Day	Ward 2	Cllr. Wilhelmina Petersen	Electrical Services	Reconnection of electricity in Langrug after fire disasters on 19 April 2024	The department explained that the disaster report was received in May 2024. All SCM processes had to be followed, and it is still in the process of appointing a contractor before work commences	Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
82	IDP Open Day	Ward 2	Cllr. Wilhelmina Petersen	Electrical Services	Reconnection of electricity in Langrug after fire disasters on 19 April 2024	The department explained that the disaster report was received in May 2024. All SCM processes had to be followed, and it is still in the process of appointing a contractor before work commences	Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
83	IDP Open Day	Ward 2	Cllr. Wilhelmina Petersen	Electrical Services	Reconnection of electricity in Langrug after fire disasters on 19 April 2024	The department explained that the disaster report was received in May 2024. All SCM processes had to be followed, and it is still in the process of appointing a contractor before work commences	Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
84	IDP Open Day	Ward 2	Cllr. Wilhelmina Petersen	Electrical Services	Reconnection of electricity in Langrug after fire disasters on 19 April 2024	The department explained that the disaster report was received in May 2024. All SCM processes had to be followed, and it is still in the process of appointing a contractor before work commences	Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
85	IDP Open Day	Ward 2	Cllr. Wilhelmina Petersen	Electrical Services	Reconnection of electricity in Langrug after fire disasters on 19 April 2024	The department explained that the disaster report was received in May 2024. All SCM processes had to be followed, and it is still in the process of appointing a contractor before work commences	Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
86	IDP Open Day	Ward 2	Cllr. Wilhelmina Petersen	Electrical Services	Reconnection of electricity in Langrug after fire disasters on 19 April 2024	The department explained that the disaster report was received in May 2024. All SCM processes had to be followed, and it is still in the process of appointing a contractor before work commences	Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
87	IDP Open Day	Ward 2	Cllr. Wilhelmina Petersen	Electrical Services	Reconnection of electricity in Langrug after fire disasters on 19 April 2024	The department explained that the disaster report was received in May 2024. All SCM processes had to be followed, and it is still in the process of appointing a contractor before work commences	Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
88	IDP Open Day	Ward 2	Cllr. Wilhelmina Petersen	Electrical Services	Reconnection of electricity in Langrug after fire disasters on 19 April 2024	The department explained that the disaster report was received in May 2024. All SCM processes had to be followed, and it is still in the process of appointing a contractor before work commences	Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
89	IDP Open Day	Ward 2	Cllr. Wilhelmina Petersen	Electrical Services	Reconnection of electricity in Langrug after fire disasters on 19 April 2026	The department explained that the disaster report was received in May 2024. All SCM processes had to be followed, and it is still in the process of appointing a contractor before work commences	Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	

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90	IDP Open Day	Ward 2	Cllr. Wilhelmina Petersen	Safety and Security	Increase visibility of law enforcement in the business areas in Franschhoek	All complaints must be reported to the control room. Law enforcement's core function is bylaw enforcement and will react to any bylaw complaints. SAPS deals with crime-related matters, Law Enforcement renders support	Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local		
91	IDP Open Day	Ward 2	Cllr. Wilhelmina Petersen	Safety and Security	Enforcement of the bylaw on individuals drinking in public in Franschhoek	All complaints must be reported to the control room. Law enforcement's core function is bylaw enforcement and will react to any bylaw complaints. SAPS deals with crime-related matters, Law Enforcement renders support	Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local		
92	IDP Open Day	Ward 2	Cllr. Wilhelmina Petersen	Safety and Security	Deployment of law enforcement officers in Groendal playparks for people smoking and drinking in the park and learners sitting in the park during school hours	The client was informed to contact control for bylaw-related complaints	Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local		
93	IDP Open Day	Ward 2	Cllr. Wilhelmina Petersen	Parks and Open Spaces	Installation of a safety gate at the Groendal Playpark for individuals smoking and drinking in the park and learners sitting in the park during school hours		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local		
94	IDP Open Day	Ward 2	Cllr. Wilhelmina Petersen	Roads, Transport and Stormwater	Management of stormwater at the La Motte Bridge	The department will forward the complaint to the District Roads Engineer (D.R.E.) by 20 September 2024, and provide feedback to residents on confirmation of repair works to the carried out by D.R.E.	Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local		
95	IDP Open Day	Ward 2	Cllr. Wilhelmina Petersen	Waste Management	Replacement of stolen bins in Langrug		Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local		
96	IDP Open Day	Ward 2	Cllr. Wilhelmina Petersen	Waste Management	Regular cleanup and collection of refuse bins in Langrug		Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local		
97	IDP Open Day	Ward 2	Cllr. Wilhelmina Petersen	Waste Management	Regular removal / emptying of skips in Langrug		Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local		
98	IDP Open Day	Ward 2	Cllr. Wilhelmina Petersen	Parks and Open Spaces	Placement of benches on the playpark at La Motte, Village		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local		
99	IDP Open Day	Ward 2	Cllr. Wilhelmina Petersen	Parks and Open Spaces	Installation of a playpark in Langrug		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local		
100	IDP Open Day	Ward 2	Cllr. Wilhelmina Petersen	Parks and Open Spaces	Construction of public toilets at the playpark (Stiebeuel) next to the clinic in Groendal		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local		
101	IDP Open Day	Ward 2	Cllr. Wilhelmina Petersen	Safety and Security	Deployment of law enforcement officers to address young children smoking marijuana after school between 15:00 - 16:00 next to the hall in La Motte		Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local		
102	IDP Open Day	Ward 2	Cllr. Wilhelmina Petersen	Safety and Security	Deployment of law enforcement officers to deal with people gambling on the roads of La Motte		Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local		

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Community and Stakeholder Needs						Municipal Directorate and Western Cape Government Information					
No.	Source	Ward	Ward Councillor	Priority	Community Needs and Inputs	Departmental Action	Linkage to Directorate	Department	Responsible Mayoral Portfolio	Government Competency	WCG: Provincial Department
103	IDP Open Day	Ward 2	Cllr. Wilhelmina Petersen	Safety and Security	Increase visibility of law enforcement to prevent beer bottles that are intentionally being broken on the playpark over weekends in La Motte		Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
104	IDP Open Day	Ward 2	Cllr. Wilhelmina Petersen	Recreation and Sport	Construction of a swimming pool in Franschoek (Bosbou)		Directorate: Community and Protection Services	Department: Community Services	Youth, Sport and Culture	Local	
105	IDP Open Day	Ward 2	Cllr. Wilhelmina Petersen	Recreation and Sport	Construction of tennis courts in Groendal		Directorate: Community and Protection Services	Department: Community Services	Youth, Sport and Culture	Local	
106	IDP Open Day	Ward 2	Cllr. Wilhelmina Petersen	Parks and Open Spaces	Establishment of a picnic park in Groendal		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
107	IDP Open Day	Ward 2	Cllr. Wilhelmina Petersen	Land Use Management and Building	Provision of cost to subdivide Erf 144 in La Motte	The plot in question is 398m² in size. All other plots in La Motte are the same size, or in some cases larger. Subdivision can only be supported if it will not change the existing character of the area. Because the plot is the same size as is generally found, it is therefore unlikely that such an application will be supported, which would deviate from the current character of La Motte. However, it is possible to erect a second dwelling unit on the property in question, which will also require that such an application be made for permission. If the proposed second dwelling unit will be erected within the building lines, which will prevent further deviations, such an application can be expected to be supported. Should you wish to continue to make an application for subdivision, the cost will be R5 200. Should an application for additional use be made for a second home, the cost will be R2 600. No concession will be considered for these rates.	Directorate: PED	Department: Development Management	Planning, LED and Tourism	Local	
108	IDP Open Day	Ward 2	Cllr. Wilhelmina Petersen	Local Economic Development and Tourism	Provision of a piece of agricultural land (5000m²) for livestock farming (pigs) and vegetable gardens in La Motte	The municipality will investigate the ownership of the land, normally, the land belongs to the National or Provisional Department of Public works	Directorate: PED	Department: Development Planning	Planning, LED and Tourism	Local	
109	IDP Open Day	Ward 2	Cllr. Wilhelmina Petersen	Waste Management	The skips were placed in the Bosbou area of White City, near the river.	The department will investigate and identify need	Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local	
110	IDP Open Day	Ward 2	Cllr. Wilhelmina Petersen	Waste Management	Clean and address the illegal dumping at Bosbou area, White City, near the river	The department will investigate the matter of illegal dumping	Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local	
111	IDP Open Day	Ward 2	Cllr. Wilhelmina Petersen	Waste Management	Pest control in Bosbou area, White City, near the river	The department will investigate and identify need	Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local	
112	IDP Open Day	Ward 2	Cllr. Wilhelmina Petersen	Waste Management	Placement of additional street bins in the business and industrial districts of the entire area.	Current street bins to be quantified and placed based on need	Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local	

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No.	Source	Ward	Ward Councillor	Priority	Community Needs and Inputs	Departmental Action	Linkage to Directorate	Department	Responsible Mayoral Portfolio	Government Competency	WCG: Provincial Department
113	IDP Open Day	Ward 2	Cllr. Wilhelmina Petersen	Human Resource Management	Provision of information on what is the process for applying for work at the municipality	All posts are advertised on the municipal website and on the notice boards. The municipality also informs the ward administrators. On our WhatsApp number, the advertisements are also indicated. Application forms are available online and must be sent after completion to the email that is linked to the post	Directorate: Corporate Services	Department: Human Resources Management	Corporate Services	Local	
114	IDP Open Day	Ward 2	Cllr. Wilhelmina Petersen	Housing Administration	Verification of ID 6312056095089 is on the housing database or waiting list		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
115	IDP Open Day	Ward 2	Cllr. Wilhelmina Petersen	Informal Settlements	Seek permission to extend wendy house structure (family of 7; structure size 5x6m)	The issue will be investigated and reported back once management has taken a decision.	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
116	IDP Open Day	Ward 2	Cllr. Wilhelmina Petersen	Housing Administration	Provision of assistance to backyarders with landlord switching off electricity at times requesting the tenant to leave	The client was advised to go to legal aid for advice on this matter.	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
117	IDP Open Day	Ward 2	Cllr. Wilhelmina Petersen	Informal Settlements	Provision of assistance to siblings being evicted by family from mother's property	The client was advised to go to legal aid for advice on this matter.	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
118	IDP Open Day	Ward 2	Cllr. Wilhelmina Petersen	Budget	Budget allocation for wards must be reviewed and properly budgeted		Directorate: Financial Services	Department: Financial Management Services	Financial Services	Local	
119	IDP Open Day	Ward 2	Cllr. Wilhelmina Petersen	Supply Chain Management	Consideration of Franschoek people in supply chain management matters		Directorate: Financial Services	Department: Supply Chain Management	Financial Services	Local	
120	IDP Open Day	Ward 2	Cllr. Wilhelmina Petersen	Human Resource Management	Consideration of Franschoek people in human resource management matters		Directorate: Corporate Services	Department: Human Resources Management	Corporate Services	Local	
121	IDP Open Day	Ward 2	Cllr. Wilhelmina Petersen	Supply Chain Management	Consideration of supply chain management to cut the RED TAPE and create a user-friendly CSD		Directorate: Financial Services	Department: Supply Chain Management	Financial Services	Local	
122	IDP Open Day	Ward 2	Cllr. Wilhelmina Petersen	Housing Administration	Provision of assistance with registration on the housing demand database	The department checked on the Western Cape Housing data base registration number 662382, registration date 2017/03/09. The client was given an application form to update his information and explained which documents were needed	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
123	IDP Open Day	Ward 2	Cllr. Wilhelmina Petersen	Housing Administration	Provision of assistance with registration on the housing demand database	The department checked on the Western Cape Housing database, registration number 554848, registration date 2008/07/28. The client is up to date on the waiting list	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
124	IDP Open Day	Ward 2	Cllr. Wilhelmina Petersen	Housing Administration	Provision of assistance with registration on the housing demand database	The client was provided with the application form (first-time applicant) and explained which documents were needed	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
125	IDP Open Day	Ward 2	Cllr. Wilhelmina Petersen	Housing Administration	Provision of assistance with registration on the housing demand database	The department checked on the Western Cape Housing database, Registration number 735593, registration date 202/03/22. The client is up to date on the waiting list	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	

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No.	Source	Ward	Ward Councillor	Priority	Community Needs and Inputs	Departmental Action	Linkage to Directorate	Department	Responsible Mayoral Portfolio	Government Competency	WCG: Provincial Department
126	IDP Open Day	Ward 2	Cllr. Wilhelmina Petersen	Housing Administration	Provision of assistance with registration on the housing demand database	The client was provided with the application form (first-time applicant) and explained which documents were needed	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
127	IDP Open Day	Ward 2	Cllr. Wilhelmina Petersen	Housing Administration	Provision of assistance with registration on the housing demand database	The department checked on the Western Cape Housing database, registration number 552764, registration date 2004/06/17. The client is up to date on the waiting list	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
128	IDP Open Day	Ward 2	Cllr. Wilhelmina Petersen	Housing Administration	Provision of assistance with registration on the housing demand database	The department checked on the Western Cape Housing data base registration number 735601, registration date 2023/04/18. The client is up to date on the waiting list	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
129	IDP Open Day	Ward 2	Cllr. Wilhelmina Petersen	Housing Administration	Provision of assistance with registration on the housing demand database	The department checked on the Western Cape Housing database; the client got two registration numbers: 737648/710660 (two applications); further investigation will be conducted	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
130	IDP Open Day	Ward 2	Cllr. Wilhelmina Petersen	Waste Management	Address Amandla Construction that has been seen dumping builders' rubble at La Motte, Old Forestry Area (Bosbou)		Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local	
131	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Housing Development	Identification of land for housing development in Franschoek area		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
132	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Housing Administration	Allocation of the empty houses at 2 Park Street to municipal officials		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
133	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Housing Development	Utilisation of the open space at Keerom Street, Boonzaaier Road and behind Groendal sports ground for housing development		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
134	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Facilities	Maintenance of municipal facilities in La Motte		Directorate: Community and Protection Services	Department: Community Services	Community Services	Local	
135	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Property Management	Identification of land at Phases 412, 366, and 3229 ; behind Kabouterland ECD; and behind Groendal Library for religious purposes		Directorate: Corporate Services	Section: Properties Management and Municipal Building Maintenance	Corporate Services	Local	
136	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Water Services	Repairing of the water running from the yard at the corner of Dahlia and Le Roux Road		Directorate: Infrastructure Services	Department: Water and Wastewater Services	Infrastructure Services	Local	
137	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Waste Management	Installation of more bins in the business area in Franschoek		Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local	
138	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Roads, Transport and Stormwater	Cleaning and repairing of drainage system in La Motte		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
139	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Area Cleaning	Recruitment of more EPWP cleaners in Franschoek area		Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local	
140	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Property Management	Construction of skills development centre in Franschoek area		Directorate: Corporate Services	Section: Properties Management and Municipal Building Maintenance	Corporate Services	Local	

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Community and Stakeholder Needs						Municipal Directorate and Western Cape Government Information					
No.	Source	Ward	Ward Councillor	Priority	Community Needs and Inputs	Departmental Action	Linkage to Directorate	Department	Responsible Mayoral Portfolio	Government Competency	WCG: Provincial Department
141	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Local Economic Development and Tourism	Provision of support to small business entrepreneurs in Franschhoek		Directorate: PED	Department: Development Planning	Planning, LED and Tourism	Local	
142	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Cleaning of Rivers	Cleaning of Stiebeuel River		Directorate: Community and Protection Services	Department: Community Services	Rural Management and Environment	Local	
143	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Parks and Open Spaces	Installation of benches in La Motte Village playpark		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
144	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Parks and Open Spaces	Upgrading of Langrug Playpark		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
145	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Parks and Open Spaces	Upgrading of Keerom Street Playpark		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
146	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Parks and Open Spaces	Installation of a ablution facility at the park next to Groendal clinic		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
147	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Safety and Security	Increased visibility of law enforcement in business area in Franschhoek		Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
148	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Housing Development	Identification of land for housing development in Franschhoek area		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
149	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Housing Administration	Allocation of the empty houses at 2 Park Street to municipal officials		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
150	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Housing Development	Utilisation of the open space at Keerom Street, Boonzaaier Road and behind Groendal Sportsground for housing development		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
151	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Facilities	Maintenance of municipal facilities in La Motte		Directorate: Community and Protection Services	Department: Community Services	Community Services	Local	
152	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Property Management	Identification of land at Phases 412, 366, and 3229 ; behind Kabouterland ECD; and behind Groendal Library for religious purposes		Directorate: Corporate Services	Section: Properties Management and Municipal Building Maintenance	Corporate Services	Local	
153	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Water Services	Repairing of the water running from the yard at the corner of Dahlia and Le Roux Road		Directorate: Infrastructure Services	Department: Water and Wastewater Services	Infrastructure Services	Local	
154	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Waste Management	Installation of more bins in the business area in Franschhoek		Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local	
155	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Roads, Transport and Stormwater	Cleaning and repairing of drainage system in La Motte		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
156	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Area Cleaning	Recruitment of more EPWP cleaners in Franschhoek area		Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local	

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157	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Property Management	Construction of skills development centre in Franschhoek area		Directorate: Corporate Services	Section: Properties Management and Municipal Building Maintenance	Corporate Services	Local	
158	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Local Economic Development and Tourism	Provision of support to small business entrepreneurs in Franschhoek		Directorate: PED	Department: Development Planning	Planning, LED and Tourism	Local	
159	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Cleaning of Rivers	Cleaning of Stiebeuel River		Directorate: Community and Protection Services	Department: Community Services	Rural Management and Environment	Local	
160	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Parks and Open Spaces	Installation of benches in La Motte Village playpark		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
161	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Parks and Open Spaces	Upgrading of Langrug Playpark		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
162	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Parks and Open Spaces	Upgrading of Keerom Street Playpark		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
163	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Parks and Open Spaces	Installation of ablution facility at the park next to Groendal clinic		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
164	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Safety and Security	Increased visibility of law enforcement in business area in Franschhoek		Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
165	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Housing Development	Identification of land for housing development in Franschhoek area		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
166	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Housing Administration	Allocation of the empty houses at 2 Park Street to municipal officials		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
167	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Housing Development	Utilisation of the open space at Keerom Street, Boonzaaier Road and behind Groendal Sports Ground for housing development		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
168	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Facilities	Maintenance of municipal facilities in La Motte		Directorate: Community and Protection Services	Department: Community Services	Community Services	Local	
169	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Property Management	Identification of land at Phases 412, 366, and 3229 ; behind Kabouterland ECD; and behind Groendal Library for religious purposes		Directorate: Corporate Services	Section: Properties Management and Municipal Building Maintenance	Corporate Services	Local	
170	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Water Services	Repairing of the water running from the yard at the corner of Dahlia and Le Roux Road		Directorate: Infrastructure Services	Department: Water and Wastewater Services	Infrastructure Services	Local	
171	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Waste Management	Installation of more bins in the business area in Franschhoek		Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local	
172	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Roads, Transport and Stormwater	Cleaning and repairing of drainage system in La Motte		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	

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173	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Area Cleaning	Recruitment of more EPWP cleaners in Franschoek area		Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local	
174	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Property Management	Construction of skills development centre in Franschoek area		Directorate: Corporate Services	Section: Properties Management and Municipal Building Maintenance	Corporate Services	Local	
175	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Local Economic Development and Tourism	Provision of support to small business entrepreneurs in Franschoek		Directorate: PED	Department: Development Planning	Planning, LED and Tourism	Local	
176	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Cleaning of Rivers	Cleaning of Stiebeuel River		Directorate: Community and Protection Services	Department: Community Services	Rural Management and Environment	Local	
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178	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Parks and Open Spaces	Upgrading of Langrug Playpark		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
179	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Parks and Open Spaces	Upgrading of Keerom Street Playpark		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
180	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Parks and Open Spaces	Installation of ablution facility at the park next to Groendal Clinic		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
181	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Safety and Security	Increased visibility of law enforcement in business area in Franschoek		Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
182	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Housing Development	Identification of land for housing development in Franschoek area		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
183	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Housing Administration	Allocation of the empty houses at 2 Park Street to municipal officials		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
184	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Housing Development	Utilisation of the open space at Keerom Street, Boonzaier Road and behind Groendal sports ground for housing development		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
185	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Facilities	Maintenance of municipal facilities in La Motte		Directorate: Community and Protection Services	Department: Community Services	Community Services	Local	
186	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Property Management	Identification of land at Phases 412, 366, and 3229 ; behind Kabouterland ECD; and behind Groendal Library for religious purposes		Directorate: Corporate Services	Section: Properties Management and Municipal Building Maintenance	Corporate Services	Local	
187	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Water Services	Repairing of the water running from the yard at the corner of Dahlia and Le Roux Road		Directorate: Infrastructure Services	Department: Water and Wastewater Services	Infrastructure Services	Local	
188	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Waste Management	Installation of additional bins in the business area in Franschoek		Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local	
189	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Roads, Transport and Stormwater	Cleaning and repairing of drainage system in La Motte		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	

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191	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Property Management	Construction of skills development centre in Franschhoek area		Directorate: Corporate Services	Section: Properties Management and Municipal Building Maintenance	Corporate Services	Local	
192	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Local Economic Development and Tourism	Provision of support to small business entrepreneurs in Franschhoek		Directorate: PED	Department: Development Planning	Planning, LED and Tourism	Local	
193	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Cleaning of Rivers	Cleaning of Stiebeuel River		Directorate: Community and Protection Services	Department: Community Services	Rural Management and Environment	Local	
194	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Parks and Open Spaces	Installation of benches in La Motte Village Playpark		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
195	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Parks and Open Spaces	Upgrading of Langrug Playpark		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
196	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Parks and Open Spaces	Upgrading of Keerom Street Playpark		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
197	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Parks and Open Spaces	Installation of ablution facility at the park next to Groendal Clinic		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
198	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Safety and Security	Increased visibility of law enforcement in business area in Franschhoek		Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
199	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Housing Development	Identification of land for housing development in Franschhoek area		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
200	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Housing Administration	Allocation of the empty houses at 2 Park Street to municipal officials		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
201	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Housing Development	Utilisation of the open space at Kerem Street, Boonzaaier Road and behind Groendal Sportsground for housing development		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
202	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Facilities	Maintenance of municipal facilities in La Motte		Directorate: Community and Protection Services	Department: Community Services	Community Services	Local	
203	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Property Management	Identification of land at Phases 412, 366, and 3229 ; behind Kabouterland ECD; and behind Groendal Library for religious purposes		Directorate: Corporate Services	Section: Properties Management and Municipal Building Maintenance	Corporate Services	Local	
204	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Water Services	Repairing of the water running from the yard at the corner of Dahlia and Le Roux Road		Directorate: Infrastructure Services	Department: Water and Wastewater Services	Infrastructure Services	Local	

3rd Review of the 5th Generation IDP 2022 - 2027: IDP and Budget Comments and Inputs: September 2024											
Community and Stakeholder Needs						Municipal Directorate and Western Cape Government Information					
No.	Source	Ward	Ward Councillor	Priority	Community Needs and Inputs	Departmental Action	Linkage to Directorate	Department	Responsible Mayoral Portfolio	Government Competency	WCG: Provincial Department
205	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Waste Management	Installation of more bins in the business area in Franschhoek		Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local	
206	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Roads, Transport and Stormwater	Cleaning and repairing of drainage system in La Motte		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
207	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Area Cleaning	Recruitment of additional EPWP cleaners in Franschhoek area		Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local	
208	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Property Management	Construction of a skills development centre in Franschhoek area		Directorate: Corporate Services	Section: Properties Management and Municipal Building Maintenance	Corporate Services	Local	
209	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Local Economic Development and Tourism	Provision of support to small business entrepreneurs in Franschhoek		Directorate: PED	Department: Development Planning	Planning, LED and Tourism	Local	
210	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Cleaning of Rivers	Cleaning of Stiebeuel River		Directorate: Community and Protection Services	Department: Community Services	Rural Management and Environment	Local	
211	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Parks and Open Spaces	Installation of benches in La Motte Village playpark		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
212	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Parks and Open Spaces	Upgrading of Langrug Playpark		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
213	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Parks and Open Spaces	Upgrading of Keerom Street Playpark		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
214	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Parks and Open Spaces	Installation of ablution facility at the park next to Groendal Clinic		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
215	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Safety and Security	Increased visibility of law enforcement in business area in Franschhoek		Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
216	Have Your Say	Ward 2	Cllr. Wilhelmina Petersen	Local Economic Development and Tourism	Construction of the business Hubs at the long distance taxi rank in Franschhoek		Directorate: PED	Department: Development Planning	Planning, LED and Tourism	Local	
217	Online Form	Ward 2	Cllr. Wilhelmina Petersen	Housing Development	Housing need as people reside in slams in Langrug, Franschhoek		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	Department of Infrastructure
218	Online Form	Ward 2	Cllr. Wilhelmina Petersen	Access to Basic Services	Access to clean running water in Langrug, Franschhoek		Directorate: Infrastructure Services	Department: Water and Wastewater Services	Infrastructure Services	Local	
219	Online Form	Ward 2	Cllr. Wilhelmina Petersen	Access to Basic Services	Access to sanitation facilities in Langrug, Franschhoek		Directorate: Infrastructure Services	Department: Water and Wastewater Services	Infrastructure Services	Local	

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No.	Source	Ward	Ward Councillor	Priority	Community Needs and Inputs	Departmental Action	Linkage to Directorate	Department	Responsible Mayoral Portfolio	Government Competency	WCG: Provincial Department
220	Online Form	Ward 2	Cllr. Wilhelmina Petersen	Housing Development	Provision of housing opportunities in La Motte		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	Department of Infrastructure
221	Email	Ward 3	Cllr. Charles Manuel	Budget	Ward 3 Projects and Budget		Directorate: Financial Services	Department: Financial Management Services	Financial Services	Local	
222	IDP Open Day	Ward 3	Cllr. Charles Manuel	Parks and Open Spaces	Repairing of the stonewall at the playpark that was destroyed at Suikerbos/Wild Clover Street in Lanquedoc		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
223	IDP Open Day	Ward 3	Cllr. Charles Manuel	Parks and Open Spaces	Repairing of the destroyed fence at the playpark at Suikerbos/Wild Clover Street in Lanquedoc		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
224	IDP Open Day	Ward 3	Cllr. Charles Manuel	Water Services	Removal or repair of the sewer drain on the erve at 3 Leeu Bekkie Street in Wemmershoek		Directorate: Infrastructure Services	Department: Water and Wastewater Services	Infrastructure Services	Local	
225	IDP Open Day	Ward 3	Cllr. Charles Manuel	Electrical Services	Repairing of streetlights at Wemmershoek the entrance of Prince Africa Drive, Protea Street, and Petunia Street		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
226	IDP Open Day	Ward 3	Cllr. Charles Manuel	Informal Settlements	Installation of water and ablution facilities at Sandvlei informal settlement in Wemmershoek		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
227	IDP Open Day	Ward 3	Cllr. Charles Manuel	Supply Chain Management	We are providing guidance on the process to register businesses on the SCM tender database.	The supplier database process was explained to the client. CSD database registration details to the client; CSD is a self-registration process, but an SCM official (Nicolene Hamilton) is available for any database assistance or inquiries	Directorate: Financial Services	Department: Supply Chain Management	Financial Services	Local	
228	IDP Open Day	Ward 3	Cllr. Charles Manuel	Electrical Services	Replacement of the electric pole at No. 8 Protea Street in Wemmershoek		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
229	IDP Open Day	Ward 3	Cllr. Charles Manuel	Electrical Services	Request Stellenbosch Municipality to supply electricity to Wemmershoek		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
230	IDP Open Day	Ward 3	Cllr. Charles Manuel	Electrical Services	Provision of electricity for Ou Jim Fouche Park, KoiSan Kraal, Paramount Chief Christoffel Van Wyngaard, and the House of San community of SA National and International		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
231	IDP Open Day	Ward 3	Cllr. Charles Manuel	Water Services	Provision of water for Ou Jim Fouche Park, KoiSan Kraal, Paramount Chief Christoffel Van Wyngaard, and the House of San community of SA National and International		Directorate: Infrastructure Services	Department: Water and Wastewater Services	Infrastructure Services	Local	
232	IDP Open Day	Ward 3	Cllr. Charles Manuel	Informal Settlements	Initiating and installation of an electricity application for Riemvasmaak Informal Settlement in Wemmershoek	Informal settlements to initiate electrical applications with beneficiary list	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
233	IDP Open Day	Ward 3	Cllr. Charles Manuel	Electrical Services	Remove Eskom pole in driveway	Escalate to Eskom customer services who can attend	Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	

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234	IDP Open Day	Ward 3	Cllr. Charles Manuel	Roads, Transport and Stormwater	Construction of tarred walkways from Wemmershoek along R301 to Wemmershoek Primary for scholars		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Provincial	Department of Infrastructure
235	IDP Open Day	Ward 3	Cllr. Charles Manuel	Electrical Services	Installation of streetlights at the bus stop along the R45 (close to Wemmershoek)		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
236	IDP Open Day	Ward 3	Cllr. Charles Manuel	Roads, Transport and Stormwater	Installation of a formalised footpath from Wemmershoek to the bus stop		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
237	IDP Open Day	Ward 3	Cllr. Charles Manuel	Roads, Transport and Stormwater	Installation of speedhumps at Akker Street in Lanquedoc		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
238	IDP Open Day	Ward 3	Cllr. Charles Manuel	Roads, Transport and Stormwater	Installation or erection of a mirror at 8 Protea Street in Wemmershoek		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
239	IDP Open Day	Ward 3	Cllr. Charles Manuel	Community Development	Provision of information on municipal support services available for Wemmershoek Elderly Club	Provide access to facilities where they can meet on a weekly basis and have activities. Capacity Building: formalisation of the club, development of the constitution, election of board. Awareness: Elderly abuse, access to other support services (DSD), how to write a will. Golden Games training and participation. Grant in Aid: Explained about the next call for proposals, which will be advertised on 19 September in the Eikestad News and on the municipal Facebook page. Requested Mr September to attend the workshop for them to apply for funding. All the above services are already rendered to the Wemmershoek Elderly Club. They further require assistance with financial management and confirmed that the official responsible for elderly services has already connected them with a person who might assist	Directorate: Community and Protection Services	Section: Community Development	Community Services	Local	
240	IDP Open Day	Ward 3	Cllr. Charles Manuel	Property Management	Construction of a formal Thusong Centre to be built in Lanquedoc	Current MTREF does not make provision for an additional multipurpose facility	Directorate: Corporate Services	Office of the Director Corporate Services	Corporate Services	Provincial	Department of Local Government
241	IDP Open Day	Ward 3	Cllr. Charles Manuel	Area Cleaning	Monitoring of the illegal dumping in Wemmershoek		Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local	
242	IDP Open Day	Ward 3	Cllr. Charles Manuel	Waste Management	Placement of skips in Wemmershoek		Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local	
243	IDP Open Day	Ward 3	Cllr. Charles Manuel	Area Cleaning	Installation of no illegal dumping signage in Wemmershoek		Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local	
244	IDP Open Day	Ward 3	Cllr. Charles Manuel	Environmental Management	Planting of trees in Wemmershoek		Directorate: Community and Protection Services	Department: Community Services	Rural Management and Environment	Local	
245	IDP Open Day	Ward 3	Cllr. Charles Manuel	Beautification	Beautification of the Wemmershoek town		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	

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No.	Source	Ward	Ward Councillor	Priority	Community Needs and Inputs	Departmental Action	Linkage to Directorate	Department	Responsible Mayoral Portfolio	Government Competency	WCG: Provincial Department
246	IDP Open Day	Ward 3	Cllr. Charles Manuel	Area Cleaning	Monitoring of the illegal dumping sites on the edges of the Wemmershoek town		Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local	
247	IDP Open Day	Ward 3	Cllr. Charles Manuel	Waste Management	Conduct an assessment to determine the best areas for the placement of skips in Wemmershoek		Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local	
248	IDP Open Day	Ward 3	Cllr. Charles Manuel	Housing Development	Provision of housing development opportunities in Wemmershoek	The municipality will prioritise the housing needs in Wemmershoek. A study to investigate the availability of land for housing development will be conducted. Currently, there is no land on the Housing Pipeline for housing development in Wemmershoek	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
249	IDP Open Day	Ward 3	Cllr. Charles Manuel	Electrical Services	Repairing of the electricity problem at Wendy in Riemvasmaak		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
250	IDP Open Day	Ward 3	Cllr. Charles Manuel	Property Management	The municipality to give clarity whether ERF 5 is going on public tender process		Directorate: Corporate Services	Section: Properties Management and Municipal Building Maintenance	Corporate Services	Local	
251	IDP Open Day	Ward 3	Cllr. Charles Manuel	Facilities	Review the hiring price of hall facilities		Directorate: Community and Protection Services	Department: Community Services	Community Services	Local	
252	IDP Open Day	Ward 3	Cllr. Charles Manuel	Housing Development	Arrangement of a meeting to explain the future of housing development in Wemmershoek		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
253	IDP Open Day	Ward 3	Cllr. Charles Manuel	Housing Development	Follow a public participation process when transferring land from DoPW&I to the municipality		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
254	IDP Open Day	Ward 3	Cllr. Charles Manuel	Property Management	Provision of feedback on the promise to transfer land to Bosbou residents		Directorate: Corporate Services	Section: Properties Management and Municipal Building Maintenance	Corporate Services	Local	
255	IDP Open Day	Ward 3	Cllr. Charles Manuel	Housing Development	Utilisation of the land next to the municipal buildings for housing in Wemmershoek		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
256	IDP Open Day	Ward 3	Cllr. Charles Manuel	Community Development	Provision of information to apply for GiA funding to Wemmershoek Buurtweg	The department explained the next call for proposals to be advertised on 19 Sept in the Eikestad News. The prepared person for the compulsory clarification meetings and all supporting documents required are a business plan with a budget, an NPO certificate, the latest financial statements, an approved constitution, and confirmation of bank details. Mr Fischer indicated that he understood and that he would attend the compulsory meetings	Directorate: Community and Protection Services	Section: Community Development	Community Services	Local	
257	IDP Open Day	Ward 3	Cllr. Charles Manuel	Local Economic Development and Tourism	Provision of EPWP employment to residents that have been on the database for 5 years in Wemmershoek	EPWP: Senior Officer to make contact with the resident to provide feedback on the above	Directorate: PED	Department: Development Planning	Planning, LED and Tourism	Local	

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258	IDP Open Day	Ward 3	Cllr. Charles Manuel	Local Economic Development and Tourism	Provision of EPWP pipeline work opportunities for Wemmershoek people	EPWP: Senior Officer to make contact with the resident to provide feedback on the above	Directorate: PED	Department: Development Planning	Planning, LED and Tourism	Local	
259	IDP Open Day	Ward 3	Cllr. Charles Manuel	Local Economic Development and Tourism	Provision of funding to Living Lamds organisation; and CAM Bushman Kraal and Paramount Chief (DANAB) for the restoration of Jim Fouche Park, which they are living at	The Jim Fouche land they are currently occupying is not Stellenbosch Municipality land. The resident noted that the land is Public Works land, and therefore the resident was informed that they would need to get in touch with public works	Directorate: PED	Department: Development Planning	Planning, LED and Tourism	Local	
260	IDP Open Day	Ward 3	Cllr. Charles Manuel	Local Economic Development and Tourism	Provision of SMME Training to business owners in Wemmershoek	The resident was informed about the current free municipal StartUp Tribe programme. The programme has been created to assist SMMEs with getting their businesses on par in order for them to become compliant. Shared the details with the SMME officer at LED to make contact with the resident and notify him of all future training events	Directorate: PED	Department: Development Planning	Planning, LED and Tourism	Local	
261	IDP Open Day	Ward 3	Cllr. Charles Manuel	Property Management	Leasing of the abandoned building on ERF 6 next to the Wemmershoek Community Hall to be utilised by Wemmershoek Neighbourhood Watch as control room and office space		Directorate: Corporate Services	Section: Properties Management and Municipal Building Maintenance	Corporate Services	Local	
262	IDP Open Day	Ward 3	Cllr. Charles Manuel	Recreation and Sport	Monitoring of the abandoned building at the Wemmershoek sport ground		Directorate: Community and Protection Services	Department: Community Services	Youth, Sport and Culture	Local	
263	IDP Open Day	Ward 3	Cllr. Charles Manuel	Safety and Security	Increased safety awareness (road and fire) at schools in Wemmershoek	The municipality does awareness campaigns all over WC024, but the request can be discussed with the relevant departments to do more safety awareness at schools	Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
264	IDP Open Day	Ward 3	Cllr. Charles Manuel	Safety and Security	Closure of the illegal tavern at 8 Protea Street in Lanquedoc	The Department of Law Enforcement can only deal with the by-law transgressions but can render support to the police to execute a search warrant	Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Provincial	Department of Police Oversight and Community Safety
265	IDP Open Day	Ward 3	Cllr. Charles Manuel	Safety and Security	Closure of the illegal tavern at house number 8 behind Protea Street in Lanquedoc	The Department of Law Enforcement can only deal with the by-law transgressions but can render support to the police to execute a search warrant	Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Provincial	Department of Police Oversight and Community Safety
266	IDP Open Day	Ward 3	Cllr. Charles Manuel	Safety and Security	Monitoring of children playing loud music at the park in Lanquedoc and vandalism of buildings	The law enforcement officers will follow up and do patrols to enforce the bylaws	Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
267	IDP Open Day	Ward 3	Cllr. Charles Manuel	Safety and Security	Increase the visibility of law enforcement to monitor motorists revving and spinning their vehicles when coming from the shebeens in Lanquedoc		Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
268	IDP Open Day	Ward 3	Cllr. Charles Manuel	Housing Administration	Housing application status and personal information update on the waiting list	The client was advised on the process of the waiting list and that clients should visit their local ward office to enquire about their status or if they would like to update any information on their application. The department also explained the process of roadshows, which happen yearly in all the municipal areas	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
269	IDP Open Day	Ward 3	Cllr. Charles Manuel	Housing Administration	Housing application status and personal information update on the waiting list	The client was advised on the process of the waiting list and that clients should visit their local ward office to enquire about their status or if they would like to update any information on their application. The department also explained the process of roadshows, which happen yearly in all the municipal areas	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	

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270	IDP Open Day	Ward 3	Cllr. Charles Manuel	Land Use Management and Building	Request assistance with the supply of a Wendy House		Directorate: PED	Department: Development Management	Planning, LED and Tourism	Local	
271	IDP Open Day	Ward 3	Cllr. Charles Manuel	Housing Administration	Housing application status and personal information update on the waiting list	The client was advised on the process of the waiting list and that clients should visit their local ward office to enquire about their status or if they would like to update any information on their application. The department also explained the process of roadshows, which happen yearly in all the municipal areas	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
272	IDP Open Day	Ward 3	Cllr. Charles Manuel	Housing Administration	Provision of update on the housing database	The client was advised on the process of the waiting list and that clients should visit their local ward office to enquire about their status or if they would like to update any information on their application. The department also explained the process of roadshows, which happen yearly in all the municipal areas	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
273	IDP Open Day	Ward 3	Cllr. Charles Manuel	Libraries	Construction of a library in Wemmershoek		Directorate: Corporate Services	Office of the Director Corporate Services	Corporate Services	Provincial	Western Cape Education Department
274	IDP Open Day	Ward 3	Cllr. Charles Manuel	Recreation and Sport	Construction of a change room at Wemmershoek Sport Grounds		Directorate: Community and Protection Services	Department: Community Services	Youth, Sport and Culture	Local	
275	IDP Open Day	Ward 3	Cllr. Charles Manuel	Recreation and Sport	Installation of ablution facilities at Wemmershoek Sport Grounds		Directorate: Community and Protection Services	Department: Community Services	Youth, Sport and Culture	Local	
276	IDP Open Day	Ward 3	Cllr. Charles Manuel	Recreation and Sport	Construction of clubhouse at Wemmershoek Sport Grounds		Directorate: Community and Protection Services	Department: Community Services	Youth, Sport and Culture	Local	
277	IDP Open Day	Ward 3	Cllr. Charles Manuel	Recreation and Sport	Installation of cricket nets at Wemmershoek Sport Grounds		Directorate: Community and Protection Services	Department: Community Services	Youth, Sport and Culture	Local	
278	IDP Open Day	Ward 3	Cllr. Charles Manuel	Recreation and Sport	Repairing of cricket pitch at Wemmershoek Sport Grounds		Directorate: Community and Protection Services	Department: Community Services	Youth, Sport and Culture	Local	
279	Have Your Say	Ward 3	Cllr. Charles Manuel	Parks and Open Spaces	Cutting of grass in Wemmershoek		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
280	Have Your Say	Ward 3	Cllr. Charles Manuel	Health	Provision of the room separating screen for the mobile clinic for privacy in the Wemmershoek Hall	The department will look into getting the screen for the clinic	Directorate: Community and Protection Services	Section: Community Development	Community Services	Provincial	Western Cape Government Health and Wellness
281	Have Your Say	Ward 3	Cllr. Charles Manuel	Health	Provision of the homebased care in Wemmershoek	To access home-based care the client was advised to visit her nearest clinic	Directorate: Community and Protection Services	Section: Community Development	Community Services	Provincial	Western Cape Government Health and Wellness
282	Have Your Say	Ward 3	Cllr. Charles Manuel	Health	Building of clinic and provision of healthcare services in Lanquedoc	Lanquedoc will not have a full-time clinic. There is a long term plan to build a satellite clinic at the turn off to Lanquedoc. There is also a satellite clinic that will open at Pniël in October 2024	Directorate: Corporate Services	Office of the Director Corporate Services	Corporate Services	Provincial	Western Cape Government Health and Wellness
283	Have Your Say	Ward 3	Cllr. Charles Manuel	Health	Build a clinic in Wemmershoek	There is a mobile clinic every Tuesday in Wemmershoek for other problems residents are encouraged to visit Groendal clinic which is 6,8 km away. The population of Wemmershoek is not big enough for a clinic of its own	Directorate: Corporate Services	Office of the Director Corporate Services	Corporate Services	Provincial	Western Cape Government Health and Wellness

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284	Have Your Say	Ward 3	Cllr. Charles Manuel	Health	Build a clinic in Wemmershoek	There is a mobile clinic every Tuesday in Wemmershoek for other problems residents are encouraged to visit Groendal clinic which is 6,8 km away. The population of Wemmershoek is not big enough for a clinic of its own	Directorate: Corporate Services	Office of the Director Corporate Services	Corporate Services	Provincial	Western Cape Government Health and Wellness
285	Have Your Say	Ward 3	Cllr. Charles Manuel	Health	Provision of transfer from Groendal clinic to Simondium clinic because Groendal is always full and restrooms are dirty	The client was advised to complain at Groendal clinic whenever there are concerns. The matter will also be reported to the clinic manager at Groendal	Directorate: Community and Protection Services	Section: Community Development	Community Services	Provincial	Western Cape Government Health and Wellness
286	Have Your Say	Ward 3	Cllr. Charles Manuel	Health	Building of clinic and provision of healthcare services in Lanquedoc	Lanquedoc will not have a full-time clinic. There is a long term plan to build a satellite clinic at the turn off to Lanquedoc. There is also a satellite clinic that will open at Pniël in October 2024	Directorate: Corporate Services	Office of the Director Corporate Services	Corporate Services	Provincial	Western Cape Government Health and Wellness
287	Online Form	Ward 3	Cllr. Charles Manuel	Housing Development	Provision of housing for residents in Lanquedoc		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	Department of Infrastructure
288	Online Form	Ward 3	Cllr. Charles Manuel	Health	Sick elderly persons must travel to Kylemore for a clinic. Lanquedoc is big enough to have a clinic					Provincial	Western Cape Government Health and Wellness
289	Online Form	Ward 3	Cllr. Charles Manuel	Community Development	We as NPOs would like to apply for Grand in - Aid to assist our community with various projects, Like the feeding scheme currently operational and needs funding. Secondly for food hampers ext.		Directorate: Community and Protection Services	Section: Community Development	Community Services	Local	
290	Online Form	Ward 3	Cllr. Charles Manuel	Housing Development	Many people struggle to find housing and continue living as backyarders (Wemmershoek)		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	Department of Infrastructure
291	Online Form	Ward 3	Cllr. Charles Manuel	Area Cleaning	We in Wemmershoek lives near an open field/bush where the kids need to go through to get to school. The grass is extremely long and it's dirty with rubble laying everywhere and with summer approaching the grass needs to be cut.		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
292	Online Form	Ward 3	Cllr. Charles Manuel	Health	The white building adjacent to the La Motte Community Hall should be utilized / to be developed as a clinic					Provincial	Western Cape Government Health and Wellness
293	Online Form	Ward 3	Cllr. Charles Manuel	Property Management	The white building next to the La Motte community hall to be utilized as educational centre towards our youth in community, driven by Wemmershoek Ratepayers Association.		Directorate: Corporate Services	Section: Properties Management and Municipal Building Maintenance	Corporate Services	Local	
294	Online Form	Ward 3	Cllr. Charles Manuel	Housing Development	Housing opportunities for backyard dwellers in Ida's Valley		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	Department of Infrastructure
295	Online Form	Ward 3	Cllr. Charles Manuel	Safety and Security	There's no need for a container towards our Neighbourhood Watch as it is not operational and visible. DOCS said will not allocate funds towards the neighbourhood watch as R10k went stolen and that that case is still continuing. We are in discussions with DOCS to establish a functional Neighbourhood Watch which includes everything organisation in our Community. (Wemmershoek)		Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	Department of Police Oversight and Community Safety
296	IDP Open Day	Ward 4	Cllr. Ralphton Adams	Housing Development	Provision of status update of Erf 64 in Kylemore		Directorate: PED	Department: Integrated Human Settlements	Human Settlements		

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Community and Stakeholder Needs						Municipal Directorate and Western Cape Government Information					
No.	Source	Ward	Ward Councillor	Priority	Community Needs and Inputs	Departmental Action	Linkage to Directorate	Department	Responsible Mayoral Portfolio	Government Competency	WCG: Provincial Department
297	IDP Open Day	Ward 4	Cllr. Ralphton Adams	Housing Administration	Housing application status and personal information update on the waiting list	The client was advised on the process of the waiting list and that clients should visit their local ward office to enquire about their status or if they would like to update any information on their application. The department also explained the process of roadshows, which happen yearly in all the municipal areas	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
298	IDP Open Day	Ward 4	Cllr. Ralphton Adams	Housing Administration	Housing application status and personal information update on the waiting list	The client was advised on the process of the waiting list and that clients should visit their local ward office to enquire about their status or if they would like to update any information on their application. The department also explained the process of roadshows, which happen yearly in all the municipal areas	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
299	IDP Open Day	Ward 4	Cllr. Ralphton Adams	Housing Administration	Housing application status and personal information update on the waiting list	The client was advised on the process of the waiting list and that clients should visit their local ward office to enquire about their status or if they would like to update any information on their application. The department also explained the process of roadshows, which happen yearly in all the municipal areas	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
300	Online Form	Ward 4	Cllr. Ralphton Adams	Facilities	The issue of burial land comes a long way. We have lobby with the Municipality since 2007 for an extension of the current graveyard. Land was made available through Boschendal Treasury Trust today known as Dwarsrivier Development Trust. I hope that negotiations could be picked up and a commitment be made to the crisis of our burial site		Directorate: Community and Protection Services	Department: Community Services	Community Services	Local	
301	Online Form	Ward 4	Cllr. Ralphton Adams	Access to Basic Services	We thought moving Drakenstein Municipality to Stellenbosch Municipality with our electricity would bring some relief in terms of unscheduled power cuts. However it seems that Stellenbosch took over the administration of our electricity bills. The problem remains in terms of unscheduled power cuts.		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
302	IDP Open Day	Ward 4	Cllr. Ralphton Adams	Housing Development	Request for updated feedback on Kylemore Erf 64	The Department is in planning process	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
303	Have Your Say	Ward 5	Cllr. Roy Van Rooyen	Electrical Services	Reduction of electricity costs or rates		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
304	Have Your Say	Ward 5	Cllr. Roy Van Rooyen	Electrical Services	Reduction of electricity costs or rates		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
305	Have Your Say	Ward 5	Cllr. Roy Van Rooyen	Housing Development	Provision of low-cots or GAP housing development opportunities in Ida's Valley		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
306	Have Your Say	Ward 5	Cllr. Roy Van Rooyen	Electrical Services	Reduction of electricity costs or rates		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
307	Online Form	Ward 5	Cllr. Roy Van Rooyen	Property Management	As a driving instructor, we have had multiple struggles with getting a safe and big enough space to prepare students for their driving test. The aim is to have a communal K53 practice yard/area. Consider having more than one area if the space is limited		Directorate: Corporate Services	Section: Properties Management and Municipal Building Maintenance	Corporate Services	Local	

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Community and Stakeholder Needs						Municipal Directorate and Western Cape Government Information					
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308	Online Form	Ward 5	Cllr. Roy Van Rooyen	Local Economic Development and Tourism	K53 Communal Practice Yard		Directorate: PED	Department: Development Planning	Planning, LED and Tourism	Local	
309	Online Form	Ward 5	Cllr. Roy Van Rooyen	Property Management	Through my junior soccer club and giving out hot meals in the afternoons and porridge in the morning before school. To the children, elderly and disabled. I got to know many household's situations and struggles. I will then help in anyway I can. There is many elderly people, and are forced to take care of their grandchildren. For reasons that the mom is on drugs, unemployed, died or just doesn't care for their children. A Multi-Purpose Centre would be the most meaningful building for old and young. Centre where the elderly can come for help with enquiries on municipal accounts, finding a rehabilitation centre for their child, or any problem or issues they struggle with. Due to, old age and can't go into town, or no transport, or no one trustworthy to help them. It can be a learning hub, for learners. Where they can get away from home where there is always, arguing and fighting and can't concentrate on their homework or studies. A place where matriculants can come study peacefully. Where I can go on running my food project from there, so basically. A place where the community children can study, get a meal, get encouraged and motivated to work hard, study and not lose focus on what they want to achieve.		Directorate: Corporate Services	Section: Properties Management and Municipal Building Maintenance	Corporate Services	Local	
310	Online Form	Ward 5	Cllr. Roy Van Rooyen	Community Development	Educating community on recycling. How they can use empty cans to make toothbrush holders or holders for spoons or anything. How to use old clothes to make bags, doormats, and so many other things. Then we take them to open markets to sell their products, made from recycled materials, by their own hands. That money they make they then can use for their household. Help parents find high school bursaries for their children if they are maybe good in a specific sport, or academically do great. There are many ways to educate young and old on creating something from scratch and by doing so creating a small income for themselves.		Directorate: Community and Protection Services	Section: Community Development	Youth, Sport and Culture	Local	
311	Online Form	Ward 5	Cllr. Roy Van Rooyen	Property Management	Through my junior soccer club and giving out hot meals in the afternoons and porridge in the morning before school. To the children, elderly and disabled. I got to know many household's situations and struggles. I will then help in anyway I can. There is many elderly people, and are forced to take care of their grandchildren. For reasons that the mom is on drugs, unemployed, died or just doesn't care for their children. A Multi-Purpose Centre would be the most meaningful building for old and young. Centre where the elderly can come for help with enquiries on municipal accounts, finding a rehabilitation centre for their child, or any problem or issues they struggle with. Due to, old age and can't go into town, or no transport, or no one trustworthy to help them. It can be a learning hub, for learners. Where they can get away from home where there is always, arguing and fighting and can't concentrate on their homework or studies. A place where matriculants can come study peacefully. Where I can go on running my food project from there, so basically. A place where the community children can study, get a meal, get encouraged and motivated to work hard, study and not lose focus on what they want to achieve.		Directorate: Corporate Services	Section: Properties Management and Municipal Building Maintenance	Corporate Services	Local	

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312	Online Form	Ward 5	Cllr. Roy Van Rooyen	Property Management	Through my junior soccer club and giving out hot meals in the afternoons and porridge in the morning before school. To the children, elderly and disabled. I got to know many household's situations and struggles. I will then help in anyway I can. There is many elderly people, and are forced to take care of their grandchildren. For reasons that the mom is on drugs, unemployed, died or just doesn't care for their children. A Multi-Purpose Centre would be the most meaningful building for old and young. Centre where the elderly can come for help with enquiries on municipal accounts, finding a rehabilitation centre for their child, or any problem or issues they struggle with. Due to, old age and can't go into town, or no transport, or no one trustworthy to help them. It can be a learning hub, for learners. Where they can get away from home where there is always, arguing and fighting and can't concentrate on their homework or studies. A place where matriculants can come study peacefully. Where I can go on running my food project from there, so basically. A place where the community children can study, get a meal, get encouraged and motivated to work hard, study and not lose focus on what they want to achieve.		Directorate: Corporate Services	Section: Properties Management and Municipal Building Maintenance	Corporate Services	Local	
313	IDP Open Day	Ward 5	Cllr. Roy Van Rooyen	Water Services	Repairing the continuous overflow of sewage on the corner of Peckham Street and Lindida Drive	The Department will investigate the incident.	Directorate: Infrastructure Services	Department: Water and Wastewater Services	Infrastructure Services	Local	
314	IDP Open Day	Ward 5	Cllr. Roy Van Rooyen	Water Services	Repairing the sewerage running at the mid-block sewer at 2 Coridon Street into the residents yard in Ida's Valley	The Department will investigate the incident.	Directorate: Infrastructure Services	Department: Water and Wastewater Services	Infrastructure Services	Local	
315	IDP Open Day	Ward 5	Cllr. Roy Van Rooyen	Land Use Management and Building	Provision of information on processes of street naming in Hillside Village (development) Helderberg Street.	The Planning Department to explain the process.	Directorate: PED	Department: Development Management	Planning, LED and Tourism	Local	
316	IDP Open Day	Ward 5	Cllr. Roy Van Rooyen	Electrical Services	Repairing and reposition of electrical box in Bloekomlaan 104	Need application to generate quote	Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
317	IDP Open Day	Ward 5	Cllr. Roy Van Rooyen	Housing Development	Inquiring about the commencement date of the housing projects in Ida's Valley	The Department will investigate the proses.	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
318	IDP Open Day	Ward 5	Cllr. Roy Van Rooyen	Area Cleaning	Regular Street cleaning at Martin Street in Ida's Valley	The Department will investigate and schedule will be confirmed.	Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local	
319	IDP Open Day	Ward 5	Cllr. Roy Van Rooyen	Parks and Open Spaces	Cutting of grass on Martins Street sidewalks and beyond in Ida's Valley	The Department will investigate and schedule will be confirmed.	Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
320	IDP Open Day	Ward 5	Cllr. Roy Van Rooyen	Roads, Transport and Stormwater	Cleaning and maintenance of stormwater drains in Martin Street in Ida's Valley	The Department will investigate and schedule will be confirmed.	Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	

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321	IDP Open Day	Ward 5	Cllr. Roy Van Rooyen	Area Cleaning	Cleaning of sidewalks at 13 Suurbessie Single, The Ridge in Ida's Valley	Request to put through to area cleaning for cleaning and check/update current schedule.	Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local	
322	IDP Open Day	Ward 5	Cllr. Roy Van Rooyen	Waste Management	Collection and disposal of bulk waste at 13 Suurbessie Single, The Ridge in Ida's Valley	A free service is offered for the disposal of bulky waste at the Landfill site.	Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local	
323	IDP Open Day	Ward 5	Cllr. Roy Van Rooyen	Waste Management	Placement of Skips at 13 Suurbessie Single, The Ridge in Ida's Valley	Investigate if skips are really needed. Refuse collection active already in area.	Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local	
324	IDP Open Day	Ward 5	Cllr. Roy Van Rooyen	Waste Management	Establishment of recycling business operating on municipal grounds in Jonkershoek	Further details required on the basis of investigation. Client will send email.	Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local	
325	IDP Open Day	Ward 5	Cllr. Roy Van Rooyen	Environmental Management	Provision of information regarding Business/person under investigation by Environmental Management for non-compliance due to neighbour dispute/complaint (noise, pests, waste) in Jonkershoek	Liaise internally to gather insight into the matter.	Directorate: Community and Protection Services	Department: Community Services	Rural Management and Environment	Local	
326	IDP Open Day	Ward 5	Cllr. Roy Van Rooyen	Property Management	Provision of assistance in Jonkershoek Matter which had escalated to court, hearing/meeting scheduled 23 September	Client offers service to reduce waste to landfill and will further liaise with Mark Harris	Directorate: PED	Section: Municipal Court	Corporate Services	Local	
327	IDP Open Day	Ward 5	Cllr. Roy Van Rooyen	Waste Management	Submitted forms to the waste management department in hopes of complying with regulations	Liaise with all the role players around the table to address the matter further.	Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local	
328	IDP Open Day	Ward 5	Cllr. Roy Van Rooyen	Property Management	Provision of assistance to lease municipal land for a specific purpose.		Directorate: Corporate Services	Section: Properties Management and Municipal Building Maintenance	Corporate Services	Local	
329	IDP Open Day	Ward 5	Cllr. Roy Van Rooyen	Housing Development	Indicate the timeframes for the commencement of the construction of the promised 60 flats in Hillside Village	The Department will investigate 60 flats and are await funding to implement project	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
330	IDP Open Day	Ward 5	Cllr. Roy Van Rooyen	Housing Development	Construction of houses on the vacant erven in Ida's Valley	The Department is in process to investigate vacant erven for possible housing opportunities	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
331	IDP Open Day	Ward 5	Cllr. Roy Van Rooyen	Housing Development	Indicate the timeframes for the commencement of the construction of the promised 60 flats in Hillside Village	The Department will investigate 60 flats and are await funding to implement project	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
332	IDP Open Day	Ward 5	Cllr. Roy Van Rooyen	Housing Development	Provision of updates on Bergplaas earmark for housing development projects	Engaged with ward councillor to take the matter up with Council	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
333	IDP Open Day	Ward 5	Cllr. Roy Van Rooyen	Housing Development	Provision of housing development opportunities in Ida's Valley	There are opportunities for the development of 60 flats. Housing opportunities are also available in the Northern Extension during the planning phase	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
334	IDP Open Day	Ward 5	Cllr. Roy Van Rooyen	Housing Development	Provision of housing development opportunities for backyarders in Ida's Valley	Farms 81/2 and 81/9 – Social Housing project for Rental opportunities	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
335	IDP Open Day	Ward 5	Cllr. Roy Van Rooyen	Housing Development	Indicate timeframes for the commencement of the construction of the 60 flats in Hillside Village as promised	The Department will investigate 60 Flats and are await funding to implement project	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
336	IDP Open Day	Ward 5	Cllr. Roy Van Rooyen	Roads, Transport and Stormwater	Maintenance of the sink-hole at the Corner of Langveld and Davi Street (Agriculture Park)	Escalate to the superintendent of Roads and Stormwater.	Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	

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337	IDP Open Day	Ward 5	Cllr. Roy Van Rooyen	Roads, Transport and Stormwater	Maintenance of the Sink Hole at Maryly Crescent 79 in Ida's Valley	Escalate to the superintendent of Roads and Stormwater.	Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
338	IDP Open Day	Ward 5	Cllr. Roy Van Rooyen	Roads, Transport and Stormwater	Installation of additional speedbump at Willgerbroom Road in OAK Tree Village	To escalated to Head of Traffic Engineer Mr. Nigell Winter. Tender to construction is not active at this stage.	Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
339	IDP Open Day	Ward 5	Cllr. Nateshia Mcombring	Housing Development	Provision of information about the open space that were zoned for housing development behind Hillside Village	The Department will investigate the zoning of the plot at planning/Housing. Find out what the plans are for the plot at housing.	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
340	IDP Open Day	Ward 5	Cllr. Nateshia Mcombring	Parks and Open Spaces	Resident of Hillside village wants to inquire about a playground on site and outside gym and vegetable garden - community project.	Community services - concerned about the possibility of a playground and outside gym. Community Services/Community Development – vegetable garden project investigation.	Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
341	IDP Open Day	Ward 5	Cllr. Roy Van Rooyen	Safety and Security	House no 15 at Maroela Street, people are causing a lot of noise and disturbing the peace. And, illegal building is happening there.	The planning/building department have been notified previously. The applicable complaints form will be delivered to Mrs Coetzee to lodge and official complaint to the relevant department. For any loud noise, law enforcement can attend to.	Directorate: Community and Protection Services	Directorate: Community and Protection Services	Deputy Mayor and Protection Services	Local	
342	IDP Open Day	Ward 5	Cllr. Roy Van Rooyen	Parks and Open Spaces	Installation or erection of the playpark or open-air gym on the open space in Hillside Village	Will forward the request to parks.	Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
343	IDP Open Day	Ward 5	Cllr. Roy Van Rooyen	Community Development	Establishment of vegetable community garden on the open space in Hillside Village		Directorate: Community and Protection Services	Section: Community Development	Community Services	Local	
344	IDP Open Day	Ward 5	Cllr. Roy Van Rooyen	Safety and Security	Would like to congratulate the control room for always responding to WhatsApp complaints. The WhatsApp line makes it a lot easier to submit community issues and feedback is always provided for each complaint.	Will convey the message to the relevant personnel.	Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
345	IDP Open Day	Ward 5	Cllr. Roy Van Rooyen	Income and Expenditure	Client has an arrangement on their municipal account and wants to know how far she is with her arrangement.	I have mailed the client her consolidated statement this morning 12.09.2024	Directorate: Financial Services	Department: Revenue and Expenditure	Financial Services	Local	
346	IDP Open Day	Ward 5	Cllr. Roy Van Rooyen	Income and Expenditure	Reviewing of the R7000 threshold on the Indigent policy	The issue of Indigent amount it must be forwarded to Revenue Senior Manager for consideration.	Directorate: Financial Services	Department: Revenue and Expenditure	Financial Services	Local	
347	IDP Open Day	Ward 5	Cllr. Roy Van Rooyen	Income and Expenditure	Provision of Indigent Criteria	I have mailed the criteria as promised to the client this morning 12.09.2024	Directorate: Financial Services	Department: Revenue and Expenditure	Financial Services	Local	
348	IDP Open Day	Ward 5	Cllr. Roy Van Rooyen	Income and Expenditure	Father is Deceased and she stays with her siblings the account is in arrears and they no longer receive the indigent subsidy and she would appreciate being contacted by indigent office	The department will scan this information to that section so that they can assist the client.	Directorate: Financial Services	Department: Revenue and Expenditure	Financial Services	Local	
349	IDP Open Day	Ward 5	Cllr. Roy Van Rooyen	Roads, Transport and Stormwater	Maintenance and cleaning of stormwater drains at Oaktree Village in Ida's Valley	The department will investigate the matter.	Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
350	IDP Open Day	Ward 5	Cllr. Roy Van Rooyen	Local Economic Development and Tourism	Reviewing and reduction of the wood permit prices	The department will investigate the matter.	Directorate: PED	Department: Development Planning	Planning, LED and Tourism	Local	

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351	IDP Open Day	Ward 5	Cllr. Roy Van Rooyen	Local Economic Development and Tourism	The provision for the purchasing of an open permit (for example, R2000 permit, valid for a week/month, no limit of loads attached to it).	The department will investigate the matter.	Directorate: PED	Department: Development Planning	Planning, LED and Tourism	Local	
352	IDP Open Day	Ward 5	Cllr. Roy Van Rooyen	Local Economic Development and Tourism	Amendment of permit times, not enough time provided to cut wood	The department will investigate the matter.	Directorate: PED	Department: Development Planning	Planning, LED and Tourism	Local	
353	IDP Open Day	Ward 5	Cllr. Roy Van Rooyen	Parks and Open Spaces	Installation of a playpark at the open space at Hillside Village and not houses	The department will investigate the matter and the Parks Department to give feedback.	Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
354	IDP Open Day	Ward 5	Cllr. Roy Van Rooyen	Parks and Open Spaces	Installation of the playpark on the open space at the corner of Starkling Street, Oak Tree Village, Lindida	The department will investigate the matter and the Parks Department to give feedback.	Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
355	IDP Open Day	Ward 5	Cllr. Roy Van Rooyen	Parks and Open Spaces	Installation of a playpark at the open space at Hillside Village in Ida's Valley	The Parks Section will investigate the matter	Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
356	IDP Open Day	Ward 5	Cllr. Roy Van Rooyen	Community Development	Provision of assistance to start a food garden at the open space at Hillside Village in Ida's Valley		Directorate: Community and Protection Services	Section: Community Development	Community Services	Local	
357	WhatsApp	Ward 6	Cllr. Nateshia Mcombring	Local Economic Development and Tourism	Provision of assistance to install businesses advertising billboards in front of the flea market in Rustenburg Street		Directorate: PED	Department: Development Planning	Planning, LED and Tourism	Local	
358	WhatsApp	Ward 6	Cllr. Nateshia Mcombring	Roads, Transport and Stormwater	Removal of the thoroughfare from Helshoogte to Dr Malan Street as it causes a high volume of traffic		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
359	Email	Ward 6	Cllr. Nateshia Mcombring	Safety and Security	Installation of Close Circuit Camera on Old Helshoogte Park in Old Helshoogte Road		Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
360	Email	Ward 6	Cllr. Nateshia Mcombring	Safety and Security	Installation of an LPR camera at Main Road 5 at traffic lights on the corner of Helshoogte Road and R44		Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
361	Email	Ward 6	Cllr. Nateshia Mcombring	Safety and Security	Installation of a new camera on the corner of Rustenburg Road and Sonnebloem Street		Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
362	Email	Ward 6	Cllr. Nateshia Mcombring	Safety and Security	Utilisation of the building at the Community Market as a Satellite Police Station		Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
363	Email	Ward 6	Cllr. Nateshia Mcombring	Safety and Security	More visibility and regular patrols of the police and law enforcement officials on all roads, the sports grounds, and farms in Ward 6. If the budget allows using neighbourhood watches and giving them a stipend		Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
364	Email	Ward 6	Cllr. Nateshia Mcombring	Environmental Management	Regular pruning of trees hanging over electricity wires in the roads in Ida's Valley		Directorate: Community and Protection Services	Department: Community Services	Rural Management and Environment	Local	
365	Email	Ward 6	Cllr. Nateshia Mcombring	Environmental Management	Removal of the trees between the back of the houses in Botmanskop Road and Helshoogte Road		Directorate: Community and Protection Services	Department: Community Services	Rural Management and Environment	Local	

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366	Email	Ward 6	Cllr. Nateshia Mcombring	Roads, Transport and Stormwater	Construct of pavements or sidewalks for Weber Street, Erasmussmith Street, Bakker Street, Botmanskop Road, Dahlia Street, and Speler Street in Ida's Valley		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
367	Email	Ward 6	Cllr. Nateshia Mcombring	Roads, Transport and Stormwater	Installation of tar in the public parking area next to Ida's Valley Library and the Ward Office		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
368	Email	Ward 6	Cllr. Nateshia Mcombring	Roads, Transport and Stormwater	Upgrading and resealing of roads and potholes as required in Ida's Valley		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
369	Email	Ward 6	Cllr. Nateshia Mcombring	Parks and Open Spaces	More regular basis cutting of the grass on the playparks and all pavements in Ida's Valley, on Helshoogte Road and R44. Besides the six-week cycle as currently implemented for the Main Roads		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
370	Email	Ward 6	Cllr. Nateshia Mcombring	Roads, Transport and Stormwater	Installation of traffic lights on the turn-off from Kromme Rhee Road in the direction of Koelenhoff and the turn-off from Elsenburg (near Kanonkop)		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Provincial	Department of Infrastructure
371	Email	Ward 6	Cllr. Nateshia Mcombring	Roads, Transport and Stormwater	Installation of a warning sign board indicating pupils / people crossing the R44 near the second entrance of Cloetesville near Nietvoorbij in the direction of Klapmuts		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Provincial	Department of Infrastructure
372	Email	Ward 6	Cllr. Nateshia Mcombring	Roads, Transport and Stormwater	Installation of a warning sign board indication pupils / people crossing the R44 near Timberlea Farm (Blue Jay) in the direction of town.		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Provincial	Department of Infrastructure
373	Email	Ward 6	Cllr. Nateshia Mcombring	Roads, Transport and Stormwater	Installation of a warning sign board indicating pupils/people crossing the R44 on both sides near Remhoogte and Lavinir		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Provincial	Department of Infrastructure
374	Email	Ward 6	Cllr. Nateshia Mcombring	Roads, Transport and Stormwater	Installation of the pedestrian traffic light on Helshoogte Road near Spar in the direction of Stellenbosch Primary and High School		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Provincial	Department of Infrastructure
375	Email	Ward 6	Cllr. Nateshia Mcombring	Water Services	Replacement of current outdated sewerage and water pumps as needed in Ida's Valley		Directorate: Infrastructure Services	Department: Water and Wastewater Services	Infrastructure Services	Local	
376	Email	Ward 6	Cllr. Nateshia Mcombring	Roads, Transport and Stormwater	Installation of a parking embayment in front of Old Apostolic Church in Luckhoff Street to help ease the parking problem of dropping and picking up pupils of Ida's Valley Primary School		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
377	Email	Ward 6	Cllr. Nateshia Mcombring	Roads, Transport and Stormwater	Installation of parking embayment in front of the New Apostolic Church on Hahn Street in Ida's Valley		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
378	Email	Ward 6	Cllr. Nateshia Mcombring	Roads, Transport and Stormwater	Paint the graffiti-covered bus shelters in Ida's Valley		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
379	Email	Ward 6	Cllr. Nateshia Mcombring	Roads, Transport and Stormwater	Regular cleaning of the drains to prevent overflowing during rainy conditions		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	

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380	Email	Ward 6	Cllr. Nateshia Mcombring	Electrical Services	Regular maintenance and repairs of all street lights in Ida's Valley		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
381	Email	Ward 6	Cllr. Nateshia Mcombring	Local Economic Development and Tourism	Installation of waterproof covers for the Ida's Valley Community Market to allow residents to use the facility as a hall and through all weather conditions		Directorate: PED	Department: Development Planning	Planning, LED and Tourism	Local	
382	Email	Ward 6	Cllr. Nateshia Mcombring	Local Economic Development and Tourism	Support and funding for tourism / running/ cycling / walking in Ida's Valley		Directorate: PED	Department: Development Planning	Planning, LED and Tourism	Local	
383	Email	Ward 6	Cllr. Nateshia Mcombring	Community Development	Support and funding for skills development (arts and crafts), reading, and other soft skills programmes (first aid, learners), etc. in Ida's Valley		Directorate: Community and Protection Services	Section: Community Development	Community Services	Local	
384	Email	Ward 6	Cllr. Nateshia Mcombring	Recreation and Sport	Replacement of the vibricate wall with a solid wall or clear view fencing on the Sport Grounds in Ida's Valley		Directorate: Community and Protection Services	Department: Community Services	Youth, Sport and Culture	Local	
385	Email	Ward 6	Cllr. Nateshia Mcombring	Recreation and Sport	Conduct a feasibility study for the planning of a new rugby clubhouse in Ida's Valley		Directorate: Community and Protection Services	Department: Community Services	Youth, Sport and Culture	Local	
386	Email	Ward 6	Cllr. Nateshia Mcombring	Recreation and Sport	Conduct regular maintenance of the facilities on the sport field in Ida's Valley		Directorate: Community and Protection Services	Department: Community Services	Youth, Sport and Culture	Local	
387	Email	Ward 6	Cllr. Nateshia Mcombring	Recreation and Sport	Installation of tar at the entrances of Ida's Valley Sportsground		Directorate: Community and Protection Services	Department: Community Services	Youth, Sport and Culture	Local	
388	Email	Ward 6	Cllr. Nateshia Mcombring	Recreation and Sport	Upgrade of the lights on the Rugby Fields in Ida's Valley		Directorate: Community and Protection Services	Department: Community Services	Youth, Sport and Culture	Local	
389	Email	Ward 6	Cllr. Nateshia Mcombring	Recreation and Sport	Upgrade seating in the stadium with recycling chairs or wooden panels in Ida's Valley		Directorate: Community and Protection Services	Department: Community Services	Youth, Sport and Culture	Local	
390	Email	Ward 6	Cllr. Nateshia Mcombring	Recreation and Sport	Upgrade of BMX Track and clear view fencing around it in Ida's Valley		Directorate: Community and Protection Services	Department: Community Services	Youth, Sport and Culture	Local	
391	Email	Ward 6	Cllr. Nateshia Mcombring	Recreation and Sport	Purchase of BMX bicycles for Ida's Valley		Directorate: Community and Protection Services	Department: Community Services	Youth, Sport and Culture	Local	
392	Email	Ward 6	Cllr. Nateshia Mcombring	Recreation and Sport	Provision of first aid equipment and a stretcher per sport code in Ida's Valley		Directorate: Community and Protection Services	Department: Community Services	Youth, Sport and Culture	Local	
393	Email	Ward 6	Cllr. Nateshia Mcombring	Recreation and Sport	Provision of 5 x 65 cm Large Garden Chessboards Sets with nylon chessboard bag and storage bag for Ward 6 in Ida's Valley for skills development and recreational purposes		Directorate: Community and Protection Services	Department: Community Services	Youth, Sport and Culture	Local	
394	Email	Ward 6	Cllr. Nateshia Mcombring	Community Development	Conduct a need and cost analysis for a frail care centre in WCO23		Directorate: Community and Protection Services	Section: Community Development	Community Services	Provincial	Department of Social Development
395	IDP Open Day	Ward 6	Cllr. Nateshia Mcombring	Land Use Management and Building	Provide an update on the status of the deal with Botmanskop	Land Use Management will update Mr. Meyer	Directorate: PED	Department: Development Management	Planning, LED and Tourism	Local	

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No.	Source	Ward	Ward Councillor	Priority	Community Needs and Inputs	Departmental Action	Linkage to Directorate	Department	Responsible Mayoral Portfolio	Government Competency	WCG: Provincial Department
396	Online Form	Ward 6	Cllr. Nateshia Mcombring	Safety and Security	Derelictated house: in 52 Hann Street there is a broken-down house known as the 'Broken Palace'. This house is a gathering place for every drug addict in Ida's Valley. The municipal by-law relating to problem properties is not being enforced by the building department. They are constantly referring the matter to Law.		Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
397	Online Form	Ward 6	Cllr. Nateshia Mcombring	Education	The fence of Luckhoff High School facing Bloekom Avenue needs upgrading.					Provincial	Western Cape Education Department
398	Online Form	Ward 6	Cllr. Nateshia Mcombring	Property Management	Request for a K53 parking test yard		Directorate: Corporate Services	Section: Properties Management and Municipal Building Maintenance	Corporate Services	Local	
399	Online Form	Ward 6	Cllr. Nateshia Mcombring	Recreation and Sport	Upgrade the sports fields in the communities and have proper security day and night		Directorate: Community and Protection Services	Department: Community Services	Youth, Sport and Culture	Local	
400	Online Form	Ward 6	Cllr. Nateshia Mcombring	Health	Construction of a canopy (afdak) by the clinic					Provincial	Western Cape Government Health and Wellness
401	Online Form	Ward 6	Cllr. Nateshia Mcombring	Property Management	The municipality sells our land e.g. Botmaskop development, privately developed		Directorate: Corporate Services	Section: Properties Management and Municipal Building Maintenance	Corporate Services	Local	
402	IDP Open Day	Ward 6	Cllr. Nateshia Mcombring	Water Services	Replacement of water pipes in Baker Street and Erasmus Streets. The pipe replacement has been reported in 2022 already	The Department will investigate the sewer and water network to see how they can fast track the project.	Directorate: Infrastructure Services	Department: Water and Wastewater Services	Infrastructure Services	Local	
403	IDP Open Day	Ward 6	Cllr. Nateshia Mcombring	Electrical Services	Repairing of the streetlights at Helshoogte Road and R44 between Timberlea and Welgevonden	The Department will give feedback via councillor Mcombring	Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Provincial	
404	IDP Open Day	Ward 6	Cllr. Nateshia Mcombring	Supply Chain Management	Seek clarification on the tender application for the management of the LED hub in Ida's Valley	The Department will investigate the proses.	Directorate: Financial Services	Department: Supply Chain Management	Deputy Mayor and Financial Services	Local	
405	IDP Open Day	Ward 6	Cllr. Nateshia Mcombring	Community Development	Seek clarification of Grant in Aid applications	The Department will investigate the proses.	Directorate: Community and Protection Services	Section: Community Development	Community Services	Local	
406	IDP Open Day	Ward 6	Cllr. Nateshia Mcombring	Recreation and Sport	Installation of floodlights on Ida's Valley Sport Ground	The floodlights are on the Departments budget projects.	Directorate: Community and Protection Services	Department: Community Services	Youth, Sport and Culture	Local	
407	IDP Open Day	Ward 6	Cllr. Nateshia Mcombring	Recreation and Sport	Provision of timeframe for the repairs of Ida's Valley Sports Ground Club House	The restoration of our clubhouse. A structural engineer will be appointed to assess the condition of the building and determine whether it should be preserved or demolished.	Directorate: Community and Protection Services	Department: Community Services	Youth, Sport and Culture	Local	
408	IDP Open Day	Ward 6	Cllr. Nateshia Mcombring	Housing Development	Provision housing development opportunities in Botmaskop	Specialist studies completed	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
409	IDP Open Day	Ward 6	Cllr. Nateshia Mcombring	Community Development	Request assistance with Youth Centre for the youth in Ida's Valley and if Community Services can assist with way forward	The Department will investigate the matter and contact Michelle Aalbers to contact Mr Gideons on 0838778047 for assistance	Directorate: Community and Protection Services	Department: Community Services	Community Services	Local	

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No.	Source	Ward	Ward Councillor	Priority	Community Needs and Inputs	Departmental Action	Linkage to Directorate	Department	Responsible Mayoral Portfolio	Government Competency	WCG: Provincial Department
410	Have Your Say	Ward 6	Cllr. Nateshia Mcombring	Roads, Transport and Stormwater	Investigation and repairing of the stormwater pipe crossing Maroela Crescent no.61 from Helshoogte Road is causing huge flooding. The matter was escalated and reported to Cape Winelands and RTS department in Stellenbosch Municipality. Johan Fullard did attend on-site inspection meeting according to the Cllr.	Escalate to the senior manager and identify the status of previous investigations conducted by the department. (J.F)	Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
411	IDP Open Day	Ward 6	Cllr. Nateshia Mcombring	Roads, Transport and Stormwater	Seek clarification about stormwater flooding	Escalate to the superintendent in Beltana, to investigation and inspection to be conducted.	Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
412	IDP Open Day	Ward 6	Cllr. Nateshia Mcombring	Parks and Open Spaces	Cutting of grass in streets, all streets in Ida's Valley	Grass cutting matter has been resolved by the management. It will be done by Parks- Tammy and Maindren.	Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
413	IDP Open Day	Ward 6	Cllr. Nateshia Mcombring	Roads, Transport and Stormwater	Construction and maintenance of speed bumps to the right standard in Ida's Valley	Speed Bumbs problems to be escalated to Nigel Winter for inspection and considerations.	Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
414	Have Your Say	Ward 6	Cllr. Nateshia Mcombring	Roads, Transport and Stormwater	Repairing of the visible potholes on the road at Bakker Street in Ida's Valley	Technician and superintendent to conduct inspection and give recommendations. when civils tender is in place a contractor shall be appointed by roads and stormwater dept	Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
415	Have Your Say	Ward 6	Cllr. Nateshia Mcombring	Roads, Transport and Stormwater	Resealing of the damaged roads at Lellie Street to Erasmus and Connection/link road in Ida's Valley	Technician and superintendent to conduct inspection and give recommendations. When the civil tender is in place a contractor shall be appointed by Department: Roads and Stormwater	Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
416	Have Your Say	Ward 6	Cllr. Nateshia Mcombring	Roads, Transport and Stormwater	Cleaning and repairing of blocked drainage system at Bakker Street in Ida's Valley	Technician and superintendent to conduct inspection and give recommendations. when civil tender is in place a contractor shall be appointed by the Department: Roads and Stormwater	Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
417	IDP Open Day	Ward 6	Cllr. Nateshia Mcombring	Safety and Security	Request an investigation of the suspected drug activities taking place at 21 Moses Street in Ida's Valley	The request will be submitted to SAPS to apply for a search warrant on information received. Law Enforcement to render support.	Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Provincial	Department of Police Oversight and Community Safety
418	IDP Open Day	Ward 6	Cllr. Nateshia Mcombring	Safety and Security	At house Noah in Rustenburg Road, people driving up to the petrol garage (puma) and causes peace disturbance with their cars by excessive revving. Are there any cameras to determine who the culprits are and to put a stop to this activity?	Advice that an affidavit to be submitted to the office of manager traffic and Law Enforcement and to incorporate enforcement in a joint venture with Law Enforcement, Traffic and SAPS.	Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
419	IDP Open Day	Ward 6	Cllr. Nateshia Mcombring	Safety and Security	Installation and monitoring of CCTV cameras next to the open space on Ou Helshoogte Road in Ida's Valley to prevent crime	The department is waiting is busy with drafting a new cctv tender and any new cctv installations will be based off saps crime statistics in the specified ward/area. Physical crime prevention can be done by SAPS and Law Enforcement	Directorate: Community and Protection Services	Directorate: Community and Protection Services	Deputy Mayor and Protection Services	Local	
420	IDP Open Day	Ward 6	Cllr. Nateshia Mcombring	Safety and Security	Investigation and closure of the illegal tavern at No 15 Botmaskop Street	The Department will follow up with SAPS and plan accordingly to address the matter	Directorate: Community and Protection Services	Directorate: Community and Protection Services	Deputy Mayor and Protection Services	Local	
421	IDP Open Day	Ward 6	Cllr. Nateshia Mcombring	Safety and Security	About 2 months ago, his fish tank was stolen and was reported to Saps. Spoke to principal inspector Thorpe regarding cameras in the vicinity and installation of additional cameras in the vicinity.	Waiting on tender process to appoint service provider for installation.	Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
422	IDP Open Day	Ward 6	Cllr. Nateshia Mcombring	Safety and Security	When submitting complaints through to SAPS Cloeteville, they take an extensive period to respond	The matter must be addressed with the station Commander, Lt. Col Fortuin.	Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Provincial	Department of Police Oversight and Community Safety

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423	IDP Open Day	Ward 6	Cllr. Nateshia Mcombring	Land Use Management and Building	2 Demolished houses next to Methodist church, Hahn Street – live electricity must be disconnected	Complaints registered with lets fix it and sent to the relevant departments	Directorate: PED	Department: Development Management	Planning, LED and Tourism	Local	
424	IDP Open Day	Ward 6	Cllr. Nateshia Mcombring	Roads, Transport and Stormwater	Cleaning of drains in Hahn Street in Ida's Valley	Complaints registered with lets fix it and sent to the relevant departments	Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
425	IDP Open Day	Ward 6	Cllr. Nateshia Mcombring	Roads, Transport and Stormwater	Repairing of the hole in ground close to VGK Church, Erasmus Smit Street in Ida's Valley	Complaints registered with lets fix it and sent to the relevant departments	Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
426	IDP Open Day	Ward 6	Cllr. Nateshia Mcombring	Libraries	Maintenance and painting of Ida's Valley Library needs maintenance – painting, grass cutting etc.	Complaints registered with lets fix it and sent to the relevant departments	Directorate: Community and Protection Services	Department: Community Services	Community Services	Local	
427	IDP Open Day	Ward 6	Cllr. Nateshia Mcombring	Parks and Open Spaces	Cutting of grass at Ida's Valley Library		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
428	IDP Open Day	Ward 6	Cllr. Nateshia Mcombring	Water Services	Repairing of the leaking Water meter at 20 Hahn Street in Ida's Valley	Complaints registered with lets fix it and sent to the relevant departments	Directorate: Infrastructure Services	Department: Water and Wastewater Services	Infrastructure Services	Local	
429	IDP Open Day	Ward 6	Cllr. Nateshia Mcombring	Supply Chain Management	Client has challenges on registering on the CSD	The department will investigate the matter.	Directorate: Financial Services	Department: Supply Chain Management	Financial Services	Local	
430	IDP Open Day	Ward 6	Cllr. Nateshia Mcombring	Income and Expenditure	Huis Ebenezer applied for relief with Tariff for NGO's	Email client will authorise the Tariff Book	Directorate: Financial Services	Department: Revenue and Expenditure	Financial Services	Local	
431	IDP Open Day	Ward 6	Cllr. Nateshia Mcombring	Water Services	Wants his water meter to be checked.	Will submit a request to the water department	Directorate: Infrastructure Services	Department: Water and Wastewater Services	Infrastructure Services	Local	
432	IDP Open Day	Ward 6	Cllr. Nateshia Mcombring	Recreation and Sport	Installation of floodlights at Ida's Valley	The department will investigate the matter.	Directorate: Community and Protection Services	Department: Community Services	Youth, Sport and Culture	Local	
433	IDP Open Day	Ward 6	Cllr. Nateshia Mcombring	Community Development	He has been applying for Grant In aid and has never received it.	The department will investigate the matter.	Directorate: Community and Protection Services	Section: Community Development	Community Services	Local	
434	IDP Open Day	Ward 6	Cllr. Nateshia Mcombring	Parks and Open Spaces	Installation of fence at Speelkring playpark in Ida's Valley	The Urban Forestry Department will investigate the matter and Parks Department will investigate the situation.	Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
435	IDP Open Day	Ward 6	Cllr. Nateshia Mcombring	Parks and Open Spaces	Replacement of play equipment at Speelkring playpark in Ida's Valley	The Urban Forestry Department and Parks Department will investigate the situation.	Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
436	IDP Open Day	Ward 6	Cllr. Nateshia Mcombring	Parks and Open Spaces	Deployment of security at Speelkring playpark in Ida's Valley	The Urban Forestry Department will investigate the matter and Parks Department will investigate the situation.	Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
437	Have Your Say	Ward 6	Cllr. Nateshia Mcombring	Environmental Management	Cutting or removal of dangerous gum trees at nr 49 Rustenburg Road in Ida's Valley	Trees are on private property. Owner of the property is responsible for the maintenance of the trees.	Directorate: Community and Protection Services	Department: Community Services	Rural Management and Environment	Local	
438	IDP Open Day	Ward 6	Cllr. Nateshia Mcombring	Environmental Management	Cutting or removal of trees in Luckhoff, Kahler and Rustenburg Road in Ida's Valley	The Department is waiting on the approval of the tree tender. Contractor will be appointed to attend to the complaints.	Directorate: Community and Protection Services	Department: Community Services	Rural Management and Environment	Local	
439	IDP Open Day	Ward 6	Cllr. Nateshia Mcombring	Environmental Management	Cutting of trees at the back of Botmaskopweg in Ida's Valley	The Department is waiting on the approval of the tree tender. Contractor will be appointed to attend to the complaints	Directorate: Community and Protection Services	Department: Community Services	Rural Management and Environment	Local	

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440	IDP Open Day	Ward 7	Cllr. Annemarie Ferns	Water Services	Installation of the sewer connection at an erf at 1 Oranje Avenue	The matter has been escalated to the director's level.	Directorate: Infrastructure Services	Department: Water and Wastewater Services	Infrastructure Services	Local	
441	IDP Open Day	Ward 7	Cllr. Annemarie Ferns	Water Services	Plead with the neighbour to allow the owner of 1 Oranje Avenue to use the sewer line in the neighbour's property	The matter has been escalated to the director's level.	Directorate: Infrastructure Services	Department: Water and Wastewater Services	Infrastructure Services	Local	
442	IDP Open Day	Ward 7	Cllr. Annemarie Ferns	Water Services	Grant permission to the owner to install the sewer connection at an erf at 1 Oranje Avenue	The matter has been escalated to the director's level.	Directorate: Infrastructure Services	Department: Water and Wastewater Services	Infrastructure Services	Local	
443	IDP Open Day	Ward 7	Cllr. Annemarie Ferns	Land Use Management and Building	Investigation of the neighbour at 1 Oranje Avenue the fence is outside the building line		Directorate: PED	Department: Development Management	Planning, LED and Tourism	Local	
444	IDP Open Day	Ward 7	Cllr. Annemarie Ferns	Land Use Management and Building	Submission of Land Use Complaint Form: Student accommodation in a residential zoned area at Schoongezicht Street, Simonswyk	Complaint Form will be sent to the Land Use Inspectors	Directorate: PED	Department: Development Management	Planning, LED and Tourism	Local	
445	IDP Open Day	Ward 7	Cllr. Annemarie Ferns	Environmental Management	Removal of dead trees at Rosendal and Provinsielaan		Directorate: Community and Protection Services	Department: Community Services	Rural Management and Environment	Local	
446	IDP Open Day	Ward 7	Cllr. Annemarie Ferns	Environmental Management	Amendment of the Noticeboards at Botmaskop Nature Area prohibition of the use of motorbikes and 4x4s in the nature area		Directorate: Community and Protection Services	Department: Community Services	Rural Management and Environment	Local	
447	IDP Open Day	Ward 9	Cllr. Zelda Dalling	Facilities	Repairing of the lights at the Mandela statue in front of the Stellenbosch Town Hall		Directorate: Community and Protection Services	Department: Community Services	Community Services	Local	
448	IDP Open Day	Ward 9	Cllr. Zelda Dalling	Facilities	Repairing of LED strip lights at Stellenbosch Town Hall		Directorate: Community and Protection Services	Department: Community Services	Community Services	Local	
449	IDP Open Day	Ward 9	Cllr. Zelda Dalling	Facilities	Repairing of the side of flower bowls lights that illuminate the Stellenbosch Town Hall		Directorate: Community and Protection Services	Department: Community Services	Community Services	Local	
450	IDP Open Day	Ward 9	Cllr. Zelda Dalling	Property Management	Eviction of people living in front of the building or Voorgelegen	The matter has been taken to court to evict the illegal residents who were allowed to stay there by the museum. The neglect of the building is being addressed via a current approved tender	Directorate: Corporate Services	Section: Properties Management and Municipal Building Maintenance	Corporate Services	Local	
451	IDP Open Day	Ward 9	Cllr. Zelda Dalling	Roads, Transport and Stormwater	Avail the parking next to the Stellenbosch Town hall during weekends to public	Parking is currently allocated to Councillors and staff who have access to these bays over weekends and when they need to work overtime. The request to open the parking in front of town hall and next to town hall will be referred to the department for investigation	Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
452	IDP Open Day	Ward 9	Cllr. Zelda Dalling	Roads, Transport and Stormwater	Automate the parking next to the Stellenbosch Town Hall	The option of automation of access control requires an accurate and detailed specification to ensure long term sustainability and being fit for purpose	Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
453	IDP Open Day	Ward 9	Cllr. Zelda Dalling	Electrical Services	Repairing of the broken streetlights in front of the house at 9 Louw Street in Stellenbosch CBD		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	

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454	IDP Open Day	Ward 9	Cllr. Zelda Dalling	Electrical Services	Repairing of streetlights at the 1st, 5th and 7th in Ryneveld Street		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
455	IDP Open Day	Ward 9	Cllr. Zelda Dalling	Electrical Services	Repairing of streetlights in Merriman and Victoria Streets the streetlights are on during the day		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
456	IDP Open Day	Ward 9	Cllr. Zelda Dalling	Electrical Services	Open erf in Bosman Street with electrical cables are being trashed with the cutting of the branches		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
457	IDP Open Day	Ward 9	Cllr. Zelda Dalling	Roads, Transport and Stormwater	Objection of the construction of a parking garage at the Eikestad parking due to the already traffic congestion and difficulties to drive into Dorp Street	The parking garage is the solution the Municipality came up with to try and clear the congestion caused by all the cars in our town. Also, will fix the issue of cars parking on road reserve which causes roads to be too narrow	Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
458	IDP Open Day	Ward 9	Cllr. Zelda Dalling	Roads, Transport and Stormwater	The extension of Noordwal to Piet Retief Street is too narrow with the cars parking on the side of the road	The Municipality has more plans to create sufficient parking in and around the WC024	Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
459	IDP Open Day	Ward 9	Cllr. Zelda Dalling	Roads, Transport and Stormwater	Establishment of mobility transport for students to decrease traffic congestion and Stellenbosch University is taking no responsibility for parking	Clearing the roads of the cars parked on the side of the road can create an opportunity to create safe bike lanes for bikers	Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
460	IDP Open Day	Ward 9	Cllr. Zelda Dalling	Roads, Transport and Stormwater	What is the regulation between the Municipality and the GoNow Scooters	The Municipality agreed to a trial period to see how beneficial the scooters would be for the residents and the students of Stellenbosch	Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
461	IDP Open Day	Ward 9	Cllr. Zelda Dalling	Roads, Transport and Stormwater	Monitoring the scooters that park on the sidewalk and side of the road as this endangers the disabled and elderly using the sidewalks	The legislation wants to move forward with legalising it, currently is can only legally be driven of Stellenbosch University property	Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
462	IDP Open Day	Ward 9	Cllr. Zelda Dalling	Safety and Security	Issuing of fines for the Checkers 60/60 motorbikes for urinating in public and wash their motorbikes in public in Stellenbosch CBD	Law enforcement will address by-law offences. Checkers management to address sanitation issue	Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
463	IDP Open Day	Ward 9	Cllr. Zelda Dalling	Roads, Transport and Stormwater	Installation of mobile toilets for the Checkers 60/60 motorbikes in Stellenbosch CBD		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
464	IDP Open Day	Ward 9	Cllr. Zelda Dalling	Safety and Security	Issuing of fine for the loud noise at the gym at PJ Oliver building in Stellenbosch CBD		Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
465	IDP Open Day	Ward 9	Cllr. Zelda Dalling	Roads, Transport and Stormwater	Installation of an additional stop street or sign on the corner of Church and Andringa Streets		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
466	IDP Open Day	Ward 9	Cllr. Zelda Dalling	Roads, Transport and Stormwater	Installation of a circle sign at the circle coming from Paul Roos going in the direction of Mill House		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
467	IDP Open Day	Ward 9	Cllr. Zelda Dalling	Environmental Management	Cutting or pruning of dangerous tree branches at nr 164, 166 Dorp Street		Directorate: Community and Protection Services	Department: Community Services	Rural Management and Environment	Local	
468	IDP Open Day	Ward 9	Cllr. Zelda Dalling	Waste Management	Placement of Tamper proof bins in Ward 9 because homeless people open the bins and mess up		Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local	
469	Email	Ward 10	Cllr. Nateshia Mcombring	Electrical Services	Cleaning and fencing (Clearview of Betafence) of all electricity boxes in Ward 6. (Hotspots Electricity Box in front of Ida's Valley Primary in Bloekom Avenue; Miniature substation between Old Helshoogte Road and Helshoogte Road opposite Beltane; Madrasa in Protea Street and on the corner of Weber Street and Old Helshoogte Road		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	

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No.	Source	Ward	Ward Councillor	Priority	Community Needs and Inputs	Departmental Action	Linkage to Directorate	Department	Responsible Mayoral Portfolio	Government Competency	WCG: Provincial Department
470	IDP Open Day	Ward 10	Cllr. Rozette Du Toit	Water Services	Provision of clarity of urge increase of water usage account from R3000 pm to R24 000 at Madeliefie Street Nr. 49 in Tennantville	For the increase in municipal account, it was recommended that the resident log a call with the Infrastructure Services department as well (in order for them to send out an official to check if there might be a leakage or if the meter is faulty, etc.)	Directorate: Infrastructure Services	Department: Water and Wastewater Services	Infrastructure Services	Local	
471	IDP Open Day	Ward 10	Cllr. Rozette Du Toit	Safety and Security	Monitoring of response time of law enforcement for noise complaints in Cloeteville		Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
472	IDP Open Day	Ward 10	Cllr. Rozette Du Toit	Safety and Security	Assist La Colline NHW with equipment such as torches and warm jackets	Requests regarding NHW equipment will be given through to the NHW coordinator	Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
473	IDP Open Day	Ward 10	Cllr. Rozette Du Toit	Safety and Security	Provision of kiosk for La Colline NHW	NHW must request a Kiosk through the ward councillor	Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
474	IDP Open Day	Ward 10	Cllr. Rozette Du Toit	Parks and Open Spaces	Installation of fence at the playpark at Tennantville		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
475	IDP Open Day	Ward 10	Cllr. Rozette Du Toit	Parks and Open Spaces	Servicing and maintenance of the playpark on Madeliefie Street in Tennantville. The playpark has not been serviced and maintained for a long time. There is a detached wheel that is a danger and taking up space.		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
476	IDP Open Day	Ward 10	Cllr. Rozette Du Toit	Parks and Open Spaces	Removal of the wheel on the playpark on Madeliefie Street in Tennantville for children to be able to play soccer or netball with mobile poles.		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
477	IDP Open Day	Ward 10	Cllr. Rozette Du Toit	Parks and Open Spaces	Upgrading of turf at the playpark on Madeliefie Street in Tennantville		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
478	IDP Open Day	Ward 10	Cllr. Rozette Du Toit	Parks and Open Spaces	People drinking on the playpark on Madeliefie Street in Tennantville is a huge problem.		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
479	IDP Open Day	Ward 10	Cllr. Rozette Du Toit	Parks and Open Spaces	Levelling the ground at the playpark on Madeliefie Street in Tennantville.		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
480	IDP Open Day	Ward 10	Cllr. Rozette Du Toit	Parks and Open Spaces	Repairing of the deep holes on the playpark on Madeliefie Street in Tennantville		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
481	IDP Open Day	Ward 10	Cllr. Rozette Du Toit	Parks and Open Spaces	Request sand to do gardening on Madeliefie Street in Tennantville		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
482	IDP Open Day	Ward 10	Cllr. Rozette Du Toit	Parks and Open Spaces	Tubruk Park: The park is not being cleaned regularly, only when there is a complaint		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
483	IDP Open Day	Ward 10	Cllr. Rozette Du Toit	Parks and Open Spaces	Cutting of grass on Tubrukpark and remove / cut the grass around the trees		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
484	IDP Open Day	Ward 10	Cllr. Rozette Du Toit	Environmental Management	Removal or cutting of branches of trees overhanging on the pavement at Daan Pienaar Street		Directorate: Community and Protection Services	Department: Community Services	Rural Management and Environment	Local	
485	IDP Open Day	Ward 10	Cllr. Rozette Du Toit	Parks and Open Spaces	We maintain the garden at Daan Pienaar Street to prevent people from using it as a hiding place.		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	

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486	IDP Open Day	Ward 10	Cllr. Rozette Du Toit	Parks and Open Spaces	Maintenance of Die Rand Park		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
487	IDP Open Day	Ward 10	Cllr. Rozette Du Toit	Environmental Management	Trimming of trees obstructing streetlights at Ryneveld Street, which leads to the mugging of students		Directorate: Community and Protection Services	Department: Community Services	Rural Management and Environment	Local	
488	IDP Open Day	Ward 10	Cllr. Rozette Du Toit	Parks and Open Spaces	Installation of the spotlight on the open space in Ward 10		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
489	IDP Open Day	Ward 10	Cllr. Rozette Du Toit	Environmental Management	Removal of dangerous trees alongside Belleriver. The fence of the flat was damaged during the storms		Directorate: Community and Protection Services	Department: Community Services	Rural Management and Environment	Local	
490	IDP Open Day	Ward 10	Cllr. Rozette Du Toit	Roads, Transport and Stormwater	Installation of the raised intersection at Curry Road and Lang Street South		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
491	IDP Open Day	Ward 10	Cllr. Rozette Du Toit	Safety and Security	Installation of security cameras that watch over Tennantville Park/Lang Street Park, including Lakay Road.		Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
492	IDP Open Day	Ward 10	Cllr. Rozette Du Toit	Safety and Security	Installation of security cameras at Conde Road and Dan Pienaar Road		Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
493	IDP Open Day	Ward 10	Cllr. Rozette Du Toit	Roads, Transport and Stormwater	Cleaning of the catch pits at 39 Madeliefie Road in Tennantville as it floods when it rains		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
494	IDP Open Day	Ward 10	Cllr. Rozette Du Toit	Electrical Services	New electrical boxes will be installed. Will the old one be replaced, and how does this process work		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
495	IDP Open Day	Ward 10	Cllr. Rozette Du Toit	Roads, Transport and Stormwater	Investigation or removal of the arrow on the road on R310 and R44 Road, Tennantville		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Provincial	Department of Infrastructure
496	Have Your Say	Ward 10	Cllr. Rozette Du Toit	Integrated development planning and public participation	Use of Afrikaans language for IDP open day in Cloeteville over 90% community is Afrikaans speaking		Office of the Municipal Manager	Section: IDP/PMS/PP	Executive Mayor	Local	
497	Have Your Say	Ward 10	Cllr. Rozette Du Toit	Traffic Enforcement	Issuing of fines to drivers who do not adhere to stop signs ant the intersection at Curry, Long and South Streets 3-way stop		Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
498	Have Your Say	Ward 10	Cllr. Rozette Du Toit	Electrical Services	Fencing of the electric kiosk opposite ward 10 office		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
499	Have Your Say	Ward 10	Cllr. Rozette Du Toit	Roads, Transport and Stormwater	Installation of race intersection at Curry and Langstraat-Suid in Tennantville		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
500	Have Your Say	Ward 10	Cllr. Rozette Du Toit	Safety and Security	Repairing of cameras at Tennantville robots		Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	

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No.	Source	Ward	Ward Councillor	Priority	Community Needs and Inputs	Departmental Action	Linkage to Directorate	Department	Responsible Mayoral Portfolio	Government Competency	WCG: Provincial Department
501	Have Your Say	Ward 10	Cllr. Rozette Du Toit	Roads, Transport and Stormwater	Installation of race intersection at Curry and Langstraat-Suid in Tennantville		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
502	Have Your Say	Ward 10	Cllr. Rozette Du Toit	Roads, Transport and Stormwater	Installation of race intersection at Curry and Langstraat-Suid in Tennantville		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
503	Have Your Say	Ward 10	Cllr. Rozette Du Toit	Safety and Security	Repairing of cameras at Tennantville robots		Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
504	Have Your Say	Ward 10	Cllr. Rozette Du Toit	Roads, Transport and Stormwater	Installation of race intersection at Curry and Langstraat-Suid in Tennantville		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
505	Have Your Say	Ward 10	Cllr. Rozette Du Toit	Roads, Transport and Stormwater	Objection of the construction of an thoroughfere past the creche to Dr Malan Street. This will cuause traffic conjection. Residents are not in favours of the proposal		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
506	Have Your Say	Ward 10	Cllr. Rozette Du Toit	Integrated development planning and public participation	It is not safe to conduct IDP meeting in Cloetesville due to gang violence and car brea-ins		Office of the Municipal Manager	Section: IDP/PMS/PP	Executive Mayor	Local	
507	Have Your Say	Ward 10	Cllr. Rozette Du Toit	Integrated development planning and public participation	Review the times of the IDP meetings these times excludes working people.		Office of the Municipal Manager	Section: IDP/PMS/PP	Executive Mayor	Local	
508	Have Your Say	Ward 10	Cllr. Rozette Du Toit	Integrated development planning and public participation	IDP minutes need to be distributed in IDP meetings and published in the Eikestard Nuus		Office of the Municipal Manager	Section: IDP/PMS/PP	Executive Mayor	Local	
509	Have Your Say	Ward 10	Cllr. Rozette Du Toit	Environmental Management	Removal or pruning of Jakaranda trees in Dan Pienaar Street		Directorate: Community and Protection Services	Department: Community Services	Rural Management and Environment	Local	
510	Have Your Say	Ward 10	Cllr. Rozette Du Toit	Environmental Management	The "Blommer and Bessie" of trees are a health risk to the people		Directorate: Community and Protection Services	Department: Community Services	Rural Management and Environment	Local	
511	Have Your Say	Ward 10	Cllr. Rozette Du Toit	Roads, Transport and Stormwater	Rehabilitation of street walks near SAPS garage and HelshoogteRd		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
512	Email	Ward 11	Alderman Johannie Serdyn	Environmental Management	Plant additional trees in Onderpapegaaiberg area and in the lower areas of Dorp Street		Directorate: Community and Protection Services	Department: Community Services	Rural Management and Environment	Local	
513	Email	Ward 11	Alderman Johannie Serdyn	Beautification	Beautification of the circle on the new road to Devon Valley		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
514	Email	Ward 11	Alderman Johannie Serdyn	Roads, Transport and Stormwater	Paint the road lines, stop signs, and speed bumps more regularly in Ward 11		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
515	Email	Ward 11	Alderman Johannie Serdyn	Roads, Transport and Stormwater	Installation of Neighbourhood sign boards in area of Ward 11		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	

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No.	Source	Ward	Ward Councillor	Priority	Community Needs and Inputs	Departmental Action	Linkage to Directorate	Department	Responsible Mayoral Portfolio	Government Competency	WCG: Provincial Department
516	IDP Open Day	Ward 11	Alderman Johannie Serdyn	Housing Development	Provision of housing development opportunities in Devonvalley	The Housing Manager explained that the Municipal Manager submitted a revised item to council NDOPW&I during March 2024 to consider alienating portion 35 of farm No 183, portion 8 of Vredenburg Farm no 283 of Droëdyke for mixed use development. If approved this will address the housing challenges to the south of the town. The residents of Devonvalley must ensure that they are on the waiting list. As soon as the new minister approves the land, the Municipality can start the process	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
517	IDP Open Day	Ward 11	Alderman Johannie Serdyn	Land Use Management and Building	Demolish the wall of the house on the corner at the Millstream corridor	The court case to overturn the approval of the wall is underway. Papers should be filed in the next few weeks	Directorate: PED	Department: Development Management	Planning, LED and Tourism	Local	
518	IDP Open Day	Ward 11	Alderman Johannie Serdyn	Roads, Transport and Stormwater	Provision of plans for the bridge over the Millstream corridor	The bridge can only be demolished with the approval of Western Cape Heritage as it is older than 60 years. Will follow-up on how far that process is	Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
519	IDP Open Day	Ward 11	Alderman Johannie Serdyn	Roads, Transport and Stormwater	Repairing of the tar in Dorp Street		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
520	IDP Open Day	Ward 11	Alderman Johannie Serdyn	Electrical Services	Repairing of streetlights in Dorp Street		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
521	IDP Open Day	Ward 11	Alderman Johannie Serdyn	Roads, Transport and Stormwater	Repairing of the overgrown pavement at the corner of Flamingo and Bokmakierie road Pappagaaiberg		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
522	IDP Open Day	Ward 11	Alderman Johannie Serdyn	Roads, Transport and Stormwater	Lower Dorp Street needs to be made wider	The Municipality needs funding for the lower Dorp Street issue. Plans have not been implemented due to studies that still need to be done on what would be the best way to move forward. The road was declared a Heritage zone which did delay plans further, however, heritage approval has been received	Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
523	IDP Open Day	Ward 11	Alderman Johannie Serdyn	Roads, Transport and Stormwater	Provide information on whether the Western bypass road will still be continued	The Techno Park upgrade has been completed but it was decided that it would not be feasible to do the Western bypass road as one full project.	Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
524	IDP Open Day	Ward 11	Alderman Johannie Serdyn	Waste Management	Fitting of the wheelie bins with tags at Du Toit Street to address the stealing of bins		Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local	
525	IDP Open Day	Ward 11	Alderman Johannie Serdyn	Safety and Security	Increased visibility of law enforcement to patrol and monitor people stealing wheelie bins on selected trash days at Du Toit Street	The law enforcement can be requested to assist on the selected days and check for people walking with wheelie bins not belonging to them	Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
526	IDP Open Day	Ward 11	Alderman Johannie Serdyn	Safety and Security	Implementation of cloud storage to address the insufficient server capacity of CCTV	The department is waiting on CCTV tender to be approved. The only service provider currently dealing with CCTV issues only deals with network related issues and downtime. ICT department must implement cloud storage as the network is run via Microsoft cloud	Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	

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527	IDP Open Day	Ward 11	Alderman Johannie Serdyn	Roads, Transport and Stormwater	Construction of a parking area on the open space in front of the municipal court to address parking issues at Harold Street		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
528	IDP Open Day	Ward 11	Alderman Johannie Serdyn	Traffic Enforcement	Issuing of fines for people parking on red line in front of Ya Ya Café	The Department: Traffic Services to address parking violations	Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
529	IDP Open Day	Ward 11	Alderman Johannie Serdyn	Traffic Enforcement	Issuing of fines for taxi drivers for parking across from the Stellenbosch station and wash their vehicles/taxis, urinate in public	The Department: Law Enforcement and Department: Traffic Services can address the issue in a joint operation	Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
530	IDP Open Day	Ward 11	Alderman Johannie Serdyn	Area Cleaning	Inspection of the food prepared around where people urinate and wash vehicles in public by the illegal taxi rank at Stellenbosch station as this is a health risk		Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local	
531	IDP Open Day	Ward 11	Alderman Johannie Serdyn	Roads, Transport and Stormwater	Re-installation of the stop sign that was removed on the corner of Alexander and Pappegaai Streets		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
532	IDP Open Day	Ward 11	Alderman Johannie Serdyn	Water Services	Replacement of all old waterpipes at Du Toit Street to address water leaks		Directorate: Infrastructure Services	Department: Water and Wastewater Services	Infrastructure Services	Local	
533	IDP Open Day	Ward 11	Alderman Johannie Serdyn	Water Services	Investigation of the sewer that regularly blocks alongside the river opposite Timbuild in Plankenbrug. The sewer runs into the river		Directorate: Infrastructure Services	Department: Water and Wastewater Services	Infrastructure Services	Local	
534	IDP Open Day	Ward 11	Alderman Johannie Serdyn	Roads, Transport and Stormwater	Provision of the working hours for the contractor in Paul Kruger Street. The contractor works until very late	The department will check and provide feedback as to when the Contractor is allowed to work in the evenings. The client was informed that consultants may apply to work later than the normal working hours	Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
535	IDP Open Day	Ward 11	Alderman Johannie Serdyn	Roads, Transport and Stormwater	Provision of the guidelines that allow contractors to close road at Hoffman Street	Dennesig str is currently closed and will reopen in December then the traffic will be better	Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
536	IDP Open Day	Ward 11	Alderman Johannie Serdyn	Roads, Transport and Stormwater	Objection of the double road on the R44	The final approval not yet completed	Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Provincial	Department of Infrastructure
537	IDP Open Day	Ward 11	Alderman Johannie Serdyn	Roads, Transport and Stormwater	Removal or issuing of fines for the illegal taxi rank opposite Stellenbosch train station	The municipality is currently working with Prasa, for alternative ground for taxis to stand. A request was sent to Prasa to give the municipality property for the taxis to move to. The client was informed that there is a demand for service which the province regulates and the taxis cannot be banned from standing at the property	Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
538	IDP Open Day	Ward 11	Alderman Johannie Serdyn	Area Cleaning	Inspection of the food prepared around where people urinate and wash vehicles in public by the illegal taxi rank at Stellenbosch station as this is a health risk		Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local	
539	IDP Open Day	Ward 11	Alderman Johannie Serdyn	Environmental Management	Removal of the squatters living in Onder-Pappegaaiberg		Directorate: Community and Protection Services	Department: Community Services	Rural Management and Environment	Local	
540	IDP Open Day	Ward 11	Alderman Johannie Serdyn	Environmental Management	Installation of a big gate at Onder Pappegaaiberg		Directorate: Community and Protection Services	Department: Community Services	Rural Management and Environment	Local	

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541	IDP Open Day	Ward 11	Alderman Johannie Serdyn	Environmental Management	Removal and cutting of trees at Donkerbos. The area also needs to be cleaned		Directorate: Community and Protection Services	Department: Community Services	Rural Management and Environment	Local	
542	IDP Open Day	Ward 11	Alderman Johannie Serdyn	Parks and Open Spaces	Cleaning at Donkerbos		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
543	IDP Open Day	Ward 11	Alderman Johannie Serdyn	Parks and Open Spaces	Installation of high fencing at all the entrances on Bridge Road in Plankenburg Industrial Area		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
544	IDP Open Day	Ward 11	Alderman Johannie Serdyn	Safety and Security	Installation of Security Camera's at Onder-Pappegaaiberg Reservoir		Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
545	IDP Open Day	Ward 11	Alderman Johannie Serdyn	Environmental Management	Re-install big gate at the Reservoir in Onder-Pappegaaiberg and close it with a safety lock		Directorate: Community and Protection Services	Department: Community Services	Rural Management and Environment	Local	
546	IDP Open Day	Ward 11	Alderman Johannie Serdyn	Environmental Management	Installation of fire paths at Onder-Pappegaaiberg Reserve and Lourie Street		Directorate: Community and Protection Services	Department: Community Services	Rural Management and Environment	Local	
547	IDP Open Day	Ward 11	Alderman Johannie Serdyn	Waste Management	Address the stealing of wheelie bins by informal pickers/homeless people and cross the road to Plankenburg River and take what they want, dump what they do not need next to the river		Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local	
548	IDP Open Day	Ward 11	Alderman Johannie Serdyn	Area Cleaning	Cleaning of the illegal dumping on the open space at Plankenburg Industrial Road		Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local	
549	WhatsApp	Ward 12	Cllr. Ayanda Tomose	Roads, Transport and Stormwater	Repairing and maintenance of roads in Enkanini		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
550	IDP Open Day	Ward 12	Cllr. Ayanda Tomose	Roads, Transport and Stormwater	Construction of the Nkanini pedestrian bridge, crossing the stream		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
551	IDP Open Day	Ward 12	Cllr. Ayanda Tomose	Roads, Transport and Stormwater	Provision of updated progress of the construction of the Nkanini Bridge; children are struggling to cross the stream when going to school		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
552	IDP Open Day	Ward 12	Cllr. Ayanda Tomose	Roads, Transport and Stormwater	Maintenance of all roads in Nkanini in Kayamandi		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
553	IDP Open Day	Ward 12	Cllr. Ayanda Tomose	Housing Administration	Housing application status and personal information update on the waiting list	The client was advised to visit the housing administration office in relation to the housing waiting list and the importance of updating the application by coming to check your status on the database	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
554	IDP Open Day	Ward 12	Cllr. Ayanda Tomose	Housing Development	Provision of housing development opportunities in Kayamandi		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure

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Community and Stakeholder Needs						Municipal Directorate and Western Cape Government Information					
No.	Source	Ward	Ward Councillor	Priority	Community Needs and Inputs	Departmental Action	Linkage to Directorate	Department	Responsible Mayoral Portfolio	Government Competency	WCG: Provincial Department
555	IDP Open Day	Ward 12	Cllr. Ayanda Tomose	Housing Administration	Housing application status and personal information update on the waiting list	The client was advised to visit the housing administration office in relation to the housing waiting list and the importance of updating the application by coming to check your status on the database	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
556	IDP Open Day	Ward 12	Cllr. Ayanda Tomose	Housing Development	Provision of housing development opportunities in Kayamandi		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
557	IDP Open Day	Ward 12	Cllr. Ayanda Tomose	Informal Settlements	The relocation of residents from Zone O to TRA in Watergang. The residents are having a problem with a meter number as they can't purchase electricity tokens		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
558	IDP Open Day	Ward 12	Cllr. Ayanda Tomose	Roads, Transport and Stormwater	Construction of roads at Nkanini in Kayamandi		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
559	IDP Open Day	Ward 12	Cllr. Ayanda Tomose	Electrical Services	Installation and repair of streetlights at Nkanini in Kayamandi		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
560	IDP Open Day	Ward 12	Cllr. Ayanda Tomose	Water Services	Construction of more ablution facilities at Nkanini in Kayamandi		Directorate: Infrastructure Services	Department: Water and Wastewater Services	Infrastructure Services	Local	
561	IDP Open Day	Ward 12	Cllr. Ayanda Tomose	Electrical Services	Repair streetlight next to the toilet at Bassie Street in Kayamandi ever since there was fire it never worked again		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
562	IDP Open Day	Ward 12	Cllr. Ayanda Tomose	Water Services	Construction of more ablution facilities at Bassie Street in Kayamandi its been 3 years		Directorate: Infrastructure Services	Department: Water and Wastewater Services	Infrastructure Services	Local	
563	IDP Open Day	Ward 12	Cllr. Ayanda Tomose	Waste Management	Re-installation of the skip that was removed at Bassie Street in Kayamandi or regular distribution of black bags as promised		Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local	
564	IDP Open Day	Ward 12	Cllr. Ayanda Tomose	Electrical Services	Installation of a streetlight next to the Themba shop in Kayamandi and 864 6th Street		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
565	IDP Open Day	Ward 12	Cllr. Ayanda Tomose	Roads, Transport and Stormwater	Construction of a road in between the shacks in Phase 2, ward 15 in Kayamandi. The ambulance can not reach the people		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
566	IDP Open Day	Ward 12	Cllr. Ayanda Tomose	Electrical Services	Repairing of the streetlight at Fire Street and 864 6th Avenue in Kayamandi		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
567	IDP Open Day	Ward 12	Cllr. Ayanda Tomose	Electrical Services	The municipal Let's Fix It team is delaying especially when it comes to electricity. They like to work after hours. The streetlights next to 864 6th Avenue in Kayamandi are out of order		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
568	IDP Open Day	Ward 12	Cllr. Ayanda Tomose	Electrical Services	Repair the streetlight next to the toilet at Bassie Street in Kayamandi. Ever since there was fire it never worked again		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	

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Community and Stakeholder Needs						Municipal Directorate and Western Cape Government Information					
No.	Source	Ward	Ward Councillor	Priority	Community Needs and Inputs	Departmental Action	Linkage to Directorate	Department	Responsible Mayoral Portfolio	Government Competency	WCG: Provincial Department
569	IDP Open Day	Ward 12	Cllr. Ayanda Tomose	Water Services	Construction of additional ablution facilities at Bassie Street in Kayamandi its been 3 years		Directorate: Infrastructure Services	Department: Water and Wastewater Services	Infrastructure Services	Local	
570	IDP Open Day	Ward 12	Cllr. Ayanda Tomose	Waste Management	Re-installation of the skip that was removed at Bassie Street in Kayamandi or regular distribution of black bags as promised		Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local	
571	IDP Open Day	Ward 12	Cllr. Ayanda Tomose	Roads, Transport and Stormwater	Relocate the community to open or expand the road at Bassie Street in Kayamandi for emergency vehicles		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
572	IDP Open Day	Ward 12	Cllr. Ayanda Tomose	Electrical Services	Repairing of the electric box at No 4 at 10th Avenue in Kayamandi		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
573	IDP Open Day	Ward 12	Cllr. Ayanda Tomose	Waste Management	Installation of skips and address illegal dumping at Nkanini in Kayamandi		Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local	
574	IDP Open Day	Ward 12	Cllr. Ayanda Tomose	Informal Settlements	Construction of new toilets at Nkanini, Section A in Kayamandi	The department (ISD) have funding from province but we still looking or allocating the space	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
575	IDP Open Day	Ward 12	Cllr. Ayanda Tomose	Housing Development	Provision of housing development in Nkanini in Kayamandi	Nkanini housing depends on the success of the Northen extension as a dissenting site is needed to develop Nkanini	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
576	IDP Open Day	Ward 12	Cllr. Ayanda Tomose	Housing Administration	Housing application status and personal information update on the waiting list	The client was advised to visit housing administration office in relation of the housing waiting list and the importance of updating the application by coming to check your status on the database	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
577	IDP Open Day	Ward 12	Cllr. Ayanda Tomose	Water Services	Repairing of the existing Kayamandi reservoir leakage	To be investigated by the water / Bulk services department	Directorate: Infrastructure Services	Department: Water and Wastewater Services	Infrastructure Services	Local	
578	IDP Open Day	Ward 12	Cllr. Ayanda Tomose	Parks and Open Spaces	Development of playpark in Thubelitha opposite Main Road in Vuyo Street in Kayamandi.		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
579	IDP Open Day	Ward 12	Cllr. Ayanda Tomose	Waste Management	Placement of the second skip at the entrance of Nkanini as the skip fills quickly	Skips are emptied frequently; the issue is at times access to the skip due to parked vehicles. The department will investigate if second skip may be placed	Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local	
580	IDP Open Day	Ward 12	Cllr. Ayanda Tomose	Housing Administration	How long should one be on the housing waiting list to get house?	A person needs to be at least 3 years on the housing waiting list to be selected on a new housing development, however, to be a beneficiary of a IRDP house one needs to meet the criteria set by government.	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	

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Community and Stakeholder Needs						Municipal Directorate and Western Cape Government Information					
No.	Source	Ward	Ward Councillor	Priority	Community Needs and Inputs	Departmental Action	Linkage to Directorate	Department	Responsible Mayoral Portfolio	Government Competency	WCG: Provincial Department
581	IDP Open Day	Ward 12	Cllr. Ayanda Tomose	Housing Administration	Housing application status and personal information update on the waiting list	It was explained that the current housing projects that the municipality is busy with in Kayamandi for this financial year and further explained that each financial year new developments are introduced according to approval from province. Most importantly I encouraged her to update her details on the waiting yearly	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
582	IDP Open Day	Ward 12	Cllr. Ayanda Tomose	Housing Administration	Housing application status and personal information update on the waiting list	It was explained that the current housing projects that the municipality is busy with in Kayamandi for this financial year and further explained that each financial year new developments are introduced according to approval from province. Most importantly I encouraged her to update her details on the waiting yearly	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
583	Have Your Say	Ward 12	Cllr. Ayanda Tomose	Electrical Services	Complete electrification of Nkanini		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
584	Have Your Say	Ward 12	Cllr. Ayanda Tomose	Housing Development	Provision of housing development opportunities in Kayamandi		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
585	Have Your Say	Ward 12	Cllr. Ayanda Tomose	Recreation and Sport	Construction of a swimming pool in Kayamandi		Directorate: Community and Protection Services	Department: Community Services	Youth, Sport and Culture	Local	
586	Have Your Say	Ward 12	Cllr. Ayanda Tomose	Electrical Services	Reduction of electricity costs or rates		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
587	Have Your Say	Ward 12	Cllr. Ayanda Tomose	Income and Expenditure	Reduction of rates and taxes to be affordable		Directorate: Financial Services	Department: Revenue and Expenditure	Financial Services	Local	
588	Have Your Say	Ward 12	Cllr. Ayanda Tomose	Roads, Transport and Stormwater	Repairing of potholes in ward 12 in Kayamandi Streets		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
589	Have Your Say	Ward 12	Cllr. Ayanda Tomose	Roads, Transport and Stormwater	Installation of speedbumps in ward 12 in Kayamandi		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
590	Have Your Say	Ward 12	Cllr. Ayanda Tomose	Area Cleaning	Regular cleaning of streets in ward 12 in Kayamandi		Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local	
591	Online Form	Ward 12	Cllr. Ayanda Tomose	Roads and Transport	Repair of roads in Nkanini and Azania The Roads need channels for the water to run through the channels that will lower the chances of damaging the road.		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
592	Online Form	Ward 12	Cllr. Ayanda Tomose	Property Management	Upgrade Makupula Hall and Strong Yard Hall for the community to have activities at the Hall, such as youth activities, organisational activities, SASSA, Labour.		Directorate: Corporate Services	Section: Properties Management and Municipal Building Maintenance	Corporate Services	Local	
593	Online Form	Ward 12	Cllr. Ayanda Tomose	Roads, Transport and Stormwater	Repair of potholes in the ward. After the winter season, the roads are full of potholes in the whole ward that need be fixed.		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	

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Community and Stakeholder Needs						Municipal Directorate and Western Cape Government Information					
No.	Source	Ward	Ward Councillor	Priority	Community Needs and Inputs	Departmental Action	Linkage to Directorate	Department	Responsible Mayoral Portfolio	Government Competency	WCG: Provincial Department
594	Online Form	Ward 12	Cllr. Ayanda Tomose	Land Use Management and Building	Naming of streets in Watergang and Snakevalley. Naming of the streets is very important because currently the streets are without names and our deliveries are getting lost due to no street names.		Directorate: PED	Department: Development Management	Planning, LED and Tourism	Local	
595	Online Form	Ward 12	Cllr. Ayanda Tomose	Spatial Planning	Urban Planning: design our town for land use transportation and infrastructure, sustainable communities and mixed-use development		Directorate: PED	Department: Development Planning	Planning, LED and Tourism	Local	
596	Online Form	Ward 12	Cllr. Ayanda Tomose	Environmental Management	Preservation of natural resources such as water and energy. Reducing fossil fuels and waste. Measures to mitigate climate change.		Directorate: Community and Protection Services	Department: Community Services	Rural Management and Environment	Local	
597	Online Form	Ward 12	Cllr. Ayanda Tomose	Health	Building of a new clinic in Kayamandi: We need a new clinic as the community of Kayamandi because the one that is available is too small and doesn't accommodate the community anymore people are complaining. I think as a black community we are being neglected as per coloured community Cloeteville and Ida's Valley clinic are big and they are functioning so well. Cloeteville clinic has been renovated and all the patients that were going there were evicted					Provincial	Western Cape Government Health and Wellness
598	Online Form	Ward 12	Cllr. Ayanda Tomose	Education	The education department doesn't care about the black community. It has been 18 years since Kayamandi Primary School was established but there's no proper structure while coloured schools haven't been built and been renovated					Provincial	Western Cape Education Department
599	Online Form	Ward 12	Cllr. Ayanda Tomose	Housing Administration	Upgrade of Municipal flats		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
600	Online Form	Ward 12	Cllr. Ayanda Tomose	Cleaning of Rivers	Cleaning of Enkanini River		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
601	Online Form	Ward 12	Alderman Johannie Serdyn	Beautification	Cleanup of the entrance to Devon Valley Rd and beautifying the area. This is the entrance to the neighbourhood and a lot of tourist travels this road on their way to wine farms. The entrance to Devon Valley looks really trashy and unkept		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
602	Online Form	Ward 12	Alderman Johannie Serdyn	Roads, Transport and Stormwater	Closure of Nagtegaal Road as discussed and asked before		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
603	WhatsApp	Ward 13	Cllr. Ayanda Tomose	Informal Settlements	Repairing of ablution facilities in Section A in Enkanini		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
604	IDP Open Day	Ward 13	Cllr. Mary Nkopane	Roads, Transport and Stormwater	Repairing of the stormwater drain that is frequently at Ndumela Street Zone J in Kayamandi	Superintendent to inform the team. Deploy Jetvac truck	Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
605	IDP Open Day	Ward 13	Cllr. Mary Nkopane	Roads, Transport and Stormwater	Repairing of the damaged road from Bassi to Ndumela Street in Kayamandi	Superintendent to inform the team. Deploy Jetvac truck	Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	

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Community and Stakeholder Needs						Municipal Directorate and Western Cape Government Information					
No.	Source	Ward	Ward Councillor	Priority	Community Needs and Inputs	Departmental Action	Linkage to Directorate	Department	Responsible Mayoral Portfolio	Government Competency	WCG: Provincial Department
606	IDP Open Day	Ward 13	Cllr. Mary Nkopane	Parks and Open Spaces	There is a grass cutting next to the road at Masithandane Street in Kayamandi.		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
607	IDP Open Day	Ward 13	Cllr. Mary Nkopane	Parks and Open Spaces	Recently, grass was not properly trimmed. Complainants suggest that the municipality uses poison for vegetation control		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
608	IDP Open Day	Ward 13	Cllr. Mary Nkopane	Property Management	Action or sell open plots or land in Kayamandi to youth to build their houses	The client was advised to visit Property Management to find out more.	Directorate: Corporate Services	Section: Properties Management and Municipal Building Maintenance	Corporate Services	Local	
609	IDP Open Day	Ward 13	Cllr. Mary Nkopane	Housing Administration	According to housing in Eastern Cape, the client already has a house in Stellenbosch of which the client doesn't own any house		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
610	IDP Open Day	Ward 13	Cllr. Mary Nkopane	Water Services	Repairing of the sewer that frequently blocked (every 3 days) at 20 Sisela Street in Kayamandi. The manhole is inside the yard	Sewer services will investigate why the sewer blockage is happening frequently	Directorate: Infrastructure Services	Department: Water and Wastewater Services	Infrastructure Services	Local	
611	IDP Open Day	Ward 13	Cllr. Mary Nkopane	Water Services	Repairing of the sewer drain outside the yard that blocks frequently at 23 Masithandane Street in Kayamandi	Investigate leak and possible repairs (IKAPA). Finance department to confirm if the client is paying the municipal account	Directorate: Infrastructure Services	Department: Water and Wastewater Services	Infrastructure Services	Local	
612	IDP Open Day	Ward 13	Cllr. Mary Nkopane	Water Services	Repairing of water leakage in the Bathroom at 23 Masithandane Street in Kayamandi	Investigate leak and possible repairs (IKAPA). Finance department to confirm if the client is paying the municipal account	Directorate: Infrastructure Services	Department: Water and Wastewater Services	Infrastructure Services	Local	
613	IDP Open Day	Ward 13	Cllr. Mary Nkopane	Water Services	Increase water on WMD	Increase demand if paying customer	Directorate: Infrastructure Services	Department: Water and Wastewater Services	Infrastructure Services	Local	
614	IDP Open Day	Ward 13	Cllr. Mary Nkopane	Income and Expenditure	The client needs to look at the water usage and to visit the indigent office to renew their subsidy	The client needs to look at the water usage and to visit the indigent office to renew their subsidy	Directorate: Financial Services	Department: Revenue and Expenditure	Financial Services	Local	
615	IDP Open Day	Ward 13	Cllr. Mary Nkopane	Income and Expenditure	The client needs to check balance of account Acc 10178638 and to visit the indigent office to renew their subsidy		Directorate: Financial Services	Department: Revenue and Expenditure	Financial Services	Local	
616	IDP Open Day	Ward 13	Cllr. Mary Nkopane	Facilities	Repairing of the wall near Kayamandi Library in Kayamandi		Directorate: Community and Protection Services	Department: Community Services	Community Services	Local	
617	IDP Open Day	Ward 13	Cllr. Mary Nkopane	Housing Administration	Replacement of the leaking roof at Hostel C141 in Kayamandi		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
618	IDP Open Day	Ward 13	Cllr. Mary Nkopane	Local Economic Development and Tourism	Provision of vacant land to place container for small business in Kayamandi		Directorate: PED	Department: Development Planning	Planning, LED and Tourism	Local	

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No.	Source	Ward	Ward Councillor	Priority	Community Needs and Inputs	Departmental Action	Linkage to Directorate	Department	Responsible Mayoral Portfolio	Government Competency	WCG: Provincial Department
619	IDP Open Day	Ward 13	Cllr. Mary Nkopane	Property Management	Provision of vacant land to buy for housing development in Kayamandi		Directorate: Corporate Services	Section: Properties Management and Municipal Building Maintenance	Corporate Services	Local	
620	Have Your Say	Ward 13	Cllr. Mary Nkopane	Housing Development	Provision of housing development opportunities for backyarders in Kayamandi		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
621	Have Your Say	Ward 13	Cllr. Mary Nkopane	Parks and Open Spaces	Construction of a playpark in Ward 13 in Kayamandi		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
622	Have Your Say	Ward 13	Cllr. Mary Nkopane	Area Cleaning	Recruitment or selection of the Ward 13 residents to clean the streets in ward 13 in Kayamandi		Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local	
623	Have Your Say	Ward 13	Cllr. Mary Nkopane	Electrical Services	Reduction of electricity costs or rates		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
624	Have Your Say	Ward 13	Cllr. Mary Nkopane	Informal Settlements	Maintenance and repairing of ablution facilities ; and installation of more taps in ward 13 informal settlements in Kayamandi		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
625	WhatsApp	Ward 14	Cllr. Ayanda Tomose	Informal Settlements	Installation of additional ablution facilities in Section A in Enkanini		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
626	IDP Open Day	Ward 14	Cllr. Maxwell Danana	Roads, Transport and Stormwater	Cleaning of blocked stormwater drains at Zone P in Kayamandi	Superintendent to follow up regarding the team performance	Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
627	IDP Open Day	Ward 14	Cllr. Maxwell Danana	Roads, Transport and Stormwater	Cleaning or removal of the waste after cleaning the stormwater drains	Superintendent to follow up regarding the team performance	Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
628	IDP Open Day	Ward 14	Cllr. Maxwell Danana	Roads, Transport and Stormwater	Kill or poison the rats from stormwater drains / catchpit which eventually go to houses at Street No. 7 Esheshumi	The superintendent will investigate	Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
629	IDP Open Day	Ward 14	Cllr. Maxwell Danana	Electrical Services	Repairing of the meter number as a resident is unable to purchase an electricity token at TRA in Watergang in Kayamandi		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
630	IDP Open Day	Ward 14	Cllr. Maxwell Danana	Housing Administration	Housing application status and personal information update on the waiting list	The client was advised to visit the housing administration office in relation to the housing waiting list and the importance of updating the application by coming to check your status on the database	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
631	IDP Open Day	Ward 14	Cllr. Maxwell Danana	Roads, Transport and Stormwater	Repairing of the stormwater drains at Watergang TRA 1 that burst during the rainy season		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
632	IDP Open Day	Ward 14	Cllr. Maxwell Danana	Housing Administration	Housing application status and personal information update on the waiting list	The client was advised to visit housing administration office in relation of the housing waiting list and the importance of updating the application by coming to check your status on the database	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
633	IDP Open Day	Ward 14	Cllr. Maxwell Danana	Roads, Transport and Stormwater	Relocation or removal of the drain from inside the yard. The drain smells and is affecting the family (kids) and caused the owner to have TB in 2015.		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	

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No.	Source	Ward	Ward Councillor	Priority	Community Needs and Inputs	Departmental Action	Linkage to Directorate	Department	Responsible Mayoral Portfolio	Government Competency	WCG: Provincial Department
634	IDP Open Day	Ward 14	Cllr. Maxwell Danana	Supply Chain Management	Make provision for construction tender possibilities to businesses from Kayamandi		Directorate: Financial Services	Department: Supply Chain Management	Financial Services	Local	
635	IDP Open Day	Ward 14	Cllr. Maxwell Danana	Roads, Transport and Stormwater	Cleaning of drain blockages regularly in Strong Yard in Kayamandi. The people residing in Strong Yard always get diagnosed with TB due to dirty drains.		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
636	IDP Open Day	Ward 14	Cllr. Maxwell Danana	Facilities	Provision of clarity on the Strong Yard Community Hall in Kayamandi, it has been vandalized and crimes (robberies) are committed by the people sleeping in the Hall		Directorate: Community and Protection Services	Department: Community Services	Community Services	Local	
637	IDP Open Day	Ward 14	Cllr. Maxwell Danana	Electrical Services	Repairing of streetlights in Strong Yard in Kayamandi		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
638	IDP Open Day	Ward 14	Cllr. Maxwell Danana	Community Development	Provision of shelter or relocation of children with disabilities from Kayamandi		Directorate: Community and Protection Services	Section: Community Development	Community Services	Local	
639	IDP Open Day	Ward 14	Cllr. Maxwell Danana	Facilities	Maintenance and expansion/enlarge Makapula Hall	Property Management is busy appointing service providers to renovate the hall. Directors (Corporate Services, Planning and Halls) must provide feedback on hall expansion.	Directorate: Community and Protection Services	Department: Community Services	Community Services	Local	
640	IDP Open Day	Ward 14	Cllr. Maxwell Danana	Human Resource Management	Provision of municipal job opportunities to graduates from Kayamandi	The Municipality has the EPWP programme, where unemployed people are getting short-term jobs. She must visit the ward office/ HR and find out how this works. Jobs are also advertised on the Municipal website, she must visit the website and apply for the jobs.	Directorate: Corporate Services	Department: Human Resources Management	Corporate Services	Local	
641	IDP Open Day	Ward 14	Cllr. Maxwell Danana	Area Cleaning	Cleaning of streets in Zone P 9th Avenue in Kayamandi		Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local	
642	IDP Open Day	Ward 14	Cllr. Maxwell Danana	Electrical Services	Repairing of streetlights at Watergang in Kayamandi		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
643	IDP Open Day	Ward 14	Cllr. Maxwell Danana	Safety and Security	Installation of CCTV cameras at Watergang in Kayamandi as promised by the Municipality		Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
644	IDP Open Day	Ward 14	Cllr. Maxwell Danana	Roads, Transport and Stormwater	Cleaning of drains at Watergang in Kayamandi		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
645	IDP Open Day	Ward 14	Cllr. Maxwell Danana	Area Cleaning	Cleaning of the streets at Watergang in Kayamandi		Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local	
646	IDP Open Day	Ward 14	Cllr. Maxwell Danana	Water Services	Repairing of the blocked toilets at Watergang in Kayamandi		Directorate: Infrastructure Services	Department: Water and Wastewater Services	Infrastructure Services	Local	
647	IDP Open Day	Ward 14	Cllr. Maxwell Danana	Waste Management	Installation of bins at Watergang in Kayamandi		Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local	
648	IDP Open Day	Ward 14	Cllr. Maxwell Danana	Electrical Services	Repairing the Meter problem, can not punch in token, display faulty		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	

3rd Review of the 5th Generation IDP 2022 - 2027: IDP and Budget Comments and Inputs: September 2024											
Community and Stakeholder Needs						Municipal Directorate and Western Cape Government Information					
No.	Source	Ward	Ward Councillor	Priority	Community Needs and Inputs	Departmental Action	Linkage to Directorate	Department	Responsible Mayoral Portfolio	Government Competency	WCG: Provincial Department
649	IDP Open Day	Ward 14	Cllr. Maxwell Danana	Electrical Services	Repairing of the 3 streetlights which is out of order in Zone I in Kayamandi		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
650	IDP Open Day	Ward 14	Cllr. Maxwell Danana	Housing Administration	Housing application status and personal information update on the waiting list	The client was advised to visit housing administration office in relation of the housing waiting list and the importance of updating the application by coming to check your status on the database	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
651	IDP Open Day	Ward 14	Cllr. Maxwell Danana	Housing Development	Provision of housing development in Zone P in Kayamandi		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
652	IDP Open Day	Ward 14	Cllr. Maxwell Danana	Housing Administration	Housing application status and personal information update on the waiting list	The client was advised to visit housing administration office in relation of the housing waiting list and the importance of updating the application by coming to check your status on the database	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
653	IDP Open Day	Ward 14	Cllr. Maxwell Danana	Roads, Transport and Stormwater	Construction of the road between the structures in Zone O in Kayamandi for emergencies and vehicles		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
654	IDP Open Day	Ward 14	Cllr. Maxwell Danana	Housing Administration	Maintenance of Zone P Hostels in Kayamandi	The housing department is responsible for maintenance of rental stock an assessment needs to take place	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
655	IDP Open Day	Ward 14	Cllr. Maxwell Danana	Community Development	Ward 14 ward committee members want to start a soup kitchen for elderly ladies and persons with disability. Provision of a place to run soup kitchen and the equipment that is needed	One or 2 ways are suggested: 1.Link up with existing NGO who support local women to implement soup kitchens by providing equipment and food stuffs for them to cook. Feeding in Action. Contact details provided to person making the enquiry. This option is preferable to start with as it does not require governance-related issues needed for Grant in Aid application. Contact	Directorate: Community and Protection Services	Section: Community Development	Community Services	Local	
656	IDP Open Day	Ward 14	Cllr. Maxwell Danana	Parks and Open Spaces	Maintenance of the playpark and repairing of broken play equipment in Costa Land in Kayamandi- close to Baptist church		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
657	IDP Open Day	Ward 14	Cllr. Maxwell Danana	Parks and Open Spaces	Fencing around the playpark in Costa Land in Kayamandi		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
658	IDP Open Day	Ward 14	Cllr. Maxwell Danana	Parks and Open Spaces	Deployment of playpark wardens to safeguard playparks in Kayamandi		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
659	IDP Open Day	Ward 14	Cllr. Maxwell Danana	Community Development	Provision of assistance to start a soup kitchen in ward 14 in Kayamandi		Directorate: Community and Protection Services	Section: Community Development	Community Services	Local	
660	IDP Open Day	Ward 14	Cllr. Maxwell Danana	Environmental Management	Removal of tree stumps in Zone I at I145 Swart Close Street in Kayamandi.		Directorate: Community and Protection Services	Department: Community Services	Rural Management and Environment	Local	
661	IDP Open Day	Ward 14	Cllr. Maxwell Danana	Environmental Management	Pruning of trees in Zone O in Kayamandi		Directorate: Community and Protection Services	Department: Community Services	Rural Management and Environment	Local	
662	IDP Open Day	Ward 14	Cllr. Maxwell Danana	Environmental Management	Removal of tree roots damaging houses in Costa Land, Kayamandi and the back of the boundary hall		Directorate: Community and Protection Services	Department: Community Services	Rural Management and Environment	Local	
663	IDP Open Day	Ward 14	Cllr. Maxwell Danana	Parks and Open Spaces	Fencing around playpark in Kayamandi		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	

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Community and Stakeholder Needs						Municipal Directorate and Western Cape Government Information					
No.	Source	Ward	Ward Councillor	Priority	Community Needs and Inputs	Departmental Action	Linkage to Directorate	Department	Responsible Mayoral Portfolio	Government Competency	WCG: Provincial Department
664	IDP Open Day	Ward 14	Cllr. Maxwell Danana	Parks and Open Spaces	Installation of additional play equipment and additional outdoor gym equipment in playpark in Kayamandi		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
665	IDP Open Day	Ward 14	Cllr. Maxwell Danana	Environmental Management	Cutting or pruning of dangerous trees in Zone P in Kayamandi		Directorate: Community and Protection Services	Department: Community Services	Rural Management and Environment	Local	
666	IDP Open Day	Ward 14	Cllr. Maxwell Danana	Facilities	Construction of the community hall in Consta Land and Zone I in Kayamandi to be utilise for funerals and other events		Directorate: Community and Protection Services	Department: Community Services	Community Services	Local	
667	IDP Open Day	Ward 14	Cllr. Maxwell Danana	Area Cleaning	Regular and thorough street sweeping in Luyolo Street, Majola in Kayamandi	Complaint to be provided to the team	Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local	
668	IDP Open Day	Ward 14	Cllr. Maxwell Danana	Area Cleaning	Recruited worker for street sweeping must clean their areas or streets	Recruitment done per ward not per street	Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local	
669	IDP Open Day	Ward 14	Cllr. Maxwell Danana	Area Cleaning	Sweeping of 9th Avenue as it Zone O Street sweepers do not sweep 9th Avenue in Kayamandi		Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local	
670	IDP Open Day	Ward 14	Cllr. Maxwell Danana	Area Cleaning	Street sweepers claim they were not instructed to clean 9th Avenue in Kayamandi		Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local	
671	IDP Open Day	Ward 14	Cllr. Maxwell Danana	Waste Management	Distribution of waste bags in 9th Avenue in Kayamandi		Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local	
672	IDP Open Day	Ward 14	Cllr. Maxwell Danana	Informal Settlements	Replacement of doors on the public toilet at Zone I in Kayamandi		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
673	IDP Open Day	Ward 14	Cllr. Maxwell Danana	Informal Settlements	Fencing behind the toilets at Zone I in Kayamandi		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
674	IDP Open Day	Ward 14	Cllr. Maxwell Danana	Electrical Services	Repairing of the streetlights at Zone I in Kayamandi		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
675	IDP Open Day	Ward 14	Cllr. Maxwell Danana	Housing Development	Provision of housing development opportunities at Zone I in Kayamandi	It was explained that the current housing projects that the municipality is busy with in Kayamandi for this financial year and further explained that each financial year new developments are introduced according to approval from province. Most importantly resident need to update personal information on the waiting list on an annual basis	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
676	IDP Open Day	Ward 14	Cllr. Maxwell Danana	Land Use Management and Building	Provision of information of house pins end at 10 Sesishumi Street, Coastland in Kayamandi		Directorate: PED	Department: Development Management	Planning, LED and Tourism	Local	
677	Have Your Say	Ward 14	Cllr. Maxwell Danana	Housing Development	Provision of housing development opportunities in Kayamandi		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
678	Have Your Say	Ward 14	Cllr. Maxwell Danana	Electrical Services	Installation of more streetlights in ward 14 in Kayamandi		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
679	Have Your Say	Ward 14	Cllr. Maxwell Danana	Housing Development	Provision of housing development opportunities for Zone I in Kayamandi		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure

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Community and Stakeholder Needs						Municipal Directorate and Western Cape Government Information					
No.	Source	Ward	Ward Councillor	Priority	Community Needs and Inputs	Departmental Action	Linkage to Directorate	Department	Responsible Mayoral Portfolio	Government Competency	WCG: Provincial Department
680	Have Your Say	Ward 14	Cllr. Maxwell Danana	Informal Settlements	Repairing of doors and roofs of the ablution facilities in Zone I in Kayamandi		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
681	Have Your Say	Ward 14	Cllr. Maxwell Danana	Housing Development	Provision of housing development opportunities for Zone I in Kayamandi		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
682	Have Your Say	Ward 14	Cllr. Maxwell Danana	Human Resource Management	Provision of job opportunities for youth in Kayamandi		Directorate: Corporate Services	Department: Human Resources Management	Corporate Services	Local	
683	Have Your Say	Ward 14	Cllr. Maxwell Danana	Facilities	Extension of Kayamandi Hall by removing the informal house close to the hall		Directorate: Community and Protection Services	Department: Community Services	Community Services	Local	
684	Have Your Say	Ward 14	Cllr. Maxwell Danana	Housing Development	Provision of housing development opportunities in Kayamandi		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
685	Have Your Say	Ward 14	Cllr. Maxwell Danana	Facilities	Extension of Kayamandi Hall by removing the informal house close to the hall		Directorate: Community and Protection Services	Department: Community Services	Community Services	Local	
686	Have Your Say	Ward 14	Cllr. Maxwell Danana	Informal Settlements	Repairing of doors and roofs of the ablution facilities in Zone I in Kayamandi		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
687	Have Your Say	Ward 14	Cllr. Maxwell Danana	Informal Settlements	Repairing of doors and roofs of the ablution facilities in Zone I in Kayamandi		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
688	Have Your Say	Ward 14	Cllr. Maxwell Danana	Informal Settlements	Repairing of doors and roofs of the ablution facilities in Zone I in Kayamandi		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
689	Have Your Say	Ward 14	Cllr. Maxwell Danana	Facilities	Extension of Kayamandi Hall by removing the informal house close to the hall		Directorate: Community and Protection Services	Department: Community Services	Community Services	Local	
690	Have Your Say	Ward 14	Cllr. Maxwell Danana	Housing Development	Provision of housing development opportunities in Kayamandi		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
691	Have Your Say	Ward 14	Cllr. Maxwell Danana	Housing Development	Provision of housing development opportunities in Kayamandi		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
692	Have Your Say	Ward 14	Cllr. Maxwell Danana	Informal Settlements	Repairing of doors and roofs of the ablution facilities in Zone I in Kayamandi		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
693	Have Your Say	Ward 14	Cllr. Maxwell Danana	Facilities	Extension of Kayamandi Hall by removing the informal house close to the hall		Directorate: Community and Protection Services	Department: Community Services	Community Services	Local	
694	Have Your Say	Ward 14	Cllr. Maxwell Danana	Housing Development	Provision of housing development opportunities in Kayamandi		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
695	Have Your Say	Ward 14	Cllr. Maxwell Danana	Facilities	Extension of Kayamandi Hall by removing the informal house close to the hall		Directorate: Community and Protection Services	Department: Community Services	Community Services	Local	
696	Have Your Say	Ward 14	Cllr. Maxwell Danana	Housing Development	Provision of housing development opportunities in Kayamandi		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure

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Community and Stakeholder Needs						Municipal Directorate and Western Cape Government Information					
No.	Source	Ward	Ward Councillor	Priority	Community Needs and Inputs	Departmental Action	Linkage to Directorate	Department	Responsible Mayoral Portfolio	Government Competency	WCG: Provincial Department
697	Have Your Say	Ward 14	Cllr. Maxwell Danana	Local Economic Development and Tourism	Consideration of people from 50 - 60 years on EPWP employment in Kyamandi		Directorate: PED	Department: Development Planning	Planning, LED and Tourism	Local	
698	Have Your Say	Ward 14	Cllr. Maxwell Danana	Housing Development	Provision of housing development opportunities in Kayamandi		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
699	Have Your Say	Ward 14	Cllr. Maxwell Danana	Health	Building of a second clinic in Kayamandi		Directorate: Corporate Services	Office of the Director Corporate Services	Corporate Services	Provincial	Western Cape Government Health and Wellness
700	Have Your Say	Ward 14	Cllr. Maxwell Danana	Housing Development	Provision of housing development opportunities in Kayamandi		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
701	Have Your Say	Ward 14	Cllr. Maxwell Danana	Electrical Services	Installation of streetlights in ward 14 in Kayamandi		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
702	Have Your Say	Ward 14	Cllr. Maxwell Danana	Safety and Security	Increased visibility of law enforcement in Kayamandi		Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
703	Have Your Say	Ward 14	Cllr. Maxwell Danana	Housing Development	Provision of housing development opportunities in Kayamandi		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
704	Have Your Say	Ward 14	Cllr. Maxwell Danana	Facilities	Extension of Kayamandi Hall by removing the informal house close to the hall		Directorate: Community and Protection Services	Department: Community Services	Community Services	Local	
705	Have Your Say	Ward 14	Cllr. Maxwell Danana	Housing Development	Provision of housing development opportunities in Kayamandi		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
706	Have Your Say	Ward 14	Cllr. Maxwell Danana	Electrical Services	Installation of streetlights in ward 14 in Kayamandi		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
707	Have Your Say	Ward 14	Cllr. Maxwell Danana	Informal Settlements	Repairing of doors and roofs of the ablution facilities in Zone I in Kayamandi		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
708	Have Your Say	Ward 14	Cllr. Maxwell Danana	Informal Settlements	Repairing of doors and roofs of the ablution facilities in Zone I in Kayamandi		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
709	Have Your Say	Ward 14	Cllr. Maxwell Danana	Facilities	Extension of the Kayamandi Hall by removing the informal house close to the hall		Directorate: Community and Protection Services	Department: Community Services	Community Services	Local	
710	Have Your Say	Ward 14	Cllr. Maxwell Danana	Facilities	Extension of the Kayamandi Hall by removing the informal house close to the hall		Directorate: Community and Protection Services	Department: Community Services	Community Services	Local	
711	Have Your Say	Ward 14	Cllr. Maxwell Danana	Housing Development	Provision of housing development opportunities in Kayamandi		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
712	Have Your Say	Ward 14	Cllr. Maxwell Danana	Health	Building of a second clinic in Kayamandi		Directorate: Corporate Services	Office of the Director Corporate Services	Corporate Services	Provincial	Western Cape Government Health and Wellness
713	Have Your Say	Ward 14	Cllr. Maxwell Danana	Facilities	Extension of the Kayamandi Hall by removing the informal house close to the hall		Directorate: Community and Protection Services	Department: Community Services	Community Services	Local	
714	Have Your Say	Ward 14	Cllr. Maxwell Danana	Housing Development	Provision of housing development opportunities in Kayamandi		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure

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Community and Stakeholder Needs						Municipal Directorate and Western Cape Government Information					
No.	Source	Ward	Ward Councillor	Priority	Community Needs and Inputs	Departmental Action	Linkage to Directorate	Department	Responsible Mayoral Portfolio	Government Competency	WCG: Provincial Department
715	Online Form	Ward 14	Cllr. Maxwell Danana	Recreation and Sport	Upgrading of Strong Yard Hall. The Hall is useful by churches, organisations, and for youth activities. The community needs a hall for departments like SASSA, UIF, Labour and other departments. If the Hall can be upgraded it would mean the community has achieved a lot because, as community, we don't have any hall currently to accommodate activities of the community.		Directorate: Corporate Services	Section: Properties Management and Municipal Building Maintenance	Corporate Services	Local	
716	Online Form	Ward 14	Cllr. Maxwell Danana	Area Cleaning	Area Cleaning: To clean the streets and also provide plastic bags for each household to avoid illegal dumping.		Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local	
717	Online Form	Ward 14	Cllr. Maxwell Danana	Safety and Security	Safety and security at the StrongYard Hall. My priority is the StrongYard Hall. I'd be very pleased if we could get assistance due to the criminals sleeping in the hall and no one can pass there at night, especially people that comes to work and need to use that road.		Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
718	Online Form	Ward 14	Cllr. Maxwell Danana	Housing Development	Provision of housing opportunities in Kayamandi		Directorate: PED	Department: Integrated Human Settlements	Planning, LED and Tourism	Local	Department of Infrastructure
719	IDP Open Day	Ward 15	Cllr. Elliot Masimini	Property Management	What happened to the plots that were advertised and withdrawn in 2014. The plots that belong to the Municipality are becoming dumping sites. What is the way forward, what is the Municipality doing to discard the plots. The same with the plots that were sold in the 1990's, nothing has been build and the plots are used for dumping.		Directorate: Corporate Services	Section: Properties Management and Municipal Building Maintenance	Corporate Services	Local	
720	IDP Open Day	Ward 15	Cllr. Elliot Masimini	Electrical Services	Repairing of streetlights at Bassie Street in Kayamandi		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
721	IDP Open Day	Ward 15	Cllr. Elliot Masimini	Roads, Transport and Stormwater	Repairing of the damaged road by the heavy rains at Bassie Street in Kayamandi		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
722	IDP Open Day	Ward 15	Cllr. Elliot Masimini	Water Services	Repairing and maintenance of leaking toilets and the water flood in front of people's houses at Bassie Street in Kayamandi		Directorate: Infrastructure Services	Department: Water and Wastewater Services	Infrastructure Services	Local	
723	IDP Open Day	Ward 15	Cllr. Elliot Masimini	Waste Management	Regular collection of bins and emptying of skips at Kayamandi Streets		Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local	
724	IDP Open Day	Ward 15	Cllr. Elliot Masimini	Waste Management	Distribution of refuse black bags at Bassie Street in Kayamandi		Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local	
725	IDP Open Day	Ward 15	Cllr. Elliot Masimini	Area Cleaning	Monitoring of selection of the same people from the database for street sweep in Kayamandi. Suggests that the ward committees to be involved in the selection process		Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local	
726	IDP Open Day	Ward 15	Cllr. Elliot Masimini	Roads, Transport and Stormwater	Cleaning of the blocked drain in front of the houses on Setona Street, Kayamandi		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
727	IDP Open Day	Ward 15	Cllr. Elliot Masimini	Electrical Services	Repairing of the faulty meter box. The plugs do not work at J5 10th Street in Kayamandi		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	

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Community and Stakeholder Needs						Municipal Directorate and Western Cape Government Information					
No.	Source	Ward	Ward Councillor	Priority	Community Needs and Inputs	Departmental Action	Linkage to Directorate	Department	Responsible Mayoral Portfolio	Government Competency	WCG: Provincial Department
728	IDP Open Day	Ward 15	Cllr. Elliot Masimini	Community Development	Require support and information relating to the elderly and persons with disabilities portfolios in ward committee of ward 15 especially in relation to disability as it is still under prejudice in the community	Elderly = Portia Jansen (02) 808 8423, portia.jansen@ Stellenbosch.gov.za); Capacity Building for elderly groups. Works with Nomzamo Elderly group- writing a constitution for the group, how to form a committee, roles and responsibilities of the committee members, awareness (elderly abuse, how to write a will) and Golden Games. (Lungelwa wants to work with the existing elderly group to first learn about the programmes and what the groups can do and then maybe start a group for Ward 15.). Disability = Priscilla Napoleon (021) 808 -----, priscilla.napoleon@ Stellenbosch.gov.za); Works with disability organisations like ChangeAbility running peer support programmes in Kayamandi. Suggest that Lungelwa link up with the existing peer support programme. (The same principle exists to work through all ward reps for disability to learn together.)	Directorate: Community and Protection Services	Section: Community Development	Community Services	Local	
729	IDP Open Day	Ward 15	Cllr. Elliot Masimini	Water Services	Construction of ablution facilities for the people that were moved to Zone L from Zone K due to fire disasters	The department will investigate if there is a need for another ablution block	Directorate: Infrastructure Services	Department: Water and Wastewater Services	Infrastructure Services	Local	
730	IDP Open Day	Ward 15	Cllr. Elliot Masimini	Water Services	Repairing of the sewer that block every week in Zone J. Dumela Street Close to Dutch Church in Kayamandi	To be investigated by the sewer department	Directorate: Infrastructure Services	Department: Water and Wastewater Services	Infrastructure Services	Local	
731	IDP Open Day	Ward 15	Cllr. Elliot Masimini	Housing Administration	Housing application status and personal information update on the waiting list	it was explained that the current housing projects that the municipality is busy with in Kayamandi for this financial year and further explained that each financial year new developments are introduced according to approval from province. Most	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
732	Have Your Say	Ward 15	Cllr. Elliot Masimini	Property Management	Construction of a community Hall in Kayamandi		Directorate: Corporate Services	Section: Properties Management and Municipal Building Maintenance	Corporate Services	Local	
733	Have Your Say	Ward 15	Cllr. Elliot Masimini	Housing Development	Provision of housing development opportunities in Kayamandi		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
734	Have Your Say	Ward 15	Cllr. Elliot Masimini	Community Development	Provision of buildings or accommodation for creches in Kayamandi		Directorate: Community and Protection Services	Section: Community Development	Community Services	Local	
735	Have Your Say	Ward 15	Cllr. Elliot Masimini	Human Resource Management	Provision of learnerships and trainings in Kayamandi		Directorate: Corporate Services	Department: Human Resources Management	Corporate Services	Local	
736	Have Your Say	Ward 15	Cllr. Elliot Masimini	Local Economic Development and Tourism	Consideration of youth from Kayamandi that are registered on the EPWP database		Directorate: PED	Department: Development Planning	Planning, LED and Tourism	Local	
737	Have Your Say	Ward 15	Cllr. Elliot Masimini	Safety and Security	Increased visibility of law enforcement in Kayamandi		Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
738	Online Form	Ward 15	Cllr. Elliot Masimini	Housing Development	As a young professional, I do not qualify for government housing and I can't afford a bond in Stellenbosch. There are no plots or houses available for sale in Kayamandi. I'm currently staying with my parents still		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	Department of Infrastructure
739	Online Form	Ward 15	Cllr. Elliot Masimini	Community Development	Not much happening when it comes to community development what are the plans for Kayamandi and is the community being engaged regarding those plans		Directorate: Community and Protection Services	Section: Community Development	Youth, Sport and Culture	Local	

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Community and Stakeholder Needs						Municipal Directorate and Western Cape Government Information					
No.	Source	Ward	Ward Councillor	Priority	Community Needs and Inputs	Departmental Action	Linkage to Directorate	Department	Responsible Mayoral Portfolio	Government Competency	WCG: Provincial Department
740	IDP Open Day	Ward 16	Cllr. Elsabe Vermeulen	Electrical Services	Replacement of the stolen electric supply cable feeding the neighbourhood watch container in Cloeteville	The container used by the neighbourhood watch was connected temporarily. A service connection application is required	Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
741	IDP Open Day	Ward 16	Cllr. Elsabe Vermeulen	Electrical Services	Fence and lock the White City kiosk at 3 Pearce Street in Cloeteville	Kiosk refers to lines and cables	Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
742	IDP Open Day	Ward 16	Cllr. Elsabe Vermeulen	Parks and Open Spaces	Upgrade lighting at the playparks in Cloeteville		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
743	IDP Open Day	Ward 16	Cllr. Elsabe Vermeulen	Electrical Services	Repairing of the power meter buttons at No. 3 Last Rd in Cloeteville		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
744	IDP Open Day	Ward 16	Cllr. Elsabe Vermeulen	Roads, Transport and Stormwater	Repairing of the lead water ditch at 24 Pine Street in Cloeteville		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
745	IDP Open Day	Ward 16	Cllr. Elsabe Vermeulen	Roads, Transport and Stormwater	Cleaning and maintenance of the sloop" in Cloeteville		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
746	IDP Open Day	Ward 16	Cllr. Elsabe Vermeulen	Roads, Transport and Stormwater	Installation of the sewer manhole lid on the property at 24 Pine Street in Cloeteville		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
747	IDP Open Day	Ward 16	Cllr. Elsabe Vermeulen	Roads, Transport and Stormwater	Installation of traffic congestion measures in Lang Street and allow vehicles to exit driveways in Lang Street in Cloeteville		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
748	IDP Open Day	Ward 16	Cllr. Elsabe Vermeulen	Roads, Transport and Stormwater	Installation of a raised intersection with pedestrian crossing at the TEE intersection of Curry Street and Lang Street in Cloeteville		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
749	IDP Open Day	Ward 16	Cllr. Elsabe Vermeulen	Roads, Transport and Stormwater	Cleaning of the sloop in Pine Street in Cloeteville		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
750	IDP Open Day	Ward 16	Cllr. Elsabe Vermeulen	Safety and Security	Inspections of the operational hours of the liquor shop opposite the VGK Church in Cloeteville	Liquor inspections are conducted at liquor trading places.	Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Provincial	Department of Police Oversight and Community Safety
751	IDP Open Day	Ward 16	Cllr. Elsabe Vermeulen	Safety and Security	Increase visibility of law enforcement to reduce robberies during the day in Cloeteville	Regular joint operations conducted with SAPS	Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
752	IDP Open Day	Ward 16	Cllr. Elsabe Vermeulen	Safety and Security	Installation of CCTV cameras in the Cloeteville area (hotspots)	CCTV tender is in process.	Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
753	IDP Open Day	Ward 16	Cllr. Elsabe Vermeulen	Safety and Security	Installation of a panic button at the ward office in Cloeteville	Request to be submitted via the ward councillor	Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
754	IDP Open Day	Ward 16	Cllr. Elsabe Vermeulen	Housing Development	Provision of housing development opportunities in Cloeteville	Housing opportunities in Northern Extension; Social Housing, Farms 81/2 and 81/9; and Soekmekaar, Erf 7001 Cloeteville	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
755	IDP Open Day	Ward 16	Cllr. Elsabe Vermeulen	Housing Development	Provision of housing development opportunities in Cloeteville	Housing opportunities in Soekmekaar, Northern Extension and Farms 81/2 and 81/9, Social Housing	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
756	IDP Open Day	Ward 16	Cllr. Elsabe Vermeulen	Area Cleaning	Resolve and clean the continuous illegal dumping at Vredelust Street (open space) in Cloeteville		Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local	

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Community and Stakeholder Needs						Municipal Directorate and Western Cape Government Information					
No.	Source	Ward	Ward Councillor	Priority	Community Needs and Inputs	Departmental Action	Linkage to Directorate	Department	Responsible Mayoral Portfolio	Government Competency	WCG: Provincial Department
757	IDP Open Day	Ward 16	Cllr. Elsabe Vermeulen	Property Management	Provision of assistance to lease the land (open space) at Vredelust Street in Cloeteville for community garden		Directorate: Corporate Services	Section: Properties Management and Municipal Building Maintenance	Corporate Services	Local	
758	IDP Open Day	Ward 16	Cllr. Elsabe Vermeulen	Parks and Open Spaces	Removal of the large tree stump that has been lying on the playpark in Cloeteville		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
759	IDP Open Day	Ward 16	Cllr. Elsabe Vermeulen	Parks and Open Spaces	Stump is a danger to children who utilise the playpark		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
760	IDP Open Day	Ward 16	Cllr. Elsabe Vermeulen	Parks and Open Spaces	Turf needs to be upgraded due to wind damages at Cloeteville playpark		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
761	IDP Open Day	Ward 16	Cllr. Elsabe Vermeulen	Parks and Open Spaces	People of Vredelust Street in Cloeteville took ownership of the open space. Erected a wall with stones to beautify the open space		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
762	IDP Open Day	Ward 16	Cllr. Elsabe Vermeulen	Parks and Open Spaces	Installation of two benches at the open space at Vredelust Street in Cloeteville		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
763	IDP Open Day	Ward 16	Cllr. Elsabe Vermeulen	Parks and Open Spaces	People of Vredelust Street in Cloeteville to make a table for the open space using cane that they will provide themselves but request 4 poles from the Municipality		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
764	IDP Open Day	Ward 16	Cllr. Elsabe Vermeulen	Environmental Management	Removal of three (3) dangerous trees on the pavement at Gabriel Street in Cloeteville		Directorate: Community and Protection Services	Department: Community Services	Rural Management and Environment	Local	
765	IDP Open Day	Ward 16	Cllr. Elsabe Vermeulen	Environmental Management	Removal of tree roots growing inside the drain, which is dangerous at Gabriel Street in Cloeteville		Directorate: Community and Protection Services	Department: Community Services	Rural Management and Environment	Local	
766	IDP Open Day	Ward 16	Cllr. Elsabe Vermeulen	Electrical Services	Installation of streetlights on Gabriel Street in Cloeteville		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
767	IDP Open Day	Ward 16	Cllr. Elsabe Vermeulen	Roads, Transport and Stormwater	Repairing of the stormwater catch pit possible leakage causing sinkhole at 25 Last Street in Cloeteville		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
768	IDP Open Day	Ward 16	Cllr. Elsabe Vermeulen	Water Services	Possible illegal water connection at house 23 Last Street in Cloeteville		Directorate: Infrastructure Services	Department: Water and Wastewater Services	Infrastructure Services	Local	
769	IDP Open Day	Ward 16	Cllr. Elsabe Vermeulen	Land Use Management and Building	Erection of an illegal boundary wall at house 23 Last Street in Cloeteville		Directorate: PED	Department: Development Management	Planning, LED and Tourism	Local	
770	IDP Open Day	Ward 16	Cllr. Elsabe Vermeulen	Water Services	Conduct an investigation and repair the groundwater emanating from the property at 26 Pine Street in Cloeteville		Directorate: Infrastructure Services	Department: Water and Wastewater Services	Infrastructure Services	Local	
771	IDP Open Day	Ward 16	Cllr. Elsabe Vermeulen	Housing Administration	Repairing of the damaged asbestos roof resulting in water leaking into the kitchen at 26 Pine Street in Cloeteville		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	

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No.	Source	Ward	Ward Councillor	Priority	Community Needs and Inputs	Departmental Action	Linkage to Directorate	Department	Responsible Mayoral Portfolio	Government Competency	WCG: Provincial Department
772	IDP Open Day	Ward 16	Cllr. Elsabe Vermeulen	Water Services	Fill up the ground area to make it flat that was damaged during sewer repairs by the municipal team at 25 North End Road in Cloeteville		Directorate: Infrastructure Services	Department: Water and Wastewater Services	Infrastructure Services	Local	
773	IDP Open Day	Ward 16	Cllr. Elsabe Vermeulen	Water Services	White City's community needs to know why when a burst pipe happens and the municipality water truck supplies water, when it is empty, it goes away and does not return with more water for the community		Directorate: Infrastructure Services	Department: Water and Wastewater Services	Infrastructure Services	Local	
774	IDP Open Day	Ward 16	Cllr. Elsabe Vermeulen	Roads, Transport and Stormwater	Construction of a dropped kerb for the driveway at house No. 34 Davidse Street in Cloeteville		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
775	IDP Open Day	Ward 16	Cllr. Elsabe Vermeulen	Housing Development	Provision of housing opportunities in Cloeteville	Housing opportunities in Soekmekaar, Northern Extension and Farms 81/2 and 81/9, Social Housing	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
776	IDP Open Day	Ward 16	Cllr. Elsabe Vermeulen	Housing Development	Provision of housing opportunities in Cloeteville	Housing opportunities in Soekmekaar, Northern Extension and Farms 81/2 and 81/9, Social Housing	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
777	IDP Open Day	Ward 16	Cllr. Elsabe Vermeulen	Housing Administration	Provision of title deeds in Cloeteville		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
778	IDP Open Day	Ward 16	Cllr. Elsabe Vermeulen	Housing Administration	Provision of title deeds in Cloeteville		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
779	IDP Open Day	Ward 16	Cllr. Elsabe Vermeulen	Housing Administration	Provision of title deeds in Cloeteville	Collect from office	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
780	IDP Open Day	Ward 16	Cllr. Elsabe Vermeulen	Housing Administration	The house that she is residing in was allocated to her uncle at 46 Pine Street, Cloeteville		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
781	IDP Open Day	Ward 16	Cllr. Elsabe Vermeulen	Housing Administration	Housing application status and personal information update on the waiting list		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
782	IDP Open Day	Ward 16	Cllr. Elsabe Vermeulen	Housing Administration	Housing application status and personal information update on the waiting list	The client was registered on 2021/02/01 and Reg No. 714241. The client was provided with an application form to update information. Explained what documents to bring	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
783	IDP Open Day	Ward 16	Cllr. Elsabe Vermeulen	Housing Administration	Housing application status and personal information update on the waiting list	The client was registered on 2021/07/30 and Reg No. 729093. The client was provided with an application form to update information. Explained what documents to bring	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
784	IDP Open Day	Ward 16	Cllr. Elsabe Vermeulen	Housing Administration	Housing application status and personal information update on the waiting list	The client was registered on 2012/11/19 and Reg no: 552193. The client was provided with an application form to update information. Explained what documents to bring	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
785	IDP Open Day	Ward 16	Cllr. Elsabe Vermeulen	Housing Administration	Provision of wheelie bins at Block B in Cloeteville	The process of receiving new wheelie bins was explained. The department is looking into the installation of Moloks	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	

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No.	Source	Ward	Ward Councillor	Priority	Community Needs and Inputs	Departmental Action	Linkage to Directorate	Department	Responsible Mayoral Portfolio	Government Competency	WCG: Provincial Department
786	IDP Open Day	Ward 16	Cllr. Elsabe Vermeulen	Agriculture	Provision of land for agriculture for the establishment of community vegetable gardens in Cloetesville	The client was advised that there will be portions of land advertised for agriculture in the near future on media platforms	Directorate: PED	Department: Development Planning	Rural Management and Environment	Local	
787	IDP Open Day	Ward 16	Cllr. Elsabe Vermeulen	Housing Construction	Investigate sewer blockage at Curry Street N0.50 in Cloetesville. Deploy a team to examine the plastic toilet and explore the feasibility of installing a formal toilet.	PMU to investigate and determine if a permanent toilet is financially feasible and if there is enough capacity in the network.	Directorate: Infrastructure Services	Department: Development Services, Asset Management and Systems & Project Management Unit (PMU)	Infrastructure Services	Local	
788	IDP Open Day	Ward 16	Cllr. Elsabe Vermeulen	Housing Construction	Replacement of the leaking pipe that connects the toilet pot to the wall at No. 3 Curry Street		Directorate: Infrastructure Services	Department: Development Services, Asset Management and Systems & Project Management Unit (PMU)	Infrastructure Services	Local	
789	IDP Open Day	Ward 16	Cllr. Elsabe Vermeulen	Housing Construction	Repairing of the leaking roof due to a faulty geyser at No. 3 Curry Street		Directorate: Infrastructure Services	Department: Development Services, Asset Management and Systems & Project Management Unit (PMU)	Infrastructure Services	Local	
790	IDP Open Day	Ward 16	Cllr. Elsabe Vermeulen	Housing Construction	Replacement of the plugs that are not working at No. 3 Curry Street		Directorate: Infrastructure Services	Department: Development Services, Asset Management and Systems & Project Management Unit (PMU)	Infrastructure Services	Local	
791	IDP Open Day	Ward 16	Cllr. Elsabe Vermeulen	Property Management	The request is for an unused municipal space / facility in Ward 16 to host youth projects as Stellenbosch FC wants to partner with the community for sport development in Cloetesville		Directorate: Corporate Services	Section: Properties Management and Municipal Building Maintenance	Corporate Services	Local	
792	Have Your Say	Ward 16	Cllr. Elsabe Vermeulen	Safety and Security	Installation of CCTV cameras in Cloetesville		Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
793	Have Your Say	Ward 16	Cllr. Elsabe Vermeulen	Safety and Security	Increase visibility of police in Cloetesville		Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Provincial	Department of Police Oversight and Community Safety
794	Have Your Say	Ward 16	Cllr. Elsabe Vermeulen	Housing Development	Provision of low-cots or GAP housing development opportunities in Cloetesville		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
795	Have Your Say	Ward 16	Cllr. Elsabe Vermeulen	Electrical Services	Reduction of electricity costs or rates		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
796	Have Your Say	Ward 16	Cllr. Elsabe Vermeulen	Water Services	Reduction of water costs		Directorate: Infrastructure Services	Department: Water and Wastewater Services	Infrastructure Services	Local	
797	Have Your Say	Ward 16	Cllr. Elsabe Vermeulen	Electrical Services	Reduction of electricity costs or rates		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
798	Have Your Say	Ward 16	Cllr. Elsabe Vermeulen	Income and Expenditure	Reduction of rates and taxes to be affordable		Directorate: Financial Services	Department: Revenue and Expenditure	Financial Services	Local	
799	Have Your Say	Ward 16	Cllr. Elsabe Vermeulen	Safety and Security	Installation of CCTV cameras in Cloetesville		Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
800	Have Your Say	Ward 16	Cllr. Elsabe Vermeulen	Safety and Security	Increase visibility of police in Cloetesville		Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Provincial	Department of Police Oversight and Community Safety
801	Online Form	Ward 16	Cllr. Elsabe Vermeulen	Property Management	In need of driving school, K53 facilities		Directorate: Corporate Services	Section: Properties Management and Municipal Building Maintenance	Corporate Services	Local	

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No.	Source	Ward	Ward Councillor	Priority	Community Needs and Inputs	Departmental Action	Linkage to Directorate	Department	Responsible Mayoral Portfolio	Government Competency	WCG: Provincial Department
802	Online Form	Ward 16	Cllr. Elsabe Vermeulen	Local Economic Development and Tourism	Provision of Driving School K53 facilities		Directorate: PED	Department: Development Planning	Planning, LED and Tourism	Local	
803	Online Form	Ward 16	Cllr. Elsabe Vermeulen	Housing Development	Land for housing development: Cloeteville is breeding lawlessness and crime because we are cramped to capacity. Cloeteville needs to expand. So that our people can live in dignity. Land for housing needs to be identify.		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	Department of Infrastructure
804	IDP Open Day	Ward 17	Cllr. Jeremy Fasser	Income and Expenditure	Provision of clarity of increase of account from R200 pm to R600 for indigent registered citizen at Monteray W/S 13 in Cloeteville	The resident's municipal account was checked, and it was noted that the resident was registered for indigent. It was also noted that the increase was due to the water usage increasing from 27kl to 33kl. Treasury municipal official advised resident to go to the municipal office and make an arrangement to pay off the arrears on the account.	Directorate: Financial Services	Department: Revenue and Expenditure	Financial Services	Local	
805	IDP Open Day	Ward 17	Cllr. Jeremy Fasser	Water Services	Provision of clarity of urge increase of water usage account from R200 pm to R600 at Monteray W/S 13 in Cloeteville		Directorate: Infrastructure Services	Department: Water and Wastewater Services	Infrastructure Services	Local	
806	IDP Open Day	Ward 17	Cllr. Jeremy Fasser	Housing Administration	Replacement of kitchen and porch lights at Municipal flats in Cloeteville		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
807	IDP Open Day	Ward 17	Cllr. Jeremy Fasser	Parks and Open Spaces	Relocation of the spotlights on Tobruk playpark to lighten the playpark area and not the road in Cloeteville		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
808	IDP Open Day	Ward 17	Cllr. Jeremy Fasser	Electrical Services	Repairing of streetlights at Gabriel Street has been problematic since the upgrade overhead to underground the lights behind Pieter Langeveldt and Stellita Park in Cloeteville	The supply line was removed during the overhead to underground project, the temporary line was deemed unsafe. The supply line needs to be reinstated / installed safely.	Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
809	IDP Open Day	Ward 17	Cllr. Jeremy Fasser	Electrical Services	Provision of assistance with the application for a new split pp meter, currently common base prepaid installed	The metering department to investigate the condition of the meter	Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
810	IDP Open Day	Ward 17	Cllr. Jeremy Fasser	Roads, Transport and Stormwater	Installation of speed bumps at King Street in Cloeteville		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
811	IDP Open Day	Ward 17	Cllr. Jeremy Fasser	Roads, Transport and Stormwater	Cleaning of the stormwater drain in Tobruk Park Street in Cloeteville		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
812	IDP Open Day	Ward 17	Cllr. Jeremy Fasser	Environmental Management	Cutting off three streets at Gabriels Road, just past Stellita Park entrance in Cloeteville		Directorate: Community and Protection Services	Department: Community Services	Rural Management and Environment	Local	
813	IDP Open Day	Ward 17	Cllr. Jeremy Fasser	Safety and Security	Increase the visibility of law enforcement for kids fighting after school in Cloeteville	Law enforcement to patrol at school	Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
814	IDP Open Day	Ward 17	Cllr. Jeremy Fasser	Safety and Security	Request for a proper response from SAPS for complaints in Cloeteville		Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Provincial	Department of Police Oversight and Community Safety
815	IDP Open Day	Ward 17	Cllr. Jeremy Fasser	Safety and Security	Law enforcement responded to loud music complaints in Cloeteville.	The matter will be addressed with law enforcement	Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
816	IDP Open Day	Ward 17	Cllr. Jeremy Fasser	Safety and Security	Increase visibility of law enforcement to reduce student robberies in Cloeteville	Regular patrols and joint operations with SAPS as per SSP agreement to address robberies	Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	

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817	IDP Open Day	Ward 17	Cllr. Jeremy Fasser	Recreation and Sport	Repairing of the broken fence at the tennis courts in Cloetesville	It was explained that the project is split into two phases, of which the civil part has been completed. We have appointed a contractor to complete the remaining works, but prior to starting construction, we need to fence the courts. Await the approval of the fencing tender to appoint a contractor to fence the courts. The project is planned to be finished end December 2024	Directorate: Community and Protection Services	Department: Community Services	Youth, Sport and Culture	Local		
818	IDP Open Day	Ward 17	Cllr. Jeremy Fasser	Recreation and Sport	Provision of assistance to apply for the usage of the tennis courts for the "dropouts" programmes in Cloetesville	The client was advised to work through the councillor of the ward	Directorate: Community and Protection Services	Department: Community Services	Youth, Sport and Culture	Local		
819	IDP Open Day	Ward 17	Cllr. Jeremy Fasser	Recreation and Sport	Availability of the Cloetesville Sportsground to be utilised by the youth		Directorate: Community and Protection Services	Department: Community Services	Youth, Sport and Culture	Local		
820	IDP Open Day	Ward 17	Cllr. Jeremy Fasser	Recreation and Sport	Construction of a netball court in Cloetesville		Directorate: Community and Protection Services	Department: Community Services	Youth, Sport and Culture	Local		
821	IDP Open Day	Ward 17	Cllr. Jeremy Fasser	Recreation and Sport	Resurfacing of the existing courts in Cloetesville		Directorate: Community and Protection Services	Department: Community Services	Youth, Sport and Culture	Local		
822	IDP Open Day	Ward 17	Cllr. Jeremy Fasser	Recreation and Sport	Construction of a multi-purpose court with cloakrooms, toilets, and an office for admin staff in Cloetesville	It was explained that a feasibility study needs to be done and funding must be requested for this project. It is suggested that the Cloetesville Sport Council send a letter to the Sport office requesting this need	Directorate: Community and Protection Services	Department: Community Services	Youth, Sport and Culture	Local		
823	IDP Open Day	Ward 17	Cllr. Jeremy Fasser	Recreation and Sport	Renovation or development of the toilets at the rugby clubhouse in Cloetesville		Directorate: Community and Protection Services	Department: Community Services	Youth, Sport and Culture	Local		
824	IDP Open Day	Ward 17	Cllr. Jeremy Fasser	Recreation and Sport	Provision of a constitution, and what is the period for someone to serve on the Cloetesville sport council	The client was advised to report these concerns to the SSRA and the MMC for Sport. The Section: Recreation and Sport will also discuss this with the Director since their User Agreement must be reviewed	Directorate: Community and Protection Services	Department: Community Services	Youth, Sport and Culture	Local		
825	IDP Open Day	Ward 17	Cllr. Jeremy Fasser	Recreation and Sport	People who serve on the Cloetesville Sports Council take advantage of it for their own gain	The client was advised to report these concerns to the SSRA and the MMC for Sport. The Section: Recreation and Sport will also discuss this with the Director since their User Agreement must be reviewed	Directorate: Community and Protection Services	Department: Community Services	Youth, Sport and Culture	Local		
826	IDP Open Day	Ward 17	Cllr. Jeremy Fasser	Recreation and Sport	A certain family collects entrance fees at the gates in Cloetesville	The client was advised to report these concerns to the SSRA and the MMC for Sport. The Section: Recreation and Sport will also discuss this with the Director since their User Agreement must be reviewed	Directorate: Community and Protection Services	Department: Community Services	Youth, Sport and Culture	Local		
827	IDP Open Day	Ward 17	Cllr. Jeremy Fasser	Recreation and Sport	The secretary at Cloetesville Sports Council has more power than the chairperson of the Sports Council	The client was advised to report these concerns to the SSRA and the MMC for Sport. The Section: Recreation and Sport will also discuss this with the Director since their User Agreement must be reviewed	Directorate: Community and Protection Services	Department: Community Services	Youth, Sport and Culture	Local		
828	IDP Open Day	Ward 17	Cllr. Jeremy Fasser	Recreation and Sport	Accessibility of the field at Cloetesville Sportsground to children from the community	The client was advised to report these concerns to the SSRA and the MMC for Sport. The Section: Recreation and Sport will also discuss this with the Director since their User Agreement must be reviewed	Directorate: Community and Protection Services	Department: Community Services	Youth, Sport and Culture	Local		

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829	IDP Open Day	Ward 17	Cllr. Jeremy Fasser	Recreation and Sport	Currently a function/tournament is being planned between Cloeteville and Ida's Valley sport councils and the role players are politically connected. A derby between Cloeteville and Luckhoff took place 3 weeks ago and it was suggested that the event be held at Van Der Stel Sports Ground due to Cloeteville being a hotspot. Many parents were unhappy because they could not attend	The client was advised to report these concerns to the SSRA and the MMC for Sport. The Section: Recreation and Sport will also discuss this with the Director since their User Agreement must be reviewed	Directorate: Community and Protection Services	Department: Community Services	Youth, Sport and Culture	Local	
830	IDP Open Day	Ward 17	Cllr. Jeremy Fasser	Recreation and Sport	Repairing of the tennis courts in Cloeteville	It was explained that the project is split into two phases, of which the civil part has been completed. A contractor has been appointed to finalise the remaining works, but before construction can commence, the courts need to be fenced first. Await the approval of the fencing tender to appoint a contractor to fence the courts. The project is planned to be finished end December 2024	Directorate: Community and Protection Services	Department: Community Services	Youth, Sport and Culture	Local	
831	IDP Open Day	Ward 17	Cllr. Jeremy Fasser	Community Development	Driver's license program: Ms Du Toit and her husband started a program to help youth get sponsors to pay their fees for driver's licenses. Request for assistance from the municipality. They request that the Community Development section liaise with Ms. Du Toit		Directorate: Community and Protection Services	Section: Community Development	Community Services	Local	
832	IDP Open Day	Ward 17	Cllr. Jeremy Fasser	Roads, Transport and Stormwater	Improvement of stormwater ground channels at the back of the open field at Stellita Park in Cloeteville		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
833	IDP Open Day	Ward 17	Cllr. Jeremy Fasser	Roads, Transport and Stormwater	In Cloeteville, speed humps have been installed on Lang Road (between Kloof Street and Lang Street) to slow down vehicle movement as children cross the road.		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
834	IDP Open Day	Ward 17	Cllr. Jeremy Fasser	Housing Administration	Housing application status and personal information update on the waiting list		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
835	IDP Open Day	Ward 17	Cllr. Jeremy Fasser	Housing Administration	Housing application status and personal information update on the waiting list	The client was registered on 1998/09/07 and Reg no: 532493. The client was provided with an application form to update information. Explained what documents to bring	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
836	IDP Open Day	Ward 17	Cllr. Jeremy Fasser	Local Economic Development and Tourism	The NPO Organisation (Transform Cloeteville Together) submitted a proposal in 2023 to manage the market in Cloeteville. Enquired on why their proposal was unsuccessful	Provided feedback to the community member on the shortcomings of their proposal	Directorate: PED	Department: Development Planning	Planning, LED and Tourism	Local	
837	IDP Open Day	Ward 17	Cllr. Jeremy Fasser	Housing Administration	Repairing of the broken toilet pot at 1 Monte Christo Flats, Rhode Street. The owner is old and sick to report himself		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
838	IDP Open Day	Ward 17	Cllr. Jeremy Fasser	Electrical Services	Behind the stadium at the Cloeteville Sportsground parking area, the cables are removed from the ground. The ground must be filled to avoid possible injuries		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
839	IDP Open Day	Ward 17	Cllr. Jeremy Fasser	Housing Administration	Repairing of the leaking roof during the rainy season and repairing of the ceiling at No. 13 Monteray Flats in Cloeteville		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
840	IDP Open Day	Ward 17	Vacant	Safety and Security	Installation of security cameras at the back of William Street, Cloeteville (Open Space next to Rietebosch Primary).	The Department will investigate the matter.	Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
841	Email	Ward 18	Alderman JC Anthony	Spatial Planning	Adjustment: Klapmuts Urban Edge		Directorate: PED	Department: Development Planning	Planning, LED and Tourism	Local	

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Community and Stakeholder Needs						Municipal Directorate and Western Cape Government Information					
No.	Source	Ward	Ward Councillor	Priority	Community Needs and Inputs	Departmental Action	Linkage to Directorate	Department	Responsible Mayoral Portfolio	Government Competency	WCG: Provincial Department
842	Email	Ward 18	Alderman JC Anthony	Spatial Planning	Smart City Precinct includes Farms 1515, RE/ 742, 26/32, RE24/32 and 27/32.		Directorate: PED	Department: Development Planning	Planning, LED and Tourism	Local	
843	Email	Ward 18	Alderman JC Anthony	Spatial Planning	Development of Portion 1 of Farm 1151 including industrial and agro-industrial		Directorate: PED	Department: Development Planning	Planning, LED and Tourism	Local	
844	Email	Ward 18	Alderman JC Anthony	Spatial Planning	Inclusion of a portion of Ptn 33 of Farm 748, into the Klapmuts Urban Edge		Directorate: PED	Department: Development Planning	Planning, LED and Tourism	Local	
845	IDP Open Day	Ward 18	Alderman JC Anthony	Housing Administration	Provision of assistance with registering on the housing database	The client was advised on the process of the waiting list and to visit their local ward office to enquire on their status or to update any information on their application. Also explained the process of roadshows, which happen yearly in all the municipal areas	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
846	IDP Open Day	Ward 18	Alderman JC Anthony	Housing Development	Provision of housing opportunities for backyard dwellers in Klapmuts	The department is still in the process of investigating proper land for a new project	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
847	IDP Open Day	Ward 18	Alderman JC Anthony	Housing Administration	Provision of assistance with registering on the housing database	The client was advised on the process of the waiting list and to visit their local ward office to enquire on their status or to update any information on their application. Also explained the process of roadshows, which happen yearly in all the municipal areas	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
848	IDP Open Day	Ward 18	Alderman JC Anthony	Housing Development	Provision of housing opportunities in Klapmuts	The department is still in the process of investigating proper land for a new project	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
849	IDP Open Day	Ward 18	Alderman JC Anthony	Housing Development	Seek clarity why the municipality does not use the available municipal land for housing development in Klapmuts		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
850	IDP Open Day	Ward 18	Alderman JC Anthony	Housing Development	Provision of housing opportunities in Klapmuts	The department is still in the process of investigating proper land for a new project	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
851	IDP Open Day	Ward 18	Alderman JC Anthony	Property Management	Municipal land to be sold to black people, not only white people in Klapmuts		Directorate: Corporate Services	Section: Properties Management and Municipal Building Maintenance	Corporate Services	Local	
852	IDP Open Day	Ward 18	Alderman JC Anthony	Local Economic Development and Tourism	Provision of land for small business in Klapmuts		Directorate: PED	Department: Development Planning	Planning, LED and Tourism	Local	
853	IDP Open Day	Ward 18	Alderman JC Anthony	Income and Expenditure	The resident indicated that the water meter was stolen during the night, and this caused major water losses. Water usage was approximately 31 kilolitres. The resident lodged a complaint and a case at the police station and alerted the municipality. The municipality came out and replaced the meter. However, the municipal account is very high, and resident will not be able to pay the account as is at Jacobs Street 2 in Klapmuts	Resident's accounts were looked at and it was verified that the account was high. Recommend resident to visit the municipal office and apply for indigent and to arrange for the payment of the arrears. Resident acknowledged the above and indicated that she will visit the municipal offices in Klapmuts and apply for indigent and follow required credit control and debt collection procedures in terms of payment of arrears.	Directorate: Financial Services	Department: Revenue and Expenditure	Financial Services	Local	
854	IDP Open Day	Ward 18	Alderman JC Anthony	Income and Expenditure	Provision of feedback on the Indigent application of Jojo Street NR38 (ERF 927)	Resident's municipal account was checked on the system and it was noted that her indigent was successful. It was explained to her that the only requirement is that the difference be paid between the free water they receive and the total usage. Official also asked the total household members due to the water usage. Resident indicated that including herself, they were currently 7 people residing within the home	Directorate: Financial Services	Department: Revenue and Expenditure	Financial Services	Local	

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855	IDP Open Day	Ward 18	Alderman JC Anthony	Income and Expenditure	Investigation of the newly installed water meters by the municipality to assist unemployed residents to manage water usage which seems to result to resident paying more for water than previously	Resident's municipal account was viewed, and it was noted that the water usage is the same as per the previous older water meter. However, it was noted that the account was currently in arrears. It was recommended to the resident to visit the municipal offices and apply for indigent. This would assist in making the payment of the municipal account more affordable	Directorate: Financial Services	Department: Revenue and Expenditure	Financial Services	Local	
856	IDP Open Day	Ward 18	Alderman JC Anthony	Income and Expenditure	An investigation of a house or erf in which the resident's parents got a water bill before residing there ten years ago. The resident wanted to know how long the municipality archives its accounting records.	It was indicated to the resident that the records are still there even if a property are sold to another owner. The historical record of all property is still on the municipal system. The resident however could not provide the relevant information to check if said erf or house does exist. He was advised that unfortunately cannot discuss the particulars of the account (if he had any credible information) as the account is not in his name and can only be discussed with the account holder/ registered owner. Resident were accepting of this information	Directorate: Financial Services	Department: Revenue and Expenditure	Financial Services	Local	
857	IDP Open Day	Ward 18	Alderman JC Anthony	Supply Chain Management	Explain the SCM processes and procedures for selecting small contractors services providers	The resident was advised that all SCM processes and procedures are transparent and open and that all policies are available on our municipal website	Directorate: Financial Services	Department: Supply Chain Management	Financial Services	Local	
858	IDP Open Day	Ward 18	Alderman JC Anthony	Supply Chain Management	Make provision for a fair SCM selection process for small service providers to rotate tenders among different service providers		Directorate: Financial Services	Department: Supply Chain Management	Financial Services	Local	
859	IDP Open Day	Ward 18	Alderman JC Anthony	Supply Chain Management	Investigation of SCM officials who give tenders to their families or relatives	In terms of the allegation, it was advised that he address a formal complaint to the accounting officer via the whistle blowers programme and submit all related evidence, etc with the formal complaint.	Directorate: Financial Services	Department: Supply Chain Management	Financial Services	Local	
860	IDP Open Day	Ward 18	Alderman JC Anthony	Electrical Services	Repairing of the streetlight in front of 27 Moses Street in Klappmuts		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
861	IDP Open Day	Ward 18	Alderman JC Anthony	Electrical Services	Provision of the electric meter box for the house at 20 Anthony Street in Klappmuts		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
862	IDP Open Day	Ward 18	Alderman JC Anthony	Property Management	Explain the procedures of churches to apply for land	To visit property management and enquire about vacant land. Town planning, infrastructure, economic development	Directorate: Corporate Services	Section: Properties Management and Municipal Building Maintenance	Corporate Services	Local	
863	IDP Open Day	Ward 18	Alderman JC Anthony	Local Economic Development and Tourism	Provision of land to relocate the communal pig farmers / small scale pig farmers in Klappmuts		Directorate: PED	Department: Development Planning	Planning, LED and Tourism	Local	
864	IDP Open Day	Ward 18	Alderman JC Anthony	Property Management	Provision of land to build churches in Klappmuts	There is demarcated land in Klappmuts for certain type of activities to take place. The member can visit the property management office. Municipality also sells land on the open market when available	Directorate: Corporate Services	Section: Properties Management and Municipal Building Maintenance	Corporate Services	Local	
865	IDP Open Day	Ward 18	Alderman JC Anthony	Property Management	Provision of land to build churches in Klappmuts	There is demarcated land in Klappmuts for certain type of activities to take place. The member can visit the property management office. Municipality also sells land on the open market when available	Directorate: Corporate Services	Section: Properties Management and Municipal Building Maintenance	Corporate Services	Local	
866	IDP Open Day	Ward 18	Alderman JC Anthony	Facilities	Repairing of the roof leaking; 3 broken doors could not open, and the oven that is not working; and provision of more tables Klappmuts MPC		Directorate: Community and Protection Services	Department: Community Services	Community Services	Local	

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867	IDP Open Day	Ward 18	Alderman JC Anthony	Roads, Transport and Stormwater	Installation of tar road on the part where the sewer connection was made across Blossom Street between Mandela City and the new housing scheme and the section where pipes are installed in Klapmuts		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
868	IDP Open Day	Ward 18	Alderman JC Anthony	Roads, Transport and Stormwater	Repairing of all potholes on streets in Klapmuts		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
869	IDP Open Day	Ward 18	Alderman JC Anthony	Roads, Transport and Stormwater	Repairing of potholes at Gone Street in Klapmuts		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
870	IDP Open Day	Ward 18	Alderman JC Anthony	Roads, Transport and Stormwater	Installation of the mirror at the corner of Cloete and Cornelius Street in Klapmuts		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
871	IDP Open Day	Ward 18	Alderman JC Anthony	Roads, Transport and Stormwater	Installation of the speedhump at both approaches of the corner of Cloete and Cornelius Street in Klapmuts		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
872	IDP Open Day	Ward 18	Alderman JC Anthony	Safety and Security	Installation of CCTV cameras at Klapmuts sports field to monitor people breaking the fence	CCTV tender not yet in place	Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
873	IDP Open Day	Ward 18	Alderman JC Anthony	Safety and Security	Increase visibility of law enforcement for people making fires against the fence of the Klapmuts sports field at night	The department will request Law Enforcement to do patrols at night	Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
874	IDP Open Day	Ward 18	Alderman JC Anthony	Safety and Security	Enforcement of by-law for people praying day and night on the field and making fire at Merchant Street	The department will request Law Enforcement to do patrols at night	Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
875	IDP Open Day	Ward 18	Alderman JC Anthony	Informal Settlements	Installation of water and sanitation services in La Rochelle Informal Settlement	There's an ablution facility in La Rochelle informal settlement that is being managed/ maintained by the Municipality	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
876	IDP Open Day	Ward 18	Alderman JC Anthony	Water Services	Investigation of stopcock leak	Reported with Reference: WN_000042518	Directorate: Infrastructure Services	Department: Water and Wastewater Services	Infrastructure Services	Local	
877	IDP Open Day	Ward 18	Alderman JC Anthony	Water Services	Investigation of water running constantly since before the winter in Klapmuts	Water services to investigate	Directorate: Infrastructure Services	Department: Water and Wastewater Services	Infrastructure Services	Local	
878	IDP Open Day	Ward 18	Alderman JC Anthony	Income and Expenditure	Investigation of the water bill is +/- R25000 a month at 2 Jacobs Street Klapmuts, Erf 62 in Klapmuts. The client also reported that her water meter was stolen last year November 2023 and the Municipality repaired and replaced the water meter		Directorate: Financial Services	Department: Revenue and Expenditure	Financial Services	Local	
879	IDP Open Day	Ward 18	Alderman JC Anthony	Community Development	Provision of assistance to Klapmuts Unemployment Services organisation for youth unemployment and skills development with Funding of NGO; Capacity Building information; Access to DCAS with specific focus on music development afternoon programme; and Skills Development for youth	Grant in Aid programme explained to: 19 Sept Call for proposals with clarification workshops for which you have to RSVP. Contact details provided. Financial Management Workshop: 4 Oct at Klapmuts Community Hall. Provided RSVP details to participate. DCAS: Contact details to link with DCAS on possibly Drama Festival and music programme if they have. Will request P Jansen to make contact with Mr Ntsasa to put him in contact. Provided contact for Stellempley to ensure that they access skills development programmes. The department will also provide access to municipal skills development programmes when they become available	Directorate: Community and Protection Services	Section: Community Development	Community Services	Local	
880	IDP Open Day	Ward 18	Alderman JC Anthony	Local Economic Development and Tourism	Provision of assistance to Klapmuts Unemployment Services organisation for youth unemployment and skills development with Jobseekers Database		Directorate: PED	Department: Development Planning	Planning, LED and Tourism	Local	

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881	IDP Open Day	Ward 18	Alderman JC Anthony	Community Development	Provision of information about GiA processes and requirements are needed to apply	Explained the following: 19 Sept new call for proposals with dates of 3 compulsory clarification meetings. Must RSVP to attend one of the meetings to access latest policy, application form and information on process. Submit application by closing day (end Nov). Access Draft outcome during April 2025 comment period. Access final outcome after final approval of draft budget. Successful applicants sign MOA's during June 2025. Payment of donations towards end of July 2025, beginning Aug 2025	Directorate: Community and Protection Services	Section: Community Development	Community Services	Local	
882	IDP Open Day	Ward 18	Alderman JC Anthony	Waste Management	Inspection of the illegal dumping occurring behind the premises at 3024 Cornation Street in Klapmuts	Inspection to be conducted on 12/09/2024. We will contact the community	Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local	
883	IDP Open Day	Ward 18	Alderman JC Anthony	Informal Settlements	Provision of toilets and water inside the structures in La Rochelle just like the TRA's in Mandela City	La Rochelle community already have access to public toilets and taps with clean running water just like all the other informal settlements areas in Stellenbosch.	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
884	IDP Open Day	Ward 18	Alderman JC Anthony	Informal Settlements	Provision of information if people at the TRA's have ownership of the TRA's	TRA's are structures owned by the Municipality and they are managed by Housing Administration, individuals occupying the TRA's does not own the structures, they put the temporarily until they are allocated a formal structure of plot if qualify	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
885	IDP Open Day	Ward 18	Alderman JC Anthony	Housing Administration	Provision of information if the housing waiting list gets audited? If so, how can he get access to the audit outcomes	The housing waiting list does get audited, however, the is a process to be followed to get that type of information	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
886	IDP Open Day	Ward 18	Alderman JC Anthony	Housing Development	Utilisation of the available land at the Multipurpose Centre up to Mandela City to build houses in Klapmuts		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
887	IDP Open Day	Ward 18	Alderman JC Anthony	Local Economic Development and Tourism	Investigation of the unemployment database selecting the same people repeatedly for the projects in Klapmuts		Directorate: PED	Department: Development Planning	Planning, LED and Tourism	Local	
888	IDP Open Day	Ward 18	Alderman JC Anthony	Housing Development	Provision of housing development opportunities in Klapmuts		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
889	IDP Open Day	Ward 18	Alderman JC Anthony	Housing Administration	Housing application status and personal information update on the waiting list	The client was advised to visit housing administration office in relation of the housing waiting list and the importance of updating the application by coming to check your status on the database	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
890	IDP Open Day	Ward 18	Alderman JC Anthony	Housing Administration	Housing application status and personal information update on the waiting list	The client was advised to visit housing administration office in relation of the housing waiting list and the importance of updating the application by coming to check your status on the database	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
891	IDP Open Day	Ward 18	Alderman JC Anthony	Housing Development	Provision of housing development opportunities for backyarders in Klapmuts	The client was advised to visit housing administration office in relation of the housing waiting list and the importance of updating the application by coming to check your status on the database	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
892	IDP Open Day	Ward 18	Alderman JC Anthony	Housing Administration	Housing application status and personal information update on the waiting list	The client was advised to visit housing administration office in relation of the housing waiting list and the importance of updating the application by coming to check your status on the database	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	

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893	IDP Open Day	Ward 18	Alderman JC Anthony	Housing Development	Indicate a timeline for the housing development plan in Klapmuts	The first step is for an individual to ensure they are registered on the Housing waiting list. At the moment the department is still in the process of searching for suitable land	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
894	IDP Open Day	Ward 18	Alderman JC Anthony	Housing Administration	Housing application status and personal information update on the waiting list	The client was advised to visit housing administration office in relation of the housing waiting list and the importance of updating the application by coming to check your status on the database	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
895	IDP Open Day	Ward 18	Alderman JC Anthony	Housing Administration	Provision registration on housing database information for residents earning above R3500	The client was advised he can apply for GAP housing	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
896	IDP Open Day	Ward 18	Alderman JC Anthony	Recreation and Sport	Installation of lights on Klapmuts Sports field		Directorate: Community and Protection Services	Department: Community Services	Youth, Sport and Culture	Local	
897	IDP Open Day	Ward 18	Alderman JC Anthony	Recreation and Sport	Fencing around Klapmuts Sports field for access control during events.		Directorate: Community and Protection Services	Department: Community Services	Youth, Sport and Culture	Local	
898	IDP Open Day	Ward 18	Alderman JC Anthony	Recreation and Sport	Repairing of filling of the holes on Klapmuts Sport field		Directorate: Community and Protection Services	Department: Community Services	Youth, Sport and Culture	Local	
899	IDP Open Day	Ward 18	Alderman JC Anthony	Recreation and Sport	Renovation of Klapmuts Clubhouse.		Directorate: Community and Protection Services	Department: Community Services	Youth, Sport and Culture	Local	
900	IDP Open Day	Ward 18	Alderman JC Anthony	Recreation and Sport	Regularly maintenance of the existing sports field in Klapmuts		Directorate: Community and Protection Services	Department: Community Services	Youth, Sport and Culture	Local	
901	IDP Open Day	Ward 18	Alderman JC Anthony	Parks and Open Spaces	Construction of the new playpark at the entrance of Klapmuts		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
902	IDP Open Day	Ward 18	Alderman JC Anthony	Parks and Open Spaces	Identification of a space/ facility in Klapmuts or utilise the Multipurpose Centre for playing pool		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
903	IDP Open Day	Ward 18	Alderman JC Anthony	Parks and Open Spaces	Maintenance of the playpark in Merchant Street in Klapmuts		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
904	IDP Open Day	Ward 18	Alderman JC Anthony	Parks and Open Spaces	Maintenance and fencing of the playpark in Gordons Street in Klapmuts		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
905	Have Your Say	Ward 18	Alderman JC Anthony	Community Development	Establishment of youth programmes such as dance classes, majorance, youth workshops, anti drug campaigns and drug awareness; and emotional abuse in Klapmuts		Directorate: Community and Protection Services	Section: Community Development	Community Services	Local	
906	Have Your Say	Ward 18	Alderman JC Anthony	Local Economic Development and Tourism	Identification of land for small businesses in Klapmuts		Directorate: PED	Department: Development Planning	Planning, LED and Tourism	Local	
907	Have Your Say	Ward 18	Alderman JC Anthony	Recreation and Sport	Construction of a swimming pool in Klapmuts		Directorate: Community and Protection Services	Department: Community Services	Youth, Sport and Culture	Local	
908	Have Your Say	Ward 18	Alderman JC Anthony	Community Development	Establishment of an elderly care centre for retired pensioners in Klapmuts		Directorate: Community and Protection Services	Section: Community Development	Community Services	Provincial	Department of Social Development
909	Have Your Say	Ward 18	Alderman JC Anthony	Electrical Services	Repairing of burnt electric boxes in Klapmuts		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
910	Have Your Say	Ward 18	Alderman JC Anthony	Electrical Services	Reduction of electricity costs or rates		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
911	Email	Ward 19	Cllr. James Williams	Spatial Planning	Inclusion of Vaaldraci / Elsenburg within the Urban Edge of WCO24		Directorate: PED	Department: Development Planning	Planning, LED and Tourism	Local	

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912	IDP Open Day	Ward 19	Cllr. James Williams	Traffic Enforcement	Installation of a speed camera on R44 (Kanonkop)		Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
913	IDP Open Day	Ward 19	Cllr. James Williams	Safety and Security	Investigation of astray horses causing accidents at De Novo		Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
914	IDP Open Day	Ward 19	Cllr. James Williams	Safety and Security	Installation of LPR cameras at De Novo and Koelenhof Road	New CCTV Tender in process	Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
915	IDP Open Day	Ward 19	Cllr. James Williams	Safety and Security	Installation of Safety Monitors in Cloetesville		Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
916	IDP Open Day	Ward 19	Cllr. James Williams	Safety and Security	Increase visibility of Law Enforcement in Cloetesville and Koelenhof		Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
917	IDP Open Day	Ward 19	Cllr. James Williams	Traffic Enforcement	Installation of a speeding camera on Muldersvlei road students are speeding		Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
918	IDP Open Day	Ward 19	Cllr. James Williams	Recreation and Sport	Establishment of sport activities in De Novo		Directorate: Community and Protection Services	Department: Community Services	Youth, Sport and Culture	Local	
919	Email	Ward 20	Cllr. Joseph Joon	Spatial Planning	Adjustment: Lynedoch Urban Edge		Directorate: PED	Department: Development Planning	Planning, LED and Tourism	Local	
920	IDP Open Day	Ward 20	Cllr. Joseph Joon	Electrical Services	Installation of streetlights in Raithby road, the area is too dark		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
921	IDP Open Day	Ward 20	Cllr. Joseph Joon	Electrical Services	Checking of all the streetlights in Raithby Park, in Hendrick Street, streetlight are falling over		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
922	IDP Open Day	Ward 20	Cllr. Joseph Joon	Electrical Services	Repairing of streetlights in Watson Way. They were damaged during the storm. It was reported in February and 10 June 2024 but there was no response		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
923	IDP Open Day	Ward 20	Cllr. Joseph Joon	Electrical Services	Repairing of streetlights at Sampson Street streetlights are not working and rather never worked		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
924	IDP Open Day	Ward 20	Cllr. Joseph Joon	Electrical Services	Repairing of the damaged streetlight Kiosk in Sampson Street, Wagner and Watson Way		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
925	IDP Open Day	Ward 20	Cllr. Joseph Joon	Electrical Services	Repairing of streetlights at Newlands Street and the end of Watson Way streetlights are also not working		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
926	IDP Open Day	Ward 20	Cllr. Joseph Joon	Electrical Services	Repairing of the streetlight pole in front of 54 Watson was skew, it was damaged during the storm		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
927	IDP Open Day	Ward 20	Cllr. Joseph Joon	Electrical Services	Removal or relocate the electric box in Digteby Street it is located in a high accident area		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
928	IDP Open Day	Ward 20	Cllr. Joseph Joon	Roads, Transport and Stormwater	Construction of sidewalks on both sides of the road along the Raithby Rd from Winery Rd to the Raithby-Annandale Rd		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
929	IDP Open Day	Ward 20	Cllr. Joseph Joon	Roads, Transport and Stormwater	Cleaning of the open stormwater channels on both sides of the road at Raithby Rd from Winery Rd to Raithby-Annandale Rd		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
930	IDP Open Day	Ward 20	Cllr. Joseph Joon	Water Services	Replacement of the old asbestos waterpipes in Raithby		Directorate: Infrastructure Services	Department: Water and Wastewater Services	Infrastructure Services	Local	
931	IDP Open Day	Ward 20	Cllr. Joseph Joon	Water Services	Replacement of the damaged roof of old water reservoir in Shaw Street this structure must to be demolished		Directorate: Infrastructure Services	Department: Water and Wastewater Services	Infrastructure Services	Local	

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Community and Stakeholder Needs						Municipal Directorate and Western Cape Government Information					
No.	Source	Ward	Ward Councillor	Priority	Community Needs and Inputs	Departmental Action	Linkage to Directorate	Department	Responsible Mayoral Portfolio	Government Competency	WCG: Provincial Department
932	IDP Open Day	Ward 20	Cllr. Joseph Joon	Water Services	Relocate the Raithby Heights water meter located at Shaw Street to the entrance gate of the housing development		Directorate: Infrastructure Services	Department: Water and Wastewater Services	Infrastructure Services	Local	
933	IDP Open Day	Ward 20	Cllr. Joseph Joon	Waste Management	Removal of old recycling sign and poles along Raithby Rd just after Raithby Vine Estate access		Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local	
934	IDP Open Day	Ward 20	Cllr. Joseph Joon	Roads, Transport and Stormwater	Repainting all road-marking and straightened all traffic sign posts, and replace where needed in Raithby		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
935	IDP Open Day	Ward 20	Cllr. Joseph Joon	Area Cleaning	Provision of supervision and distribution of recycling bags to EPWP worker to pick-up litter and shovelling\removing weeds on the sidewalk in Raithby		Directorate: Infrastructure Services	Department: Waste Management	Infrastructure Services	Local	
936	IDP Open Day	Ward 20	Cllr. Joseph Joon	Roads, Transport and Stormwater	Investigation and repairing of the stormwater dam at Raithby Height discharge water onto the rugby field and to the surrounding house. Raithby Rate payers association is concern about the structural strength of the dam.		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
937	IDP Open Day	Ward 20	Cllr. Joseph Joon	Roads, Transport and Stormwater	Cleaning of all stormwater systems including pipes, catchpits, manholes, kerb inlets, and open channels to prevent any floods in Raithby		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
938	IDP Open Day	Ward 20	Cllr. Joseph Joon	Roads, Transport and Stormwater	Repairing of potholes at Watson Way		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
939	IDP Open Day	Ward 20	Cllr. Joseph Joon	Roads, Transport and Stormwater	Installation of drain covers in Raithby area		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
940	IDP Open Day	Ward 20	Cllr. Joseph Joon	Environmental Management	Cleaning of Moddergat river		Directorate: Community and Protection Services	Department: Community Services	Rural Management and Environment	Local	
941	IDP Open Day	Ward 20	Cllr. Joseph Joon	Roads, Transport and Stormwater	Installation of traffic signals and\or Traffic calming at R44/Winery Rd intersection		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Provincial	Department of Infrastructure
942	IDP Open Day	Ward 20	Cllr. Joseph Joon	Roads, Transport and Stormwater	Installation of speedhumps for Digteby		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
943	IDP Open Day	Ward 20	Cllr. Joseph Joon	Housing Administration	Housing application status and personal information update on the waiting list	The client was advised to visit housing administration office in relation of the housing waiting list and the importance of updating the application by coming to check your status on the database	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
944	IDP Open Day	Ward 20	Cllr. Joseph Joon	Housing Administration	Housing application status and personal information update on the waiting list	The client was advised to visit housing administration office in relation of the housing waiting list and the importance of updating the application by coming to check your status on the database	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
945	IDP Open Day	Ward 20	Cllr. Joseph Joon	Housing Administration	Housing application status and personal information update on the waiting list	The client was advised to visit housing administration office in relation of the housing waiting list and the importance of updating the application by coming to check your status on the database	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
946	IDP Open Day	Ward 20	Cllr. Joseph Joon	Local Economic Development and Tourism	Provision of information regarding registering on Job Seekers Database	Requirement and where the client can register were explained to him	Directorate: PED	Department: Development Planning	Planning, LED and Tourism	Local	

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Community and Stakeholder Needs						Municipal Directorate and Western Cape Government Information					
No.	Source	Ward	Ward Councillor	Priority	Community Needs and Inputs	Departmental Action	Linkage to Directorate	Department	Responsible Mayoral Portfolio	Government Competency	WCG: Provincial Department
947	IDP Open Day	Ward 20	Cllr. Joseph Joon	Housing Development	Provision of the housing development opportunities in Vloottenburg		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
948	IDP Open Day	Ward 20	Cllr. Joseph Joon	Property Management	Provision of land to build churches in Longlands		Directorate: Corporate Services	Section: Properties Management and Municipal Building Maintenance	Corporate Services	Local	
949	IDP Open Day	Ward 20	Cllr. Joseph Joon	Housing Administration	Housing application status and personal information update on the waiting list	The client was advised to visit housing administration office in relation of the housing waiting list and the importance of updating the application by coming to check your status on the database	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
950	IDP Open Day	Ward 20	Cllr. Joseph Joon	Housing Administration	Provision of assistance to register on housing database or waiting list		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
951	IDP Open Day	Ward 20	Cllr. Joseph Joon	Housing Administration	Provision of information regarding qualifying for housing and the criteria		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
952	IDP Open Day	Ward 20	Cllr. Joseph Joon	Environmental Management	Pruning of alien eradication in Raithby		Directorate: Community and Protection Services	Department: Community Services	Rural Management and Environment	Local	
953	IDP Open Day	Ward 20	Cllr. Joseph Joon	Environmental Management	Pruning and removal of alien vegetation (Penny gum trees) between Winery Road and Raithby Road		Directorate: Community and Protection Services	Department: Community Services	Rural Management and Environment	Local	
954	IDP Open Day	Ward 20	Cllr. Joseph Joon	Environmental Management	Removal or cutting of trees obstructing power lines in Annandale Road and Raithby		Directorate: Community and Protection Services	Department: Community Services	Rural Management and Environment	Local	
955	IDP Open Day	Ward 20	Cllr. Joseph Joon	Recreation and Sport	Development of a sports field and hall in Vloottenburg.		Directorate: Community and Protection Services	Department: Community Services	Youth, Sport and Culture	Local	
956	IDP Open Day	Ward 20	Cllr. Joseph Joon	Parks and Open Spaces	Development of a playpark in Longlands on the plots that have been identified for a play park		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
957	IDP Open Day	Ward 20	Cllr. Joseph Joon	Parks and Open Spaces	Maintenance of the park in Digteby		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
958	IDP Open Day	Ward 20	Cllr. Joseph Joon	Roads, Transport and Stormwater	Installation of visible road signs in Raithby, especially when entering town and near Copper Cattle Restaurant		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
959	IDP Open Day	Ward 20	Cllr. Joseph Joon	Roads, Transport and Stormwater	Reinstallation of signs to indicate vehicle weight at Raithby. The previous signs were removed		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
960	IDP Open Day	Ward 20	Cllr. Joseph Joon	Cleaning of Rivers	Cleaning of Moddergat river		Directorate: Community and Protection Services	Department: Community Services	Rural Management and Environment	Local	
961	IDP Open Day	Ward 20	Cllr. Joseph Joon	Parks and Open Spaces	Cutting of grass at Samson Street and playpark area		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
962	IDP Open Day	Ward 20	Cllr. Joseph Joon	Roads, Transport and Stormwater	Installation of the pedestrian crossing on the new road at Kompanjiesdrift		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
963	IDP Open Day	Ward 20	Cllr. Joseph Joon	Electrical Services	Installation of streetlights at Kompanjiesdrift		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
964	IDP Open Day	Ward 20	Cllr. Joseph Joon	Roads, Transport and Stormwater	Cleaning of drains in Vloottenburg		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	

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Community and Stakeholder Needs						Municipal Directorate and Western Cape Government Information					
No.	Source	Ward	Ward Councillor	Priority	Community Needs and Inputs	Departmental Action	Linkage to Directorate	Department	Responsible Mayoral Portfolio	Government Competency	WCG: Provincial Department
965	IDP Open Day	Ward 20	Cllr. Joseph Joon	Electrical Services	Repairing of faulty streetlights from Vloffenburg Station to the Stop		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
966	IDP Open Day	Ward 20	Cllr. Joseph Joon	Safety and Security	Issuing of warning letter to the owner of more than 2 dogs on a premises at Vloffenburg (Klein Digteby)	The department will arrange an awareness session with Law Enforcement and hand out pamphlets	Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
967	IDP Open Day	Ward 20	Cllr. Joseph Joon	Safety and Security	Provision of assistance with safety equipment for the Vloffenburg NHW		Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
968	IDP Open Day	Ward 20	Cllr. Joseph Joon	Traffic Enforcement	Installation of speeding camera at Baden Powell R310 (opposite the garage) and Vloffenburg		Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
969	IDP Open Day	Ward 20	Cllr. Joseph Joon	Safety and Security	Investigation of the cable theft in Vloffenburg between 00h00 and 02h00 at night	Complaints to be reported to the Control room and crime related complaints like theft needs to be given to SAPS	Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Provincial	Department of Police Oversight and Community Safety
970	Have Your Say	Ward 20	Cllr. Joseph Joon	Agriculture	Provision of financial support to Faure Wine Farm to keep the farm operating and providing jobs to the community		Directorate: PED	Department: Development Planning	Rural Management and Environment	Local	
971	Have Your Say	Ward 20	Cllr. Joseph Joon	Housing Development	Provision of housing development opportunities for Faure Wine Farm community		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
972	Have Your Say	Ward 20	Cllr. Joseph Joon	Roads, Transport and Stormwater	Yearly maintenance and repairing of the gravel road at Faure Wine Farm community		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
973	Have Your Say	Ward 20	Cllr. Joseph Joon	Education	Construction of a high school for Faure Wine Farm community					Provincial	Western Cape Education Department
974	Have Your Say	Ward 20	Cllr. Joseph Joon	Education	Repairing and maintenance of the primary school in Faure Wine Farm community					Provincial	Western Cape Education Department
975	Have Your Say	Ward 20	Cllr. Joseph Joon	Libraries	Construction of libraries with computer facilities in Faure Wine Farm community		Directorate: Corporate Services	Office of the Director Corporate Services	Corporate Services	Provincial	Western Cape Education Department
976	Have Your Say	Ward 20	Cllr. Joseph Joon	Electrical Services	Installation of electricity in Faure Wine Farm community		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
977	Have Your Say	Ward 20	Cllr. Joseph Joon	Local Economic Development and Tourism	Provision of support to establish a telecommunication business in the Faure Wine Farm community		Directorate: PED	Department: Development Planning	Planning, LED and Tourism	Local	
978	Have Your Say	Ward 20	Cllr. Joseph Joon	Water Services	Installation of ablution facilities in Faure Wine Farm community		Directorate: Infrastructure Services	Department: Water and Wastewater Services	Infrastructure Services	Local	
979	Have Your Say	Ward 20	Cllr. Joseph Joon	Water Services	Provision of water services in Faure Wine Farm community		Directorate: Infrastructure Services	Department: Water and Wastewater Services	Infrastructure Services	Local	
980	Online Form	Ward 20	Cllr. Joseph Joon	Property Management	Multi-Purpose Centre: This should be a place to conduct community activities, after-school support and evening adult education and other services like health monitoring, gym exercises etc		Directorate: Corporate Services	Section: Properties Management and Municipal Building Maintenance	Corporate Services	Local	
981	Online Form	Ward 20	Cllr. Joseph Joon	Recreation and Sport	These facilities should support activities like BMX, skateboarding, basketball and other modern sports. Also a park for young children.		Directorate: Community and Protection Services	Department: Community Services	Youth, Sport and Culture	Local	
982	Have Your Say	Ward 20	Cllr. Joseph Joon	Roads, Transport and Stormwater	Repairing the stormwater pipes in Digteby area, Vloffenburg.	The Roads and Stormwater Department will investigate	Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	

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Community and Stakeholder Needs						Municipal Directorate and Western Cape Government Information					
No.	Source	Ward	Ward Councillor	Priority	Community Needs and Inputs	Departmental Action	Linkage to Directorate	Department	Responsible Mayoral Portfolio	Government Competency	WCG: Provincial Department
983	Email	Ward 21	Cllr. Mynard Slabbert	Roads, Transport and Stormwater	Objection: Eastern Link Rd		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
984	Email	Ward 21	Cllr. Mynard Slabbert	Roads, Transport and Stormwater	Objection: Eastern Link Rd		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
985	Email	Ward 21	Cllr. Mynard Slabbert	Roads, Transport and Stormwater	Objection: Eastern Link Rd		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
986	Email	Ward 21	Cllr. Mynard Slabbert	Roads, Transport and Stormwater	Objection: Eastern Link Rd		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
987	Email	Ward 21	Cllr. Mynard Slabbert	Roads, Transport and Stormwater	Objection: Eastern Link Rd		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
988	Email	Ward 21	Cllr. Mynard Slabbert	Roads, Transport and Stormwater	Objection: Eastern Link Rd		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
989	Email	Ward 21	Cllr. Mynard Slabbert	Roads, Transport and Stormwater	Objection: Eastern Link Rd		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
990	Email	Ward 21	Cllr. Mynard Slabbert	Roads, Transport and Stormwater	Objection: Eastern Link Rd		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
991	Email	Ward 21	Cllr. Mynard Slabbert	Roads, Transport and Stormwater	Objection: Eastern Link Rd		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
992	Email	Ward 21	Cllr. Mynard Slabbert	Roads, Transport and Stormwater	Objection: Eastern Link Rd		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
993	Email	Ward 21	Cllr. Mynard Slabbert	Roads, Transport and Stormwater	Objection to Wildebosch extension		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
994	Email	Ward 21	Cllr. Mynard Slabbert	Roads, Transport and Stormwater	Objection: Eastern Link Rd and Brandwacht No 1049		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
995	Email	Ward 21	Cllr. Mynard Slabbert	Spatial Planning	Objection: Eastern Link Rd and Brandwacht No 1050		Directorate: PED	Department: Development Planning	Planning, LED and Tourism	Local	
996	Email	Ward 21	Cllr. Mynard Slabbert	Land Use Management and Building	Objection: Eastern Link Rd and Brandwacht No 1051		Directorate: PED	Department: Development Management	Planning, LED and Tourism	Local	
997	Email	Ward 21	Cllr. Mynard Slabbert	Roads, Transport and Stormwater	CITP and Eastern Link Rd		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
998	Email	Ward 21	Cllr. Mynard Slabbert	Spatial Planning	CITP and Eastern Link Rd		Directorate: PED	Department: Development Planning	Planning, LED and Tourism	Local	
999	Email	Ward 21	Cllr. Mynard Slabbert	Spatial Planning	Objection Eastern Link road, and 'Trumali road extension' Stellenbosch		Directorate: PED	Department: Development Planning	Planning, LED and Tourism	Local	
1000	Email	Ward 21	Cllr. Mynard Slabbert	Roads, Transport and Stormwater	Objection Eastern Link road, and 'Trumali road extension' Stellenbosch		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
1001	Email	Ward 21	Cllr. Mynard Slabbert	Land Use Management and Building	Objection Eastern Link road, and 'Trumali road extension' Stellenbosch		Directorate: PED	Department: Development Management	Planning, LED and Tourism	Local	
1002	Email	Ward 21	Cllr. Mynard Slabbert	Land Use Management and Building	Libertas Farm and Eastern Link Rd		Directorate: PED	Department: Development Management	Planning, LED and Tourism	Local	

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Community and Stakeholder Needs						Municipal Directorate and Western Cape Government Information					
No.	Source	Ward	Ward Councillor	Priority	Community Needs and Inputs	Departmental Action	Linkage to Directorate	Department	Responsible Mayoral Portfolio	Government Competency	WCG: Provincial Department
1003	Email	Ward 21	Cllr. Mynard Slabbert	Roads, Transport and Stormwater	Libertas Farm and Eastern Link Rd		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
1004	Email	Ward 21	Cllr. Mynard Slabbert	Spatial Planning	Libertas Farm and Eastern Link Rd		Directorate: PED	Department: Development Planning	Planning, LED and Tourism	Local	
1005	Email	Ward 21	Cllr. Mynard Slabbert	Land Use Management and Building	Brandwacht No 1049 and Wildebosch Extension		Directorate: PED	Department: Development Management	Planning, LED and Tourism	Local	
1006	Email	Ward 21	Cllr. Mynard Slabbert	Roads, Transport and Stormwater	Brandwacht No 1049 and Wildebosch Extension		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
1007	Email	Ward 21	Cllr. Mynard Slabbert	Roads, Transport and Stormwater	Eastern Link Rd and Farm Brandwacht No1049		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
1008	Email	Ward 21	Cllr. Mynard Slabbert	Land Use Management and Building	Eastern Link Rd and Farm Brandwacht No1050		Directorate: PED	Department: Development Management	Planning, LED and Tourism	Local	
1009	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Roads, Transport and Stormwater	Installation of a mini-circle at the Serruria Rd and Nana Rd in Paradyskloof		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
1010	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Roads, Transport and Stormwater	Repainting of chevron and road marking in the neighbourhood in Jamestown		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
1011	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Roads, Transport and Stormwater	Repairing of potholes at 41 Parfaite Street, Jamestown		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
1012	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Housing Development	Indicate a timeline for the housing development plan in Jamestown	Expected start date would be from June 2025. This is when the funds will be available. Groundworks will only start in September 2025.	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
1013	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Housing Development	Indicate a timeline for the housing development plan in Jamestown	Expected start date would be from June 2025. This is when the funds will be available. Groundworks will only start in September 2025.	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
1014	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Housing Development	Indicate a timeline for the housing development plan in Jamestown	Expected start date would be from June 2025. This is when the funds will be available. Groundworks will only start in September 2025.	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
1015	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Housing Administration	Housing application status and personal information update on the waiting list	The client was advised to visit housing administration office in relation of the housing waiting list and the importance of updating the application by coming to check your status on the database	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
1016	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Housing Administration	Provision of assistance with registration on the housing demand database	The client was provided with the application form (first time applicant) and explained which documents were needed	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
1017	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Housing Development	Indicate a timeline for the housing development plan in Jamestown	Expected start date would be from June 2025. This is when the funds will be available. Groundworks will only start in September 2025.	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure

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Community and Stakeholder Needs						Municipal Directorate and Western Cape Government Information					
No.	Source	Ward	Ward Councillor	Priority	Community Needs and Inputs	Departmental Action	Linkage to Directorate	Department	Responsible Mayoral Portfolio	Government Competency	WCG: Provincial Department
1018	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Informal Settlements	Provision of assistance with the eviction case from the farmer	The client was advised to visit Andrea Lawrence at Informal Settlements regarding the eviction	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
1019	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Housing Development	Indicate a timeline for the housing development plan in Jamestown	Expected start date would be from June 2025. This is when the funds will be available. Groundworks will only start in September 2025.	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
1020	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Housing Development	Indicate a timeline for the housing development plan in Jamestown	Expected start date would be from June 2025. This is when the funds will be available. Groundworks will only start in September 2025.	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
1021	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Housing Administration	Provision of assistance with registration on the housing demand database	The client was provided with the application form (first time applicant) and explained which documents were needed	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
1022	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Housing Development	Indicate a timeline for the housing development plan in Jamestown	Expected start date would be from June 2025. This is when the funds will be available. Groundworks will only start in September 2025.	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
1023	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Housing Administration	Housing application status and personal information update on the waiting list	The client was advised to visit housing administration office in relation of the housing waiting list and the importance of updating the application by coming to check your status on the database	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
1024	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Housing Development	Indicate a timeline for the housing development plan in Jamestown	Expected start date would be from June 2025. This is when the funds will be available. Groundworks will only start in September 2025.	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
1025	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Housing Development	Indicate a timeline for the housing development plan in Jamestown	Expected start date would be from June 2025. This is when the funds will be available. Groundworks will only start in September 2025.	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
1026	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Housing Administration	Housing application status and personal information update on the waiting list	The client was advised to visit housing administration office in relation of the housing waiting list and the importance of updating the application by coming to check your status on the database	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
1027	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Housing Administration	Housing application status and personal information update on the waiting list	The client was advised to visit housing administration office in relation of the housing waiting list and the importance of updating the application by coming to check your status on the database	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
1028	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Housing Development	Indicate a timeline for the housing development plan in Jamestown	Expected start date would be from June 2025. This is when the funds will be available. Groundworks will only start in September 2025.	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
1029	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Income and Expenditure	Provision of assistance with payment arrangement for the outstanding municipal account	The procedure for payment arrangement was explained by and Ms Cyster was advised to visit municipal offices and discuss a payment arrangement if possible	Directorate: Financial Services	Department: Revenue and Expenditure	Financial Services	Local	
1030	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Income and Expenditure	Provision of information regarding the indigent subsidy and thresholds and the qualifying		Directorate: Financial Services	Department: Revenue and Expenditure	Financial Services	Local	
1031	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Housing Development	Indicate a timeline for the housing development plan in Jamestown	Expected start date would be from June 2025. This is when the funds will be available. Groundworks will only start in September 2025.	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure

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Community and Stakeholder Needs						Municipal Directorate and Western Cape Government Information					
No.	Source	Ward	Ward Councillor	Priority	Community Needs and Inputs	Departmental Action	Linkage to Directorate	Department	Responsible Mayoral Portfolio	Government Competency	WCG: Provincial Department
1032	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Housing Development	Indicate a timeline for the housing development plan in Jamestown	Expected start date would be from June 2025. This is when the funds will be available. Groundworks will only start in September 2025.	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
1033	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Housing Development	Indicate a timeline for the housing development plan in Jamestown	Expected start date would be from June 2025. This is when the funds will be available. Groundworks will only start in September 2025.	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
1034	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Housing Development	Indicate a timeline for the housing development plan in Jamestown	Expected start date would be from June 2025. This is when the funds will be available. Groundworks will only start in September 2025.	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
1035	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Housing Development	Indicate a timeline for the housing development plan in Jamestown	Funding will be available in the 2025/26 FY to install services. The Municipality will go out on tender by July 2025 and it is expected that the contractors will be on-site during September 2025	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
1036	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Housing Development	Indicate a timeline for the housing development plan in Jamestown	Funding will be available in the 2025/26 FY to install services. The Municipality will go out on tender by July 2025 and it is expected that the contractors will be on-site during September 2025	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
1037	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Housing Development	Indicate a timeline for the housing development plan in Jamestown	Funding will be available in the 2025/26 FY to install services. The Municipality will go out on tender by July 2025 and it is expected that the contractors will be on-site during September 2025	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
1038	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Housing Development	Indicate a timeline for the housing development plan in Jamestown	Funding will be available in the 2025/26 FY to install services. The Municipality will go out on tender by July 2025 and it is expected that the contractors will be on-site during September 2025	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
1039	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Housing Development	Indicate a timeline for the housing development plan in Jamestown	Funding will be available in the 2025/26 FY to install services. The Municipality will go out on tender by July 2025 and it is expected that the contractors will be on-site during September 2025	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
1040	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Housing Development	Indicate a timeline for the housing development plan in Jamestown	Funding will be available in the 2025/26 FY to install services. The Municipality will go out on tender by July 2025 and it is expected that the contractors will be on-site during September 2025	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure

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Community and Stakeholder Needs						Municipal Directorate and Western Cape Government Information					
No.	Source	Ward	Ward Councillor	Priority	Community Needs and Inputs	Departmental Action	Linkage to Directorate	Department	Responsible Mayoral Portfolio	Government Competency	WCG: Provincial Department
1041	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Housing Development	Indicate a timeline for the housing development plan in Jamestown	Funding will be available in the 2025/26 FY to install services. The Municipality will go out on tender by July 2025 and it is expected that the contractors will be on-site during September 2025	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
1042	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Housing Development	Indicate a timeline for the housing development plan in Jamestown	Funding will be available in the 2025/26 FY to install services. The Municipality will go out on tender by July 2025 and it is expected that the contractors will be on-site during September 2025	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
1043	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Housing Development	Indicate a timeline for the housing development plan in Jamestown	Funding will be available in the 2025/26 FY to install services. The Municipality will go out on tender by July 2025 and it is expected that the contractors will be on-site during September 2025	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
1044	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Housing Development	Indicate a timeline for the housing development plan in Jamestown	Funding will be available in the 2025/26 FY to install services. The Municipality will go out on tender by July 2025 and it is expected that the contractors will be on-site during September 2025	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
1045	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Housing Development	Indicate a timeline for the housing development plan in Jamestown	Funding will be available in the 2025/26 FY to install services. The Municipality will go out on tender by July 2025 and it is expected that the contractors will be on-site during September 2025	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
1046	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Housing Development	Indicate a timeline for the housing development plan in Jamestown	Funding will be available in the 2025/26 FY to install services. The Municipality will go out on tender by July 2025 and it is expected that the contractors will be on-site during September 2025	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
1047	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Housing Development	Provision of information if phase 4 of the Jamestown housing project has approved plot and plans		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
1048	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Housing Administration	Provision of information regarding qualifying for housing and the criteria		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
1049	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Housing Development	Provision of housing development opportunities for people that are staying in Jamestown in Wendy Houses		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
1050	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Informal Settlements	Installation of electricity for residents residing in Jamestown's in the Wendy Houses		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
1051	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Informal Settlements	Installation of electricity for residents residing in Jamestown's in the Wendy Houses		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
1052	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Housing Administration	Housing application status and personal information update on the waiting list	The client was advised to visit housing administration office in relation of the housing waiting list and the importance of updating the application by coming to check your status on the database	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	

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No.	Source	Ward	Ward Councillor	Priority	Community Needs and Inputs	Departmental Action	Linkage to Directorate	Department	Responsible Mayoral Portfolio	Government Competency	WCG: Provincial Department
1053	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Housing Administration	Housing application status and personal information update on the waiting list	The client was advised to visit housing administration office in relation of the housing waiting list and the importance of updating the application by coming to check your status on the database	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
1054	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Housing Administration	Housing application status and personal information update on the waiting list	The client was advised to visit housing administration office in relation of the housing waiting list and the importance of updating the application by coming to check your status on the database	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
1055	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Housing Administration	Housing application status and personal information update on the waiting list	The client was advised to visit housing administration office in relation of the housing waiting list and the importance of updating the application by coming to check your status on the database	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
1056	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Community Development	Provision of assistance to the Jamestown organisation to support families with Gender-based violence; Divorce; fatherless homes and teenage-led households; and building of healthy households		Directorate: Community and Protection Services	Section: Community Development	Community Services	Local	
1057	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Housing Development	Indicate a timeline for the housing development plan in Jamestown	Funding will be available in the 2025/26 FY to install services. The Municipality will go out on tender by July 2025 and it is expected that the contractors will be on-site during September 2025	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
1058	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Housing Administration	Housing application status and personal information update on the waiting list	The client was advised to visit housing administration office in relation of the housing waiting list and the importance of updating the application by coming to check your status on the database	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
1059	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Housing Administration	Housing application status and personal information update on the waiting list	The client was advised to visit housing administration office in relation of the housing waiting list and the importance of updating the application by coming to check your status on the database	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
1060	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Housing Administration	The owner of Klein Wood Farm built houses for farm workers and registered the houses on his trust. The farmworker would like to know what will happen to the ownership of the houses when they are no longer working for the farm		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
1061	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Housing Administration	Provision of information regarding qualifying criteria and requirements to register for RDP housing		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
1062	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Housing Administration	Housing application status and personal information update on the waiting list	The client was advised to visit housing administration office in relation of the housing waiting list and the importance of updating the application by coming to check your status on the database	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	

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Community and Stakeholder Needs						Municipal Directorate and Western Cape Government Information					
No.	Source	Ward	Ward Councillor	Priority	Community Needs and Inputs	Departmental Action	Linkage to Directorate	Department	Responsible Mayoral Portfolio	Government Competency	WCG: Provincial Department
1063	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Housing Development	Indicate a timeline for the housing development plan in Jamestown	Funding will be available in the 2025/26 FY to install services. The Municipality will go out on tender by July 2025 and it is expected that the contractors will be on-site during September 2025	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
1064	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Housing Administration	Housing application status and personal information update on the waiting list	The client was advised to visit housing administration office in relation of the housing waiting list and the importance of updating the application by coming to check your status on the database	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
1065	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Electrical Services	Provision of progress with electrification for Mountain View		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
1066	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Housing Development	Indicate a timeline for the housing development plan in Jamestown	Funding will be available in the 2025/26 FY to install services. The Municipality will go out on tender by July 2025 and it is expected that the contractors will be on-site during September 2025	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
1067	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Housing Administration	Provision of information regarding qualifying for housing and the criteria		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
1068	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Housing Development	Indicate a timeline for the housing development plan in Jamestown	Funding will be available in the 2025/26 FY to install services. The Municipality will go out on tender by July 2025 and it is expected that the contractors will be on-site during September 2025	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
1069	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Informal Settlements	Installation of electricity for people that are staying in Jamestown in wendy houses		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
1070	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Informal Settlements	Repairing of the leaking roof of the wendy house in Jamestown		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
1071	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Informal Settlements	Provision of permission to extend the wendy house in Jamestown	Not permitted to extend municipal Wendy houses	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
1072	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Informal Settlements	Provision of ablution facilities and electricity for people that were moved from High School (tops) to Mountainview, 7 months ago		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
1073	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Community Development	Provision of funding for community development projects in the Jamestown community		Directorate: Community and Protection Services	Section: Community Development	Community Services	Local	
1074	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Cemeteries	Deployment of security at Jamestown Cemetery public vandalises the cemetery and fencing has been removed		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
1075	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Cemeteries	Installation of new fencing around Jamestown cemetery		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
1076	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Roads, Transport and Stormwater	Allow utilisation of the existing bridge at Blaauwklippen as a pathway to the Stellenbosch Square Mall. Security is currently stationed at the bridge for no access		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	

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No.	Source	Ward	Ward Councillor	Priority	Community Needs and Inputs	Departmental Action	Linkage to Directorate	Department	Responsible Mayoral Portfolio	Government Competency	WCG: Provincial Department
1077	Online Form	Ward 21	Cllr. Mynard Slabbert	Housing Development	Waiting for a housing opportunity		Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	Department of Infrastructure
1078	Online Form	Ward 21	Cllr. Mynard Slabbert	Electrical Services	Electricity tariffs are excessively high		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
1079	IDP Open Day	Ward 21	Cllr. Mynard Slabbert	Housing Development	Request for an update on progress / feedback on the Jamestown phase 2 and 3 development	Housing Pipeline approved. Implementation to commence.	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure
1080	IDP Open Day	Ward 22	Cllr. Esther Groenewald	Land Use Management and Building	Provision of the status (process) with the Libertas Development as well as the density and size of the Development	Land Use Management will update Mr. Meyer	Directorate: PED	Department: Development Management	Planning, LED and Tourism	Local	
1081	Online Form	Ward 22	Cllr. Esther Groenewald	Safety and Security	Primary role of the Municipality is to share information (especially relating to cameras) with private security firms (Brandwacht)		Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
1082	Online Form	Ward 22	Cllr. Esther Groenewald	Access to Basic Services	Ensure prompt response to street lighting, etc. Currently very good		Directorate: Infrastructure Services	Department: Electrical Services	Infrastructure Services	Local	
1083	Online Form	Ward 22	Cllr. Esther Groenewald	Access to Basic Services	Ensure prompt response to potholes etc. Currently very good.		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
1084	Online Form	Ward 22	Cllr. Esther Groenewald	Access to Basic Services	Ensure prompt response to burst pipes etc. Currently very good.		Directorate: Infrastructure Services	Department: Water and Wastewater Services	Infrastructure Services	Local	
1085	IDP Open Day	Ward 23	Cllr. Lwando Nkamisa	Roads, Transport and Stormwater	Implementation of traffic measures regarding the traffic congestion in lower / middle Dorp Street Central	The Municipality is looking to create a raised intersection in Dorp Street in the next 3 years	Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
1086	IDP Open Day	Ward 23	Cllr. Lwando Nkamisa	Roads, Transport and Stormwater	Installation of the missing arrow at the new intersection on Banghoek Road	Complaint will be checked on Municipal Complaints Portal and actioned accordingly	Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
1087	IDP Open Day	Ward 23	Cllr. Lwando Nkamisa	Traffic Enforcement	Issuing of fines for parking on red line at Schroeder and Herte Street	The complaint will be forwarded to traffic services for enforcement	Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
1088	IDP Open Day	Ward 23	Cllr. Lwando Nkamisa	Safety and Security	Increased visibility of law enforcement to curb theft on motor vehicles in Stellenbosch CBD	SAPS is aware of the on-going theft out of motor vehicles and law enforcement is assisting saps in crime prevention on a daily basis	Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	

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1089	IDP Open Day	Ward 23	Cllr. Lwando Nkamisa	Safety and Security	Eviction of the homeless people around Voorgelegen Park	Law enforcement will conduct regular patrols do address the issue	Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
1090	IDP Open Day	Ward 23	Cllr. Lwando Nkamisa	Parks and Open Spaces	Regular cleaning of Voorgelegen Park		Directorate: Community and Protection Services	Department: Community Services	Parks and Open Spaces	Local	
1091	Stakeholder Engagement	Whole Municipal Area: All		Environmental Management	Maintenance of the Eikestad and Eerste Rivers damaged down the river from the biodiversity perspective	The Municipality is in the process of the maintenance of trees in the Eerste River.	Directorate: Community and Protection Services	Department: Community Services	Rural Management and Environment	Local	
1092	Stakeholder Engagement	Whole Municipal Area: All		Roads, Transport and Stormwater	Bottelary road putting all the water down the side of the road into black pipes removing quite considerable biodiversity opportunities		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
1093	Stakeholder Engagement	Whole Municipal Area: All		Environmental Management	Landslides in Franschhoek and other areas in Stellenbosch should be addressed and investigate people who are harvesting and transporting those rocks	Request the residents to provide details on the removal of rocks – report this to control room for action.	Directorate: Community and Protection Services	Department: Community Services	Rural Management and Environment	Local	
1094	Stakeholder Engagement	Whole Municipal Area: All		Environmental Management	Investigate the invasion of trees that need to be removed along the Eerste River and from Jonkershoek to Macassar as these trees are consuming a lot of water		Directorate: Community and Protection Services	Department: Community Services	Rural Management and Environment	Local	
1095	Stakeholder Engagement	Whole Municipal Area: All		Roads, Transport and Stormwater	Municipality should make a survey on the river to protect the antique life of rivers and use stronger gabions to protect the rivers	RTS is responsible for the maintenance of the rivers.	Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
1096	Stakeholder Engagement	Whole Municipal Area: All		Roads, Transport and Stormwater	Municipality should make a survey on the river to protect the antique life of rivers and use stronger gabions to protect the rivers	RTS is responsible for the maintenance of the rivers.	Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	
1097	Stakeholder Engagement	Whole Municipal Area: All		Water Services	Ida's Valley dam is a concern, the walls have cracks that need inspections as it is dangerous at fault	Ida's Valley Dam – officials were sent to investigate the sides around the dam were high due to floods and water was flowing in the different directions. The dam is still in a fine condition	Directorate: Infrastructure Services	Department: Water and Wastewater Services	Infrastructure Services	Local	
1098	Stakeholder Engagement	Whole Municipal Area: All		Water Services	Jonkershoek is not municipal land, the company managing the land there is dumping sewerage water that goes to the stream and people downstream will use the water for drinking and farming purposes, the municipality should conduct an investigation	Community members are encouraged to use the WhatsApp number to report the illegal dumping of sewerage for the municipality to take action	Directorate: Infrastructure Services	Department: Water and Wastewater Services	Infrastructure Services	Local	
1099	Stakeholder Engagement	Whole Municipal Area: All		Recreation and Sport	Kayamandi Swimming Pool – Update as it was on the previous IDP. Will the Municipality construct a swimming pool for Kayamandi	There is no space for the construction of a swimming pool in Kayamandi. There is a private organisation that constructed a private swimming pool but does not accommodate the community of Kayamandi. There could be the possibility of open space in Northern Extension once completed	Directorate: Community and Protection Services	Department: Community Services	Youth, Sport and Culture	Local	
1100	Stakeholder Engagement	Whole Municipal Area: All		Roads, Transport and Stormwater	Provision of an update on the construction of the crossing bridge from Kayamandi to Cloetesville is required	Kayamandi Bridge is on the budget. The tender rates were higher than the expected budget/cost, and as a result, the project has been retendered	Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local	

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1101	Stakeholder Engagement	Whole Municipal Area: All		Land Use Management and Building	Provision of building plans for the ECDs as this is a prerequisite to register		Directorate: PED	Department: Development Management	Planning, LED and Tourism	Local	
1102	Stakeholder Engagement	Whole Municipal Area: All		Safety and Security	Building of the police station in Cloetesville due to the high crime rate	Suitable sites have been identified for SAPS, the municipality is waiting for SAPS feedback	Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
1103	Stakeholder Engagement	Whole Municipal Area: All		Safety and Security	Consider Cloetesville when giving attention to the CCTV cameras	The hotspot for the installation of CCTV cameras in Cloetesville has been identified and once the new tender is implemented the installation will start	Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
1104	Stakeholder Engagement	Whole Municipal Area: All		Environmental Management	Municipality has one budget for all nature areas, request that the budget be split and allocated to different areas	The Department: Community Services will investigate and discuss with the CFO for the possibility of splitting the budget for nature areas	Directorate: Community and Protection Services	Department: Community Services	Rural Management and Environment	Local	
1105	Stakeholder Engagement	Whole Municipal Area: All		Community Development	What is Municipality doing to address homelessness in Stellenbosch Town	Homelessness is a problem for the municipality as in other towns we need to come up with actions to address that. The Municipality has the Give Responsible Campaigns to assist in curbing the problem. Encourage people to give coupons instead of money to homeless people	Directorate: Community and Protection Services	Section: Community Development	Community Services	Local	
1106	Stakeholder Engagement	Whole Municipal Area: All		Community Development	ECD is the municipal function according to Children's Act and the Municipal Systems Act: Municipal planning and the provision of land and basic services such as water and electricity for ECDs	The Municipality is facing some obstacles with the upgrading and maintenance of ECDs programmes. Once building plans are approved the Municipality can have the discussion.	Directorate: Community and Protection Services	Section: Community Development	Community Services	Local	
1107	Stakeholder Engagement	Whole Municipal Area: All		Housing Development	ECD is the municipal function according to Children's Act and the Municipal Systems Act: Make provision for ECD facilities on new housing developments.	When a housing development is planned, various land uses are taken into consideration dependant on the size of the potential site that must be developed. This is done by taking the Planning and Design Guidelines of CSIR into consideration. Thereby the layouts are measured against the CSIR Planning and Design principles which incorporates care facilities. It should be noted that care facilities are not a municipal function and thereby the budgeting to build such a facility would be the responsibility of a different sphere of government or entity.	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local	
1108	Stakeholder Engagement	Whole Municipal Area: All		Community Development	ECD is the municipal function according to Children's Act and the Municipal Systems Act: Municipality must develop by-law and If ECD does not comply municipality must do something as most people see ECD as a business opportunity not to develop the child	The Department: Education is responsible for the registration of ECDs and sets requirements and rules. Therefore the Municipality cannot do anything. The Municipality implements processes regarding fire safety, provides guidance and issues fire certificates to comply	Directorate: Community and Protection Services	Section: Community Development	Community Services	Provincial	Western Cape Education Department
1109	Stakeholder Engagement	Whole Municipal Area: All		Community Development	ECD is the municipal function according to Children's Act and the Municipal Systems Act: Enforcement of Municipal by-law on the EDC	The Department: Education is responsible for the registration of ECDs and sets requirements and rules. Therefore the Municipality cannot do anything. The Municipality implements processes regarding fire safety, provides guidance and issues fire certificates to comply	Directorate: Community and Protection Services	Section: Community Development	Community Services	Provincial	Western Cape Education Department

3rd Review of the 5th Generation IDP 2022 - 2027: IDP and Budget Comments and Inputs: September 2024											
Community and Stakeholder Needs						Municipal Directorate and Western Cape Government Information					
No.	Source	Ward	Ward Councillor	Priority	Community Needs and Inputs	Departmental Action	Linkage to Directorate	Department	Responsible Mayoral Portfolio	Government Competency	WCG: Provincial Department
1110	Stakeholder Engagement	Whole Municipal Area: All		Land Use Management and Building	ECD is the municipal function according to Children's Act and the Municipal Systems Act: Scrutiny fees and Zoning fees must be minimised for the ECDs as these reduce registration	Zoning Fees are guided by by-laws to ensure the safety of the building and the safety of children.	Directorate: PED	Department: Development Management	Planning, LED and Tourism	Local	
1111	Stakeholder Engagement	Whole Municipal Area: All		Community Development	ECD is the municipal function according to Children's Act and the Municipal Systems Act: Provision of assistance to 124 unregistered facilities in Stellenbosch		Directorate: Community and Protection Services	Section: Community Development	Community Services	Local	
1112	Stakeholder Engagement	Whole Municipal Area: All		Traffic Enforcement	Removal of cars that are standing and damaging the historic core and the character of the town		Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
1113	Stakeholder Engagement	Whole Municipal Area: All		Traffic Enforcement	Establish mechanisms to address illegal parking on the walkways/pavements.		Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local	
1114	Stakeholder Engagement	Whole Municipal Area: All		Spatial Planning	In the Inclusionary housing policy: Does the municipality have an estimated target that the Municipality is expected to deliver	Inclusionary policy is to address special injustices of the past, developers must make a certain percentage in their development for inclusionary housing. In Adams Tas – it is 30% of units for inclusionary outside the Adam Tas it is 20% of units for inclusionary. Inclusionary housing policy is a Zoning requirement for all the developments within Stellenbosch.	Directorate: PED	Department: Development Planning	Planning, LED and Tourism	Local	
1115	Stakeholder Engagement	Whole Municipal Area: All		Spatial Planning	In the Inclusionary housing policy: Will the units be within the urban edge or hamlets or areas surrounding Stellenbosch	Inclusionary policy is to address special injustices of the past, developers must make a certain percentage in their development for inclusionary housing. In Adams Tas – it is 30% of units for inclusionary outside the Adam Tas it is 20% of units for inclusionary. Inclusionary housing policy is a Zoning requirement for all the developments within Stellenbosch.	Directorate: PED	Department: Development Planning	Planning, LED and Tourism	Local	
1116	Stakeholder Engagement	Whole Municipal Area: All		Land Use Management and Building	Has the municipality made provision for playparks and ECD centres on the new housing developments	The municipality advises and assists where it can to assist with land availability for schools and ECDs. Has identified sites for new urban schools around Stellenbosch. The municipality will not build the schools, this is a function of the Department: Education including the operation of the schools	Directorate: PED	Department: Development Management	Planning, LED and Tourism	Local	
1117	Stakeholder Engagement	Whole Municipal Area: All		Community Development	If you look at Kayamandi it's only 12 registered creches out of 62 unregistered creches		Directorate: Community and Protection Services	Section: Community Development	Community Services	Local	
1118	Stakeholder Engagement	Whole Municipal Area: All		Integrated development planning and public participation	Does the Municipality have a policy on Public Participation and where one can have it? How?	The municipality has a draft of the PP Policy that must still go to the Council. It will be advertised before it goes to the final process	Office of the Municipal Manager	Section: IDP/PMS/PP	Executive Mayor	Local	
1119	Stakeholder Engagement	Whole Municipal Area: All		Spatial Planning	How will the municipality deal with developers wanting to develop in certain areas without incorporating inclusionary housing?	The inclusionary housing policy seeks to engage private developers to assist with dealing with and addressing the issue of a gap market as most people cannot afford to buy houses around Stellenbosch. The Inclusionary housing policy is an open is to look at the gap market and Stellenbosch residents who cannot afford housing. Inclusionary housing policy is implemented across the board	Directorate: PED	Department: Development Planning	Planning, LED and Tourism	Local	

3rd Review of the 5th Generation IDP 2022 - 2027: IDP and Budget Comments and Inputs: September 2024												
Community and Stakeholder Needs						Municipal Directorate and Western Cape Government Information						
No.	Source	Ward	Ward Councillor	Priority	Community Needs and Inputs	Departmental Action	Linkage to Directorate	Department	Responsible Mayoral Portfolio	Government Competency	WCG: Provincial Department	
1120	Stakeholder Engagement	Whole Municipal Area: All		Spatial Planning	The developments continue as is without developers incorporating inclusionary housing if it's not by-law	The inclusionary housing policy seeks to engage private developers to assist with dealing with and addressing the issue of a gap market as most people cannot afford to buy houses around Stellenbosch. The Inclusionary housing policy is an open is to look at the gap market and Stellenbosch residents who cannot afford housing. Inclusionary housing policy is implemented across the board	Directorate: PED	Department: Development Planning	Planning, LED and Tourism	Local		
1121	Stakeholder Engagement	Whole Municipal Area: All		Informal Settlements	Housing or informal settlements are creeping on the mountain in Franschhoek there are a lot of areas that have been identified for housing development in the area	The Municipality is doing all in its power to curb the increase of Informal Settlements in Stellenbosch using Law Enforcement. The Municipality is engaging the Minister of Public Works to unlock the land issue and develop houses. There are a number of identified sites in Franschhoek for housing developments that still need to be unlocked	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local		
1122	Stakeholder Engagement	Whole Municipal Area: All		Informal Settlements	Is the Municipality allowing informal settlements to further or any plans to address	The Municipality is doing all in its power to curb the increase of Informal Settlements in Stellenbosch using Law Enforcement. The Municipality is engaging the Minister of Public Works to unlock the land issue and develop houses. There are a number of identified sites in Franschhoek for housing developments that still need to be unlocked	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Local		
1123	Stakeholder Engagement	Whole Municipal Area: All		Education	On the new development, what is the interaction to cater for education facilitates (schools) in the new developments	These are Education and Health functions in which the Municipality only provides land. The Municipality has identified a few sites/needs for schools in Stellenbosch.	Directorate: PED	Office of the Director Planning and Economic Development	Planning, LED and Tourism	Provincial	Western Cape Education Department	
1124	Stakeholder Engagement	Whole Municipal Area: All		Health	On the new development, what is the interaction to cater for health facilities in the new developments	This is a Health functions in which the Municipality only provides land. The Municipality has identified a few sites/needs for schools in Stellenbosch	Directorate: PED	Office of the Director Planning and Economic Development	Planning, LED and Tourism	Provincial	Western Cape Government Health and Wellness	
1125	Stakeholder Engagement	Whole Municipal Area: All		Housing Development	What happened to the Housing Development Plan and budget that was allocated for Jonkershoek people since 1999 as Jonkershoek does not appear in the budget and programmes anymore?	The Municipality is struggling because the land belongs to Public Works and involves an Agency to assist the Municipality. Mayor has organised a meeting with the Minister of Public Works to find a way forward for land that belongs to Public Works around Stellenbosch. MFMA does not allow the Municipality to budget for those lands unless there is an agreement or power of attorney	Directorate: PED	Department: Integrated Human Settlements	Human Settlements	Provincial	Department of Infrastructure	
1126	Stakeholder Engagement	Whole Municipal Area: All		Roads, Transport and Stormwater	The multi-storey parking had tremendous outcry – the municipality needs to prove that referred parking is the answer	The Municipality is aware of the outcry but there is also positive support for it. Assessments and feasibility studies have been conducted which shows the need for parking and it will reduce traffic conjunction. Parking is in the process of a feasibility study which must go for Public Participation. The municipality is planning a 2.5 parking garage not multiple-story as said. The Municipality is planning to pedestrianise some of the roads which will require the construction of more parking	Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local		
1127	Stakeholder Engagement	Whole Municipal Area: All		Roads, Transport and Stormwater	Building a parking garage attracts more traffic congestion with more problems	The Municipality is aware of the outcry but there is also positive support for it. Assessments and feasibility studies have been conducted which shows the need for parking and it will reduce traffic conjunction. Parking is in the process of a feasibility study which must go for Public Participation. The municipality is planning a 2.5 parking garage not multiple-story as said. The Municipality is planning to pedestrianise some of the roads which will require the construction of more parking	Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local		

3rd Review of the 5th Generation IDP 2022 - 2027: IDP and Budget Comments and Inputs: September 2024												
Community and Stakeholder Needs						Municipal Directorate and Western Cape Government Information						
No.	Source	Ward	Ward Councillor	Priority	Community Needs and Inputs	Departmental Action	Linkage to Directorate	Department	Responsible Mayoral Portfolio	Government Competency	WCG: Provincial Department	
1128	Stakeholder Engagement	Whole Municipal Area: All		Roads, Transport and Stormwater	Franschhoek Road and two bridges Academia Street and Dirkie Street were planned to be completed by June 2024 are still undergoing. This trouble with mobility from one side to the other.	The first flood happened in June 2023 last year and the second in September 2023. The grant was only received in February 2024 and was required to be utilised by June 2024 which was unfair considering the processes the Municipality must follow. The municipality had first to appoint designers to design the bridge, advertise the project for tender, and other processes it was not possible to utilise the funds by June 2024. The Municipality is applying for a rollover budget	Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local		
1129	Stakeholder Engagement	Whole Municipal Area: All		Roads, Transport and Stormwater	Request progress on the bridges at Academia Street and Dirkie Street as they were initially planned to be completed by June 2024 and now it's October	The first flood happened in June 2023 last year and the second in September 2023. The grant was only received in February 2024 and was required to be utilised by June 2024 which was unfair considering the processes the Municipality must follow. The municipality had first to appoint designers to design the bridge, advertise the project for tender, and other processes it was not possible to utilise the funds by June 2024. The Municipality is applying for a rollover budget	Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local		
1130	Stakeholder Engagement	Whole Municipal Area: All		Roads, Transport and Stormwater	All roads have been identified except for R304, not sure if it is a Provincial Road or shared responsibility. This road is a problem.	The projects identified on the presentation are implementable projects. The R304 is also in the planning and designing phase and is underway. The municipal Capital Expenditure Framework has identified all the roads to be upgraded and timeframes	Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Provincial	Department of Infrastructure	
1131	Stakeholder Engagement	Whole Municipal Area: All		Roads, Transport and Stormwater	It appears there is overlapping on the local economic development thinking and Mobility Masterplan – are these overlaps being addressed and incorporated into the thinking around making mobility an improvement plan that local economic development can address	To address overlapping the Department: Roads, Transport and Stormwater look at both SDF and Local Economic Development Masterplan to see how mobility is considered in enabling both plans as obligated by both by-law and municipality planning processes.	Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local		
1132	Stakeholder Engagement	Whole Municipal Area: All		Roads, Transport and Stormwater	There are contradictions in the CIP that need to be addressed which needs to be conceptualised in more detail	To address overlapping the Department: Roads, Transport and Stormwater look at both SDF and Local Economic Development Masterplan to see how mobility is considered in enabling both plans as obligated by both by-law and municipality planning processes.	Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local		
1133	Stakeholder Engagement	Whole Municipal Area: All		Roads, Transport and Stormwater	More roads and more parking increase traffic congestion		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local		
1134	Stakeholder Engagement	Whole Municipal Area: All		Roads, Transport and Stormwater	The municipality must consider the use of public transport and non-motorized transport		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local		
1135	Stakeholder Engagement	Whole Municipal Area: All		Roads, Transport and Stormwater	Need to identify the target market for these roads/parking. The Administration needs to reformulated questions		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local		
1136	Stakeholder Engagement	Whole Municipal Area: All		Roads, Transport and Stormwater	The municipality should look at public rights and public transport priorities in the IDP in Stellenbosch.		Directorate: Infrastructure Services	Department: Roads, Transport and Storm Water (RTS)	Infrastructure Services	Local		
1137	Stakeholder Engagement	Whole Municipal Area: All		Traffic Enforcement	The cars that park on the sidewalks, by-laws must be enforced		Directorate: Community and Protection Services	Department: Protection Services	Deputy Mayor and Protection Services	Local		

6.2	MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR OCTOBER 2024
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

21 November 2024

1. SUBJECT:MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR OCTOBER 2024

2. PURPOSE

To comply with Regulation 36(2) of the Municipal Supply Chain Management Regulations and Section 36 of the Supply Chain Management Policy 2024/2025 to report the deviations to the 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 (2024/2025) stipulate that SCM deviations be reported to the Council. In compliance thereto, this report presents to the Council the SCM deviations that occurred during October 2024.

5. RECOMMENDATION

that the Council notes with the deviations approved for the month of October 2024.

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 October 2024:

The following deviations were approved 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 9/25	2024/10/01	Hypower Heavy Current Maintenance (Pty) Ltd	Repairs of a 66/11kV transformer no.2 and the onload tap changer at Franschoek 66kV substation	Emergency	The SCM process cannot be followed because of the urgency to have transformer number Tx2 and the On Load Tap Changer (OLTC) repairs done immediately following transformer Tx1 that is unable to handle the current load which is because of the vandalized Groendal substation for a deviation for repairs has been submitted to SCM for consideration but is still pending approval. To prevent further damages to Transformer Tx1 because of overloading (all the load in Groendal is currently not balanced) and to further minimize the impact of power outages which will affect all residents of Franschoek should transformer Tx1 also fails, it is important to mitigate the risks for potential fire hazards, electrical shock, and environmental contamination by repairing transformer immediately	R 474 382,51 incl. VAT
D/SM10/25	2024/10/11	Lilliput Treatment technologies Int. cc	Replacement of Klappmuts Multi-Purpose Centre Lilliput SBC6000 treatment works clarifier	Goods and services are produced or available from a single provider.	Lilliput Treatment Technology is the sole supplier for the treatment process of domestic sewage effluent in terms of Internationally General Accepted Parameters. The clarifier continuously leaked; hence its replacement became critical.	R 121 900,00 incl. VAT

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	Dalleel Jacobs
POSITION	Senior Manager SCM
DIRECTORATE	Finance
CONTACT NUMBERS	021 808 8137
E-MAIL ADDRESS	Dalleel.Jacobs@ Stellenbosch.gov.za
REPORT DATE	04 November 2024

7.	CONSIDERATION OF ITEMS BY THE EXECUTIVE MAYOR: [ALD G VAN DEVENTER]
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7.1	PROTECTION SERVICES: (PC: CLLR J FASSER)
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7.1.1	REVIEW OF STELLENBOSCH MUNICIPALITY CLOSED CIRCUIT TELEVISION (CCTV) POLICY
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Collaborator No: 776637
 IDP KPA Ref No: Safe Valley
 Meeting Date: 21 November 2024

1. SUBJECT:REVIEW OF STELLENBOSCH MUNICIPALITY CLOSED CIRCUIT TELEVISION (CCTV) POLICY

2. PURPOSE

To submit the reviewed Stellenbosch Municipality Closed Circuit Television (CCTV) Policy to Council for approval.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

The policy on Stellenbosch Municipality Closed Circuit Television (CCTV) was approved by Council on the 29th of May 2019. The review of the policy is to remain abreast of changing technology and risks with regards to safety.

The reviewed policy addresses the shortcomings identified by the department.

5. RECOMMENDATION

That Council considers and approves the reviewed policy on Closed Circuit Television (CCTV)

6. DISCUSSION

6.1 Background

The reviewed policy is attached as **ANNEXURE A**.

6.2 Discussion

This policy applies to all employees of Stellenbosch Municipality, Councillors, Municipal Contractors and general public who may enter the areas covered by Stellenbosch Municipal cameras.

6.3 Financial Implications

The department has sufficient budget and forms part of the annual budget of Council.

6.4 Legal Implications

The policy adheres to all relevant legislation

6.4 Staff Implications

None.

6.5 Previous / Relevant Council Resolutions

None

6.6 Risk Implications

None

6.7 Comments from Senior Management:

This report has no risk implications to the municipality

ANNEXURES**Annexure A:**

Reviewed Stellenbosch Municipality Closed Circuit Television Policy

FOR FURTHER DETAILS CONTACT:

NAME	Joan Felix
POSITION	Manager Traffic and Law Enforcement
DIRECTORATE	Community and Protection Services
CONTACT NUMBERS	021- 808 8441
E-MAIL ADDRESS	Joan.Felix@ Stellenbosch.gov.za
REPORT DATE	8 November 2024

ANNEXURE A



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

CCTV MANAGEMENT AND CONTROL POLICY FOR STELLENBOSCH MUNICIPALITY

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DEFINITIONS AND ABBREVIATIONS

Term	Definition
Applicant	means a registered organisation, body or person applying to Stellenbosch Municipality to register a CCTV system, camera, equipment or a CCTV camera on privately owned property of which the projection plane covers any public street or public land
Camera Housing	means the cover or container on a camera designed and used to protect such a camera from all weather conditions.
CCTV Section	means the section which falls within the Law Enforcement Department of the Stellenbosch Municipality, responsible, among others, for the implementation and monitoring of this policy.
Council	means the Municipal Council of Stellenbosch
Infrastructure	means any land, building or fixture attached to it, any pole, fence, wall, bridge, sign, cabling, tree, tower or fixture attached to it;
Management Team	means management team of Protection Services, Law Enforcement Department
Municipality	means the Stellenbosch Municipality established in terms of section 4 of this Schedule;
Municipal Manager	means the person appointed as Municipal Manager in terms of section 82 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998)
Municipal Property	means land, structures and infrastructure owned by Stellenbosch Municipality
Person	means a natural or juristic person.
Public place	includes a public road and any parking area, square, park, recreation ground, sports ground, sanitary lane, open space, beach, shopping Centre on municipal land, unused or vacant municipal land or cemetery which has at any time been reserved, dedicated or set apart for use by the public.
Register	means a process whereby an applicant submits full details of their camera system, as per the attached annexures.
Stellenbosch Municipality	Stellenbosch Local Municipality is part of Cape Winelands District Municipality, WC024
Stellenbosch Safety Partners	Registered Partners with the Stellenbosch Municipality as a collaborative partnership in combating crime
Structure/s	means an item or items made up of a number of parts that are held or put together in a particular way,
Temporary installation	means the short-term installation of a CCTV camera or system on Municipality land or infrastructure, not exceeding thirty (30) days and includes a trailer adapted to be a roving mobile CCTV camera device.

Acronym	Definition
ANPR	Automatic Number-plate Recognition
CCTV	Closed-Circuit Television
IDP	Integrated Development Plan
LE	Law Enforcement
LPR	License Plate Recognition
LPR-UG	License Plate Recognition-User Group
POPI Act	Protection of Personal Information Act, Act No. 4 of 2013
PSIRA	Private Security Industry Regulatory Authority
SAPS	South African Police Services
SM	Stellenbosch Municipality, a municipality in terms of the Local Government Municipal Structures Act, 1998, or any structure or employee of the Municipality acting in terms of delegated authority
SOP	Standard Operating Procedure
SRA	Special Rates Area
NHW	An Accredited and registered Neighbourhood watch
SSP	Stellenbosch Safety Partners

1 PROBLEM STATEMENT

The Stellenbosch Municipality has experienced an increase of privately-owned CCTV cameras viewing municipal- owned land, installed on municipal property and infrastructure or private property viewing municipal public spaces, without due authorization. Some of the installations damage and clutter municipal structures, while also duplicating the purpose of existing cameras monitoring a specific area. As such, Stellenbosch Municipality Closed Circuit Television Policy, 2019, was approved which stipulated a specific application process for recognised organisations or persons to register their CCTV system with the Municipality. Additionally, the policy provided an effective way to ascertain the ownership of a CCTV camera installed on municipal land, which greatly assisted investigation processes by the South African Police Services and information gathering by the Municipality's Law Enforcement Services. This policy is a revision of the 2019 approved policy.

2 INTRODUCTION

This policy has been created to ensure that Stellenbosch Municipality, its employees and contractors comply with good practice, transparency and accountability in respect of the requirements of The Protection of Personal Information Act, Act No.4 of 2013 when operating Council CCTV and LPR cameras. It also outlines the process for managing access to CCTV and LPR data, the delegated authorities of Municipal staff and Municipal obligations with regard to CCTV and LPR data storage, security and signage.

3 PURPOSE

Stellenbosch Municipality (SM) endeavours to provide a safe and secure environment to protect its staff, councillors, public and the interests of our ratepayers. Closed Circuit Television (CCTV) and License Plate Recognition (LPR) cameras are installed and operated for one or more of the following purposes:

- 3.1 Facilitate public safety.
- 3.2 Facilitate staff and councillor's safety.
- 3.3 Improve security and deter criminal activity in public places including Council premises and recreational facilities.
- 3.4 Monitor traffic movements.
- 3.5 Monitor trespass on Council facilities.
- 3.6 Monitor compliance with Council bylaws.
- 3.7 Capture information that could be used to investigate crime, a health and safety environment and/ or staff incidents.
- 3.8 Monitor behaviour around Council objects.
- 3.9 Manage council assets and infrastructure.

4 DESIRED OUTCOME

- 4.1 The aim of this policy is to regulate all CCTV and LPR/ANPR cameras installed on municipal property, or which records / covers municipal property, while promoting the use of CCTV cameras and similar technologies, as mechanisms to deter crime and promote a safer municipality.
- 4.2 The policy establishes a uniform and comprehensive set of standards and assessment criteria to assist in the control, development and installation of CCTV and LPR/ANPR infrastructure on municipal structures. A written agreement in this regard, between the Stellenbosch

Municipality and the applicant, will be entered into once the application is approved.

- 4.3 The policy will enable the registration of all CCTV and LPR/ANPR cameras installed on municipal structures, infrastructure and land and those cameras on private property which views municipal property.
- 4.4 The policy shall allow for improved security by providing for reasonable connection mechanisms i.e. either by physical or via fixed or non-fixed line when required, to allow the Law Enforcement Department access into the applicant's CCTV system (feed), to view the public place via CCTV.
 - 4.4.1 If there is benefit of a private and external CCTV or LPR/ANPR camera to the Law Enforcement Department, the municipality would consider the subsidization of the monthly electricity usage for each individual third-party camera.
 - 4.4.2 The municipality may consider the installation of CCTV cameras on municipal property by municipal approved Special Rating Areas or registered and accredited Neighbourhood Watches. The approval of placement of such cameras will be in line with the municipality's camera masterplan and based on consultation with SAPS and relevant stakeholders. The installation of cameras must be linked to a control room of the SRA or NHW and have a direct feed to the municipality's control room.
 - 4.4.3 The municipality may consider the possibility of paying, in full, or part thereof, the installation fees for municipal approved Special Rating Areas, or duly registered and accredited Neighbourhood Watches of the actual cost involved to install a pole for one or more cameras. This may include the electrical connection to such pole (or on any other existing municipal owned infrastructure), as well as the monthly electrical tariff, upon considering a written submission made by such entity, which will include proof of funding limitations suffered by such entity or any other relevant factor which the municipality could consider.
 - 4.4.4 The municipality may consider installing additional poles for the sole purpose of CCTV or LPR/ANPR surveillance if there is no existing municipal-owned pole that can be used. Where a pole for CCTV purposes has been installed, the sharing of infrastructure must be considered by all parties involved.
 - 4.4.5 The municipality will welcome cross-subsidization of systems, from third party applicants, for impoverished areas. A written agreement will be entered into between the donor party and the Stellenbosch Municipality, or the receiving party.
- 4.5 The policy seeks to build public trust in the CCTV or LPR/ANPR ecosystem in Stellenbosch Municipality by defining the key balance between privacy and community safety needs.
- 4.6 The policy seeks to regulate the back-end activities associated with CCTV or LPR/ANPR surveillance. This includes the storage, processing and the usage of data records of such cameras.

5 POLICY PARAMETERS

- 5.1 This policy applies to private and external CCTV and LPR/ANPR cameras, installed on municipal land.
- 5.2 Infrastructure, including such cameras installed on private property, monitoring the municipality's public places and those CCTV and LPR/ANPR cameras, which form part of a broader CCTV network. No CCTV or LPR camera may be installed on private property where the projection plane on to municipalities public place is greater than 20%.

- 5.3 This policy is intended to regulate, and not restrict, the erecting of CCTV and LPR/ANPR camera infrastructure on municipal-owned structures.
- 5.4 This policy is applicable within the boundaries of the Stellenbosch Municipality WC024.
- 5.5 This policy has transversal implications, as it affects various departments responsible for the structures, where CCTV and LPR/ANPR systems will be installed.
- 5.6 Municipal departments are not required to follow the application process stipulated in this policy, but merely register the locations of the CCTV cameras with the Law Enforcement Department, for documentation and database recording purposes, using Annexure 9.9.

6 ROLE PLAYERS AND STAKEHOLDERS

6.1 The Stellenbosch Protection Services, Law Enforcement Department:

- 6.1.1 The CCTV section of the Stellenbosch Law Enforcement Department is responsible for the implementation and monitoring of this policy.
- 6.1.2 The CCTV section shall coordinate and review all applications as received and processed within two weeks from receipt by the CCTV section.
- 6.1.3 All applications shall be submitted to the Law Enforcement Chief in order to facilitate the smooth application and registration process of CCTV and LPR/ANPR cameras as set out in this Policy.
- 6.1.4 The CCTV section shall maintain a central database of CCTV and LPR/ANPR cameras in the Stellenbosch Municipality.

6.2 Infrastructure Services Stellenbosch Municipality:

The Infrastructure Services of Stellenbosch Municipality is responsible for advising on the wayleave process. This includes where an application is made to place third-party structures on Municipal property, considering the placement of the CCTV and LPR/ANPR cameras and associated equipment on a municipal structure or public place, and to verify that the technical aspect of the application meets the structural and durability tolerances within the necessary limits.

- 6.2.1 The Electricity Department will be responsible for advising on the wayleave process for electrical supply issues and to verify that an electricity pole or light pole will meet the structural and durability tolerances within the necessary limits, to accommodate CCTV and LPR/ANPR and related equipment.
- 6.2.2 Obtain wayleaves / work permits from the Directorate: Infrastructure Services prior to any excavation / construction work on municipal land or within 3,0m from municipal services located on private property.
- 6.2.3 Where approval is required, relevant engineering design and drawings must be submitted.
- 6.2.4 NB. It will remain the applicant's responsibility to obtain wayleaves from any other authorities/service provider's whose services may be affected e.g., Eskom.

6.3 Information and Communication Technology (ICT) Stellenbosch Municipality

The Information and Communication Technology (ICT) department of Stellenbosch Municipality is to advise on availability of communication infrastructure to support the application. This will include a site assessment to establish the nearest available piece of Municipal land to commission supporting communication infrastructure with electrical power availability and/or to commission a new communication site.

- 6.3.1 The Information and Communication Technology (ICT) Department will advise on the process of adding the applicant's camera service onto that of the Stellenbosch Municipality's CCTV and LPR/APNR system using the ICT communication Infrastructure.

7 REGULATORY CONTEXT

7.1 The CCTV and LPR/ANPR system that is envisaged for installation by a successful applicant may not infringe on any rights enshrined in, or provisions included in, the following:

- 7.1.1 The Constitution of the Republic of South Africa, 1996;
- 7.1.2 Promotion of Access to Information Act, 2000 (Act 2 of 2000);
- 7.1.3 Telecommunications Act, 1996 (Act 103 of 1996);
- 7.1.4 The Computer Evidence Act No 57 of 1983;
- 7.1.5 Protection of Information Act, 1982 (Act 84 of 1982);
- 7.1.6 Electronic Communications Act, 2005 (Act 36 of 2005);
- 7.1.7 Criminal Procedure Act 51 of 1977
- 7.1.8 Provincial Archives and Records Service of the Western Cape Act, 2005 (Act 3 of 2005); and
- 7.1.9 Protection of Personal Information Act, 2013 (Act 4 of 2013).

7.2 This Policy should also be read in line with the following:

- 7.2.1 Stellenbosch Municipality: Electricity Supply By-law;
 - 7.2.2 Stellenbosch Municipality: Outdoor Advertising and Signage By-law;
 - 7.2.3 The Stellenbosch Municipality CCTV Masterplan; and
 - 7.2.4 Stellenbosch Municipality Street Bylaw
- 7.3 Reference to the applicable legislation must be made in the applicant's business plan. Applicants in contravention of any law whilst in operation will have to cease operations immediately and take remedial action.

8 POLICY DIRECTIVES

8.1 Mandatory criteria required in an application for a new installation:

- 8.1.1 An application for permission to install a new CCTV or LPR/ANPR system on a Municipal

structure, or public places, must provide written motivation in the form of an application to the Law Enforcement Chief, align with 6.1.1, 6.1.2 & 6.1.3 of this Policy.

8.1.2 All applicable annexures must be duly completed and submitted with the application.

8.1.3 Installation of LPR Cameras on Municipal property will be allowed by a 3rd party as a donation to the municipality with access only to the municipal control room operators on duty.

8.2 Criteria for possible subsidization:

8.2.1 The applicant must be a registered Neighbourhood Watch, or an SRA and the camera system registered and linked to the Municipalities Protection Services control room.

8.2.2 The CCTV or LPR/ANPR system must be used for safety and security purposes, i.e. crime, traffic and fire incidents as well as by-law enforcement.

8.2.3 The final location of a subsidised CCTV or LPR/ANPR camera will be selected and approved by the Municipality.

8.2.4 The CCTV or LPR/ANPR system camera must record as per the set timeframe(s) set out in the policy.

8.2.5 CCTV cameras must be monitored at all times.

8.2.6 The municipality reserves the right to cancel the subsidised imbursement for the electrical supply to the CCTV or LPR/ANPR camera site, should such camera, equipment or site not be properly maintained or if no access to the camera system is granted to the municipality.

8.3 Submission of application:

The following items will form the core of an application to install a new CCTV or LPR/ANPR system:

8.3.1 Applicant's business plan:

A complete written motivation in the form of a business plan is required, with reasons as to why the system or camera is required, and such reasons must be supported with proof. A funding and operational cost sustainability strategy is also to be provided. The application form is attached in **Annexure 11.1.1**

8.3.2 Proof of consultation with relevant external groups and bodies:

Proof of consultation with relevant and interested authorities is required, to process the application. These bodies must include the local branch of the South African Police Service, and may also include a community police forum, a registered Neighbourhood Watch, street committees or any other relevant body, in the area where the cameras will be installed.

8.3.3 Background reference of applicant:

A letter of the organisation's registration, proof of address and location of CCTV control room must be submitted with the business plan.

8.3.4 System specifications:

Specifications of the camera system must be submitted in the application, with relevant contact numbers. The CCTV system must have the ability for the Law Enforcement Department's CCTV

section to connect to the system at any time and view the imagery if live viewing or monitoring is required.

8.3.5 Third-party Infrastructure:

The geographical camera layout in the form of a map and the schematics of the following must be submitted with an application:

- 8.3.5.1 Wireless Network layout inclusive of antennae and transmission equipment;
 - 8.3.5.2 Fixed line layout of fixed solid cable linked to two or more devices;
 - 8.3.5.3 The main communications network carrier related to the camera imagery being communicated;
 - 8.3.5.4 Typical camera installation layout (one or more if different);
 - 8.3.5.5 Control Room layout where CCTV images are monitored, recorded and stored; and
 - 8.3.5.6 How the Law Enforcement Department will be enabled to connect to the system. Provision and installation of link
- 8.3.6 Monitoring specifications:
- The location of the control room or monitoring center and the names and contact details of the persons or company contracted to conduct the monitoring must be provided. Any changes to such information must be forwarded to the Law Enforcement Chief in writing, thirty (30) days in advance of such changes.
- 8.3.7 Pre-and post- on-site inspection and acceptance:
- Pre- and post-on-site installation inspections will be done by authorized officials, assigned by the Law Enforcement Chief.

8.4 The application process:

- 8.4.1 Once the applicant submits the application as set **out in point 6.1**, the application will be considered for approval.
- 8.4.2 The Law Enforcement Chief shall receive and scrutinize the application for completeness and correctness before onward submission to the relevant departments for comments.
- 8.4.3 It shall be the responsibility of the relevant Municipal Department, whose structure the applicant applies to utilise, to verify that the technical aspect of the application meets the structural and durability tolerances within the necessary limits.
- 8.4.4 If the Municipal Department responsible for this structure is satisfied with the load test and tolerances, the Manager Traffic and Law Enforcement Services will be advised that approval could be considered.
- 8.4.5 If the application is rejected by the Manager Traffic and Law Enforcement Services, the applicant can object to such decision via the office of the Senior Manager Protection Services within 7 days.
- 8.4.6 If the municipal structure is not a viable option, the applicant will have to consider another placement option, such as applying for a wayleave to install a pole on municipal property.
- 8.4.7 The successful applicant shall be required to adhere to any rules, regulations and limitations

set out by the Law Enforcement Management Team or Municipal Departments in the approval.

- 8.4.8 The applicant shall be bound to all written agreements relating to this policy and any agreements by Municipal Departments or municipal legislation.
- 8.4.9 Final approval of applications will be signed off by the Senior Manager Protection Services on recommendation from the Manager Traffic and Law Enforcement Services.

8.5 Registration of Municipal-owned CCTV or LPR/ANPR cameras:

- 8.5.1 All existing municipal-owned CCTV cameras monitoring outdoor public areas are required to be registered with the Law Enforcement Department and reflect on the Camera Master Plan.
- 8.5.2 Municipal departments are to follow the registration process as per the applicable Annexures of this Policy.

8.6 LPR / ANPR cameras

- 8.6.1 Installation and monitoring of LPR cameras on municipal-owned roads is the responsibility of the municipality.
- 8.6.2 Installation of LPR cameras by a 3rd party will only be allowed if the LPR cameras are donated to the municipality and the donation approval is signed before installation of the LPR cameras.
- 8.6.3 Access to the LPR platforms will be restricted to selected municipal protection services officials and approved permanent SAPS officials (full time employment).
- 8.6.4 All LPR alerts will be shared with SSP partners or approved members via the municipal control room on the municipal LPR WhatsApp group.

8.7 Areas requiring special approval for third-party installations:

The installation of CCTV or LPR/ANPR cameras on the following structures will require special approval from the Municipality:

- Stellenbosch Municipal Buildings
- Main Routes
- Near any or on a municipal camera, serving a similar purpose
- Bridges
- Signboards
- Traffic Signals
- Information Boards
- Any other structure/property belonging to the Municipality

8.8 Temporary cameras:

- 8.8.1 An applicant who would like to install a temporary CCTV or LPR/ANPR camera for a period not exceeding thirty (30) days, needs to complete only **Annexures 11.4**
- 8.8.2 Such an application must be submitted to the Law Enforcement Chief for processing and obtaining approval before the temporary installation takes place by the applicant.

8.9 Unregistered CCTV or LPR/ANPR equipment and cameras:

- 8.9.1 Should any camera, equipment, system or part thereof not be registered in accordance with this policy, a notice will be issued by attaching the notice to the relevant structure, to register the camera. The first notice is attached in **Annexure 11.8.1**

- 8.9.2 After fourteen (14) days, if no contact is made with the Law Enforcement Chief or municipal official whose details appear on the first notice, a second notice will be issued (**Annexure 11.8.2**) and the system may be switched-off and removed (in the case of a camera).
- 8.9.3 If contact is made with the municipal official for the camera registration, the applicant will be permitted to operate the system, on condition that an application for the camera registration is made pending the approval or not. If not approved, the camera must be removed within 24 hours by the person responsible for the camera, failing the municipality will remove such and hold the responsible person liable for costs.
- 8.9.4 The application to register the camera or equipment must be submitted to the Law Enforcement Chief within one (1) month from the date that contact is made with the municipal official, whose name appears on **Annexure 11.8.1**. If the application is rejected by the Manager Traffic and Law Enforcement Services, the applicant can object to such a decision via the office of the Senior Manager of Protection Services within seven (7) days.
- 8.9.5 If no objection is made by the applicant or the objection is unsuccessful, all the CCTV camera and related equipment must forthwith be removed from municipal property within 24 hours.
- 8.9.6 If this notice is not adhered to, the Stellenbosch Municipality will remove the camera system completely and keep it in a safe place for ninety (90) days, whereafter, if not collected, the municipality shall auction off the equipment.,
- 8.10 Third -party inspections:**
- 8.10.1 All third-party applicants must ensure that proper records of their camera system is kept, as well as who accessed footage and the reasons for them accessing such information.
- 8.10.2 Inspections will be carried out by a person appointed by the Law Enforcement Chief for compliance with this Policy, and may include inspections related to:
- 8.10.2.1 List of cameras operated by the organization;
- 8.10.2.2 Who has access to the camera system or its records;
- 8.10.2.3 Which records or information were requested and the reason for such request;
- 8.10.2.4 Video footage, photos or any other data that was retrieved from the system; or
- 8.10.2.5 South African Police Services case numbers provided, linked to footage requests.
- 8.11 Acceptance of costs and liability:**
- 8.11.1 Initial costs to set-up, install and maintain the system will be borne by the applicant.
- 8.11.2 All liability related to camera installations or camera footage will be borne by the applicant.
- 8.11.3 The municipality will be exempt from all liability arising from an application, the installation of a system or damages arising during the operation thereof.
- 8.11.4 Any damage to the applicant's system is for their own expense and the Municipality will not be liable for any costs relating to repair, except where such damage is caused due to negligence on the part of a municipal department.
- 8.11.5 Any damage or unauthorized modification to the municipality's infrastructure must be repaired or corrected at the cost of the applicant within an agreed upon time.

8.11.6 Camera systems must be insured against personal liability and damage by the applicant.

8.12 Installations on structures other than those belonging to the Municipality:

8.12.1 CCTV installations on private property, that does not primarily view public places and that do not form part of a broader CCTV network i.e. transmitted and recorded off-site, do not require the authorization of the Municipality, accept where the projection of the camera covers 60% of the public spaces

8.12.2 The location of the cameras and reasons for the installation must however be submitted to the Law Enforcement Management Team. This is to ensure that all cameras, viewing public places, including a road, are used for legitimate policing efforts, which are in the broader community's interest and not for any illegal activities or purpose and used in compliance with the privacy rights of a person.

8.12.3 A database of all third-party cameras viewing municipal property or public places shall be kept by the Stellenbosch Law Enforcement Department.

8.12.4 If an offence is committed on private or municipal property and any CCTV cameras are located and found to be pointing in the direction of municipal space i.e. road, field, etc. (property not belonging to the owner other than the municipality) such person in charge of the dwelling to be instructed to immediately remove such CCTV cameras. Failing to remove or reinstalling of removed CCTV cameras, will result in the camera equipment being removed by the municipality at the cost of the property owner, and liable to a fine. Confiscated cameras will be kept for a period not exceeding 3 months, after which it shall be auctioned. Fines will be imposed on policy contraventions.

8.12.5 The Municipality holds the right to use the public place as necessity dictates and takes precedent above the camera installations, existing or new.

8.13 Structure and equipment specifications:

8.13.1 Relevant specifications shall be set out by the respective municipal line departments and Law Enforcement CCTV section. This includes the height of the camera and associated equipment.

8.13.2 The applicant must ensure that municipal infrastructure is not damaged or modified in such a way that it does not serve its original purpose.

8.14 Handling of evidence and recordings:

8.14.1 Each camera should record and have footage available up to a minimum of twenty-one (21) days.

8.14.2 Systems that are unable to meet this requirement, requires a measure to be put in place, in order for the relevant imagery to be removed and stored by the relevant CCTV control center in a safe place, until such time that it can be utilized for investigation or court purposes by an investigating officer.

8.14.3 The person downloading such evidence onto a movable media source will be required to provide a statement to a court of law or attest to it if required, confirming that they have done such transfer, without altering or manipulating any data thereon.

8.14.4 All camera footage or imagery of recorded incidents, that require further investigation, must be stored in a safe place; preferably, a locked steel safe with a removal register, tracking such removal.

- 8.14.5 All CCTV footage must be treated as confidential evidence and be handled in that manner.
- 8.14.6 Footage should only be released to the South African Police Service or to the Law Enforcement Department, by signing it out, in order to track such footage removal.
- 8.14.7 All CCTV cameras and camera footage of public places, including a road, must be used for legitimate policing efforts, which are in the broader community's interest and may not be used for any illegal activities or for any commercial purpose without the consent of the person appearing on the camera footage.
- 8.14.8 Approval of any footage to be released, to be approved in line with this policy and authorised by the Senior Manager: Protection Services

8.15 Camera Locations

- 8.15.1 CCTV cameras are situated in locations which are clearly linked with the camera's specific purpose. All new external camera systems and/ or replacement systems are to be approved by the Senior Manager: Protection Services in consultation with SAPS.
- 8.15.2 Covert systems may be used for municipality's internal purposes in exceptional circumstances subject to approval from the Municipal Manager.

Exceptional circumstances where applicable;

- 8.15.2.1 may include where there is a strong suspicion of criminal activity or misconduct which;
- 8.15.2.2 breach Council bylaws, policies or may give rise to a health and safety risk to any person or Council damage to the environment, and which cannot be detected by other means.

8.16 Monitoring

- 8.16.1 The recording devices/ servers for CCTV cameras are to be installed in a secure location as agreed upon with the Chief: Law Enforcement in conjunction with ICT.
- 8.16.2 All footage is kept for a minimum period of three (3) weeks and then the data is overwritten as part of the recording process, unless it is exported for evidential purposes.
- 8.16.3 Live streaming camera monitoring is restricted to designated SM employees and approved contractors. (Username and password linked in order to know who is on the CCTV system)
- 8.16.4 LPR used for the purpose of traffic monitoring is live streamed and recorded.
- 8.16.5 Relevant authorized officials reserve the right to have remote access to live footage created by Council owned CCTV cameras.
- 8.16.6 Where cameras are monitored via a mobile device (such as a smartphone, tablet or similar device) a CCTV or LPR administrator or CCTV high level user shall ensure that no unauthorised person has the ability to view the device.
- 8.16.7 General public viewing of the CCTV imagery, only as stipulated in **section 8.23.4** of this policy will be allowed.

8.17 User Access

DESIGNATION	DESCRIPTION OF FUNCTIONS	DELEGATED AUTHORITY
CCTV Administrator	Full System Access to all CCTV & LPR Camera features and programming	Senior Manager Protection Services and designated staff or CCTV Contractor
CCTV High Level User	Full System Access to all CCTV and LPR Camera features and programming for maintenance purposes	Senior Manager Protection Services and designated staff
CCTV Operator	Majority system access for all CCTV cameras on their site and live view	Delegated suitably trained M Control room operators and Supervisory staff.
CCTV View Only	Live View, (no export)	Delegated suitably trained SM staff

8.18 The CCTV and LPR Administrator are responsible for:

- 8.18.1 Understanding their responsibilities under the POPI Act which determines that they operate with efficiency, impartiality and integrity.
- 8.18.2 Ensuring that the installation and maintenance of equipment is sufficient.
- 8.18.3 Undertaking an annual review of the use of all SM CCTV cameras. Organising the training and authorising of CCTV Operators.
- 8.18.4 Ensuring all new installations are GIS mapped, insured and operational.
- 8.18.5 Referring all public requests for footage (other than that from Police as per clause below) to the SM Legal Service Department.
- 8.18.6 Responsible for the establishment, oversight and accuracy of SM's CCTV Access Log.
- 8.18.7 Responsibility for the on-going maintenance and accuracy of the SM CCTV & LPR camera inventory and related service provider agreements.

8.19 Control and operation of cameras

All SM facilities, premises and public areas within its jurisdictional area may at some point in time be monitored by CCTV and LPR Cameras, the exceptions being listed below:

- 8.19.1 CCTV coverage will not include private areas within public spaces and facilities (e.g. changing rooms).
- 8.19.2 CCTV coverage will not be directed at private property except unavoidably as part of a wide angle or long shot while panning past.

8.20 CCTV High Level Users are responsible for:

- 8.20.1 Understanding their responsibilities under the POPI Act and with respect to the Privacy Principles which determines that they operate with efficiency, impartiality and integrity.
- 8.20.2 Implementing all maintenance of the CCTV system as and when required. This includes security level access for designated SM staff.
- 8.20.3 Maintaining a record of all released or viewed footage in SM's CCTV Access Log.
- 8.20.4 Maintain confidentiality in regard to duties and observations and will be required to adhere to a confidentiality agreement in terms of the Protection of Information Act 4 of 2013.

8.21 CCTV Operators are responsible for:

- 8.21.1 Understanding their responsibilities under the POPI Act, and with respect to the Privacy Principles which determines that they operate with efficiency, impartiality and integrity
- 8.21.2 Referring all requests for footage (other than from a Police officer) to the Chief of Law Enforcement for onward submission and approval by the Senior Manager Protection Services and in instances where required in consultation with SM Legal Service Department.
- 8.21.3 Maintain security of the monitors and footage (drives, disks, memory storage devices etc.)
- 8.21.4 Ensuring signage is in place and in accordance with this policy.
- 8.21.5 Maintain confidentiality with regard to duties and observations.
- 8.21.6 As per the POPI Act Privacy Principles, and with regard to the listed exceptions in the Principles, information collected by the cameras can only be used for the purpose for which it was collected.

8.22 CCTV & LPR information access, the Police and other authorised law enforcement agencies

- 8.22.1 SAPS or other authorised law enforcement agencies may access footage on short notice for viewing purposes related to crime detection and prevention to assist with investigating the crime.
- 8.22.2 The requester is required to hand a subpoena or Section 205 of the Criminal Procedure Act, Act 51 of 1977 to the Municipality prior to the release of footage relating to the subpoena or in the case of the SAPS Investigating officer, a case number.
- 8.22.3 All footage released to SAPS or other authorised law enforcement agencies at their request, or when criminal activity is suspected, will be recorded in the CCTV Access Log detailing:
 - 8.22.3.1 Case numbers;
 - 8.22.3.2 Investigating officer's name and staff number;
 - 8.22.3.3 Case number and incident;
 - 8.22.3.4 Sign out all evidence accordingly; and
 - 8.22.3.5 any other information, as deemed necessary by SM.

8.23 CCTV information access by individuals

- 8.23.1 All footage released to SAPS or other authorised law enforcement agencies at their request, or when criminal activity is suspected, will be recorded in the CCTV Access Log detailing;
- 8.23.2 Recorded footage is confidential to SM. All requests to have a copy of footage relating to individuals will be referred to the Legal Service Department for consideration. Where a case has been registered with the SAPS, please refer to **section 8.22**.
- 8.23.3 The Legal Service Department may recommend to the Senior Manager Protection Services that the request that data may be disclosed be approved or not approved.
- 8.23.4 A request by the public to have a copy of footage that contains information relating to other individuals or themselves;
- 8.23.4.1 Must be via completing the Promotion of Access to Information Act (PAIA) form in writing and will be dealt with as either a matter to be referred to the Police or SM Legal Service. The applicant will pay the relevant fee set by SM Legal Service as per approved tariff structure of Council for the application and the releasing of such footage.
- 8.23.4.2 The request will be dealt with in accordance with the POPI Act.
- 8.23.4.3 Any request to view footage will be limited by the ease of access to the footage and by the need to protect other people's privacy. No general public viewing, only by those directly affected by the incident.
- 8.23.4.4 If a request to view the footage is unable to be granted without unreasonably breaching other's privacy, a written description may be provided by the CCTV Administrator or SM Legal Service of the contents within the footage. Any such requests will be responded to within 30 days and are subject to review by a SM's Legal Service Department.

8.24 CCTV information or requests to have a copy of footage by Council personnel

- 8.24.1 Such requests will be forwarded and approved by the Senior Manager Protection Services .

8.25 CCTV and Council Staff

- 8.25.1 The Municipality will investigate any suspected breach of the use of SM's CCTV and LPR by any;
- 8.25.1.1 Municipal employment contracts, SM's Code of Conduct.
- 8.25.1.2 Any staff incidents or misconduct detected by CCTV and LPR will be handled in accordance with and CCTV personnel will be protected in accordance with the relevant Witness Protection Act.

8.26 CCTV & LPR Contractors

- 8.26.1 The Municipality will appoint contractors for the installation and maintenance of the CCTV & LPR System.
- 8.26.2 Appointed contractors and all contractors' staff must have PSIRA Certification.
- 8.26.3 Contractors or sub-contractors responsible for non-security related operations (i.e. Data Transmission links etc.) must be certified by their appropriate organisation.
- 8.26.4 All contractors and sub-contractors must be familiar with and adhere to the POPI Act.

8.27 CCTV Signage

- 8.27.1 Stellenbosch Municipality will have signage indicating that municipality makes use of CCTV cameras to monitor Public space.

8.28 CCTV Staff Training

8.28.1 Operators

- 8.28.1.1 All CCTV Staff operators will be required to undergo the necessary CCTV & LPR System Operator training.

- 8.28.1.2 If SM opt to use Security staff for surveillance the minimum requirements will be:

- Grade C Security graded
- At least 21 years of age
- Undergoing clearance check
- Have good cognitive abilities.

8.29 Privately owned CCTV Camera

- 8.29.1 CCTV cameras installed on privately-owned property/ premises do not require to be registered with Stellenbosch Municipality unless these cameras cover any section or portion of a public place or street within the jurisdiction of Stellenbosch Municipality of which the Municipality or the South African Police will have the right to footage obtained through these cameras which might be linked to a criminal incident or offence.

- 8.29.2 Registration of privately owned CCTV cameras as per **section 8.29** will require the owner of these cameras to provide the name of the owner/s of the premises/ erf, the type of camera used and the connectivity status of the CCTV cameras, as well as the projection plane of the public areas the cameras cover.

9 IMPLEMENTATION PROGRAMME

- 9.1 All CCTV or LPR/ANPR cameras on private property, forming part of a broader CCTV network of an organisation, monitoring a public place are to be registered with the Stellenbosch Municipality.
- 9.2 All private CCTV or LPR/ANPR cameras on private property, monitoring a public place, but not forming part of a broader CCTV network i.e. recorded and transmitted off-site, are to be registered with reasons why the camera is viewing the public space. The location of the camera will be a benefit to police investigators and the community can be contented that the camera is being used in their interest, which is safety and security.
- 9.3 All new CCTV or LPR/ANPR camera installations are to follow this policy and process.

10 MONITORING, EVALUATION AND REVIEW OF POLICY

- 10.1 It is the responsibility of the Stellenbosch Municipality Law Enforcement Department to maintain the database of registered CCTV cameras on municipal structures and property.
- 10.2 The success of the policy will be measured in terms of the number of CCTV or LPR/ANPR cameras

that are registered with the Municipality and how many new applications are received.

10.3 This policy will be evaluated every two years or when there is a change in any law, affecting this policy.

10.4 All entities that operate CCTV or LPR/ANPR cameras viewing public streets and roadways need to review their submissions when changes are made to their camera systems, or when new organisations or entities take control of these systems.

11 ANNEXURES

11.1 Application forms

11.1.1 Application Form to install CCTV Cameras on Stellenbosch Municipal Property

11.1.2 Application Form to install LPR Cameras on Stellenbosch Municipal Property

11.2 Camera Registration form

11.3 Application checklist

11.4 Temporary application form

11.5 Structure specifications

11.6 Application for new or modified electricity services

11.7 CCTV cameras on private property, monitoring public area.

11.8 Notices

11.8.1 Notice of impending removal of CCTV equipment on Stellenbosch Municipal property

11.8.2 Notice of removal of CCTV equipment on Stellenbosch municipal property

11.9 CCTV cameras installed on public roads by municipal departments.

 APPLICATION FORM TO INSTALL CCTV CAMERAS ON STELLENBOSCH MUNICIPAL PROPERTY		
Name of organisation		
Representative Name		
Address of Organisation		
Tel of Organisation		
Tel of Representative		
E-mail address of Org		
E-mail address of Rep		
Please submit the following details		
Reason for application	Full Motivation with factual info and complete understandings	
Approvals	Letter of acknowledgment from the South African Police Area Station Commander, Community Police Forum, or Neighbourhood Watch	
Business Plan	Short-, Medium- and Long-Term plan for CCTV System	
CCTV Monitoring Centre		
CCTV Locations	Complete Annexure 11.2	
CCTV Cam GPS Co-ordinates		
Schematics and Diagrams	Separate page, preferably to scale, with all dimensions given.	
Envisaged Start Date		
Completion Date		
Date Application received:		

 APPLICATION FORM TO INSTALL LPR CAMERAS ON STELLENBOSCH MUNICIPAL PROPERTY AND DONATION TO STELLENBOSCH MUNICIPALITY		
Name of organisation		
Representative Name		
Address of Organisation		
Tel of Organisation		
Tel of Representative		
E-mail address of Org		
E-mail address of Rep		
Please submit the following details		
Reason for application	Full Motivation with factual info and complete understanding, with donation letter to the municipality	
LPR Monitoring Centre	Stellenbosch Municipality	
LPR Location Request	Complete Annexure 9.2	
LPR Cam GPS Co-ordinates		
Schematics and Diagrams	Separate page, preferably to scale, with all dimensions given.	
Envisaged Start Date		
Completion Date		
Date Application received:		

 STELLENBOSCH MUNICIPALITY CCTV / LPR CAMERA REGISTRATION FORM				
INFORMATION REQUIRED FOR CCTV/ LPR DATABASE				
No	Location	At intersection or between which roads	Purpose	PTZ or Static
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				
19				
20				
Cctv.Network@ Stellenbosch.gov.za				

 CCTV / LPR APPLICATION CHECK LIST BEFORE SUBMISSION	
ITEM	TICK BOX
a) Application Form	
b) Full motivation with factual information & complete understandings	
c) Approval- letter from Area Station Commissioner	
d) Approval- letter from Community Police Forum, or Neighbourhood Watch	
e) Approval from all relevant bodies in the CCTV / LPR Project area	
f) Business Plan- Short-, Medium- and Long-Term Plan	
g) Geographical area for the CCTV / LPR Project	
h) CCTV / LPR Locations List	
i) CCTV / LPR Locations GPS Co-ordinates	
j) CCTV / LPR System Specifications	
k) CCTV Monitoring Specifications	
l) CCTV Monitoring Centre	
m) Schematics and diagrams	
n) References of Installers	
o) Acknowledgement and Acceptance of costs & liability.	
p) Approval for Special Areas (if any)	
q) Donation letter to the municipality of LPR/ANPR camera	

APPLICATION PROCESS FLOW

1.	Receive application
2.	Check application for all necessary requirements
3.	Acceptance that application meets initial requirements
4.	Distributed to respective line departments.
5.	Comments from line department
6.	Approval / Rejection of application

 APPLICATION TO INSTALL CCTV CAMERAS ON STELLENBOSCH MUNICIPALITY PROPERTY FOR 30 DAYS OR LESS	
Name of organization	
Representative Name	
ID Number	
Address of Organisation	
Tel of Organisation	
Tel of Representative	
E-mail address of Org	
E-mail address of Rep	
Please submit the following details	
Reason for application	
CCTV Monitoring Location	
CCTV Locations	Annexure 9.2 to be attached to this application
CCTV Cam GPS Co-ordinates	
Schematics and Diagrams	Installation.
Envisaged Start Date	
Completion Date	
Date Application Received:	

Add in all safety requirements is for the attention of the applicant.

Annexure 11.5



STELLENBOSCH MUNICIPALITY STRUCTURE SPECIFICATIONS

Electricity Services

Infrastructure Cameras and Connection Boxes will be allowed on:

- Low Voltage Distribution Mains Poles only, i.e. only electricity poles that have mains wires on and that form part of the Low Voltage Overhead Line Network.
- No cameras or connection boxes for cameras are allowed on streetlight poles or standalone distribution poles.
- Only two cameras allowed on any such pole.
- Wireless antennas are not allowed to encroach on the minimum clearances as listed below and must be aesthetically pleasing.

Installation allowed on LV Distribution Mains Poles.

- The electrical connection from the mains wires will have to be done by the relevant Construction Section of the affected Distribution District. Cost to be determined by District System Development. It will be a fixed rate tariff, no meter.
- The camera installation is to be SANS 0142 compliant and a Certificate of Compliance to be issued by the contractor installing the electrical connection box prior to switch on.
- The camera installation to be at least 1m below any streetlight luminaire, where there is no streetlight luminaire, the camera installation to be 1m below the overhead line conductors.
- All cable and wire used to be UV rated and properly terminated via a gland.
- If deemed necessary there shall be earth leakage provided by the installer of the camera equipment.

Installation of Cameras and Connection Boxes other than on Distribution Mains Poles.

- In areas where the Low Voltage Network is underground and only streetlight poles exist, no cameras or connection boxes will be allowed to be mounted on the streetlight poles.
- In this case the requestor will have to provide and install a suitable pole as per the industry standard and install the equipment on it. A maximum of two cameras allowed per pole.
- The cable should run internally in the pole and no cables to be visible on the outside.
- The requestor is to provide and install the supply cable up to the allocated mains kiosk and leave enough slack/spare for the cable to be terminated in the kiosk. No joints allowed.
- Connection fee and fixed rate tariff to be provided by District System Development. All work to be in accordance with Electricity By-Laws and SANS 0142. A Certificate of Compliance is to be provided prior to switching on.

- All way leaves and the necessary permits to be obtained by the contractor installing the cable and pole/s.

Reasons for not installing on streetlight poles

- It is not acceptable practice to have two separate supplies on one pole.
- The streetlight poles are not designed to carry boxes and cameras on them
- The maximum bending ratings of streetlight poles are not the same.
- Streetlights are not designed to support ladders for maintenance purposes.

Other Comments

- Camera weights and dimensions to be provided.
- Connection boxes to be standard and the same color as existing boxes on Electrical Services infrastructure.
- Electricity Services not responsible for cleaning and maintaining cameras.
- No Electricity Services Aerial Platform may be used by the contractor for installation, maintenance or servicing of the camera.
- All requests to be treated as projects run by District System Development and Construction in the three Areas and twelve Districts.
- No cameras or other CCTV equipment to be installed on Medium or High Voltage Overhead line networks.
- Camera casing to include permanent display of contact details such as telephone number of the responsible person to be contacted with respect to the camera installation.
- Electricity Services shall not be held responsible for any damage as a result of the pole getting damaged, the camera equipment being vandalized or the camera malfunctioning as a result as of any supply related problems.



APPLICATION FOR THE SUPPLY OF ELECTRICITY SERVICES

[REF: I1]

PLEASE NOTE:		FOR OFFICE USE ONLY
1.	Only fully completed applications will be considered. (4 Pages)	
2.	The Applicant/Customer is the responsible person for the Account/Development and Deposit payable.	
3.	A copy of Identification needs to be submitted with the application.	
4.	Energy saving measures needs to be submitted with this application.	
5.	<i>R500.00 Quotation deposit payable excluding second pre-paid meter applications, if quotation not accepted deposit will be forfeited.</i>	

☐ New Connection	☐ Upgrade	☐ Application Time of use Tariff	☐ Temporary Connection	☐ Relocation of Kiosk
☐ Informal Housing	☐ Convert to Pre-Paid Meter	☐ Overhead to Underground	☐ Relocation of Streetlight Pole	☐ Subdivision

Applicant/Customer Title:

Customer's preferred form of address

Applicant/Customer's Initials:

As per Identity document

Surname/Company Name:

Full First Names:

As per Identity Document

Identity No:

Per RSA ID Doc/Passport

Telephone 1/Cell:

Customer's Contact No. Dialing Code Tel. Number

Telephone 2/Cell:

Customer's Contact No. Dialing Code Telephone Number

Fax:

Dialing Code Fax/Telephone Number

E-Mail Address:

For on-line Customers

Customer's Physical Address:

Customer's Personal Physical Address (if NOT the same as the Supply Address)

Code:

Supply Address:

Erf No:

Code:

Address where electrical supply is requested

FORWARD THE QUOTATION TO:

☐ Developer	☐ Consultant	☐ Owner	☐ Applicant/Customer
------------------------------------	-------------------------------------	--------------------------------	---

Contact Person:

Company Name:

Postal Address:

Telephone:**Code**

E-Mail Address:

For on-line Customers

1st Floor

Ecclesia Building
71 Plein Street
Stellenbosch

P O Box 17
Stellenbosch
7599

Tel: +27 21 808-8343 / 021 808 8215
E-mail: Engineering.Services@stellenbosch.gov.za

SERVICE DETAILS:

Approximate date when supply will be required:

SELECT APPROPRIATE:☐

Single Phase

☐Three
Phase**Purpose for which premises are to be used:**☐

Domestic

☐

Commercial

☐

Industrial

Existing notified demand

Ampere

Additional notified demand

Ampere

Total notified demand

Type of metering Required:

Ampere

☐

Individual Conventional

☐

Individual Pre-payment

☐

Bulk

IMPORTANT NOTE:

As per Council's policy all new connections up to three phase 80 amperes are compelled to install a prepayment meter, as well as, for upgrades from single to three phase. Separate application forms shall be completed for each domestic erf/unit/flat/shop/office and the relevant fees can be paid at the Department: Financial Services.

DEVELOPMENT DETAILS:

Proposed name of new building:

Provide the number of units/erven for the development

Domestic single phase 60A

Domestic three phase 60A

General supply single phase

NMD

A

General supply three phase

NMD

A

Commercial (Group per Ampere)

Single phase supply

NMD

A

Single phase supply

NMD

A

Single phase supply

NMD

A

Three phase supply

NMD

A

Three phase supply

NMD

A

Three phase supply

NMD

A

DECLARATION:

I/We hereby declare as follows:

That the information as supplied in this application is, according to my/our recollection, accurate and correct. That I/We have read, understood, and agree to comply with the conditions of supply (Page 5). That I/We are the person(s) responsible and accountable for the payment of the applicable amounts.

PRINT NAME & SURNAME:

DATE:

SIGNATURE:

HANDELSVERWYSINGS/ TRADE REFERENCES

1. NAAM/NAME
ADRES/ADDRESS
TELEFOONNOMMER/ TELEPHONE NUMBER EPOS ADRES/E-MAIL ADDRESS
2. NAAM /NAME ADRES/ADDRESS
TELEFOONNOMMER/TELEPHONE NUMBER EPOS ADRES/E-MAIL ADDRESS

OOREENKOMS/AGREEMENT

Ek die ondergetekende, doen hiermee aansoek vir die lewering van die dienste soos uiteengesit in hierdie aansoek vanaf en verklaar dat alle inligting in hierdie aansoek waar en juis is.

Ek aanvaar die voorwaardes vir die lewering van die gemelde dienste soos vervat in die Munisipale Verordeninge/Beleide van die Raad van die Stellenbosch Munisipaliteit. Ek onderneem verder om : (a) alle rekeninge en kostes, wat Prokureurs-en kliënte koste insluit, asook rente of enige ander koste wat mag ontstaan as gevolg van (1) die nie-nakoming van enige voorwaardes of bepalinge van die verordeninge/beleid en (2) die nie-betaling van rekeninge, ten volle te vereffen, en (b) enige veranderings ten opsigte van die bogenoemde inligting skriftelik aan die Raad te rapporteer.

Geteken op hierdie.....dag van20.....

Handtekening.....Hoedanigheid.....

I, the undersigned, herewith apply for the supply of the services as set out in this application from and declare that all information furnished in this application is true and correct.

I accept the conditions for the supply of the mentioned services as stipulated in the By-laws/Policies of the Council of the Municipality of Stellenbosch. I further undertake to : (a) settle all accounts and costs, including attorneys and client costs, interest or any other cost that may occur due to (1) the non compliance of any conditions or stipulations of the By-laws/Policies and (2) the non payment of accounts and (b) inform Council in writing of any changes of above mentioned information

Signed on this.....day of20.....

Signature.....Capacity.....

SLEGS VIR KANTOOR GEBRUIK/OFFICE USE ONLY

AANSLUITINGSFOOI: R _____ KWIT.NO. _____ DATUM _____

CONNECTION FEE: _____ REC. NR. _____ DATE _____

GROOTMAAT BYDRAE: R _____ KWIT.NO. _____ DATUM _____

BULK CONTRIBUTION: _____ REC. NR. _____ DATE _____

METERS: R _____ KWIT.NO. _____ DATUM _____

METERING: _____ REC. NR. _____ DATE _____

NAGESIEN DEUR: _____

CHECKED BY : _____ DATUM: _____

1. GENERAL

- 1.1 Applications shall be addressed to the Electricity Services Department and submitted by hand, fax, or email to the listed details mentioned on the first page only.
- 1.2 All work shall comply with the Electricity Supply By-Laws of Stellenbosch Municipality (dated 17 June 2005) and the latest version of the Electricity Services Directive.
- 1.3 all applications shall have to be accompanied by a schedule demonstrating what measures will be employed to reduce the dependency on electrical energy, before an estimate of cost will be calculated and issued.
- 1.4 these measures should include but will not be limited to solar water heating, energy efficient lighting, double glazed windows etc.
- 1.5 a copy of identification should be submitted with this application.
- 1.6 only fully completed applications will be considered.
- 1.7 ***R500 QUOTATION DEPOSIT PAYABLE PER QUOTATION REQUEST EXCLUDING SECOND PRE-PAID METER APPLICATIONS-(1) THE DEPOSIT WILL BE DEDUCTED FROM THE QUOTED AMOUNT ON ACCEPTANCE AND PAYMENT OF THE QUOTATION PROVIDED BY THE ELECTRICITY DEPARTMENT***

(2) IF THE QUOTATION IS NOT ACCEPTED THE DEPOSIT AMOUNT PAID WILL BE FORFEITED.

2. THE DEVELOPER/OWNER's RESPONSIBILITY

- 2.1 Shall complete the appropriate application forms in full.
- 2.2 Shall appoint a consultant, registered with ECSA, when the total notified demand is equal to or exceeding 100kVA/or when a sub-division or new development is 5 or less single residential connections.
- 2.3 Shall provide for a mini-substation on the plot on the erf boundary when the notified demand exceeds 160kVA or the development necessitates the installation of an additional mini-substation.
- 2.4 Shall order a mini-substation or transformer at least 6 months before supply is required.
- 2.5 Shall provide 24-hour vehicular access to all Municipal equipment as specified. NO EXCEPTIONS.
- 2.6 Shall ensure that mini sub is on street level (NOT IN BASEMENT) and its position as agreed to by the Electricity Services Department.
- 2.7 Shall be responsible for the payment of all relevant costs (pro-rata, connection fees and deposits, etc) before any construction works by the Municipality commences.

3. HOT WATER INSTALLATIONS

- 3.1 Where electric hot water systems are used, they shall comply with the requirements of SANS 151 (up to a capacity of 450L) and SANS 10252-1 and shall be installed in accordance with SANS 10254 and SANS10252-1.
- 3.2 Solar Water heating systems shall be installed, unless it can be proved by a competent person that it is not technically feasible. Solar water heaters shall comply with the requirements of SANS 1307 and shall be installed in accordance with SANS 10106. The hot water services for all new buildings shall be heated using devices and equipment which provide a minimum of 50% of the heating energy requirement via solar energy.

- 3.3 If it is certified by the competent person that it is technically not feasible to comply with the above, then the solar heating shortfall may be made by alternative heating solutions such as waste heat recovery and reverse cycle heat pumps.

4. VERIFICATION OF COMPLIANCE

- 4.1 The responsible person shall provide a certificate of compliance to the local authority as part of the requirements for obtaining an occupancy certificate.

5. OWNERSHIP

- 5.1 All equipment in the distribution system up to and including the tariff metering equipment shall be the Council's property and the Council shall be responsible for maintaining the equipment.
- 5.2 The exception is the service cable from the erf boundary to the metering equipment, the electrical installation of the building and the wiring to the metering equipment (inside the building) for which the client will take responsibility.
- 5.3 In the case of an upgrading, the transformer and the mini substation shall remain the Municipality's property irrespective of the type of upgrading.

6. LEAD TIMES

The applicant shall allow for the following lead times.		
6.1	Quotations (fully completed application from day of receipt)	25 Working Days
6.2	Construction work (after receipt of all payments)	6-8 Weeks
6.3	Tax Certificate	6-8 Weeks after Construction is completed

 CCTV CAMERAS ON PRIVATE PROPERTY MONITORING PUBLIC SPACES	
Owner of Property	
Owner contact number	
Erf Number	
Address	
Organisation monitoring the camera or private camera	
Contact number	
Responsible Person	If different from owner
E-mail address of Org	If different from owner
E-mail address of Owner	
Please submit the following details	
What is the camera viewing / Purpose of the camera	
CCTV Monitoring Centre	
CCTV Cam GPS Locations	
*Attach Map for reference**	
Submitted by:	
Date:	
Cctv.Network@ Stellenbosch.gov.za	

Annexure 11.8.1



NOTICE OF IMPENDING REMOVAL OF CCTV EQUIPMENT ON STELLENBOSCH MUNICIPAL PROPERTY

**PLEASE BE INFORMED THAT THIS EQUIPMENT IS INSTALLED
ILLEGALLY ON STELLENBOSCH MUNICIPAL PROPERTY AND
WILL BE REMOVED AFTER 14 DAYS OF THIS NOTICE, IF NO
CONTACT IS MADE WITH THE OFFICIAL BELOW TO REGISTER:**

FOR FURTHER DETAILS PLEASE CONTACT:

NAME:

CONTACT NUMBER:

DATE OF NOTICE:

Annexure 11.8.2



NOTICE OF REMOVAL OF CCTV EQUIPMENT ON STELLENBOSCH MUNICIPAL PROPERTY

**PLEASE BE INFORMED THAT THIS EQUIPMENT WAS INSTALLED ILLEGALLY
ON STELLENBOSCH MUNICIPAL PROPERTY AND HAS BEEN REMOVED. IF
EQUIPMENT IS NOT COLLECTED WITHIN 90 DAYS, THE MUNICIPALITY
SHALL AUCTION OFF THE EQUIPMENT.**

FOR FURTHER DETAILS PLEASE CONTACT OFFICIAL:

NAME:

CONTACT NUMBER:

DATE OF REMOVAL:



CCTV CAMERAS INSTALLED ON PUBLIC ROADS BY STELLENBOSCH MUNICIPAL DEPARTMENTS

This is for registration and database information only

Stellenbosch Municipality				
Line Manager				
Project Manager				
Department Address				
E-mail address of Line Manager				
E-mail address of Project Manager				
Brief description of the CCTV Project				
CCTV Monitoring Centre				
Submitted by:				
Date:				
No	Location	At intersection or between which roads	Purpose	PTZ or Static
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
Please e-mail to Cctv.Network@stellenbosch.gov.za				

7.1.2	NANSANA MUNICIPALITY, UGANDA TRAINING INTERVENTION 12-16 AUGUST 2024: FEEDBACK ON THE IMPLEMENTATION OF NEIGHBOURHOOD WATCH AND COMMUNITY SAFETY PROGRAMS
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Collaborator No: 776636
 IDP KPA Ref No: Safe Valley
 Meeting Date: 21 November 2024

1. SUBJECT: NANSANA MUNICIPALITY, UGANDA TRAINING INTERVENTION 12-16 AUGUST 2024: FEEDBACK ON THE IMPLEMENTATION OF NEIGHBOURHOOD WATCH AND COMMUNITY SAFETY PROGRAMS

2. PURPOSE

Progress report on the implementation of Neighbourhood Watches and further training provided to the communities of the Nansana Municipality, Uganda.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

Stellenbosch Municipality was accepted as a Strong Cities Network member on 25 July 2023. Since then, three knowledge-sharing engagements took place whereby information was shared with partnering cities on various crime prevention initiatives. An engagement was held in Cape Town in December 2023 where much interest was shown in Stellenbosch's Neighbourhood Watch support programs and safety initiatives, particularly the safety monitors (eyes and ears) project.

An invitation was received from the Mayor of Nansana Municipality, Ms Regina Bakitte, via the Strong Cities Network platform. Mr Gary Boshoff, Mr Charl Kitching and Ms Joan Felix were invited to provide input, training, sharing of policies, implementation plans, support plans etc. of safety initiatives, especially those related to the establishment of Neighbourhood Watches and similar safety projects. Stellenbosch Municipality was identified as a leader in the design, development and implementation of local safety projects with Neighbourhood Watches as the main pillar of such programs and projects. The municipality was therefore invited to share its knowledge and expertise with the other partner cities of the Strong Cities Network.

Training was conducted in Uganda from 13 – 15 May 2024. A subsequent request to return and deliver practical advice and follow up interventions was received, and Director Boshoff and Mr Kitching was invited to Uganda from 12 – 16 August 2024.

Positive feedback was received from the participants and the leadership of Nansana Municipality. This resulted in the strengthening of the partnership and agreement to roll the program out to other areas in the Nansana Municipality. The local leaders requested Stellenbosch Municipality to possibly assist with the supply of reflective vests, torches and whistles. A follow up visit will be scheduled in April or May 2025 to continue with the training and to increase the do a handover of the items and assist with further roll out of the Neighborhood Watch Program in Nansana Municipality.

5. RECOMMENDATIONS

- (a) that Council notes the report on progress made with Neighborhood Watch training in the Nansana Municipality, Uganda;
- (b) that Council supports the sourcing of Neighborhood Watch equipment to Neighborhood Watches established in the Nansana Municipality; and
- (c) that Council permits the Protection Services Department to approach potential donors who could support the Nansana Municipality with the provision of basic Neighborhood Watch equipment.

6. DISCUSSION**6.5 Background**

An invitation was sent to Stellenbosch Municipality based on previous engagements with various Strong City Network partners. During the 12-16 August 2024 training intervention held in Uganda, we were met by the Mayor of Nansana Municipality, Town Clerk and Senior Municipal Officials, who briefed on what has transpired since our last visit, and the program for the week.

The field visit was conducted within the areas of Neighbourhood Watches establishments, where meetings were held to discuss challenges experienced by the teams. Attached is a comprehensive feedback report on the engagements.

The Mayor of Nansana expressed her desire and was looking forward to meeting Stellenbosch municipality and to the signing and entering into the twinning agreement between Stellenbosch Municipality and Nansana Municipality. This will be taking place at the upcoming Fifth Stronger Cities Network Global Summit scheduled for 3 – 5 December 2024 at the CTICC, Cape Town.

The Mayor of Nansana has requested ongoing and continuous support from Stellenbosch municipality with training interventions and roll-out of the Neighbourhood Watch training to other areas of the municipality.

This initiative is good for Stellenbosch Municipality in that the municipality is recognised as a leader in localised, community-based safety initiatives. Through the Stronger Cities Network the municipality has already been linked to potential future knowledge-sharing partnerships with other municipalities and cities in Africa, Europe and the rest of the world.

This partnership will be ongoing and rolled out to other areas within Nansana municipality and to other cities in Africa upon request and approval by Stellenbosch Municipality.

6.6 Financial Implications

None

6.7 Legal Implications

None.

6.4 Staff Implications

None.

6.5 Previous / Relevant Council Resolutions

Approval granted to Director Gary Boshoff, Mr. Charl Kitching (Senior Manager) and Ms. Joan Felix (Manager) to attend and facilitate the Neighbourhood Watch training project in Nansana Municipality, Uganda. (approved by council dated: 25/04/2024)

Feedback report on Nansana visit (approved by council dated: 30/07/2024)

Approval granted to Director Gary Boshoff and Mr. Charl Kitching (Senior Manager) to attend and facilitate the Neighbourhood Watch training project in Nansana Municipality, Uganda. (approved by council dated: 14/08/2024)

6.6 Risk Implications

None

6.7 Comments from Senior Management:

None

ANNEXURES

Feedback report on field visit

FOR FURTHER DETAILS CONTACT:

NAME	Charl Kitching
POSITION	Senior Manager
DIRECTORATE	Protection Services
CONTACT NUMBERS	021- 808 8815
E-MAIL ADDRESS	Charl.kitching@stellenbosch.gov.za
REPORT DATE	28 October 2024

ANNEXURE A

Report on the Neighborhood Watch Program Meeting and field visit in Nansana Municipality

Preamble

The Neighborhood Watch (NHW) program has emerged as a crucial initiative in ensuring the security and safety of Nansana Municipality. This report captures the key discussions, feedback, and proposed actions from a recent meeting held and field visits to assess and enhance the NHW program. This brought together various stakeholders, including municipal leaders, local leaders, representatives from the Strong Cities Network, and participants from the community, with the aim of addressing security challenges and strengthening NHW efforts.

Background

Nansana Municipality, located near Kampala, faces significant security challenges due to its proximity to the capital city. This unique position increases susceptibility to criminal activity and other security issues. Recognizing the need to safeguard the community, the municipal leadership, in partnership with the Strong Cities Network and delegates from Stellenbosch, South Africa, have taken proactive steps to support and develop the NHW program. This program not only aims to tackle crime but also to foster a sense of community resilience and cooperation.

Objectives

The meeting sought to:

1. Evaluate the progress and impact of the NHW program on Nansana's security.
2. Identify challenges facing NHW members and propose sustainable solutions.
3. Strengthening the collaboration between NHW members, the police, local authorities, and international partners.
4. Promote community involvement and awareness of the NHW initiative.
5. Outline actionable steps to improve NHW resources, training, and overall effectiveness.

Self-Introduction

All attendees introduced themselves, stating their names, roles, and affiliations. This fostered a collaborative atmosphere and ensured familiarity among participants.

Remarks from the Town Clerk

The Town Clerk expressed gratitude to the South African members for sharing their experiences, especially regarding the NHW program. He stressed the significance of the NHW initiative for

Nansana due to security challenges posed by its proximity to Kampala and acknowledged the Mayor's ongoing efforts to prioritize municipal security.

Key Points from TC's Remarks:

Importance of NHW: Security challenges in Nansana make NHW crucial.

Insecurity Concerns: The ease of movement between Kampala and Nansana increases security risks.

Appreciation: Acknowledgment of support from the Mayor, the Strong Cities Network, and Stellenbosch.

Remarks from the Mayor

She expressed her sincere gratitude to the members of Strong Cities for their ongoing support and dedication to the development and security efforts within Nansana Municipality. She warmly welcomed Mr. Ochieng, a representative from Kisumu Kenya, and the delegation from Stellenbosch, emphasizing the importance of cross-border collaboration and shared goals in strengthening community resilience. This gesture of inclusion and regional partnership highlighted her commitment to learning from regional allies, aiming to incorporate best practices from across borders to boost Nansana's progress.

She then recognized and thanked the Local Council (LC) I and II chairpersons present, alongside the Women and Youth Secretaries, for their active engagement and dedication. These leaders, she noted, play a pivotal role in representing local community voices and are essential partners in the municipality's initiatives aimed at nurturing security, inclusivity, and sustainable development. Acknowledging the Town Clerk specifically, she emphasized his continual support and cooperation across all municipal programs, emphasizing how effective collaboration among municipal officers has been instrumental in driving forward the community's agenda.

Highlighting recent progress, she informed the attendees about the achievements of local youth groups, who have successfully secured funding under the Youth Climate Change initiative. She attributed this success to Strong Cities, recalling a recent security meeting held in Nairobi, where members were urged to define and pursue a legacy goal. For her, supporting youth groups committed to combating climate change aligns with this goal, providing them with financial resources and guidance to address environmental challenges while building leadership skills within the younger generation.

The mayor shared insights from the recently completed census, which revealed a demographic shift with youth now constituting 70% of the population. This significant statistic, she explained, emphasizes the critical need for targeted youth development programs. She advocated for a

comprehensive approach that will empower young people with skills, opportunities, and community support structures to adopt their growth and positive involvement in municipal affairs. The substantial youth population, she noted, presents both opportunities and challenges, making it vital for municipal leaders to implement strategies that harness this demographic strength for the community's benefit.

In line with these efforts, she announced plans to conduct field visits to Gombe and Nabweru, with the aim of assessing the work and progress of local committees there. These visits, she explained, are part of a broader initiative to ensure active monitoring and support for municipal programs across different zones within Nansana Municipality. She expressed a strong commitment to ongoing collaboration with community committees, security teams, and municipal departments, emphasizing that a unified approach is essential to reduce insecurity and promote a stable environment for all residents.

She also encouraged attendees to prioritize tax payments, emphasizing how this funding is crucial to the municipality's development. She explained that tax contributions allow the council to provide necessary services and support various community projects. By supporting tax compliance, residents contribute directly to local advancements and improved services, creating a more robust foundation for ongoing initiatives.

Concluding her address, she extended special recognition to Mr. Mukibi for his efforts in mobilizing leaders whenever needed. She acknowledged his role as indispensable to the success of numerous municipal engagements and expressed gratitude for his reliability and dedication. She concluded by committing to compile a comprehensive report that captures the council's progress and recent developments, which she plans to present at the upcoming Strong Cities meeting in Cape Town this December. This report, she noted, will showcase Nansana Municipality's commitment to security, community development, and regional collaboration, demonstrating the impact of Strong Cities' initiatives.

Key Points from the Mayor's Remarks:

Youth Empowerment: Support is essential, especially with youth comprising 70% of the population.

Site Visits: Plans to assess committee functions in Gombe and Nabweru.

Security Initiatives: Commitment to collaborate with stakeholders to reduce insecurity.

Tax Contribution: Encouragement for continued community tax compliance.

Support for NHW: Proposal to present NHW progress at an upcoming Strong Cities conference in Cape Town.

Remarks from Madam Gertrude.

The Secretary-General of Strong Cities, began by expressing her gratitude to the Town Clerk and the Mayor, commending their dedication and professionalism. She noted that the Strong Cities delegation has consistently been met with a serious and committed approach whenever they engage with Nansana Municipal Council (MC). This dedication, she remarked, demonstrates Nansana's steadfast commitment to the partnership, raising an environment where collaborative initiatives can thrive.

Reflecting on the NHW initiative, Madam Gertrude shared that even after the Strong Cities team had concluded their initial support phase, they continued to receive positive reports from Nansana. These updates reflect the Municipality's proactive engagement with the NHW initiative, as well as its capacity to drive impactful results. She expressed pride in Nansana's progress and eagerness to see how the municipality sustains and builds on these achievements over time.

She then posed an essential question to the members: "Where do you start, and what do we need to do next?" This inquiry highlighted her emphasis on strategic planning, continuity, and seeking feedback from the council. She expressed the importance of receiving regular updates and feedback from Nansana Municipal Council to better align Strong Cities' support with local needs. This open channel of communication, she explained, is critical for addressing any challenges and adapting the program as necessary to ensure it continues to meet the municipality's evolving goals.

Further asked if the members fully understood the guidelines sent to them as part of the initiative, emphasizing that clarity on the program's framework is essential for its successful implementation. She encouraged members to raise any questions or concerns regarding the guidelines, reiterating Strong Cities' commitment to providing necessary clarifications and support. This proactive approach, she noted, aims to empower Nansana MC to implement the NHW initiative with confidence and precision.

She expressed her confidence in the transformative potential of this initiative, sharing her vision for Nansana MC to emerge as a model of excellence and a learning hub for municipalities across the country. She remarked that the successful execution of this initiative would not only enhance Nansana's standing within Uganda but also establish it as a center of learning for innovative practices in municipal management and community development. Her remarks concluded on a note of optimism, anticipating that Nansana's achievements would inspire similar progress across other regions.

Feedback from Participants

Mukibi began by expressing heartfelt gratitude to the Strong Cities team for their ongoing support and dedication. He acknowledged the positive impact their guidance has had on preparing the team in matters of security, especially as Nansana continues to face various safety challenges. Mukibi shared a personal experience, explaining that he himself has been a victim of insecurity, having been

attacked by an assailant using a paving stone. This experience, he noted, has only strengthened his resolve to work toward a safer community for everyone.

Addressing some of the challenges they face, Mukibi explained that many members of their team work as volunteers, which can sometimes limit the level of commitment. Due to the voluntary nature of their work, it's often challenging to find individuals who can dedicate themselves fully to the cause. He emphasized that, while there is a strong willingness within the community to contribute, the lack of formal compensation limits the number of people who can commit fully to the initiatives, thus affecting the sustainability of their efforts.

He further highlighted that while their committees have been established, there is a significant shortage of necessary equipment and resources. Mukibi explained that basic items like jackets, which would help identify committee members during community activities, are not available. Additionally, he noted a lack of training for committee members, which has created hesitation among some members who feel unprepared for the demands of the role. Basic training on security protocols and community engagement, he suggested, would empower the committee members, making them feel better equipped to address issues within their community.

Mukibi also underlined the importance of community sensitization in making the NHW initiative successful. He explained that while the team is eager to educate the public, more support is needed to help the community fully understand how NHW works and how they can actively participate. He emphasized that fostering a sense of ownership among residents would be essential for the long-term success of the NHW initiative, as community awareness and involvement are key to its effective implementation.

He reflected on the broader impact of initiatives like NHW, highlighting that this approach addresses more than just security concerns. He observed that through previous initiatives, they have seen the program's ability to touch on other vital issues, such as gender-based violence (GBV) and other social challenges. These experiences have underscored the interconnected nature of security and community well-being, affirming the importance of a holistic approach to addressing local issues. Mukibi concluded by expressing his hope that with continued support and training, their teams would be better equipped to handle the various dimensions of security and community welfare.

Norah began by expressing her gratitude to the Mayor for the opportunity to serve as part of the defense and security team. She acknowledged the trust placed in herself and her colleagues, recognizing the significance of their role in promoting safety within the community. She highlighted the commitment of the team, noting that they are always prepared to respond to any security concerns that arise, a responsibility they carry with pride and dedication.

However, Norah also addressed some challenges faced by the security team, starting with the need for constant communication resources. She explained that the nature of their work requires them to always be available, with their phones always on to respond swiftly to any emergencies. However,

they often lack sufficient airtime, which hinders their ability to communicate effectively, especially during urgent situations. Norah suggested that providing the team with airtime would greatly improve their responsiveness and overall efficiency.

She then discussed the personal sacrifices made by the women on the security team. Many, including herself, have spouses who express concerns about the demanding nature of their roles. This situation, she explained, often leads to household pressures, as their husbands question the long hours and continuous availability required by the security duties. Norah emphasized that, as women in security, they face unique challenges, balancing family expectations with their work responsibilities, a balancing act that often goes unsupported and unacknowledged.

Norah further highlighted the need for essential equipment to carry out their roles safely and effectively. Basic items such as gumboots and jackets are unavailable, leaving the team vulnerable, especially in harsh weather or challenging conditions. She explained that such equipment would not only protect them physically but also make them more identifiable as security officers in the community. This visibility would help residents recognize and approach them with confidence, reinforcing trust in the security team's presence.

She talked of a significant concern regarding their safety as security officers. She explained that, due to their visibility in the community, they are easily identifiable by individuals who may have ill intentions, putting them at a heightened risk of retaliation. She shared that many security team members are marked by face, which creates a constant feeling of vulnerability. Norah stressed the need for additional protective measures to ensure the safety of the officers themselves, noting that without such precautions, their commitment to serving the community often comes at a personal risk.

Gumisiliza Majidu, a dedicated member of the security team, began by reflecting on his experiences in the role, particularly noting a concerning trend of young boys becoming involved in theft and other criminal activities. He emphasized that addressing youth involvement in crime is a pressing issue, as it threatens the safety and stability of the community. Majidu stressed the need for intervention programs to redirect young people away from crime and toward more constructive paths. He expressed hope that with the right resources and support, they could help mitigate this trend and offer alternative opportunities for the youth.

Highlighting the lack of essential resources, Majidu explained that the team currently operates without proper jackets, which would help identify them as official security personnel. This lack of visibility equipment, he noted, not only makes it harder for community members to recognize them but also diminishes their authority in situations that require quick action. He shared that a uniform or official attire, such as jackets, would improve their presence and reinforce their role in maintaining public order.

Majidu also pointed out the communication challenges faced by the team. He emphasized that effective communication is crucial for a security team, especially when coordinating responses to

incidents. Currently, they rely on personal phones, which are neither reliable nor practical in high-stress situations. He suggested that providing the team with walkie-talkies would streamline communication and enable faster, more coordinated responses to emergencies. Additionally, he expressed the need for reliable means of transportation, which would allow them to cover larger areas more effectively and respond to incidents more swiftly.

Addressing another critical issue, Majidu mentioned the need for flashlights (torches), as they often operate in poorly lit areas. Without proper lighting equipment, the security team is at a disadvantage when patrolling, particularly in darker areas where criminals might hide. This lack of lighting makes it harder for them to perform their duties effectively and poses a safety risk to the team members themselves.

He then highlighted specific areas of concern within the community, noting the presence of “dark spots,” particularly in East One A, where inadequate street lighting creates hiding places for criminals. Majidu emphasized that installing lights in these areas would not only deter criminal activity but also improve the overall sense of security for residents. He pointed out that, at times, they are at a disadvantage compared to the criminals, who are often better equipped, and that the absence of street lighting contributes to this vulnerability. He expressed that this puts the team at the mercy of the criminals, who, in some cases, are armed and capable of posing significant risks to the security team.

Majidu shared that the team is eager to receive further training and skill development opportunities. He emphasized that equipping the team with additional skills would enhance their ability to handle diverse security challenges and respond to incidents more effectively. This training, he noted, would not only benefit the team members but also contribute to the overall safety and resilience of the community. He concluded by expressing optimism about future support and training from the municipality to strengthen their efforts in maintaining public safety.

Lutakome, a representative from Nabweru South and a member of the defense team, began by highlighting the security challenges they face in addressing crime within the community. He explained that the presence of thieves, both during the day and night, stretches their limited resources and forces them to prioritize. Unfortunately, this often means neglecting daytime security issues due to the small size of their team. He noted that, ideally, their security work should be a full-time job to ensure consistent coverage, but the current limitations prevent them from providing around-the-clock protection.

He further described the unique challenge posed by criminals from neighboring areas, particularly from Kampala, who infiltrate Nansana. Lutakome observed that these criminals are often more experienced and harder to manage, as they operate with different methods unfamiliar to the local team. This has created added pressure on the defense team, as they sometimes lack the training to handle such seasoned criminals effectively.

Another concern was the tension that occasionally arises between the security team and certain members of the community. He mentioned that, while most community members appreciate the work they do, some harbor resentment towards the security team. This animosity can make their job harder, as they rely on cooperation from residents to ensure the safety of the neighborhood.

He also highlighted the financial burden on the team members, who often need airtime for effective communication and rely on their own business income to cover these costs. He pointed out that, as many team members are young and not salaried, they struggle to sustain the expenses associated with their security responsibilities. He proposed that the team could benefit from additional financial support, especially in covering necessary operational costs like airtime.

Lutakome also shared a suggestion to further support the team: he proposed creating a SACCO (Savings and Credit Cooperative Organization) for the NHW members. This SACCO would allow the team to pool resources, which could then be used to assist members financially. He expressed optimism that by involving the whole team in this cooperative effort, they could create a self-sustaining fund that would support not only their operational needs but also provide financial security for the youth involved in the program.

Reflecting on their recent achievements, Lutakome shared his pride in having been part of an operation that apprehended individuals involved in violent crimes. Despite this success, he noted that they faced significant obstacles due to a lack of proper security materials, which made their efforts more challenging. He emphasized the importance of being equipped with the necessary tools and protective gear, especially during potentially dangerous operations.

Lutakome also pointed out the need for a dress code that would clearly identify them as members of the security team. Having distinct uniforms would enhance their authority, make them easily recognizable by the community, and allow other security agencies to distinguish them as legitimate defenders of public safety. In addition to uniforms, he mentioned the importance of providing basic protective equipment, such as gumboots and durable desert shoes, which would improve their comfort and mobility during patrols and operations.

He emphasized the value of fostering strong relationships with community members. He encouraged his colleagues to maintain open communication with residents and to approach their duties with empathy and understanding. By learning how to effectively engage with people, he believed they could foster a safer and more cooperative environment, ultimately enhancing the success of the NHW initiative.

Nakonde Lydia emphasized the importance of time commitment in security work, noting that effective security requires substantial dedication from team members. However, she acknowledged that this commitment is difficult to achieve without financial compensation. She pointed out that if members received a salary, they would be more likely to commit themselves fully to the role, allowing for consistent and reliable security coverage. Without this support, it becomes challenging for the

team to balance their responsibilities with personal obligations, especially as many members also hold other jobs to sustain themselves.

Highlighting the difficulties they face during operations, Nakonde shared that the team is often forced to rely on basic equipment, such as sticks, to confront criminals. In contrast, many of the individuals they encounter are armed with more dangerous weapons, placing the security team at a disadvantage. Additionally, since criminals can easily recognize them, the team members often feel vulnerable, knowing that they lack the proper resources for self-protection. Nakonde advocated for the provision of uniforms, jackets, flashlights, and airtime to improve the team's efficiency and sense of security. Uniforms and jackets, she noted, would help identify them as legitimate members of the security team, while flashlights and airtime would enable them to patrol more effectively and communicate seamlessly during emergencies.

She also raised a unique challenge faced by female members of the security team. She explained that their spouses often become frustrated with their nighttime duties, as working through the night places a strain on family relationships. This frustration, she noted, leads to additional pressures on female team members, who must balance their commitment to public safety with their roles as partners and family members. It suggested that more structured support for the team could alleviate some of these pressures, helping to maintain both the security of the community and the well-being of the team members and their families.

Frank Ssendyowa began by providing an overview of the evolution of the security committees, explaining that the initial team consisted of only 6-7 members. However, as the demand for security grew, they expanded their committees to include more members. This expansion has been essential in responding to the increasing security needs of the community, yet challenges persist. He shared that the local police are often called for support, but they sometimes fail to respond promptly, and when they do, it is typically after significant delays. This lack of timely police support has placed the burden of maintaining security on the local security team, underscoring their critical role in safeguarding the community.

Frank acknowledged the rapid development of Uganda and the challenges that accompany it, particularly around public safety. He stressed that, given the country's growth, the security team has become a vital resource for maintaining peace and order in the community. However, he expressed disappointment that the contributions of the security team have yet to be recognized by some local authorities, particularly the local chairpersons. He appealed to the municipal authorities to acknowledge the team's work by providing financial support in the form of a salary. Compensation, he explained, would incentivize members to continue dedicating their time and effort to community security.

Additionally, Frank emphasized the need for formal training to enhance the team's skills and effectiveness. He proposed that the municipality organize training sessions, which would not only equip the team with new skills but also improve their confidence when handling security issues. To

this end, he suggested utilizing the expertise of Kayira, an army instructor, who could conduct tailored training sessions for the security team. This training, Frank explained, would provide the members with the necessary knowledge and techniques to manage a range of security situations effectively.

He expressed his hope that with the right support from the municipality, the security team could continue to grow and improve. By addressing their needs for compensation, training, and equipment, he believed the municipality could strengthen the team's ability to maintain a secure environment for all community members.

Charl's Response

Charl began by expressing his gratitude to all the NHW (Neighborhood Watch) members for their dedication and the concerns they raised during the discussion. He acknowledged the importance of the issues shared and assured the members that their voices were heard. Charl mentioned that some of the requests and concerns raised could be addressed, although certain challenges would require gradual action and collaboration.

He reminded the NHW members of an essential principle: the NHW's role does not involve putting members' lives at risk. Instead, they serve as the "eyes and ears" of the community, observing and reporting to the authorities. He emphasized that while self-defense skills can be beneficial, members should not engage in dangerous situations. He encouraged NHW members to prioritize safety and to act as a bridge between the community and law enforcement rather than as frontline responders.

Charl stressed the importance of a close working relationship between the police and NHW members. He suggested that NHW teams strive to have at least one police officer accompany them on their rounds whenever possible. Such partnerships, he explained, would ensure the safety of NHW members and reinforce their role as supportive partners to the police rather than replacements. He encouraged the Mayor and Town Clerk to engage with the police leadership, so they understood that the NHW's purpose is to assist and enhance local safety efforts.

Acknowledging the need for better equipment, Charl stated that he would take these concerns back to the municipality for consideration. Although he could not make any promises, he expressed optimism about finding ways to sponsor the NHW with essential items. In terms of communication, Charl proposed that two-way radios (walkie-talkies) could be a valuable tool for the NHW members, as they would enable quick and efficient communication during patrols. He suggested exploring local business partnerships in Nansana to contribute to the support and sustainability of the NHW. Charl also mentioned the possibility of reaching out to major telecommunications companies like MTN and Airtel to provide airtime support, which would be invaluable for NHW members.

For issues specific to female members of the NHW, Charl recognized the unique challenges they face. He highlighted the importance of providing all NHW members, including women, with additional training and requested the municipality to issue official IDs for identification. IDs, he

explained, would enhance the credibility of NHW members and help ensure their recognition and cooperation with other security bodies. Charl also suggested that, wherever possible, NHW members should be assigned to serve in their areas of residence, as familiarity with the neighborhood could improve both security and comfort for members.

Regarding compensation, Charl acknowledged that it might not be feasible to provide salaries to every NHW member, given budget limitations. However, he proposed exploring the possibility of community contributions to support the NHW team. He suggested that residents within the NHW's jurisdiction could make voluntary donations to cover operational expenses. Additionally, he recommended that the NHW's work be considered in ward budget allocations, allowing for local support through the municipal budgeting process. Finally, Charl encouraged continued discussions between the municipality and the central government to consider including the NHW in future government budgets, emphasizing the long-term sustainability of the NHW initiative.

Gary's Response

Gary began by highlighting the significance of volunteerism, commending the NHW members for their dedication to the safety and well-being of their community. He noted that volunteering for NHW initiatives goes beyond personal responsibility, as it extends to protecting one's family, children, and fellow community members. This commitment, he emphasized, brings peace to the community, as residents can feel secure knowing that NHW members are actively working to maintain public safety.

Gary shared insights from his own experience in South Africa, where Women's Month celebrations bring the community closer to recognize the contributions of women. This celebration, he explained, serves as a powerful example of unity and dedication and underscores the importance of creating supportive environments for all community members, including women. He encouraged NHW members to work closely with their local councilors, who serve as their representatives in government, to stand up for the needs of the community. By collaborating with councilors and other local leaders, Gary believed that the NHW and the broader community could form a strong, united front capable of achieving their safety and development goals.

Gary reiterated that the NHW's role is not to put themselves in harm's way. Rather, their responsibility is to "see and hear" on behalf of the community, reporting concerns to the proper authorities, specifically the police. In his view, the police and other security agencies bear the accountability for addressing security threats directly, while the NHW acts as a communication channel that connects the community with the police. This partnership, Gary explained, ensures accountability for both parties, allowing the NHW to gather and relay information without taking unnecessary risks. He emphasized that the NHW's role is essential but supportive, serving as a link between the community and the police to foster a safer and more responsive security network.

Closing remarks from the Town Clerk

The Town Clerk began by emphasizing the significance of community-driven projects in enhancing the quality of life for residents and improving security within the municipality. He acknowledged the tremendous work already being done by the Neighborhood Watch (NHW) members and other local security initiatives. Recognizing the financial and logistical challenges faced by these efforts, he suggested that the municipality actively seek support from large companies and sponsors within Nansana and surrounding areas. According to the Town Clerk, partnerships with prominent businesses could lead to much-needed resources, such as uniforms, communication devices, and even financial support. Such sponsorships, he noted, would not only alleviate the burden on NHW members but also create goodwill and shared responsibility among businesses in promoting local safety and development.

The Town Clerk continued by underscoring the necessity of consistent community engagement. He stressed that meaningful collaboration between community members, local leaders, and national agencies was essential for sustainable security efforts. By fostering open communication channels, he argued, the municipality could ensure that security initiatives align with the unique needs and concerns of the community. The Town Clerk encouraged NHW members to continue engaging with the residents they protect, as this would strengthen trust and community cohesion, making residents more likely to participate in and support local security efforts.

Additionally, the Town Clerk highlighted the importance of working alongside national agencies to bolster local security. He explained that issues such as crime and safety are often complex and extend beyond the capabilities of local resources alone. By collaborating with national security agencies, the municipality could gain access to specialized expertise, resources, and training opportunities for NHW members. This alignment, he argued, would strengthen the NHW's effectiveness and enhance the municipality's overall security infrastructure. The Town Clerk concluded by reaffirming his commitment to supporting the NHW initiative and expressed hope that, through ongoing collaboration with various stakeholders, they could build a safer and more resilient community.

Mayor's closing Remarks

The Mayor began by addressing the Neighborhood Watch (NHW) members, affirming that the NHW could indeed operate as a SACCO (Savings and Credit Cooperative Organization), as suggested by one of the members. He expressed his support for this idea, emphasizing that establishing an official SACCO could provide NHW members with financial benefits, group savings opportunities, and even access to small loans for personal or operational needs. This structure, he explained, would enable the NHW to strengthen its financial independence and sustainability. Recognizing the importance of accessible and affordable financial services, the Mayor pledged that the NHW SACCO registration process would be free of charge, allowing members to formalize the organization without incurring extra costs.

The Mayor then encouraged NHW members to make the most of their association, particularly considering the municipality's ambitious goals. He acknowledged that many Local Council (LC)

officials currently operate with minimal resources receiving only UGX 50,000 as a stipend. In this context, he highlighted the NHW's potential to play a significant role in helping the municipality reach its broader targets, including enhancing security, improving community cohesion, and promoting development initiatives. By leveraging the NHW's strong community presence, the Mayor believed they could drive meaningful change at the grassroots level, ultimately benefiting both the community and municipal governance.

Turning to future development plans, the Mayor shared an exciting update: the municipality owns 20 acres of land in Busukuma, which would be used to build a treatment plant. She clarified that this facility would not serve as a dumping site but as a treatment plant designed to handle waste sustainably and responsibly. This project, she noted, reflects the municipality's commitment to environmental management and the health of Nansana's residents. The Mayor emphasized that the NHW could play a valuable role in educating the community about the treatment plant, fostering awareness, and ensuring that residents understand the importance of this initiative for public health and environmental protection.

Concluding, the Mayor emphasized the value of teamwork, explaining that municipal progress relies on collaboration between leaders and community members. She assured NHW members that they are not working in isolation and encouraged them to continue registering their groups. By formalizing their organization, NHW members would not only strengthen their structure but also ensure that they could access resources and support from the municipality. The Mayor reiterated her commitment to working closely with the NHW, local leaders, and the community at large to build a safer, more prosperous Nansana.

Field findings

DPC Bitambo, Nansana Police Station

DPC Bitambo began by highlighting the essential role of the police in building relationships with local communities, explaining that strong partnerships between law enforcement and residents are crucial to creating safer neighborhoods. He noted that each police station has a designated Community Liaison Officer whose primary duty is to bridge the gap between the police and the public, facilitating open communication and cooperative efforts. This role, he explained, is vital to establishing trust and understanding, which are foundational for effective community-based policing.

The discussion touched on the importance of Neighborhood Watch (NHW) initiatives, with Gertrude specifically inquiring whether the DPC was aware of the community's active involvement in NHW activities. DPC Bitambo confirmed that the police were indeed aware and supportive of these efforts, acknowledging that the NHW concept aligns well with the police's own community engagement strategies. He explained that the police regularly mobilize community members, encouraging them to familiarize themselves with their neighbors and be vigilant about activities within their

neighborhoods. This approach, he noted, is similar to the NHW's mission of fostering a safer community through mutual awareness and vigilance.

DPC Bitambo emphasized the importance of maintaining active communication channels among residents, the NHW, and police personnel. He shared that the police encourage community members to exchange contact information with neighbors and NHW members, and they also utilize WhatsApp groups as a means to stay connected. These platforms provide residents with a direct link to the security team, making it easier to report incidents, share safety tips, and discuss security concerns. DPC Bitambo stressed that this open communication contributes to a more responsive and interconnected security network.

He also underscored the need for a robust and trusting relationship between the police, NHW members, and the wider community. This collaboration, he argued, is essential for effective crime prevention and response. To further strengthen this connection, he suggested that a monthly community safety program be implemented at the divisional level. Such a program would provide an opportunity for the police and NHW to assess security concerns, set priorities, and determine specific areas of focus each month. This regular engagement would not only keep security efforts on track but also ensure that community members remain actively involved.

DPC Bitambo concluded by reiterating that successful security initiatives require the support of all stakeholders. He acknowledged that, at times, the police may need additional resources to effectively address security challenges and that the NHW could play a valuable role in advocating for these resources. Regarding training, he suggested that skill-building workshops for NHW members be coordinated through the police's National Recruitment and Development (NRD) program, which is managed by police headquarters. By equipping NHW members with essential skills, the police could help enhance the effectiveness of community-based security measures, ultimately creating a safer environment for all.

CLO Mohamad Ssebiliba

CLO Mohamad Ssebiliba began by expressing the importance of a close partnership between the community and the police, emphasizing that such a collaboration brings numerous benefits. When the police work closely with the community, he noted, it fosters a stronger sense of trust and mutual understanding. This connection helps to break down barriers, making the police more accessible and familiar with the people they serve. As a result, residents feel more comfortable reaching out for support, while officers gain valuable insights into the unique needs and concerns of the community.

CLO Ssebiliba highlighted the Greater Kampala Metropolitan Area (GKMA) initiative, through which the police actively engage with residents to address local issues and enhance safety. The Community Liaison Officer (CLO) program plays a significant role in bridging the gap between law

enforcement and community members. This program allows the police to reach deeper into neighborhoods and speak directly with residents about their needs, challenges, and concerns. He explained that by creating these direct lines of communication, the police can respond more effectively and with greater sensitivity to local issues, ultimately creating a safer and more cohesive community.

He also noted the critical role of Local Council (LC) chairpersons in these efforts. Collaborating closely with LC chairpersons, the police leverage their strong ties with local residents to mobilize community participation in safety initiatives. LC leaders are instrumental in organizing community meetings, spreading important safety information, and encouraging residents to report suspicious activities. This partnership between the police and LC chairpersons strengthens the reach and impact of the CLO program, making it easier to foster a proactive community culture that prioritizes security.

CLO Ssebiliba concluded by reiterating that the collaboration between the police and community leaders is essential for achieving a safer environment. He emphasized that the police are committed to working alongside LC chairpersons to ensure that all community members feel protected and supported. By maintaining open lines of communication and continuing to engage directly with residents, the CLO program is able to build a strong foundation of trust, making it a valuable asset in the ongoing efforts to improve safety and security across the municipality.

Nansana East I A Zone Update

Representatives from Nansana East I A Zone provided an update on their community organization efforts, highlighting their commitment to security and proactive measures within the zone. They explained that the community holds regular monthly meetings, which serve as a platform for discussing security matters, sharing insights, and coordinating efforts to ensure the safety and well-being of residents. The consistent monthly gatherings help to keep all members aligned with the community's security objectives and address emerging issues as a team.

Nansana East I A Zone is composed of five distinct zones, with each zone overseen by a team of three dedicated community members. These individuals are responsible for coordinating security efforts, reporting concerns, and working alongside the police to address any issues within their respective areas. The assignment of three people to each zone ensures that security responsibilities are distributed, providing comprehensive coverage and increasing the likelihood of timely responses to incidents. This structure also strengthens accountability, as each team works closely with local law enforcement to maintain a secure environment.

The zone representatives shared plans to expand their security teams by increasing the number of members assigned to each zone. They believe that having additional personnel will allow for more efficient monitoring and response to security challenges. The proposal to deploy more officers reflects a proactive approach to improving coverage and safety measures, ensuring that each zone has adequate resources to manage potential risks effectively.

In addition to in-person meetings and deployments, Nansana East I A Zone has leveraged digital tools to enhance communication and coordination. They have established a WhatsApp forum that includes 145 members, allowing for swift information sharing, real-time updates, and the rapid dissemination of security alerts. The forum has proven to be a valuable tool for the community, enabling members to stay informed and engage actively in security matters. Through this platform, residents can report suspicious activity, coordinate on-the-ground responses, and provide mutual support as they work collectively toward a safer neighborhood.

Assistant Deputy RDC's Remarks

The Assistant Deputy Resident District Commissioner (RDC) expressed his appreciation for the ongoing security efforts in Nansana Municipality, commending the commitment shown by the community in addressing local safety concerns. He noted that, for any external office to effectively support the municipality's security initiatives, it is essential for the community itself to first demonstrate strong self-reliance and active participation. According to the Assistant Deputy RDC, the community's proactive involvement is a vital foundation that will enable local authorities and partner organizations to build upon existing efforts.

Recognizing the complexity of coordinating security efforts across such a densely populated area, he suggested the establishment of a more systematic approach to manage and organize the community's 1,000 residents who are involved in security initiatives. A structured system would streamline communication, ensure coordinated responses, and enhance the overall effectiveness of security measures. By introducing a robust framework, the municipality can better monitor progress, allocate resources, and address challenges that arise within these initiatives.

The Assistant Deputy RDC further recommended that the municipality compile a comprehensive report detailing the progress and structure of the Neighborhood Watch (NHW) model currently implemented in Nansana. This report, he explained, would provide valuable insights into the challenges, successes, and lessons learned within the NHW framework. It would also serve as a resource for other communities looking to implement similar initiatives. With security being a broad and multifaceted issue, he emphasized the importance of a model that not only addresses immediate safety concerns but also builds a sustainable, community-led security culture.

He highlighted the need to maintain a clear distinction between the NHW and the formal security committees. He clarified that while both are instrumental in fostering safety, they serve different functions and should not be conflated. The NHW, primarily comprised of residents, acts as a supportive community network focused on vigilance and reporting, while the security committees involve more formalized security personnel and governance structures. By keeping these roles separate, the municipality can avoid overlaps in responsibilities and ensure that each group operates within its intended scope, ultimately strengthening the effectiveness of both.

West II A Zone Security Framework

The West II A Zone has established a well-structured community security framework that encompasses both organized committees and a Neighborhood Watch (NHW) initiative. With a population exceeding 2,000 residents, this framework is essential in maintaining security and ensuring a cohesive response to safety concerns within the community.

The zone's security structure is led by a **Security Committee**, composed of four key individuals who coordinate security efforts and manage communication between the broader community and local security agencies. Each committee member has a specific role in overseeing activities, ensuring that security concerns are addressed promptly and effectively.

Supporting the committee are **11 designated community security personnel** who work in tandem with the NHW, which comprises **40 active members**. These NHW members are selected residents who have shown a strong commitment to the safety and well-being of their community. While they are not formally trained, these members are empowered through regular briefings and are encouraged to report any suspicious or potentially harmful activities within the zone.

To streamline communication, West II A has a dedicated WhatsApp group with over 200 active participants. This platform serves as a critical tool for real-time information exchange on any security-related developments and is also used to mobilize community members in urgent situations. The WhatsApp group includes representatives from key security offices, such as the **Resident District Commissioner (RDC)**, the **Gombolola Internal Security Officer (GISO)**, and the **District Police Commander (DPC)**. The involvement of these officials enhances the community's security network, facilitating rapid responses and ensuring that residents' concerns are taken seriously.

The **Community Liaison Officer (CLO)** plays an integral role in West II A's security operations by bridging the gap between community members and law enforcement. The CLO is particularly valuable in engaging with residents who may be hesitant or resistant to participate in NHW initiatives. By attending community meetings and addressing any concerns, the CLO fosters a more trusting relationship between residents and security agencies, thereby improving cooperation across the community.

The NHW members receive support and empowerment from the security team, often referred to as the "defense team," which provides them with essential information and guidance. Although NHW members do not have formal training, they are encouraged to work closely with the security committee and law enforcement representatives, acting as the "eyes and ears" of the community. The emphasis on collaboration and community vigilance enhances security efforts, helping mitigate the risks associated with their lack of formal training.

In a bid to improve resident identification and maintain an up-to-date record of community members, West II A has implemented a **resident registration system**. Each resident is issued an ID, which is systematically updated upon expiration. This initiative helps maintain accurate records, ensures accountability, and enables NHW and security members to verify identities efficiently. The

registration system also aids law enforcement in quickly identifying residents during security operations or community events.

To optimize resource allocation and enhance security monitoring, West II A is divided into **six sub-zones**. This division allows the NHW and Security Committee to manage smaller groups of residents more effectively, tailoring responses and interventions to the specific needs of each sub-zone. It also simplifies the process of organizing meetings, disseminating information, and carrying out patrols, making the security framework in West II A more responsive and adaptable to different challenges within the community.

GISO's Remarks on Enhancing Community Security through Sub-Zones

The **Gombolola Internal Security Officer (GISO)** addressed the audience, emphasizing the need for a coordinated approach to security at the grassroots level. He began by referencing a comprehensive document he drafted in 2019, where he advised on the formation of **sub-zones within communities** to facilitate more efficient security monitoring and responsiveness. This strategic subdivision allows for closer surveillance, faster response to incidents, and more effective collaboration among community members.

The GISO highlighted a prevalent challenge in his work: the tendency for some residents to prioritize financial compensation over civic duty. He noted that when approached for community security roles, many individuals quickly inquire about payment rather than focusing on the critical importance of neighborhood safety. This "money-first" mindset, he pointed out, can hinder the growth of a proactive and self-sufficient community security framework.

Additionally, the GISO expressed concern over a common misconception held by some community members—that the responsibility for security rests solely with high-level officials, including the **Resident District Commissioner (RDC)**, the **Mayor**, and other formal security entities. He explained that this perception places undue pressure on officials while diminishing the role that local residents can play in safeguarding their neighborhoods. True, sustainable security, he emphasized, “begins with each one of us.” He advocated for residents to take an active role in their own security efforts, underscoring that every individual has a responsibility to contribute to the safety and stability of their community.

The GISO was optimistic about the role of the **Neighborhood Watch (NHW)**, which he believes will be pivotal in shifting this mindset. By encouraging residents to take ownership of their security, the NHW initiative aims to foster a culture of collective responsibility. However, the GISO cautioned that this shift will not happen overnight; it will require sustained and **intensive sensitization efforts**. To truly alter the way residents view their role in security, he proposed regular community awareness campaigns that would highlight the benefits of NHW involvement, educate residents on their duties, and dispel the notion that security is solely the job of formal agencies.

The GISO concluded his remarks by pledging his continued support for the NHW program. He stressed the importance of community unity, urging residents to work hand-in-hand with local officials and security committees. With time, he believes that fostering this sense of shared responsibility will not only improve security but also create a stronger, more resilient community that looks out for one another.

Nabweru South Cell III Community Security and Collaborative Efforts

Nabweru South Cell III has been structured into three main sub-zones—**Soweto, Kiwanuka, and Zamzam**—to enhance localized security management. Each sub-zone has a dedicated team of **three defense personnel**, ensuring consistent oversight and response within each area. This setup also allows residents to develop closer relationships with security representatives, building trust and communication. Alongside the defense personnel, there is a robust **Neighborhood Watch (NHW)** initiative with over **100 active members per zone**, contributing to a collective total of **500 NHW members** across the sub-zones. This sizable volunteer force supports the defense teams, helping to deter potential security threats and promoting vigilance within the neighborhoods.

The community has set up a **WhatsApp group** with **100 participants** comprising NHW members, local leaders, and key stakeholders. This platform facilitates rapid information sharing and real-time coordination among residents. It also allows for updates on security-related matters, reports on suspicious activities, and notifications for community meetings, strengthening neighborhood communication and connectivity.

Mumbejja, the NHW members engage in various projects to foster unity and provide mutual aid. One of the primary projects is **briquette making**, which not only contributes to local economic empowerment but also provides an eco-friendly energy source for residents. This initiative enables members to learn practical skills and generate additional income, enhancing their commitment to the community. In cases of personal emergencies or hardships, community members contribute **UGX 100,000** to provide financial assistance, demonstrating the community's dedication to mutual support and solidarity.

To maintain and strengthen security measures, Nabweru South Cell III collaborates closely with the **local police and the Community Liaison Officer (CLO)**. Every **three months**, the community meets with police representatives and the CLO to discuss emerging issues, receive guidance, and assess the effectiveness of ongoing security strategies. This partnership allows the community to benefit from professional insights, improve their response tactics, and establish a consistent relationship with official security bodies.

Challenges Faced by the Community
While Nabweru South Cell III has made significant strides in community security, they face several

challenges. A primary issue is the **lack of reliable transportation, and social safeguard materials**, which hinders the defense personnel and NHW members from adequately supervising the area, especially in the more remote parts of the sub-zones. Without proper means of transport, it becomes difficult to conduct timely patrols, attend to incidents promptly, and ensure thorough coverage across the villages. The community is exploring potential solutions, including reaching out to local authorities and sponsors, to secure transportation resources that will aid in efficient and effective security management.

Buwambo Community

In Buwambo, bringing the community together under a unified security initiative has been challenging. Many residents initially questioned the personal benefits they would gain from participating, reflecting a need for greater awareness of collective security's long-term value. Despite these challenges, local leaders and community mobilizers have made substantial progress in creating a stronger, more cohesive neighborhood watch structure.

Buwambo has organized its neighborhood into **five zones**, with each zone consisting of **10 active NHW members**. This structure allows for effective coverage across the area, with each team closely monitoring their respective zones. This zone-based approach has enhanced security and made it easier to address local issues swiftly and directly, ensuring that each zone is represented and supervised.

Several pressing issues impact the Buwambo community, including **child neglect** and the **influx of new residents** who often bring additional social challenges. Cattle raiding is also a significant security concern in Buwambo, with reports of thieves armed with guns targeting livestock. This escalation in violence has heightened residents' concerns and emphasized the need for strengthened community defense strategies.

What's App group was established for improved communication and information-sharing among NHW members. Through this group, residents and leaders can quickly relay information on any security issues, coordinate responses, and stay connected. The **Officer in Charge (OC)** remains closely involved with the team, and the response to incidents has been notably efficient due to this partnership. However, a major limitation is that many residents lack smartphones and therefore cannot access the WhatsApp group, hindering broader participation in digital communication.

The youth in Buwambo have taken proactive steps to uplift themselves economically. A group of young leaders runs a **brick-laying project** that provides them with a stable income source. This

project not only helps youth stay engaged but also fosters skills development and financial independence, which strengthens their role in the community.

Women's involvement in the Neighborhood Watch has faced some resistance. Some husbands are reluctant to allow their wives to participate in night patrols or security-related activities, limiting the number of women who can contribute actively to the NHW. This challenge has sparked discussions on the importance of gender inclusion in community security.

To support ongoing security efforts, the **security leaders collect UGX 2,000 from each community member**. These funds are used to address immediate security needs, such as equipment for patrolling or supporting volunteers. This modest financial contribution has been critical in sustaining security activities within Buwambo, allowing the NHW team to respond promptly and effectively to incidents.

One specific issue affecting community safety is the construction of **high fences** around some properties. These fences obstruct visibility, making it difficult for NHW members and residents to see inside and potentially identify security risks. This has been an area of concern, as it limits surveillance and presents a barrier to community-wide monitoring.

In an effort to promote financial sustainability, Buwambo's Local Council (L.C.) is planning to start a **SACCO**. Currently, the community has been saving **UGX 4,000**, which is distributed to members at the end of the year as a shared benefit. This SACCO would provide a formalized structure to sustain community initiatives, including security efforts, and ensure ongoing support for local council activities.

The **Uganda People's Defence Force (UPDF)** collaborates closely with Buwambo's security team, regularly joining them on patrols to increase security in the area. This partnership with the UPDF has been beneficial, providing NHW members with additional support and reinforcing their efforts to maintain safety and order within the community.

Jamidah's in Buwambo

Jamidah emphasized the importance of effective **communication** within Buwambo's security network, particularly to enhance collaboration among various stakeholders in the community. Here's a detailed look at her initiatives and recommendations.

According to Jamidah, communication is crucial for the success of Buwambo's Neighborhood Watch (NHW) and community safety initiatives. Clear and consistent communication among NHW

members, local council leaders, and residents ensures that any security concerns or incidents are promptly reported and addressed. This flow of information allows for timely interventions and strengthens community trust in the NHW's effectiveness.

Jamidah advocated for stronger connections between **Local Councils (LCs)**, particularly in Buwambo and its surrounding areas. By fostering regular communication and cooperation among LC members, the community can address issues collectively and streamline responses to security threats. This approach also encourages a sense of unity across different zones, making it easier to implement coordinated security measures.

Jamidah acknowledged the financial limitations that community members and leaders face but encouraged everyone to contribute “the little they can.” Even modest financial or material support can significantly boost the morale of NHW volunteers and help cover essential resources, such as airtime for communication, transportation for patrols, or basic safety gear. Jamidah’s message highlighted that a collective effort could make a meaningful difference, even with limited individual contributions.

To enhance the visibility and awareness of the NHW, Jamidah suggested **putting up posters** in key areas around Buwambo. These posters would inform residents about the NHW’s presence, its role in community security, and how they can get involved or support the initiative. Additionally, these posters would serve as a deterrent to potential criminals, reminding them that Buwambo is vigilant and organized in its approach to security.

Kilyamuli Community’s Security Measures and Initiatives

The Kilyamuli community has implemented a range of measures to enhance local security and foster collaboration among community members. Below is a detailed breakdown of their efforts:

Kilyamuli has established a **community register** where members are documented to foster a sense of belonging and responsibility within the neighborhood. This register enables community leaders to keep track of the residents, identify newcomers, and promote a cohesive approach to security. By maintaining updated records, the community can better manage its resources and ensure that members are accountable to each other.

Community members are actively encouraged to **work closely with the police** and provide mutual support within the neighborhood. This collaboration not only strengthens the relationship between law enforcement and residents but also reassures community members that they have reliable support

in times of need. Residents are trained to report suspicious activities to the authorities and to be proactive in looking out for each other's safety.

The community has adopted a policy of **increased vigilance**, emphasizing the importance of everyone remaining aware and cautious. This practice aims to deter criminal activities by projecting a message of alertness and readiness, as the community has collectively decided to prioritize security and always stay vigilant.

Kilyamuli has involved local **youth in its security initiatives** to instill a sense of responsibility in the younger generation. The community has taken steps to provide airtime for some members, allowing them to communicate effectively in emergencies. They also plan to supply data in the future to improve real-time communication, which would be especially useful for remote coordination and information sharing.

Kilyamuli has divided its area into **four Local Council (LC) zones** to enhance local oversight. They have ensured that only those originally from the area, known as the "born of the area," are involved in these zones, given the high influx of people coming to the area for employment. This approach promotes a sense of ownership and familiarity within each zone, allowing security efforts to be more targeted and effective.

The community primarily uses **phone calls for quick coordination** during emergencies. This simple yet effective communication method ensures that community members can promptly report any issues, thus improving response times for addressing security concerns.

The **Community Liaison Officer (CLO)** regularly attends village meetings to foster a direct link between the police and residents. This approach helps to bridge any gaps in communication, allowing the community to convey their needs and feedback directly to law enforcement, which in turn builds trust between the police and the residents.

The community has noted some **limitations in police response** and a lack of essential equipment such as phones, jackets, gumboots, and raincoats. These items are especially needed in dark areas, where visibility and safety are compromised. Kilyamuli's leaders are advocating for better resource allocation to meet these needs and improve the overall effectiveness of the security team.

The community has divided the Kibugo area into **four sub-zones**: Sindo, Kibungo, Kikomera, and

Jomayi. They have also taken steps to interpret the **NHW constitution into Luganda**, ensuring that all members, regardless of literacy level or language proficiency, can understand and adhere to the Neighborhood Watch guidelines.

Kilyamuli residents contribute **2,000 to 3,000 Ugandan shillings per month** to help sustain the security initiatives. This fund is used to purchase essential supplies, cover communication expenses, and support other security-related needs. This monthly contribution also strengthens commitment to the program and ensures a steady source of resources for ongoing activities.

Kilyamuli has implemented a system for submitting a **monthly security report** to assess the progress and challenges of their security efforts. This reporting system allows for continuous evaluation, enabling community leaders to adjust their strategies as needed and to maintain transparency with the residents on how resources are being used.

Matugga Community Security and Development Initiatives

The Matugga community, comprising seven Local Councils (LCs), is one of the most densely populated areas in the region, presenting both opportunities and challenges for effective security management. Below is a comprehensive overview of their current efforts, needs, and challenges:

Matugga is divided into **four zones** for better management and coordination of security activities. Each zone has at least one member of the security committee responsible for liaising with community members and addressing security issues within their designated area. However, organizing and reaching all residents, especially those living within fenced properties, remains a challenge due to limited access.

To overcome the challenges in quick coordination, the community has implemented a dual strategy for communication during emergencies:

- **Whistles** are used as a signaling tool, enabling residents to quickly alert others to any immediate threats or issues.
- **Phone calls** are another primary method for reporting incidents and staying connected with other community members. **What's App group** further supports effective communication and helps residents stay informed on local happenings, security concerns, and updates on neighborhood watch initiatives.

The **Community Liaison Officer (CLO)** and **Officer in Charge (OC)** from the local police frequently attend village meetings to engage directly with residents. These sessions provide valuable opportunities for the police to understand the community's security needs and concerns, and for

residents to voice their issues. This partnership is essential for building trust and ensuring that both law enforcement and the community work together toward shared security goals.

One of Matugga's key concerns is a **dark spot area known as Geyena**, which is difficult to monitor and a potential hotspot for crime. Efforts are underway to engage the local residents of Geyena to encourage them to take part in neighborhood security activities, foster a sense of responsibility, and participate in community policing efforts.

The community has identified several materials needs to improve their security efforts:

- **Phones, jackets, and gumboots** are needed for members of the neighborhood watch and security volunteers, enabling them to perform their duties in all weather conditions and across different terrains.
- **Security lights**, particularly at **key junctions and dark areas**, are a high priority to improve visibility and deter criminal activities. Enhanced lighting would reduce the risks associated with poorly lit areas and make it easier for residents and security personnel to patrol.

There is a call for **more community radios** to be made available to support communication in Matugga. Community radios could serve as a platform for disseminating safety information, updates on neighborhood watch activities, and awareness programs. This access to localized information would ensure that residents stay informed and engaged in the community's security initiatives.

The community recognizes the need to build partnerships with various stakeholders to address social issues impacting security, such as **unemployment and drug abuse**. By collaborating with NGOs, local businesses, and government bodies, the community aims to reduce these issues, which are often root causes of crime. They hope to establish initiatives that would provide job opportunities, especially for the youth, and offer rehabilitation programs for those struggling with substance abuse.

Given that some women in the community are **housewives** with a strong presence in the neighborhood, they serve as key whistleblowers. They are vigilant in identifying and reporting any unfamiliar individuals in the area, helping to maintain a level of oversight and awareness in the community. This informal surveillance network plays an essential role in supporting overall security efforts, as these women can act quickly to raise alerts when necessary.

Compiled by

Nansukusa Gertrude

Senior Human Resource Officer

Nansana Municipal Council

Pictorial moments for the field visit









7.1.3	FIRE MANAGEMENT PLAN (OCTOBER 2024)
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Collaborator No:	776252
IDP KPA Ref No:	Safe Valley
Meeting Date:	21 November 2024

1. SUBJECT: FIRE MANAGEMENT PLAN (OCTOBER 2024)**2. PURPOSE**

Stellenbosch Municipality (the Municipality), like the rest of the Western Cape, continue to be threatened by veld fires. During 2019 Council adopted its first Stellenbosch Municipality Integrated Fire Management Plan (SFMP, January 2019). 5 Year since the latter document was approved it has now been reviewed and updated.

3. DELEGATED AUTHORITY

For decision by the Council of Stellenbosch Municipality.

4. EXECUTIVE SUMMARY

The SFMP (2024) (**ANNEXURE A**) has been prepared as update and 5-year review of the plan adopted by Council in 2019. The purpose of the document is to provide the necessary information for sound veld fire management with an emphasis on the Municipality's legal obligations as landowner. As stated above the Municipality continues to be threatened by veld fires. The dominant vegetation type within the region is both fire-prone and fire-dependent. This is exacerbated by the expansion of urban areas, infestations of alien vegetation and windy, hot and dry summer periods typical of the region. The primary goal of the SFMP is to ensure that veld fires are able to serve greater good than harm. It aims to eliminate loss of life, human injury, economic and environmental losses as a result of veld fires.

5. RECOMMENDATION

that Council adopts the Stellenbosch Municipality Integrated Fire Management Plan (October 2024) as its 2nd Generation Integrated Fire Management Plan.

6. DISCUSSION / CONTENTS**6.1 Background**

Apart from having to react to the threat of veld fires the Municipality is a landowner itself. The Municipality not only have to act in the interest of its communities by protecting everyone's the right to an environment that is not harmful to their health or well-being but, as landowner, have a number of direct responsibilities as prescribed by the legislation listed in #6.4 below.

6.2 Discussion

The SFMP lists overarching fire management goals, namely:

- Protect life and property.

- Protect natural and cultural resources from undesirable effects of fire.
- Suppress unwanted fire.
- Allow fire to assume its natural role in ecosystems.
- Manage fire cooperatively with neighbouring agencies and private landowners as well as other stakeholders.

In order to fulfil the objectives listed above the SFMP makes provision for the following three components in the approach to the management of veld fires:

a) Awareness

The majority of unwanted fires are caused by human intervention. Proper training and education will promote awareness of risks and the ability to make the right decisions in situations that demand quick and efficient response. It is essential to know where danger areas are, which season present the biggest risks and understand the local conditions which are conducive to fire inception and spread.

b) Prevention and preparedness

Prevention is always better than the cure. After awareness, prevention and control are the secondary steps in fire management. The SFMP puts forward measures to achieve the objectives of fire prevention.

d) Response

All fires start small, thus, detection at the earliest possible stage is critical and is therefore also regarded as being as important a part of preparedness as it is for ensuring an appropriate response.

6.3 Financial Implications

Although not always sufficiently so, most of the functions covered in the SFMP is already provided for in the Municipality's annual budget. These functions include that of internal training, fire prevention and -reaction capabilities, alien clearing and the preparation of firebreaks on municipal owned land.

6.4 Legal Implications

Numerous pieces of legislation impact on fire management and set out mandates for different stakeholders. This legislation stipulates that various government departments, spheres of government and landowners are mandated to deal with various aspects of fire management responsibilities. The most relevant legislation is listed under Chapter 2 of the SFMP and include the Constitution of the Republic Of South Africa (Act 108 of 1996), the National Environmental Management Act (107 of 1998), the Fire Brigade Services Act (99 of 1987) and the National Veld Fire Act (101 of 1998).

6.5 Staff Implications

This report has no staff implications to the Municipality.

6.6 Previous / Relevant Council Resolutions:**31ST Council Meeting: 2019-09-25: Item 11.1.1****RESOLVED** (majority vote with abstentions)

- (a) that Council adopts the Stellenbosch Municipality Integrated Fire Management Plan (January 2019) to guide fire management within the WC024 area.

6.7 Risk Implications

The SFMP addresses a number of risks to the Municipality associated with veld fires. The purpose of this item is to address the risk of non-compliance to legislation listed under #6.4 above.

ANNEXURES**Annexure A:**

Stellenbosch Municipality Integrated Fire Management Plan (October 2024)

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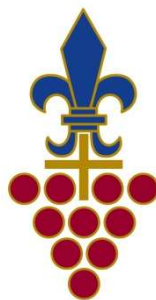
ANNEXURE A

STELLENBOSCH MUNICIPALITY

2ND GENERATION

INTEGRATED FIRE MANAGEMENT PLAN

October 2024



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

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1. INTRODUCTION

Stellenbosch Municipality (the Municipality), like the rest of the Western Cape, continue to be threatened by veld fires. The dominant vegetation type within the region is both fire-prone and fire-dependent. This is exacerbated by expansion of urban areas, alien vegetation and windy, hot and dry summer periods typical of the province.

The Stellenbosch Municipality Integrated Fire Management Plan (from hereon referred to as the Fire Management Plan or SFMP) serves to provide the necessary information for sound veld fire management with an emphasis on Stellenbosch Municipality's legal obligations as landowner. Stellenbosch Municipality's 1st SFMP was developed and approved by Council in 2019. This document serves as the Municipality's 5-year review and update of the latter.

1.1 CONTEXT

Stellenbosch Municipality forms part of the Cape Winelands District Municipality of the Western Cape Province (refer to Figure 1). The Municipality adjoins the Cape Metropolitan Area to the west and the Breede Valley, Drakenstein and Theewaterskloof Municipalities to the east, south and north respectively.

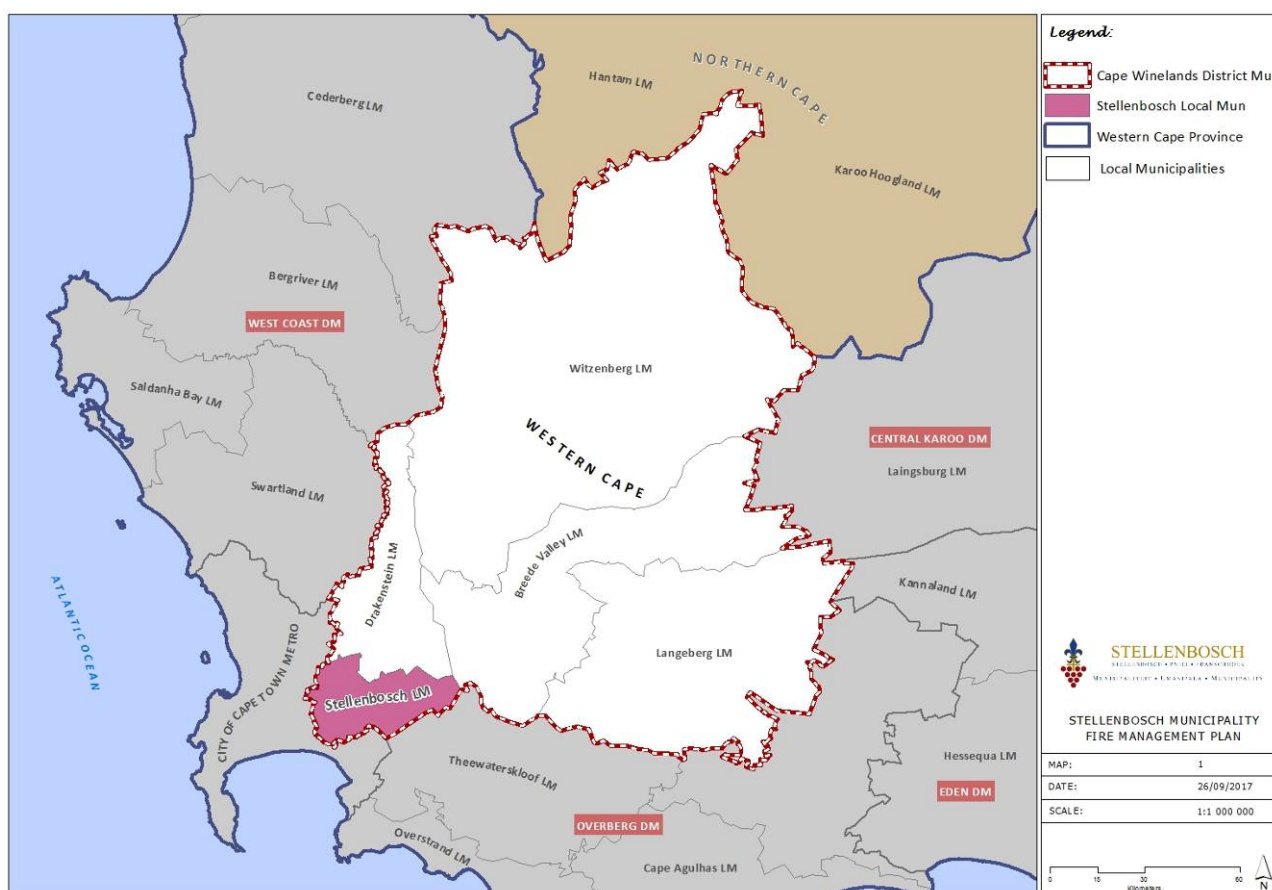


Figure 1: Location and context of Stellenbosch Municipality.

Various biophysical and biological characteristics of the Municipality, specifically related to the regions climate, topographical nature and vegetation, plays a major role in an increased risk of veld fires occurring in the area. These aspects are described under Section 3 below.

1.2 GOALS AND OBJECTIVES

The primary purpose of the SFMP is to ensure that veld fires are able to serve greater good than harm. It aims to eliminate loss of life, human injury, economic- and environmental losses as a result of veld fires. Furthermore, the overarching fire management goals (*italics*) and objectives (bulleted) as it pertains to Stellenbosch Municipality are the following:

Protect life and property.

- Minimise fire risks.
- Provide for the safety of residents, visitors, fire-fighters and staff.
- Directly protect personal property from the effects of fire.
- Achieve full compliance with the National Veld Fire Act (101 of 1998).
- Reduce fuels with prescribed fire and thinning in places where wildfire is a threat to people and property.
- Implement programs to prevent unplanned human-caused ignitions and reduce human-caused wildfires.
- Ensure organized, professional and coordinated response to fires.
- Strive to meet health and safety standards that relate to fire, particularly for air quality and on-the-job safety.

Protect natural and cultural resources from undesirable effects of fire and suppression.

- Reduce fuels with prescribed fire and thinning in places where fire would adversely affect estate resources.
- Avoid negative effects to sensitive areas.
- Employ minimum impact suppression tactics, particularly in ecologically sensitive areas.

Suppress unwanted fire.

- Ensure Stellenbosch Municipality is adequately prepared to suppress unwanted wildfires.
- Suppress human-caused fire.
- Prevent unwanted fire from spreading onto neighbouring land.

Allow fire to assume its natural role in ecosystems.

- Determine fire-related data needs relative to natural resources.
- Attempt to determine range of natural variation related to fire (in time, space and intensity), role of fire and fire effects.
- Promote research relative to data needs.

Manage fire cooperatively with neighbouring agencies and private land owners as well as other stakeholders.

- Maintain open lines of communication.
- Collaboratively plan and implement fire operations.
- Improve fire awareness.

The management approach as it relates to risk involved with veld fires is summarized in the table below. These aspects are addressed in the document.

Table 1: List of specific risk management options.

Management options	Descriptors
Avoid the risk	By deciding not to proceed with the activity likely to generate the veld fire risk. For example, prohibiting certain types of actions in areas prone to wildfires.
Reduce the hazard and the likelihood of exposure	Programs to reduce the level of fuel available to burn in a veld fire and improve the degree to which assets are protected. For example, the preparation of firebreaks or manual clearing of fire hazards as well as regular inspections.
Reduce ignitions	Programs to reduce the number of deliberate and accidental ignitions of human origin. For example, education and awareness programmes, fire bans and reduction in activities during high-risk season or periods.
Reduce consequences	This option includes various measures to reduce the consequence of wildfires, such as preparedness and contingency plans, wildfire recovery plans, community education programs for self-protection (lives and property), building restrictions and standards for areas prone to veld fires.

1.3 DOCUMENT STRUCTURE

In order to fulfil the objectives listed above the SFMP is structured to make provision for the following three components in the approach to the occurrence of veld fires (Figure 2):



Figure 2: Document structure.

a) Awareness

The majority of unwanted fires are caused by human intervention. Proper training and education will promote awareness of risks and the ability to make the right decisions in situations that demand quick and efficient response. It is essential to know where danger areas are, which season present the biggest risks and understand the local conditions which are conducive to fire inception and spread. It is essential for residence to be aware of what is going on around their property and in their immediate vicinity.

b) Prevention and preparedness

Prevention is always better than the cure. After awareness, prevention and control are the secondary steps in wildfire management. The SFMP puts forward measures to achieve the objectives of fire prevention.

Nature is in a constant state of flux and is significantly influenced by fluctuating and variable rainfall cycles. Whilst proper prevention techniques will significantly reduce the likelihood of spreading veld fires it needs to be accepted that, despite any effort made, we will never be able to control natural forces to the extent we may wish to. It is therefore equally necessary to be prepared for the inevitable in this regard.

Stellenbosch Municipality is committed to complying with the provisions of the National Veld Fire Act, i.e. being sufficiently prepared to react to fire, creating and maintaining adequate fire breaks, clearing municipal property of excess plant material that might fuel a fire, removing invasive alien plants, etc.

d) Response

All fires start small, thus, detection at the earliest possible stage is critical and is therefore also regarded as being as important a part of preparedness as it is for ensuring an appropriate response.

2 APPLICABLE LEGISLATION

Various pieces of legislation impact on fire management and set out mandates for different stakeholders. This legislation stipulates that various government departments, spheres of government and private sector are mandated to deal with aspects of fire management. The most relevant responsibilities are listed below.

2.1 THE CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA (ACT 108 OF 1996)

Section 24 of the Constitution provides that *everyone has the right to an environment that is not harmful to their health or well-being; and to have the environment protected, for the benefit of present and future generations, through reasonable legislative and other measures that prevent pollution and ecological degradation; promote conservation; and secure ecologically sustainable development and use of natural resources while promoting justifiable economic and social development.*

2.2 NATIONAL ENVIRONMENTAL MANAGEMENT ACT (NEMA) (107 OF 1998)

Section 28 of NEMA creates a general duty of care on every person to *take reasonable measures to prevent significant pollution or degradation of the environment from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment.*

2.3 DISASTER MANAGEMENT ACT (57 OF 2002)

The Department of Cooperative Government and Traditional Affairs administers the Disaster Management Act. The Act provides for an integrated and coordinated disaster management policy that focuses on preventing or reducing the risk of disasters, mitigating the severity of disasters, emergency preparedness, rapid and effective response to disasters, and post-disaster recovery amongst others. Fires, including wildfires, are a major hazard to the country and are regarded as one of the potential disaster areas. The Act requires each sphere of government to prepare a disaster management plan and mandates provinces and districts to respond to such disasters.

Section 42 of the Act states that the district municipality must establish a disaster management strategy. Section 32 states that a disaster management centre must promote an integrated and coordinated approach to disaster management in the municipal area, with special emphasis on prevention and mitigation, and coordinate other spheres of government and role-players. Section 30(1)(b) creates an obligation on the service to adopt proactive mitigation, which would include mitigation of wildfires. The Act gives the executive of the province the overarching control of a provincial disaster, with powers that override those of the Chief Fire Officer of a service within an affected municipality.

The executive of the province, in adopting proactive mitigation steps designed to minimise the likelihood or impact of severe wildfires, therefore may set certain requirements for district and local authorities and other stakeholders. The Disaster Management Act thus provides for the establishment of the framework within which Integrated Fire Management must take place.

2.4 FIRE BRIGADE SERVICES ACT (99 OF 1987)

The Department of Cooperative Government and Traditional Affairs administers the Fire Brigade Services Act. The Act is the primary piece of legislation regulating fire services and seeks to provide for the establishment, maintenance, employment, coordination, and standardisation of fire brigade services. In terms of the Act, district and local municipalities are required to establish a fire fighting service. The Act also provides for the Minister to designate fire fighting services. Further, it provides for the appointment of a Chief Fire Officer, the introduction of fees for the service, and the conclusion of agreements with other fire services so as to render a more efficient fire service.

2.5 NATIONAL VELD FIRE ACT (101 OF 1998)

Veld fires in South Africa are dealt with under the National Veld Fire Act. The purpose of the National Veld Fire Act is *to prevent and combat veld, forest and mountain fires throughout the Republic*.

The Act places the duty on land owners to make provision for the management of veld fires on their own land. Failure to do so may result in penalties being enforced (refer to Section 24 and 25 of the above Act) and claims lodged against a landowner if the above Act's requirements were not met.

In terms of the National Veld Fire Act the following responsibilities apply to landowners:

- The landowner on whose land a fire may start, or from whose land it may spread across boundaries, must prepare and maintain a firebreak on his or her side of the boundary between his or her land and any adjoining land. Owners of adjoining land may agree to position a common firebreak away from the boundary.
- The landowner on whose land a fire may start, or from whose land it may spread across boundaries, must have in place:
 - Such equipment, protective clothing and trained personnel required to extinguishing such fire as may occur as prescribed in the FPA (Fire Protection Association) regulations.
 - If there are no regulations applicable, then as reasonably required in the circumstances.

- Take all reasonable steps to notify the Fire Protection Officer (FPO) of the local FPA should a fire break out.
 - Do everything in their reasonable power to stop the spread of the fire.
- The Act requires that should the owner be absent, a known and identified other person responsible needs to be present on or near this land to:
 - Extinguish a fire if one breaks out, or assist or instruct others to do so.
 - Take all reasonable steps to alert the neighbours and the FPO.
 - The owner may appoint an agent to act on his or her behalf to perform these duties.

The Act compels a municipality, state-owned enterprise, public entity or other organ of state which owns land to join the local FPA.

SECTION A: AWARENESS**SECTION SYNOPSIS**

This section describes the main characteristics of Stellenbosch Municipality that makes the area susceptible to the occurrence of veld fires and ways to increase awareness about the risk of fire, as well as measures to increase general awareness of staff and the public in this regard.

3 STELLENBOSCH MUNICIPALITY AND FIRE**3.1 CLIMATE**

Stellenbosch Municipality has a Mediterranean climate characterised by warm, dry summers and cold, wet winters. Summers are generally hot with temperatures averaging between 25° and 30°C. Heat waves lasting a few days occur reasonably frequently in summer. The *Status Quo report on the climate change in the Western Cape* (June 2005)¹ states that the future climate of the Western Cape is likely to be warmer and drier than at present, according to a number of current model projections. In support of these projections, recent temperatures trends reveal appreciable warming in the Western Cape over the past three decades. Rainfall trends are not as clearly identifiable. A future that is warmer, and possibly drier, will encompass increase in already high risk of wildfires occurring within the region.

Stellenbosch Municipality is located within the winter rainfall area. The Municipality receives approximately 80% of its annual rainfall in the winter months typically as cyclonic rain from cold fronts, and 20% during its summer months (Elsenburg, 1990). Most areas in the Municipality have moderate to low rainfall, except for the mountain areas, which have been known to receive some of the highest levels of rainfalls in the country. These high rainfall areas, however, constitute only a very small part of the Municipality. Rainfall across the Municipality varies from 200 mm to 3 000 mm per year, in the higher peaks of the Groot Drakenstein mountain range, decreasing to the west away from the influence of the mountains.

3.2 TOPOGRAPHY

Stellenbosch Municipality is characterised by a diversity of topographical features from gently rolling hills to wide open plains, high impressive mountains and secluded valleys (see Figure 3). As stated above, the most defining feature of the Municipality is its mountain ranges, which give shape and a magnificent backdrop to its fertile agricultural valleys. The central part of the Municipality is characterised by steep valleys and high peaks, i.e. Simonsberg, Jonkershoek Mountains and Groot Drakenstein Mountains. The topography of the area makes access and the management of a large part of the region challenging.

¹ Department of Environmental Affairs and Development Planning (DEA&DP) 2005: *A Status Quo, vulnerability and adaptation assessment of the physical and socio-economic effects of climate change in the Western Cape*. CSIR Environmentek: Stellenbosch. Report No. ENV-S-C 2005-073

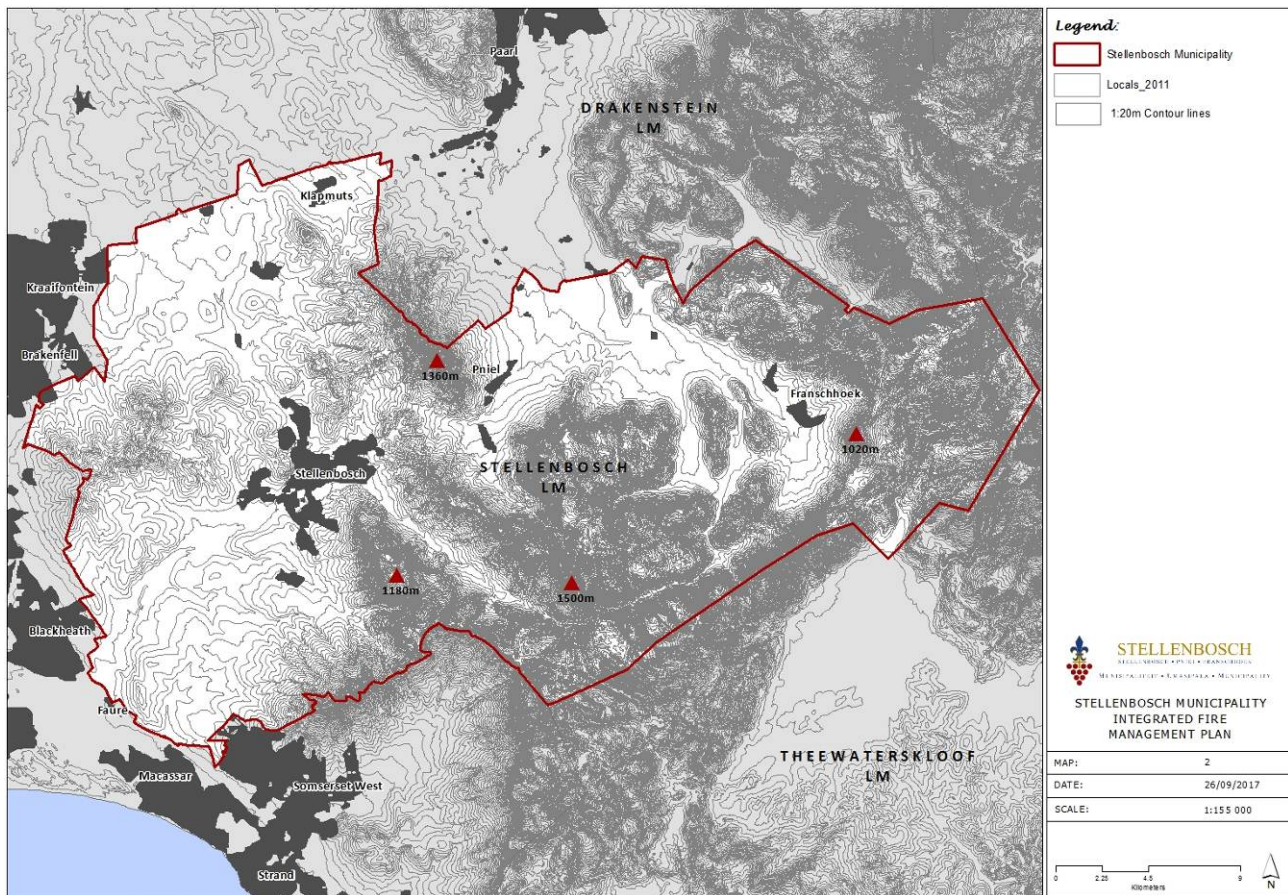


Figure 3: Topography of Stellenbosch Municipality.

3.3 ECOLOGY

Stellenbosch Municipality is wholly located within the fynbos biome (Figure 4). When planning for fire management within the fynbos biome it is important to understand the relationship between fire and fynbos.

Fynbos is fire-adapted vegetation that requires regular burning for its persistence. In the absence of fire, fynbos is gradually replaced by thicket species. It thrives in infertile soils and fire is the mechanism that recycles precious nutrients from old moribund growth into the soil. Fire in fynbos is far from a disaster, but rather a crucial trigger that resets the fynbos 'successional clock'. It provides the stimulus for dormant seeds to germinate and the opportunity for many annuals, short-lived perennials and bulbs to grow, flower and seed during times of abundant nutrients and sunlight. They complete their short life cycles, returning to the soil as the larger shrubs overwhelm them, and remain dormant until the next fire. The optimal fire cycle for fynbos is 10-14 years. Shorter fire cycles can wipe out slow maturing species, while species start dying when intervals become too long².

Fire season is predominately during the months of November to April when the fire risk is at its highest.

² <http://www.fynboshub.co.za/fynbos-and-fire/>

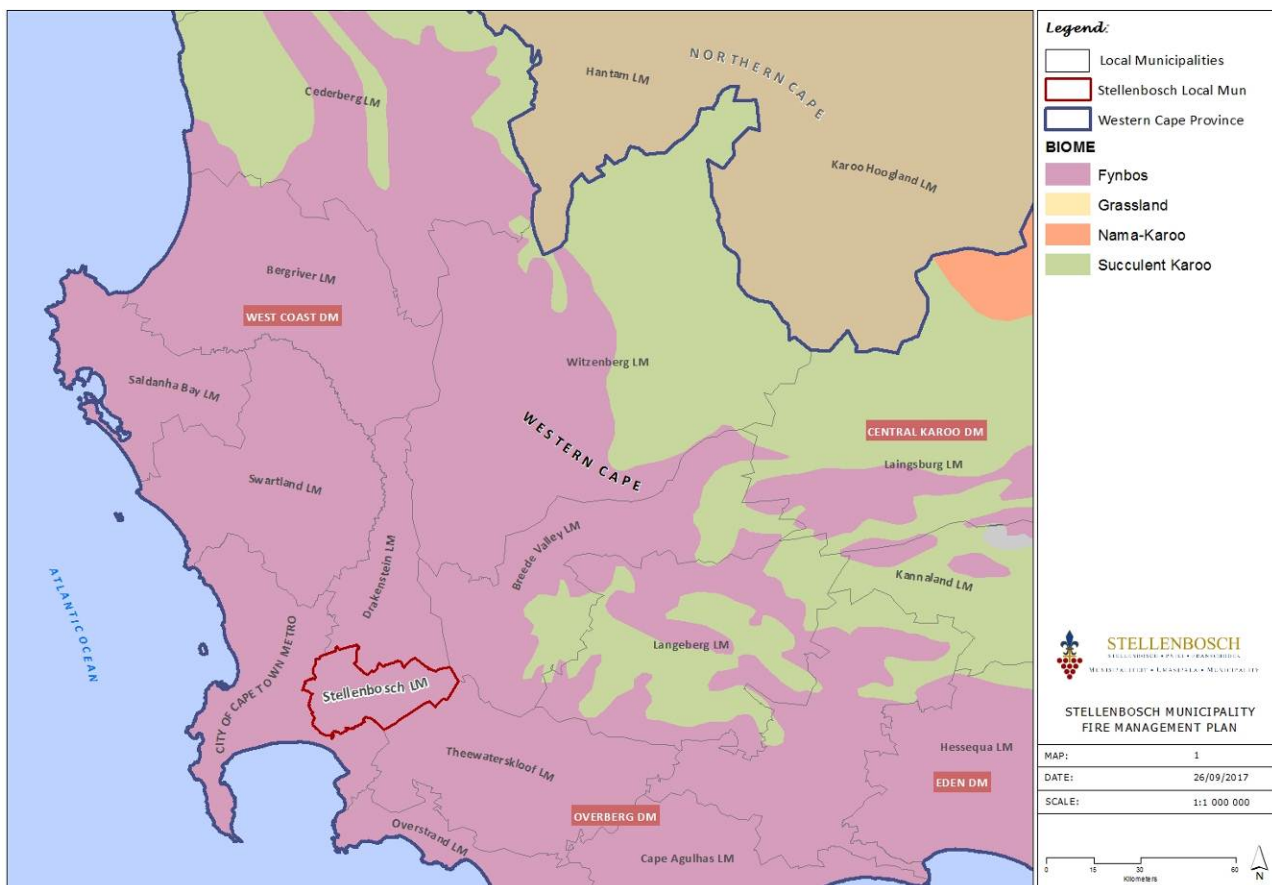


Figure 4: The Fynbos Biome.

3.4 VELD FIRE HISTORY

Figure 5 depicts veld fires that occurred in and around Stellenbosch Municipality since 1970 until 2015. During this period there were ± 275 fire recorded (BGIS). From the information provided in Figure 5 it is important to note that the major fires that occurred in an around Stellenbosch Municipality in recent history are closely associated with the natural areas. Awareness, prevention and preparedness strategies should therefore be focussed and geared to manage fire in and from these areas.

3.5 RISK ASSESSMENT FOR STELLENBOSCH MUNICIPALITY

Veld fires are listed as a risk or hazard in the Disaster Hazard, Vulnerability and Risk Assessment for Stellenbosch Municipality. The areas identified as being High Risk areas (Figure 6) coincides with the information provided in paragraph 3.4 above and depicted in Figure 5, i.e. natural, high lying areas. Other areas listed a risk areas include those associated with:

- transport routes,
- powerlines and
- informal settlements.

In terms of the above assessment all settlements within the Municipality are at medium risk with regards to fire. The northern section of Franschhoek town is within 100 meter of a high fire hazard area.

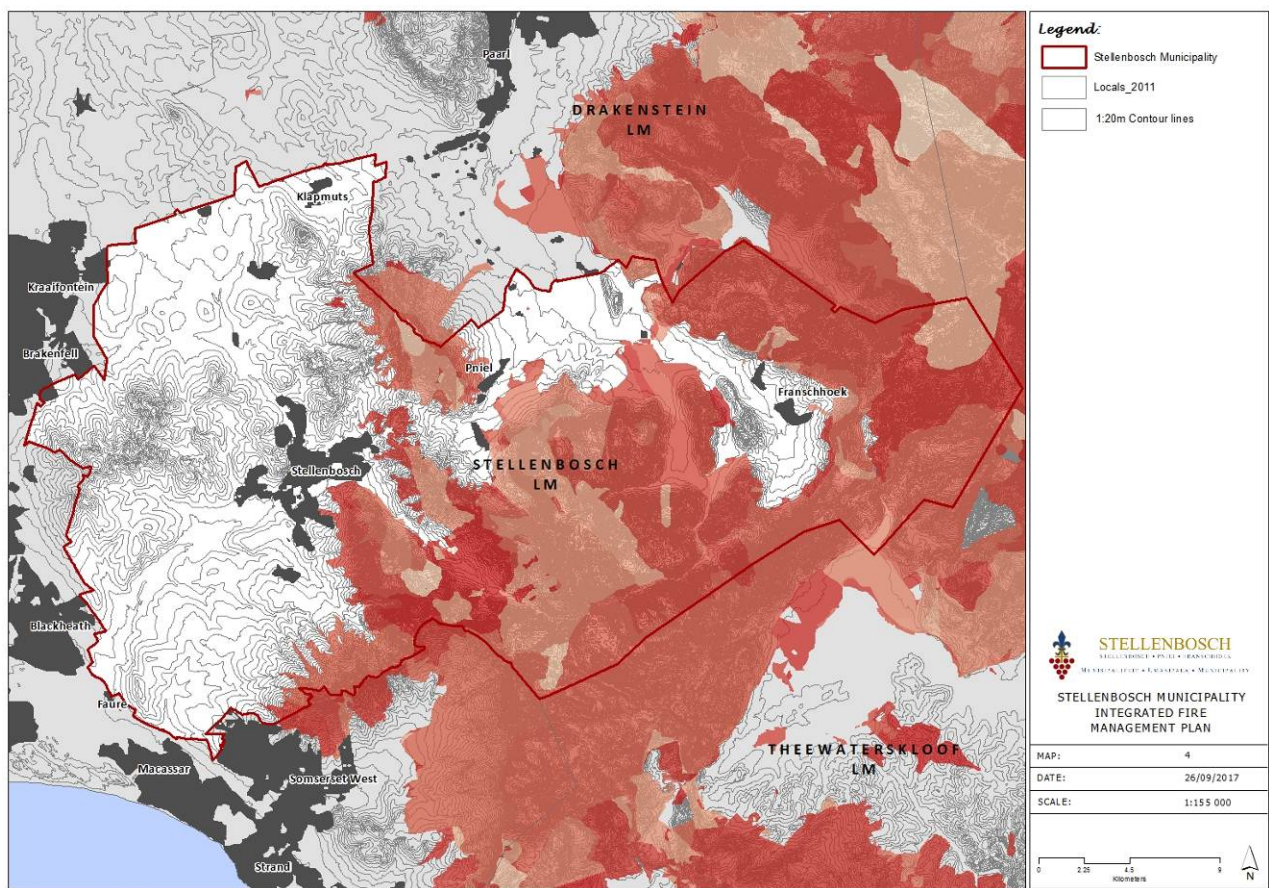


Figure 5: Veld Fire History.

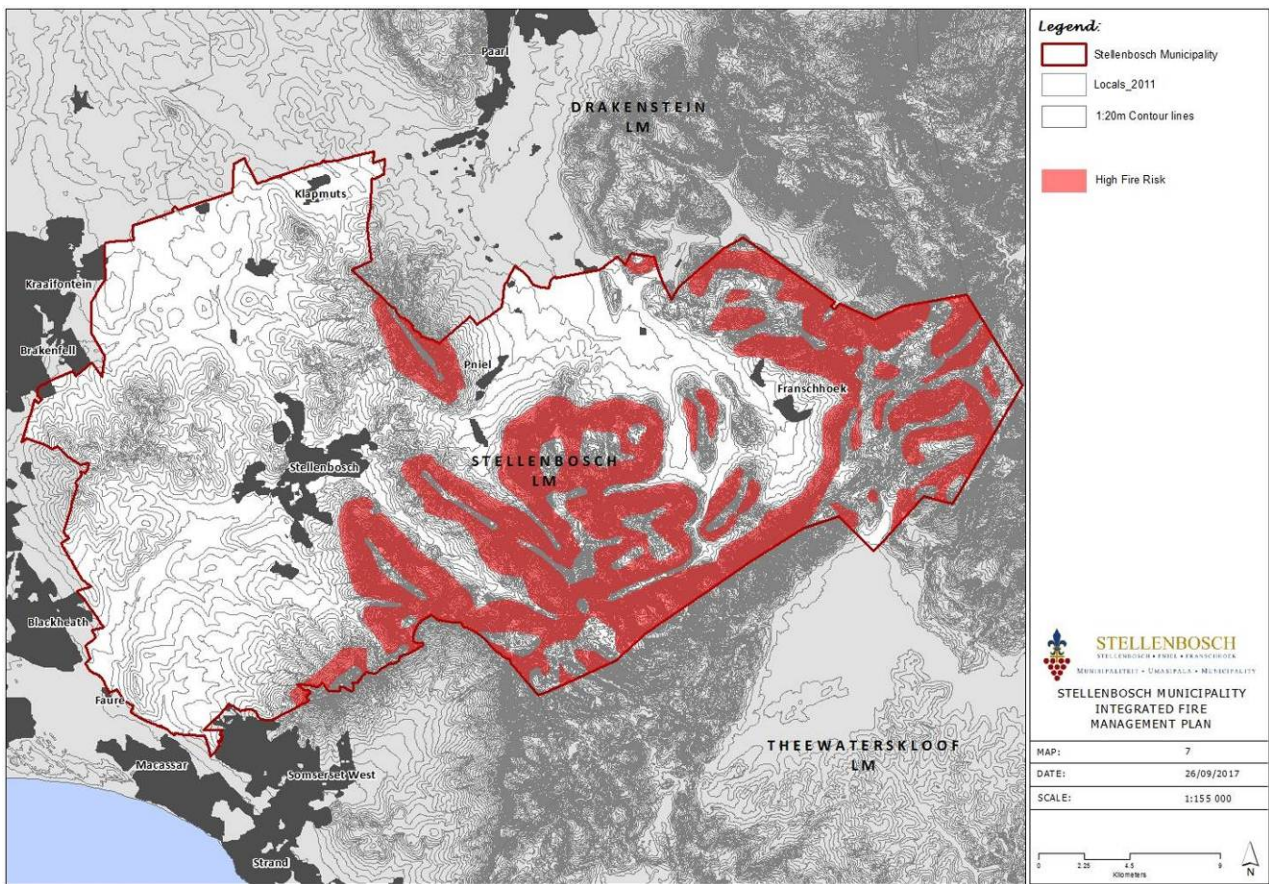


Figure 6: High Risk Areas for veld fires.

Further areas of risk to the Municipality include:

- **Sufficient funding** to administer effective alien clearing and prepare firebreaks on all municipal owned land.
- **Council liability** in terms of the National Veld Fire Act for the potential origin or spread of fire from municipal land under lease agreement.
- **Coordination** between other agencies for the implementation and maintenance of fire prevention measures on land not owned by the Municipality but identified in the Disaster Hazard, Vulnerability and Risk Assessment. These areas include vacant (municipal owned) areas, areas along transport routes, powerlines, the urban fringe, open (recreational) areas and informal settlements.
- **Old forestry areas** with limited access control used for recreational purposes.

4 LANDOWNERS AND FIRE

The National Veld Fire Act impose a number of landowner duties intended to reduce the harm from wildfires. These are:

- You may not start a wildfire (Section 18(1)).
- You may only start a fire, including a cooking or braai fire, in a designated area.
- You must have equipment available to fight wildfires (Section 17(1)).
- You must have trained personnel available to fight wildfires (Section 17(1)).
- You must have a person on the property who keeps a lookout for fires (Section 17(2)).
- You must establish a system of firebreaks (Section 12).
- You may not burn firebreaks or carry out controlled burns when the Fire Danger Index is high or the FPA has objected to such burning taking place.
- You must manage the fuel load on land under your control. This means that you must remove invasive alien vegetation from the land, as well as other vegetation that creates unwanted fuel loads.

Section 34 of the National Veld Fire Act creates a presumption of negligence in relation to wildfires. If a person bringing a civil claim against a landowner proves that he or she suffered loss, the loss was caused by a wildfire and the wildfire started on or spread from land owned by the landowner. The landowner against whom the claim is made is presumed to have acted negligently in relation to the wildfire unless the landowner proves that he or she was not negligent or the landowner is a member of an FPA in the area where the fire occurred, in which case the person bringing the claim must prove that he or she was negligent.

5 AWARENESS PROGRAMS

Communication and awareness must be focussed to be effective, and so, to be effective we need to know *WHO* we want to raise awareness with and *HOW* does one do this.

Target audiences (who) would include groups such as:

- Staff
- Neighbouring landowners
- Community
- Schools

Different types of media (how) have different needs. The most suitable types of media include:

- Print
- Television
- Radio
- Website
- Posters and notice boards
- Public Relations Consultants

The principles of a communication strategy are who is the target audience, what message will they be given and when will the message be given? There are four steps to implementing this strategy:

- Step 1:** Understand your audiences and the wildfire prevention problems that have to be addressed. Focus on the problem issues.
- Step 2:** Determine the people who can help solve the problem, as this is the target audience. Then decide what they need to know about veldfire – that's your message.
- Step 3:** Establish what newspapers or magazines your target audience read, what radio stations they listen to and what TV channels they watch – the media you need to work with.
- Step 4:** Determine the best time to deliver your message to the target audiences. And remember that wildfire messages can be linked to a number of other events such as Heritage Day (24th September). Heritage Day also coincides roughly with the beginning of the fire season on the Cape Peninsula.

A further means to communicate the risk of fire is through a Fire Danger Index. The Minister prepares and maintains a fire danger rating system for the entire country in consultation with the South African Weather Bureau and the FPAs. The Minister must communicate the rating to the fire protection associations in the region and must publish warnings when the fire danger rating is high in any region. This must be published in newspapers and television channels. When the minister has published a warning, no person may light, use or maintain a fire in the open air in the region where the fire danger is high.

The Fire Department may collate a fire danger index daily rating and to communicate such to staff and the public. A simple but effective fire danger rating can be applied within the Municipality (refer to Table 2). Fire danger ratings must be assessed weekly during the fire season. The fire danger rating system must take into account the following factors:

- (i) topography,
- (ii) type of vegetation in the area,
- (iii) seasonal climatic cycle,
- (iv) typical weather conditions,
- (v) recent weather conditions,
- (vi) current weather conditions,
- (vii) forecasted weather conditions, and
- (viii) any other relevant matter.

The fire danger rating system must show the rating in a clear format identifying what activities are dangerous and what precautions should be taken for each rating.

Table 2: Fire Danger Index.

Fire Index	Danger	Fire Conditions	Fire management preparation
	Safe		<ul style="list-style-type: none"> Basic minimum fire fighting preparedness apply
	Moderate to safe		<ul style="list-style-type: none"> Standby operational on a roster basis Proactive fire management measures undertaken as planned
	Moderate to high		<ul style="list-style-type: none"> Standby operational on a roster basis Limited/no proactive burning interventions Open fires only permitted in authorised fireplaces
	High		<ul style="list-style-type: none"> Standby operational on a roster basis Open fires only permitted in authorised fireplaces Designated management staff available for wildfire response
	Very high to extreme		<ul style="list-style-type: none"> Standby fully operational No open fires Fire response team (proto-team) working close to fire-fighting equipment Test fire-fighting equipment Deploy field staff in safe areas only

6 DIFFERENT TYPES OF FIRES

Specific terminology describes the types of fires and burning conditions. Some of these are listed below.

Table 3: Terminology to describe the types of fires and burning conditions.

Term	Description
Arson fire	An uncontrolled fire wilfully ignited by anyone to burn or spread to vegetation or property without consent of the owner or his/her agent.
Block burn	A prescribed burn in a pre-determined and specified land area.
Brush fire	A fire burning in vegetation that is predominantly shrubs, brush, and scrub growth.
Catastrophic fire	A fire that causes unrecoverable damage to property, loss of life and limb. In plantations, the area is more than 100 ha (250 acres).
Controlled fire	A fire that is subject to a line of control around a fire, any spot fire from it, and any interior island to be saved, effectively preventing any unplanned spread.
Crown fire	A fire that burns in and advances through the top leaves or the crown of trees or shrubs.

Debris burning fire	A fire spreading from any fire originally ignited to clear land or burn rubbish, garbage, crop stubble, or meadows (excluding incendiary fires).
Ecological burn	A form of prescribed burning involving the treatment of vegetation by burning it in predetermined areas to achieve specified ecological objectives.
Forest fire	A fire burning mainly in a forest and/or woodland.
Fuel reduction burn	The planned application of fire to reduce hazardous fuel quantities, and undertaken in prescribed environmental conditions within defined boundaries.
Ground fire	A fire that is burning below the surface of the ground in roots, peat, coal, decaying plant material, etc.
Human-caused fire	Any fire caused directly or indirectly by a person.
Mega fire	A wildfire or concurrent series of wildfires that is in the upper percentile of the fire regime.
Open burn	Burning of wastes in the open or in an open dump.
Out-of-control fire	A fire that has reached the intensity where no attempt is or can be made to stop the head of the fire using a direct attack. Only the flanks can be attacked.
Prescribed burn	The controlled application of fire under specified environmental conditions to a predetermined area and at the time, intensity, and rate of spread required to attain planned resource management objectives. It is undertaken in specified environmental conditions. Generally, it requires the specific authorisation of the fire management authority.
Prescribed fire	Any fire ignited by management actions to meet specific objectives. A written, approved burn plan must exist, and approving agency requirements (where applicable) must be met, prior to ignition.
Spot fire	Isolated fire started ahead of the main fire by sparks, embers or other ignited material, sometimes to a distance of several kilometres.
Structural fire	A fire originating in or burning any part or all of a building or shelter.
Surface fire	Fire that moves through combustible material located on the ground.
Uncontrolled fire	Any fire that threatens to destroy life, property, or natural resources, and (a) is not burning within the confines of firebreaks, or (b) is burning with such intensity that it could not be readily extinguished with ordinary, commonly available tools.
Veldfire	Described in the NVFFA as “a veld, forest, or mountain fire”. A vegetation fire outside the urban-rural interface; a general term to describe fire in vegetation. In this context these forms of fire are collectively referred to as “wildfires”.
Wildfire	A vegetation fire accidentally or deliberately ignited but burning out of control, including veld and forest fires.
Wildfires	A fire burning outside the urban areas, either as a prescribed burn or as a wildfire.

7 MANAGEMENT ACTIONS

The following management actions must be implemented to in an effort to increase awareness among all role-players within the Municipality as it pertains to the management of veldfires.

Table 4: Awareness – Management Actions.

Action	Responsible Department	Timeframe
Educate staff on the characteristics that makes the municipal area conducive to veld fires.	Fire Department Env. Management	Immediate & ongoing
Communicate to management the legal requirements as per the National Veld Fire Act applicable to the Municipality.	Env. Management	Immediate
Communicate to lessees renting farm- and other land from the Municipality as to their legal requirements as per the National Veld Fire Act.	Property Management	Immediate
Include fire awarens in the existing educational and awareness programs presented.	Fire Department Env. Management	Immediate & ongoing
Develop a fire danger rating system.	Fire Department Fire protection Association	Immediate & ongoing
Communicate fire danger rating to the public.	Fire Department Fire protection Association	Immediate & ongoing

SECTION B: PREVENTION AND PREPAREDNESS**SECTION SYNOPSIS**

This section describes activities to reduce or mitigate the risk or effect of veld fires. These include:

- a) Alien clearing
- b) Firebreaks
- c) Preparedness

8 STELLENBOSCH MUNICIPALITY FIRE FIGHTING CAPACTIY

Stellenbosch Municipality's fire fighting capability and responsibility vests with its Fire Department.

8.1 FACILITIESNational Veld Fire Act (101 of 1998)

In terms of section 17(1)(a) every owner on whose land a veldfire may start or burn, or from whose land it may spread must have equipment, protective clothing and trained personnel for extinguishing fires.

Occupational Health & Safety Act (85 of 1993)

This Act specifies that employees need to provide and maintain a safe working environment for their staff. In terms of section 8: 1 & 2 (a-j) every employer shall provide and maintain, as far as is reasonably practicable, a working environment that is safe and without risk to the health of its employees without derogating from the generality of an employer's duties under subsection (1), the matters to which those duties refer include in particular – the provision and maintenance of systems of work, plant and machinery that, as far as is reasonably practicable, are safe and without risks to health.

Stellenbosch Municipality has three fire stations. One is located in Stellenbosch, one in La Motte (near Franschhoek) and the third in Klapmuts (Figure 7). Cape Winelands District Municipality has a fire station located in Stellenbosch. Environmental Management, a section operating under the Directorate: Community and Protection Services, has limited fire-fighting capability with facilities and equipment situated in Stellenbosch and Franschhoek.

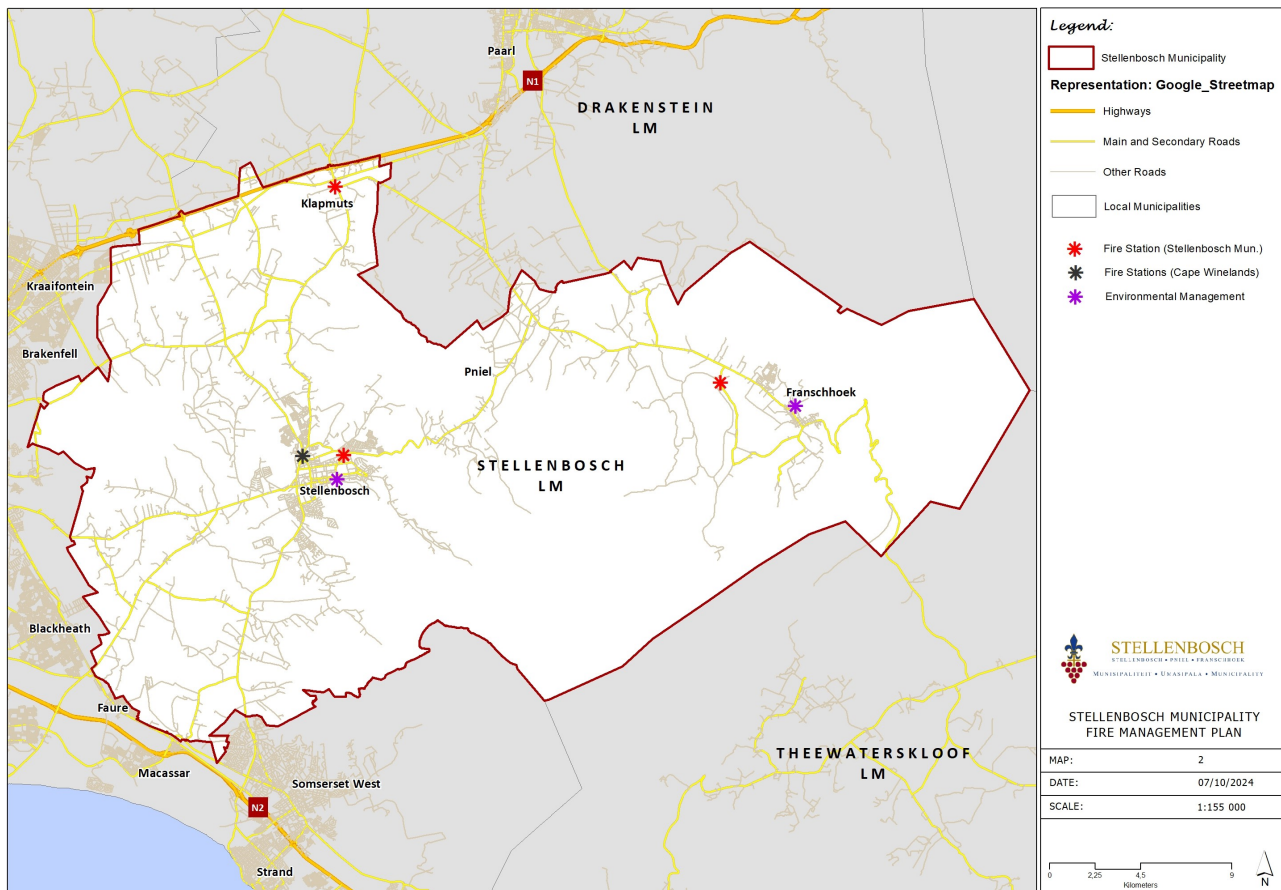


Figure 7: Stellenbosch Municipality Fire Stations and fire suppression facilities.

8.2 EQUIPMENT

The following fire fighting equipment is available to the respective departments directly involved in fire prevention and response:

8.2.1 Fire Department

Vehicles

The Fire Department has the following equipment:

- 3 x Land Cruiser rapid response units (500l tanks)
- 5 x Medium-pumpers (2500l tanks)
- 3 x Water tanker (5 000l, 6 000l and 12 000l tanks)
- 3 x Major-pumpers (3000l tanks)
- 3 x Skids

Two (2) of the medium pumpers are located at the La Motte station, one (1) major pumper in Klappmuts whilst the rest are located in Stellenbosch.

8.2.2 Environmental Management

Vehicles

Environmental Management 2 x Rapid response units (500l tanks). Both units are located in Stellenbosch.

Tools

Environmental Management has the following tools:

- 15 x *Brandplakke*
- 5 x Rake-hoes

8.3 STAFF**8.3.1 Fire Department**

The Fire Department has a total of 20 staff members available on a 24/7 basis. 12 Of these staff members are located in the Stellenbosch station, 4 in La Motte and 4 in Klipmuts.

8.3.2 Environmental Management

Environmental Management has in the order of 15 staff members that work on alien clearing and firebreak preparation. These personnel can react to fire. They are on duty during office hours (7:30 – 16:15).

Table 5: Stellenbosch Municipality fire fighting capacity.

	Staff (basis)	Vehicles	Tools
Fire Department (Stellenb)	12 (24/7)	3 x Rapid response units (500l)	
		1 x Med-pumper (2 500l)	
		1 x Water tanker (4 500l)	
		2 x Major-pumpers (3 000l)	
Fire Department (La Motte)	4 (24/7)	1 x Medium-pumpers	
		1 x Skid Unit	
Fire Department (Klipmuts)	4 (24/7)	1 x Major-pumpers (3 000l)	
Environmental Management (Stellenb)	15 (7:30-16:15)	2 x Rapid response units (500l)	15 x <i>Brandplakke</i>
			5 x Rake-hoes

Importantly, Environmental Management staff will be under the supervision and command of the Fire Department in the event that they are required and called out to assist with the control of a fire.

The Fire Department strive to manage and maintain its equipment according to SANS 10090 standards.

8.4 PREPAREDNESS

The level of preparedness during the fire season should be based on the Fire Danger Rating. However, basic preparedness levels that should be maintained throughout the fire season are:

- Vehicles to be used for firefighting must be equipped with basic veldfire response tools.
- Tools to be checked once a week and checklists signed.
- Motorised, electrical or mechanical equipment must be checked daily.
- Any defects or damage to vehicles or equipment must be reported and repaired.
- Standby crews must, at all times, be ready to depart immediately in event of a reported veldfire.

- On the alarm being given all crew must immediately proceed to the point of assembly with their respective equipment.
- Where there are radio blind-spots measures must be taken to ensure that fire crews are in contact with the Control Room.
- A standby crew should be maintained after hours throughout the fire season. When fire danger is exceptionally high crews of volunteers may also be kept on standby.

8.5 STRUCTURE, ROLES AND RESPONSIBILITIES

As stated above Stellenbosch Municipality's firefighting capability and responsibility vests with the Fire Department, with limited fire-fighting capability and support from Environmental Management. Whilst the Fire Department primary purpose is to respond to incidents, Environmental Management's role is geared towards to fuel load reduction and, therefore, the prevention of fires.



9 FUEL LOAD REDUCTION

It is important to understand the basics of fire before preparation can be made for efficient control thereof. It is essential to note that three environmental components are required for a fire to occur. These are oxygen, heat and fuel (refer to Figure 8). Whilst the atmosphere contains 21% oxygen, only 16% oxygen needs to be in the air for a fire to start. Fuel is any living or dead material that will burn. If ignition occurs in the situation or environment where all three elements are present combustion will result and a fire will continue to burn until one of the three elements are removed.

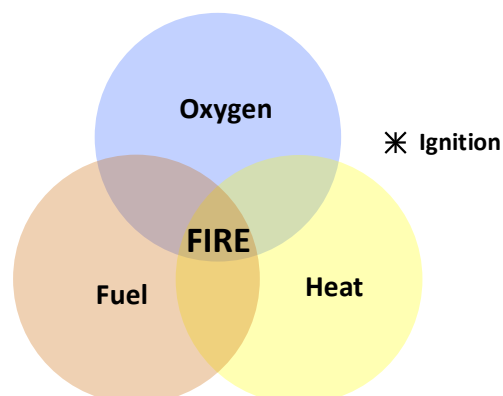


Figure 8: Basic elements of fire.

It is difficult to exclude oxygen from fires. Heat is considered a constant. However, a reduction in fuel will reduce the total energy output (refer to Figure 9). Fuel, or more specifically the amount of fuel, is the aspect that can be influenced most. It therefore becomes the most critical factor in the prevention and control of fire.

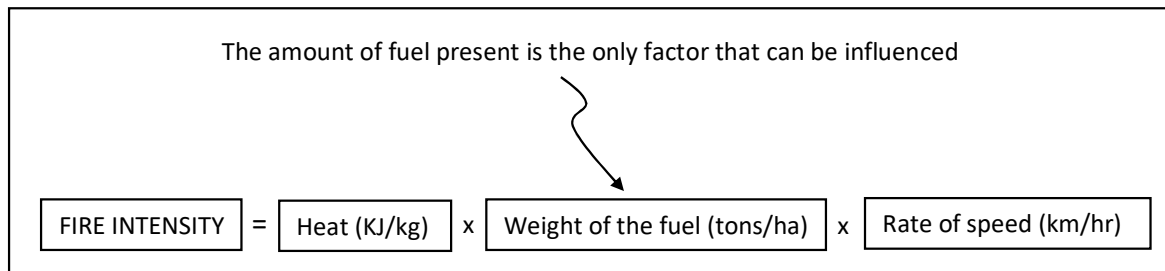


Figure 9: The factors determining the intensity of fire.

Two ways of reducing the fuel load are alien vegetation clearing or control and the establishment and maintenance of firebreaks.

9.1 ALIEN CLEARING

Invasive alien plants (IAP) are plant species that have been introduced, either intentionally or unintentionally, to South Africa. They can reproduce rapidly in their new environments and tend to out-compete indigenous plants. The result usually includes a variety of negative ecological, social, and economic impacts. Invasive alien species pose the biggest threat to biodiversity after direct habitat destruction.

Approximately 8 750 alien species have been introduced into South Africa, 161 of which are seriously invasive species, and is estimated to cover over 10 million hectares (almost 8%) of South Africa's land surface. Expectations are that the impact will double every fifteen years if they are left un-managed³. Known for its renowned fynbos biome, the Western Cape is the most severely invaded province, with the wetter catchments of the coastal mountain ranges and the broad coastal lowlands being the most effected regions. The invasion of AIPs within the fynbos biome has called for elevated levels alarm since the early decades of this century⁴. Invasive plant species such as the *Acacia saligna* (Port Jackson), *Acacia mearnsii* (Blackwattle) and *Pinus pinaster* (Cluster Pines) are found in the fynbos introduced to enhance the value of the Cape's resources, pines originated from Europe while the *Acacias* are originally from Australia. Although many of these species still support several industries, their negative impact are becoming more prominent, leading to a urgent need to protect our natural resources.

IAPs are characterised by being able to reproduce rapidly in their new environments, and this is usually due to a combination of factors, including:

- A lack of natural enemies in the new environment
- Resistance to local diseases and other plant pathogens
- Highly competitive growth and colonising strategies that provide them with a competitive edge, and an ability to out-grow local indigenous plants

IAPs can significantly alter the composition, structure and functionality of ecosystems. As a result, they degrade the productive potential of the land, intensify the damage caused by veld fires and flooding, increase soil erosion, and impact on the health of rivers and estuaries. Indigenous species may be reduced in numbers/coverage, or may be lost as a result of IAP infestations, posing a threat to South Africa's natural heritage in sensitive locations.

³ Schonegeval 2001; Versfeld, Maitre and Chapman, 1998.

⁴ Macdonals *et al.* 1985.

The National Environmental Management Biodiversity Act (10 of 2004) (NEMBA), Section 76, states that all organs of state are required to draw up an invasive and alien monitoring, control and eradication plan for the land under their control. In terms of Section 4(2)(a) of the NEMBA all municipalities are required to manage and conserve biological diversity. This includes taking steps to control and eradicate Invasive Alien Plants (IAP) in areas that they own or manage.

Conservation of Agricultural Resources Act, 43 of 1983

In terms of the amendments to the regulations under the Conservation of Agricultural Resources Act, 43 of 1983 (CARA), all declared aliens must be controlled. Landowners are legally responsible for the control of invasive alien plants on their property. In terms of the above act alien invasive plants are described to one of the following categories:

- Category 1: Prohibited and must be controlled.
- Category 2: May be grown in demarcated areas provided that there is a permit in place and steps taken to prevent spread.
- Category 3: May no longer be planted. Existing plants may be retained as long as all reasonable steps are taken to prevent spread, except within the flood line of watercourses and wetlands.

National Environmental Management: Biodiversity Act, 10 of 2004

National Environmental Management: Biodiversity Act, 10 of 2004 (NEMBA), regulates all invasive organisms in South Africa. Regulations have been published in Government Notices R.506, R.507, R.508 and R.509 of 2013 under NEMBA. According to this act and the regulations any species designated under Section 70 cannot be propagated, grown, bought or sold without a permit. Categories listed are:

- Category 1a: Invasive species requiring compulsory control. Any specimen of a Category 1a listed species must, by law, be eradicated.
- Category 1b: Invasive species requiring compulsory control as part of an invasive species control program. These species must be removed and destroyed.
- Category 2: Invasive species regulated by area. A demarcation permit is required to import, possess, grow, breed, move, sell, buy or accept as gift any plants listed as Category 2 plants. No permits will be issued for Category 2 plants to exist in riparian zones.
- Category 3: Invasive species regulated by activity. An individual plant permit is required to undertake any of the following restricted activities: import, possess, grow, breed, move, sell, buy or accept as gift. No permits will be issued for Category 3 plants to exist in riparian zones.

Aliens that are regulated in terms of CARA as weeds and invader plants are exempted from NEMBA. This implies that the provisions of the CARA in respect of listed weeds and invader plants supersede those of the NEMBA.

Stellenbosch Municipality has prepared and adopted the Stellenbosch Municipality Invasive Alien Management Plan (April, 2017 – reviewed in 2022). The purpose of this document is to respond to this obligation and to coordinate the Municipality's approach in this regard in order to reduce future IAP control costs and improve the integrity of the natural areas and ecosystems in Stellenbosch Municipality. This plan addresses invasive alien control in the nature areas owned and maintained by the municipality itself. These properties include:

- Papegaaiberg Nature Reserve
- Paradyskloof, including the areas of Stellenboschberg and Brandwacht
- Ida's Valley Dam Area

- Botmaskop
- Louwsbos Plantation (Raithby Critical Biodiversity Area)
- Jan Marais Park
- Mont Rochelle Nature Reserve
- Wemmershoek Wetland Area
- Purgatory Outspan

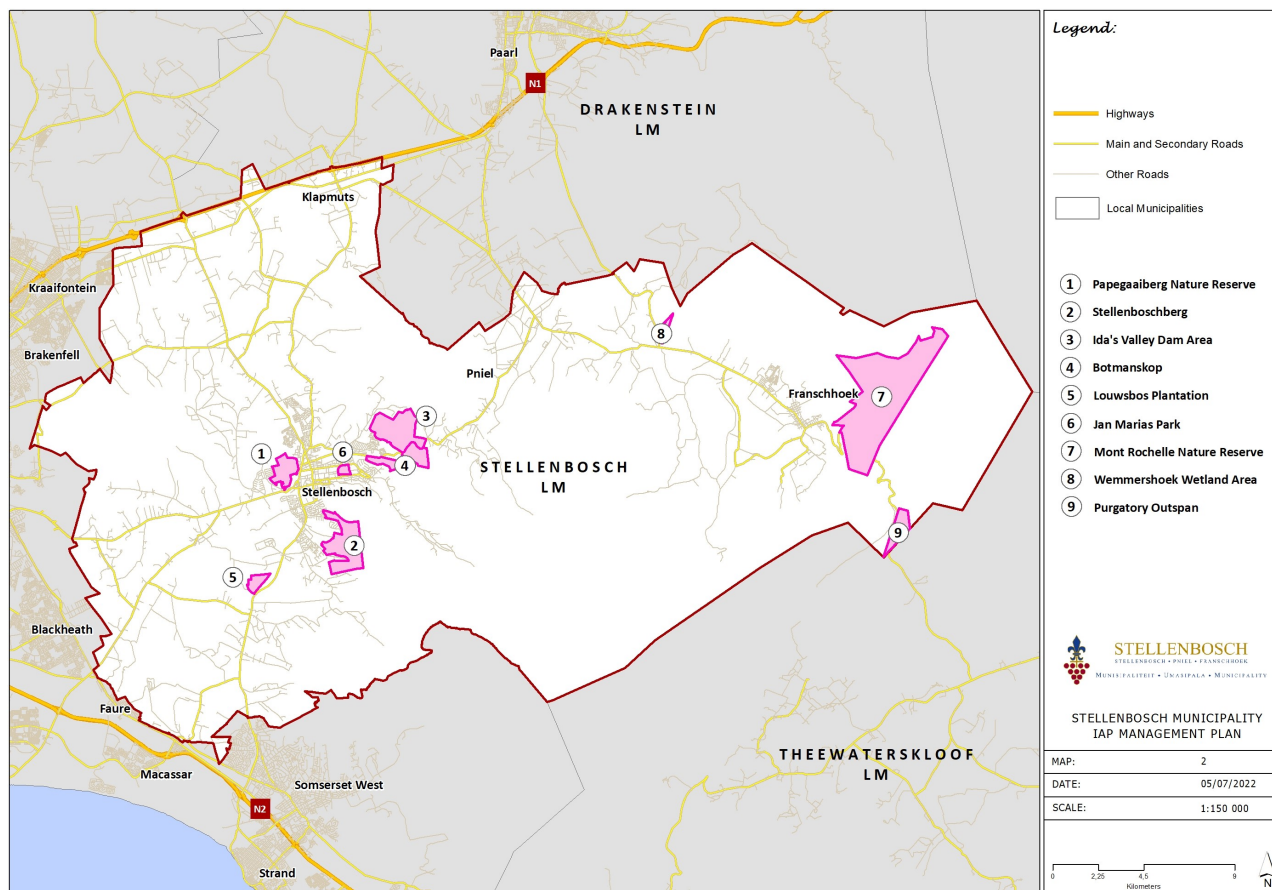


Figure 10: Stellenbosch Municipality properties that are the subject of the Stellenbosch Municipality Invasive Alien Plant Management Plan (2022).

In terms of planning, the Stellenbosch Municipality Invasive Alien Management Plan states that species and areas has to be prioritized and cleared according to their impact on natural resources and their potential for spreading to non-invaded areas⁵. Considerations in this regard include IAPs that pose a fire risk to houses or infrastructure should be targeted as a priority. Creating an effective fire break is important where woody/fire prone IAPs are located in dense stands near settlements, power lines etc.

9.2 FIREBREAKS

Fire breaks are cleared paths which will prevent the spread of fire by removing the fuel from the fire path. Section 12 of the National Veld Fire Act *stipulates that every owner on whose land a veldfire may start or burn or from whose land it may spread must prepare and maintain a firebreak on his or her boundary between his or her land and any adjoining land*. In terms of Section 13 of

⁵ Schonegevel, 2001.

the Act above a landowner is obliged to prepare and maintain a firebreak, with due regard to the weather, climate, terrain and vegetation. The firebreak must:

- be wide enough and long enough to have a reasonable chance of preventing a veldfire from spreading to or from the neighbouring land,
- not cause soil erosion, and must
- be reasonably free of inflammable material capable of carrying a veldfire across it.

In terms of Section 16 of the National Veld Fire Act the right or duty to prepare and maintain a firebreak prevails over any other prohibition in any other law on the cutting, disturbance, damage, destruction or removal of any plant or tree, except the owner must:

- where possible, transplant any plant which is protected in terms of any law; or
- where it is safe and feasible, position the firebreak so as to avoid such plant or tree.

A fire break is a means of access for personnel and equipment, to serve as a control line and to serve as a line from where a fire can be attacked from, for example by setting a backburn. The firebreaks are to be linked to access roads, thereby reducing the areas requiring preparation and increasing accessibility to the various sites.

9.2.1 Location

The provisions of the National Veld and Forest Fire Act that specify in Section 12(1) that a firebreak must be prepared on the boundary of the property. Preparation of firebreaks must be done annually between September and November. Firebreaks need to be well positioned and regularly maintained to be effective. Specific considerations with respect to firebreak preparation and maintenance are:

Ecological considerations:

- Avoid known populations of rare and endangered plants.
- Align firebreaks to avoid sensitive habitats such as wetlands.
- Firebreaks should not be aligned along ridges which are favourable habitats of rare and endangered plants.
- The firebreak must not cause erosion.
- Extensive use of brush-cut breaks because the preparation of breaks by burning is a hazardous operation that has often been the source of wildfire.

Planning considerations:

- A decision as to what firebreaks to maintain in any particular year should be taken in the early autumn of each year.
- Information on the spatial distribution of fire hazard should be used in prioritising the preparation and maintenance of firebreaks.
- Maintain costs at a reasonable level without jeopardizing good veldfire management and protection.
- Placement of firebreaks on a slope must be determined by access to the break and by topography.

Design considerations:

- Advantage of preparing brush cut breaks is that unlike rotation of firebreaks of the past, a single break, typically 15m wide, will be maintained in a permanent position.

- 15m width for firebreaks should be used as a guide and in circumstances of high-risk consideration should be given to creating wider firebreaks.
- Breaks should have significantly reduced fuel loads, and the height of vegetation within the break must be kept as low as possible.
- Waste material from firebreak preparation must be disposed of into the veld on the municipality's side of the firebreak.
- Use existing features of the landscape where possible, such as cliffs, sand dunes, tracks and roads as control lines.

9.2.2 Preparation and Maintenance

Locations where firebreaks are required vary. Individual circumstances will determine what type, width and length will be applicable. When constructing firebreaks it is important that all vegetation cover is removed and that only rocks and soil (minerals) are exposed. A fire can travel very slowly through the grass roots or decayed vegetation and great care must be taken to ensure that mineral earth is exposed throughout the length and width of the break.

The following factors must be taken into account with the construction of firebreaks.

- Access: The placement of firebreaks on a slope must be determined by access to the break.
- Slope: Slope is the steepness of the land and has the greatest influence on fire behaviour. The steepness of the slope affects both the rate and direction of the fire spread. Fires usually move faster uphill than downhill and the steeper the slope, the faster the fire will move. This is because:
 - on the uphill side, the flames are closer to the fuel;
 - the fuels become drier and ignite more quickly than if on the level ground;
 - wind currents are normally uphill and this tends to push heat flames into new fuels;
 - convected heat rises along the slope causes a draft which further increases the rate of spread; and
 - burning embers and chunks of fuel may roll downhill into unburned fuels, increasing spread and starting new fires.
- Aspect: Aspect is the direction the land faces - north, south, east or west. The aspect of a slope influences a fire's behaviour in several ways:
 - southern aspects receive more direct heat from the sun, drying both the soil and the vegetation;
 - fuels are usually drier and less dense on southern slopes than fuels on northern slopes;
 - heating by the sun also causes earlier and stronger slope winds; and
 - on south-facing slopes, there will normally be higher temperatures, stronger winds, lower humidity and lower fuel moistures.

These are all the conditions needed for quick starts and a rapid rate of fire spread.

- Terrain: *Terrain* or special land features may control wind flow in a relatively large area. Wind flows like water in a stream and will try to follow the path of least resistance. Ridges, trees, and rocks may alter wind flow and cause turbulence or eddies to form on the windward side of obstructions. Also, when wind flows through a restriction, such as a narrow canyon, it increases in strength. Wind movement can be critical in chutes or steep v-drainages. These terrain features create a chimney effect, causing a forced draft, as in a stove chimney. Fires in these chutes or drainages spread quickly and are dangerous.

- Elevation.
- Vegetation type and moisture content.
- Size and shape of material.
- Volume and area covered.
- Fuel content (breaks alignment should avoid heavy fuel concentrations and be situated in areas with the lightest fuels loads possible).
- Wind direction (internal belts should as far a possible run parallel with the prevailing winds).
- Spotting distance.
- Firebreaks should be anchored, iether to a natural barrier, road or another firebreak.
- Natural or existing barriers like roads, paths, streams, lakes, vleis, rivers, rock outcrops, or any other break in fuel should be utilise as far as possible.

There are four methods of preparing a firebreak and proper consideration should be given to each before commencing the preparation of a firebreak.

1. **Manual:** Preparing a firebreak manually involves the utilisation of a team of workers working in a planned manner using manual tools.
2. **Burning:** After deciding where the belt is to go, an adequate tracer is cut around the entire belt, and then the belt itself is burnt. This is the most common form of preparing a firebreak.
3. **Ploughing/brush-cutting:** Ploughing/brush-cutting with a tractor is a common method of constructing breaks where the vegetation is low or has been previously removed. The positive thing with brush-cutting is that the roots are not destroyed and this will assist in reducing erosion on these breaks. Bushcut material should be removed two months after cutting, and mulched at a organic dump.
4. **Application of herbicide:** With this method herbicide is used to kill off all the plant growth in the firebreak. The indiscriminate use of herbicides can cause long-term environmental damage.

Winelands Firebreak Guidelines:

Land Type	Prescribed Width (meters)	Recommended method
Stubble Land / Fallow Land	2m	Cultivate (Crop)
Fynbos / Natural Veld	Width – 2.5 x height (min. 5m)	Crop / <u>Brusch</u> Cut / Hoeing on slopes less than 30° only
Road Verge	3m On either side	Crop / Brush Cut/ Hoe / Burn
Alien infestation	Width – 2.5 x height (min. 5m)	Crop / Brush Cut/ Hoe
Labor Cottages / Farm Infrastructure / Homesteads	10m	Crop / Brush Cut/ Hoe

9.2.3 Stellenbosch Municipality Firebreaks

Stellenbosch Municipality maintain a system of firebreaks in accordance with the provisions of the Veld Fire Act. The current positions of the firebreak network in and around municipal property are depicted in the figures below. The majority of these firebreaks have been maintained from October 2017. The firebreaks across the above 9 areas are depicted in Figures 12-16 below.

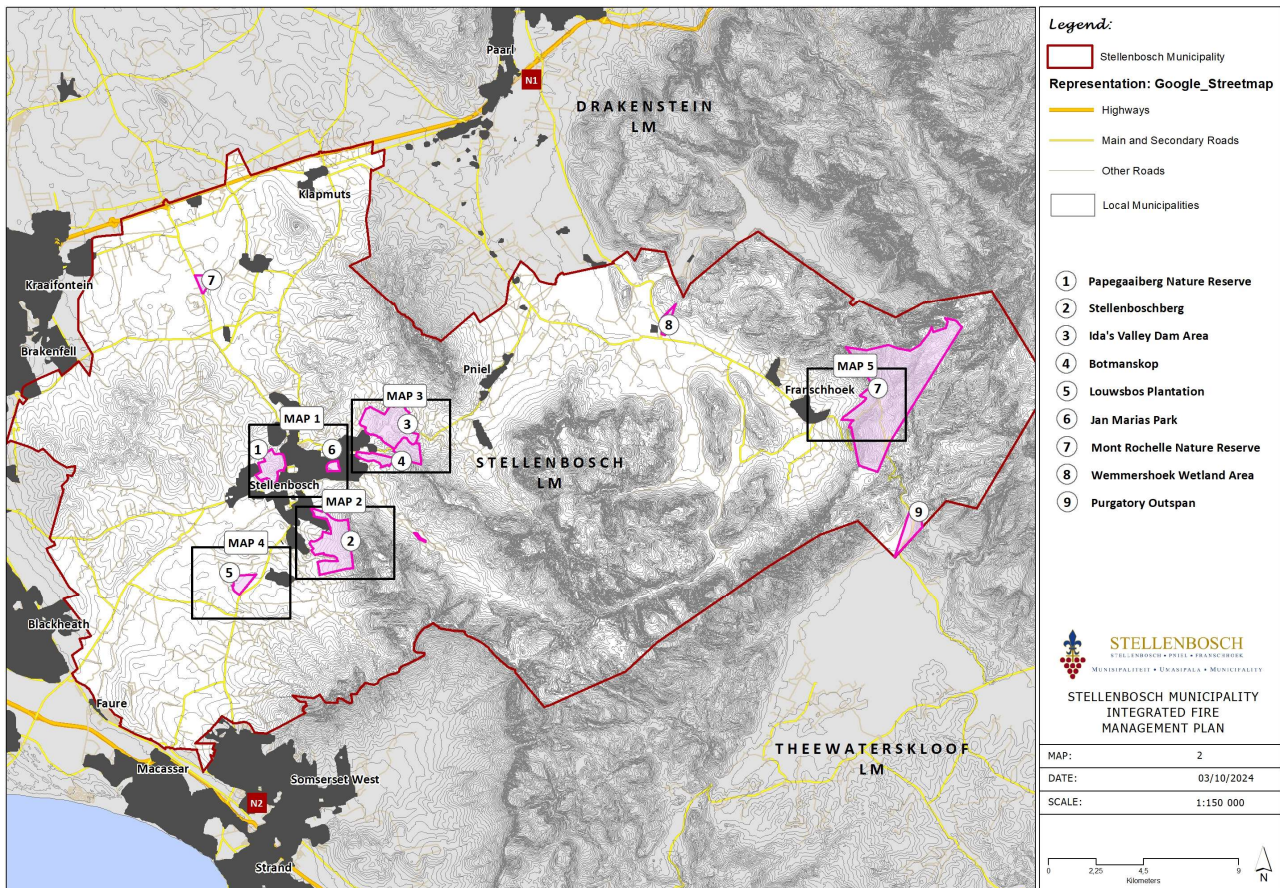


Figure 11: Firebreaks in and around Stellenbosch Municipal property.

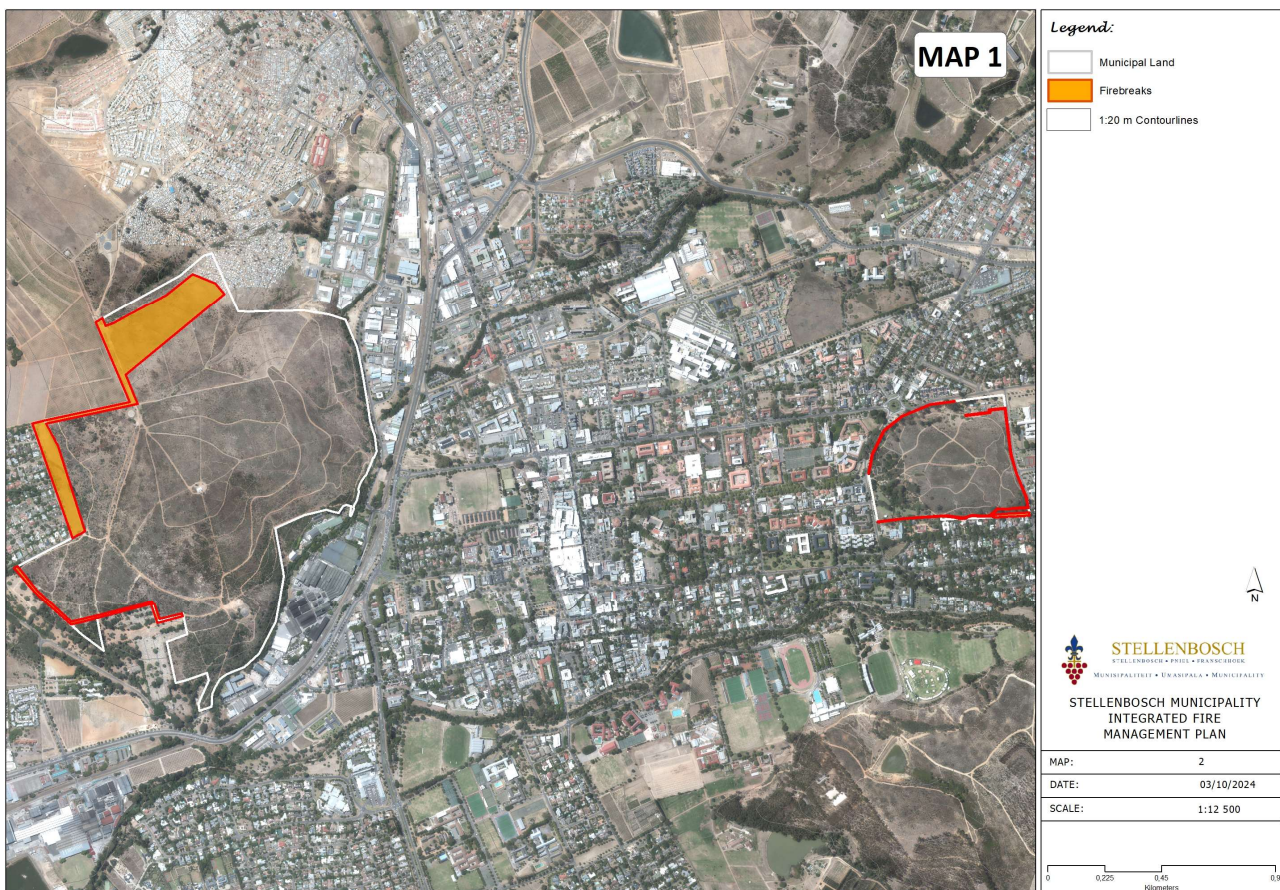


Figure 12: Firebreaks – Jan Marais Park / Papegaaiberg.

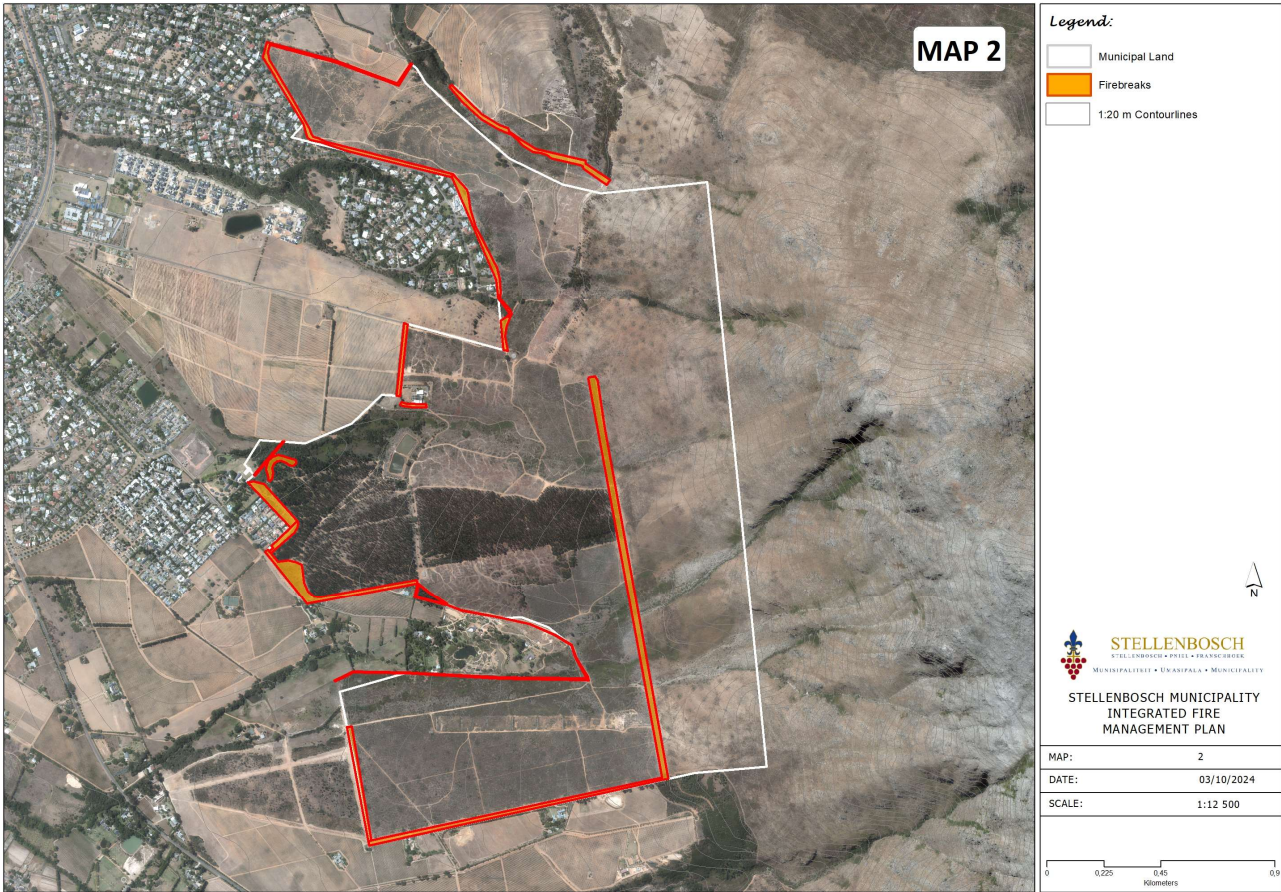


Figure 13: Firebreaks – Paradyskloof / Brandwag.

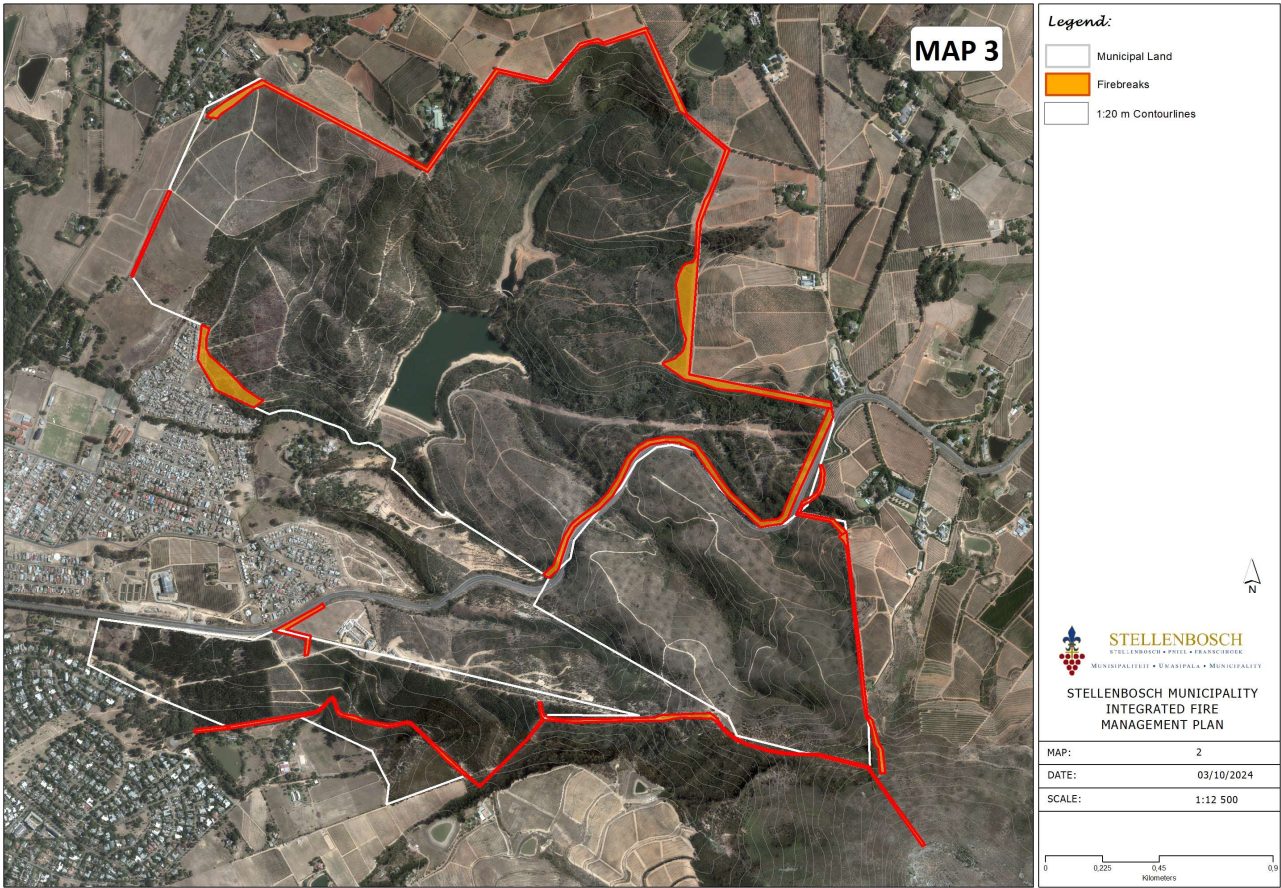


Figure 14: Firebreaks – Idas Valley Dam / Botmaskop.

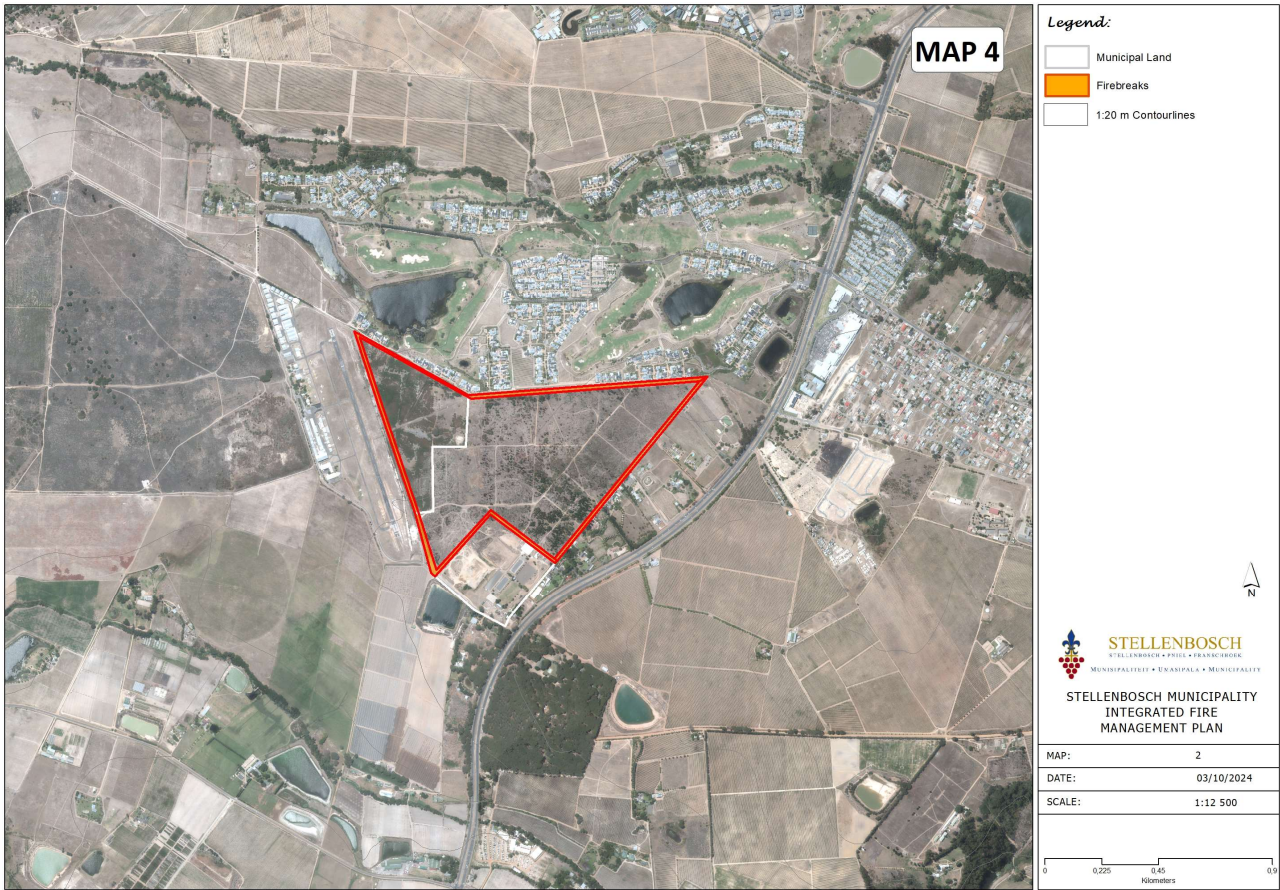


Figure 15: Firebreaks – Louw’s Bos.

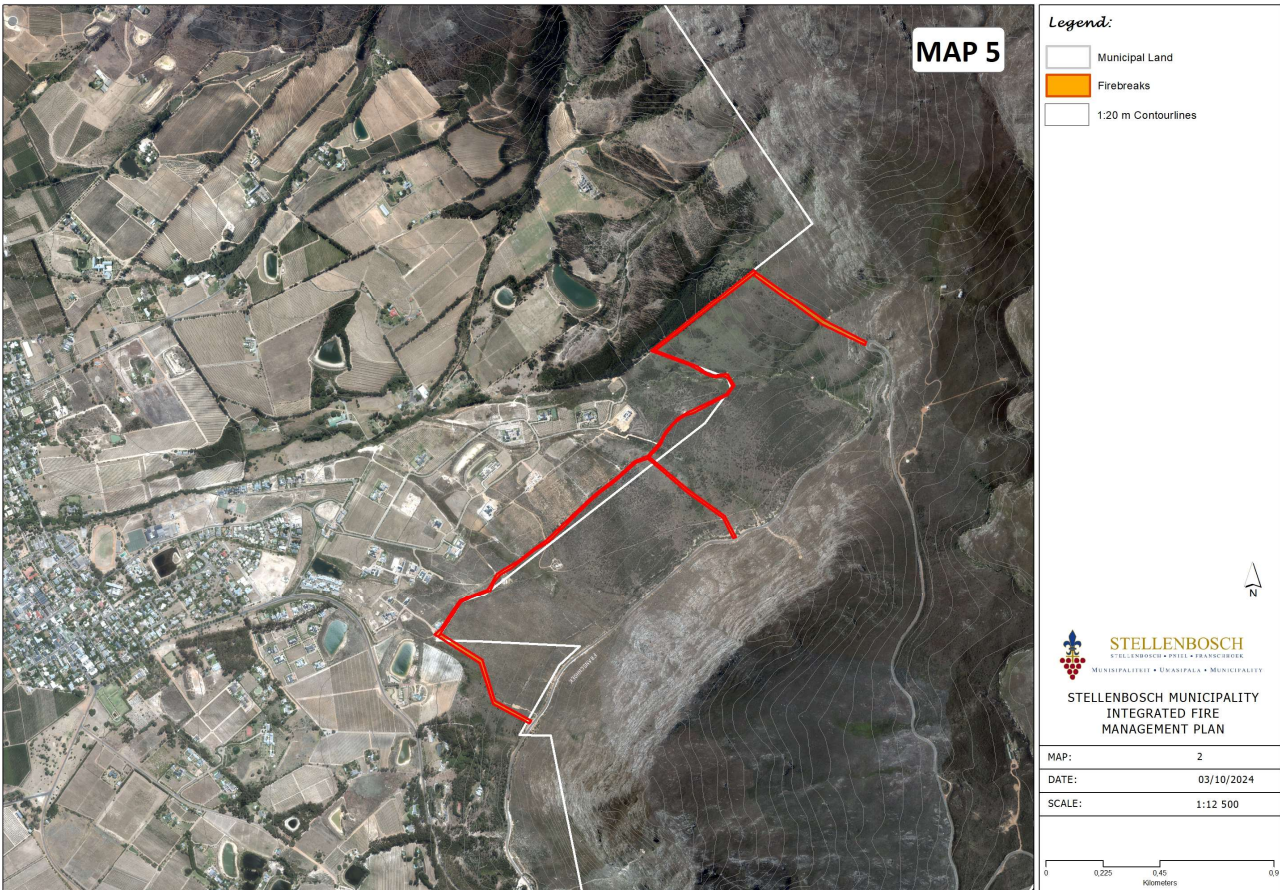


Figure 16: Firebreaks – Mont Rochelle.

9.3 PRESCRIBED BURNING / STACK BURNING

Prescribed burning, or ecological burning, may be considered and implemented as a option to address fuel loads on identified municipal land. In addition, stack-burning, following alien clearing efforts, may be implemented where chipping is deemed not feasible. Both prescribed burning aswell as stack burning must be done in consultation with, and the approval of, the FPA.

10 ACCESS MAINTENANCE

Roads must be inspected regularly to:

- Remove obstacles such as fallen trees.
- Make sure roads can accommodate fire tenders.
- Key locks on access gates alike and ensure that vehicles carry tools (e.g. bolt cutters and saws).

It is important to make sure than access to municipal land allows for fire brigade vehicle (trucks 4m high, 8m long and 3.5m wide) access. This includes:

- Roads being minimum 4m in width.
- Planned 10m wide road sections where 90° turns are required.
- 4.5m Height clearance.
- Person / contacts available to unlock gates and disable electric fences.

11 MANAGEMENT ACTIONS

Table 6: Prevention & Preparedness – Management Actions.

Action	Responsible Department	Timeframe
Renew the Municipality's membership to the FPA	Env. Management	Annually
Maintain fire fighting equipment in good working condition and in accordance with SANS 10090 standards.	Fire Department Env. Management	Immediate & ongoing
Control and remove invasive alien vegetation from municipal land.	Env. Management	Immediate
Maintain firebreaks around municipal land.	Env. Management	Sep-Nov annually
Maintain firebreaks around areas of high risk as identified in the Disaster Management Plan.	Env. Management	Sep-Nov annually
Maintain access roads to nature reserves / nature areas.	Env. Management	Immediate & ongoing
Training to be provided for all personnel required to respond to fire.	Fire Department Env. Management	Annually

SECTION C: RESPONSE**SECTION SYNOPSIS**

This section describes the response to fires within Stellenbosch Municipality as well as the actions following such an incident.

All fires start small, thus, detection at the earliest possible stage is critical and is therefore also regarded as being as important a part of preparedness as it is for ensuring an appropriate response.

12 FIRE DETECTION

The Fire Department will have to rely on its staff members and the public for fire detection. Emergency telephone numbers must be boldly displayed in strategic positions across the Municipality.

13 FIRE SUPPRESSION**13.1 FIRE FIGHTING SAFETY RULES**

Along with fire prevention the safety of all personnel during fire fighting operations is the most important component of fire management. The most important rules in this regard are the following:

- Keep informed of fire weather conditions and forecasts
- Know what your veldfire is doing at all times
- Base all actions on the current and expected veldfire behaviour
- Plan and make known escape routes for everyone on the ground and in the air
- Post a lookout for danger and safety aspects
- Be alert, keep calm, think clearly, make clear decisions and act decisively
- Maintain prompt communications with the Fire Boss, Sector Bosses, crew leaders and fire fighters under your control
- Give clear instructions and have them repeated to ensure that they are understood
- Maintain control of your men and fire fighting operations
- Fight fires aggressively but put the safety of fire fighters first

13.2 COMMAND STRUCTURE

Regardless of the size of the veldfire, certain basic management actions are required to establish rapid and efficient control, and minimise risk, damage and costs. To meet this requirement, it is essential to set up positive and clear lines of authority quickly, and launch a dependable and rapid response to instructions.

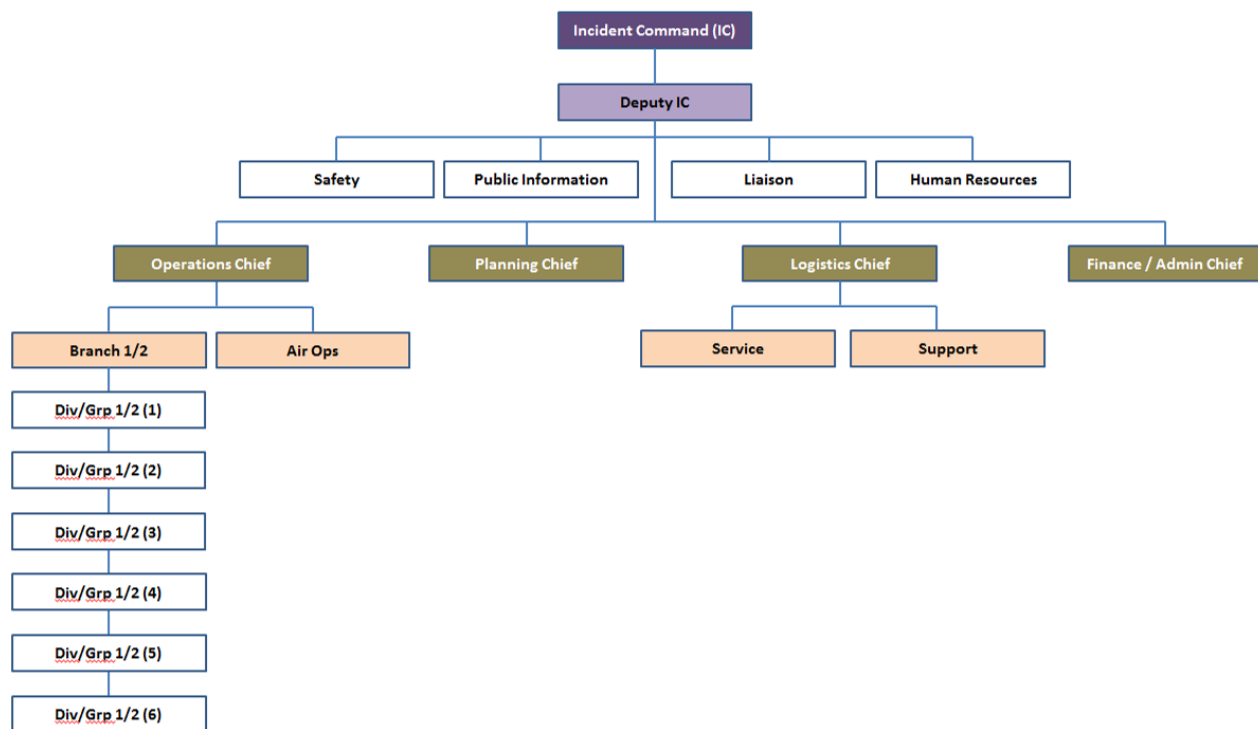


Figure 17: Basic command structure for fire suppression.

Table 7: Roles and responsibilities of the various personnel in the command structure

Position	Responsibility
Incident Commander	Assumes overall control of a fire
Fire Boss	In control of fire fighters equipment within a specific sector or flank of a veldfire. In the case of small veldfires it could be the Crew Leader at initial response, but who would be replaced if a veldfire increased in size or severity.
Crew Leader	In control of a fire control crew that could consist of a team of beaters, a tanker crew or a mopping-up crew. The Crew Leader serves as supervisor on the actual fire line, and is responsible for suppression of the veldfire on a particular line.
Logistics Section Chief	Generally positioned on larger veldfires, the Logistics Officer is Responsible for ensuring that the supply of equipment and other resources (including rations) arrive on site, on time.
Planning Section Chief	Uses weather, terrain, veld age and other parameters to develop plans of attack; propose future control lines, and estimate potential veldfire size.
Operations Section Chief	Responsible for all suppression activities at a large fire and reports to the Incident Commander.
Air Attack Boss	Responsible for the tactical operations of all aircraft assigned to a veldfire including their logistical support.

13.3 PROCEDURES TO BE UNDERTAKEN IN THE EVENT OF A FIRE

The following procedures has to be undertaken in the event of a fire:

- The person who has discovered the fire must immediately report the fire to the Fire Department.
- The following information must be transferred to the relevant authority.
 - Name of the caller

- Location of the fire
 - Type of fire
 - Seriousness of fire
 - Injuries or casualties
- c. Raise the fire alarm by activating the fire alarm siren. If the fire is during the day, the telephone operator must notify key personnel.
 - d. Rapid deployment of fire fighting resources within the structure of pre-planned Emergency Procedures.
 - e. Shut off all air and power (fuel supplies).
 - f. Depending on where the fire is, evacuate building or premise immediately.
 - g. Emergency medical resources should be placed on standby.

14 VELDFIRE BEHAVIOUR

Personnel must exercise extreme caution when:

- working downwind of a veldfire
- working up-slope of a veldfire
- fighting a veldfire on a slope
- working near heavy fuels, or where there is un-burnt fuel between you and the veldfire
- terrain or vegetation impedes travel

The behaviour of a veldfire is governed by fuel, topography and weather. Small variations in any of these factors can lead to significant changes in veldfire behaviour.

14.1 FUELS

Knowledge of fuels is fundamental to understanding veldfire behaviour. The important elements are:

- Fuel type (e.g. grasslands, fynbos, plantations)
- Fuel quantity – Increases in the amount of fuel influences:
 - Rate of spread
 - Rate of energy release
 - Flame lengths
- Fuel moisture content – The moisture content of fuels affects:
 - Ease of combustion
 - Combustion rates
 - Rate of spread
 - Radiation efficiency of flames
 - Probability of spotting

14.2 WEATHER

Weather factors that have a major influence on veldfire behaviour include temperature, relative humidity, wind speed and wind direction. Weather and veldfire behaviour in general:

- Strong and gusty, hot, dry winds generally precede a cold front. Such conditions favour the spread of veldfires.
- Under unstable atmospheric conditions:
 - Veldfires will develop strong convection columns

- Longer spotting distances may occur
- Winds tend to be gusty which make veldfire behaviour erratic
- Thunderstorms may develop and the resultant lightning could start more veldfires

14.3 PREDICTION

The ability to predict veldfire behaviour is vital in the planning of wildfire suppression, and the application of prescribed burning.

Veldfire behaviour (in general):

- Spread faster uphill than downhill
- Spread with the wind rather than against it
- Spread faster where the vegetation contains quantities of dead plant material
- Spread faster in fine fuels
- Spread faster where the vegetation canopy is intertwined
- Doubling the fuel load will double the rate of spread, resulting in the intensity of the veldfire increasing fourfold.
- Halving the fuel load will decrease the rate of spread fourfold.

15 POST FIRE RECOVERY

15.1 CHECKLIST FOR ACTIONS TO BE TAKEN IMMEDIATELY AFTER VELD FIRES

There are a number of procedures that need to be adhered to after a prescribed or wildfire has been extinguished. The following procedures should take place as quickly as possible after the end of a fire:

- After a fire has been brought under control, patrolling and inspections should continue until the Fire Boss is satisfied that the fire has been extinguished. Veldfires are only really considered to be “under control” once they are extinguished.
- The extent of a veldfire should be mapped and a Fire Report completed.
- During the patrolling phase, hazardous situations where a fire could most likely reignite should be identified.
- The frequency of patrolling the perimeter should be decided by the Fire Boss, and could decrease over time. Weather forecasts should be obtained and carefully studied.
- Once a fire has been extinguished, all equipment should be returned to the correct storage facilities and inspected.
- All infrastructure within the perimeter of the fire should be inspected for damage and reported/repaired if necessary.
- Restrict public access to the recently burnt areas if dangerous or ecologically sensitive.

15.2 CHECKLIST FOR ACTIONS THREE MONTHS AFTER VELDFIRES

- The secondary effects of removal of vegetation by intense fires can pose a danger to people, infrastructure and vegetation situated down slope, and include:
 - increased danger of rock and mudslides
 - blocked storm water drains
 - loose sand on roads, and
 - increased erosion

- The burnt area should be inspected and assessed in terms of these effects and contingency plans made to deal with these issues, if necessary.
- After all major fires a formal debriefing should be held involving all relevant agencies. At this debriefing, the cause of the fire should be identified and the discussion should focus on the cooperation of all relevant agencies in the extinguishing of the fire.
- Post-fire issues need to be addressed through checking and corrective action, and through a management review. This regular review will ensure that the management plan remains relevant and appropriate to changing conditions and experience.

Wildfires are often a source of opportunity, the fire managers need to be aware of the following:

- The occurrence of a wildfire often stimulates the flowering of geophytes and represents a significant opportunity to raise awareness amongst the public of the role and importance of fire in the ecology of the area.
- Wildfires could result in the removal of large stands of dense alien plants, but equally this could stimulate mass germination of a large number of seedlings.
- Many plant species flower only within the first year or two after a veldfire. These post-fire blooms represent rare opportunities to expand knowledge on the occurrence and distribution of such plant species.
- The occurrence of veldfires also offers the opportunity for initiating research investigations to increase the understanding of the role of veldfires in the dynamics and conservation of the area's ecosystem.

15.3 VELDFIRE REPORTING

It is essential that during any fire, an accurate chronological record of the fire, weather and actions be maintained. This will ensure that the Municipality has a record of the deployment of the resources, it facilitates debriefing and can be of major importance in the event of legal action after a fire.

EMERGENCY CONTACT NUMBERS

Emergency Centre - Control Room
021 808 8888

Head: Disaster Management
082 050 4834

Chief: Fire and Disaster
071 443 7337

7.2	SPORTS, YOUTH AND CULTURE: [PC: CLLR J FASSER]
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NONE

7.3	CORPORATE SERVICES: (PC: CLLR L NKAMISA)
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7.3.1	RETURN ITEM: RENEWAL OF LEASE AGREEMENT APPLICATION: USE OF COUNCIL-OWNED LAND FOR TELECOMMUNICATIONS BASE STATION ON A PORTION OF ERF 6847 STELLENBOSCH (CLOETESVILLE POOL)
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

21 November 2024

- 1. SUBJECT: RETURN ITEM: RENEWAL OF LEASE AGREEMENT APPLICATION: USE OF COUNCIL-OWNED LAND FOR TELECOMMUNICATIONS BASE STATION ON A PORTION OF ERF 6847 STELLENBOSCH (CLOETESVILLE POOL)**

2. PURPOSE

To provide feedback to the Executive Mayoral Committee after the public participation process was followed after the in-principle decision to lease of a portion of Council-owned land for an existing Telecommunications Base Station to Helios Towers (previously leased by Eagle Towers).

3. DELEGATED AUTHORITY

In terms of the approved System of Delegations the Executive Mayor, in consultation with the Executive Mayoral Committee, has the delegated authority to consider applications for Lease agreements, up to a contract value not exceeding R5M and not exceeding a period of 10 years.

4. EXECUTIVE SUMMARY

A lease agreement was entered into between the Municipality and Eagle Towers on 15 June 2018 for a period of 9 years 11 months where the initial period will be 5 years with the option to renew for a further 4 years and 11 months. The lease agreement pertains to a portion of Erf 6847 Stellenbosch, also known as Cloetesville pool. This lease agreement was ceded over to Helios Towers by Eagle Towers and the lease is up for renewal as from July 2023 for a further period of 4 years and 11 months. The property Management Department was informed about the cession agreement between Eagle Towers and Helios Towers during May 2020. Helios Towers has brought an application for the extension of the lease of municipal land, and they have also provided a lease agreement subject to the approval of Council.

The matter was before the Executive Mayoral Committee on 24 July 2024 where the application was approved in principle. It was further resolved that the municipality follows a public participation process and obtain a valuation report whereafter the matter should be brought back to the Executive Mayoral Committee for a final decision.

An Official Notice was published in Die Burger on 10 September 2024 and no comments were received from the public. A valuation report was obtained that indicates that the market related rental for this portion of land is R9 850.00 (excluding VAT) per month.

5. RECOMMENDATIONS

- (a) that the Executive Mayoral Committee takes note of the Official Notice that was published and that no comments were received;
- (b) that the Executive Mayoral Committee approves the application for lease for a period of 4 years and 11 months;
- (c) that the monthly rental be set at R9 850.00 (excluding VAT) as per the valuation report received; and
- (d) that the rental escalates with 6% per annum from 1 July 2025.

6. DISCUSSION / CONTENT

6.1 Background

6.1.1 Erf 6847, Stellenbosch

This property is also known as the Cloetesville Pool and it has a previous lease agreement in place for the existing Telecommunications Base Station. The ownerships of this property vests in the Municipality.

6.1.2 Application from Helios Towers (Pty) Ltd to lease a portion of Erf 6847, Stellenbosch

Helios Towers applied for a lease agreement for the existing telecommunications tower on Erf 6847, Stellenbosch. The previous lease agreement was originally with Eagle Towers however same was ceded to Helios Towers.

6.1.3 Official Notice and Valuation Report

Following the in-principle decision an Official Notice was published in Die Burger on 10 September 2024 calling on the public to provide comments, objections or alternative proposals. A copy of the Official Notice is attached hereto as **APPENDIX 1**. The closing dates for these comments was 4 October 2024 and no comments were received.

A valuator was also appointed to provide a valuation report, which is attached hereto as **APPENDIX 2**. The valuation report indicates that a market related rental is R9 850.00 (excluding VAT) per month.

6.2 DISCUSSION

6.2.1 Location and context



Fig 1: Location and context



Fig 2: The site

6.2 Legal requirements

6.2.1 Municipal Asset Transfer Regulations

In terms of Section 36 of the Municipal Asset Transfer Regulation, when considering an application for an approval of a right to use municipal property, the following needs to be taken into account, *inter alia*-:

- a) whether the capital asset may **be required for the municipality's own use** during the period for which the right is to be granted;
- b) the extend to which any compensation to be received for the right, together with the estimated value of improvements or enhancements to the asset, will result in a significant financial benefit to the municipality;
- c) the (possible) risks and rewards associated with the use in relation to the municipality's interests;
- d) Any comments received from the local community, and
- e) Compliance with the legislative regime applicable to the proposed granting of the right.

6.2.2 Property Management Policy

In terms of paragraph 9.2.2 of the Policy, the Municipal Council may dispense with the prescribed, competitive process, and may enter into a private treaty agreement through any convenient process, which may include direct negotiations, but only in specific circumstances, and only after having advertised Council's intention so to act. One of the circumstances listed in (h) is where encroachment applications are received from adjoining owners, subject to approved tariff structure.

6.3 Financial implications

Based on the valuation report a monthly rental of R9 850.00 (excluding VAT) should be charged. A yearly escalation of 6% is recommended.

6.4 Legal Implications

The legal implications are discussed above. As the proposed term of the lease agreement is 4 years 11 months and the value of the leased property is taken into account the asset transfer regulations are not applicable as it is not seen as long term rights on council property that are being given.

6.5 Staff Implications

No additional staff implications.

6.6 Previous / Relevant Council Resolutions**EXECUTIVE MAYORAL COMMITTEE: 2024-07-24: ITEM 7.3.2****RESOLVED**

- a) That Erf 6847 Stellenbosch be identified as land not needed to provide basic municipal services;
- b) That the application of Helios Towers to lease the existing Telecommunication base station for the additional period of 4 years 11 months from be approved in principle, subject to Council advertising the intention for public input and comment after which it be returned to Council for a final decision;
- c) That the applicant continues to pay the current rent as per the ceded agreement for the current structure until a new agreement has been signed; and
- d) That a market related rental be determined by a valuator prior to the item be returned to Council.

6.7 Risk Implications

The risks are addressed in the item.

6.8 Comments from Senior Management

The item was not circulated as it is a return item.

6.8.1 Municipal Manager

Supports the recommendations

ANNEXURES: **Appendix 1: Official Notice**
 Appendix 2: Valuation Report

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>25/10/2024</i>

APPENDIX 1



OFFICIAL NOTICE

PROPOSED EXTENSION OF LEASE AGREEMENT: HELIOS TOWERS: PORTION OF ERF 6847 STELLENBOSCH

Helios Towers has brought an application for the extension of an existing lease agreement for an existing telecommunications tower on a portion of Erf 6847 Stellenbosch situated at Cloetesville Pool. The application is for the renewal of the agreement for a period of four years and 11 months.

The Executive Mayor in consultation with the Mayoral Committee considered the matter on 2024-07-24 and resolved that:

- (a) That a portion of Erf 6847 Stellenbosch be identified as land not needed to provide basic municipal services;
- (b) That Helios be allowed, in principle, to lease the existing Telecommunication base station for the additional period of 4 years 11 months subject to Council advertising the intention for public input and comment after which it be returned to Council for a final decision;
- (c) That the applicant continues to pay the current rent as per the ceded agreement for the current structure until a new agreement has been signed; and
- (d) That a market related rental be determined by a valuator prior to the item being returned to Council.

FURTHER INFORMATION

Further information, such as the agenda item that served before the Mayoral Committee, is available on the website of the municipality in the agenda for the meeting.

INVITATION TO SUBMIT COMMENTS /OBJECTIONS OR ALTERNATIVE PROPOSALS

The public is to submit comments/objections or alternative proposals in respect of the proposed granting of the rights referred to above.

Any such comments /inputs/objections must be in writing and must reach the Office of the Head: Contract Management by no later than close of business on **04 October 2024** at the address or e-mail listed.

Email: yolande.vandenberg@stellenbosch.gov.za

Physical address: 3rd Floor, NPK Building, corner of Ryneveld and Plein Streets, Stellenbosch.

Cell phone: 082 418 1610

Landline: 021 808 8073

PERSONS WITH DISABILITIES

Notice is further given in accordance with Section 21 of the Local Government: Municipal Systems Act, No 32 of 2000 that anyone with disabilities or who is unable to write, but need to participate in the process, may present him/herself during office hours at the office of the Head: Contract Management, where a staff member of the Municipality will assist such person to transcribe that person's comments/inputs or alternative proposals.

GERALDINE METTLER

DATE

MUNICIPAL MANAGER: STELLENBOSCH MUNICIPALITY

APPENDIX 2

RENTAL VALUATION REPORT

PORTION OF ERF 6847
STELLENBOSCH



HCB Property Valuations

35 Long Street

Moorreesburg

7310

Tel: 022 433 2035

Email: admin@hcb.co.za

LIMITATIONS AND RESTRICTIONS

This valuation report has been made with the following general assumptions:

1. No responsibility is assumed for the legal description or for matters including legal or title considerations. Title to the property is assumed to be good and marketable unless otherwise stated.
2. The property is valued free and clear of any or all liens or encumbrances unless otherwise stated.
3. Responsible ownership and competent property management are assumed.
4. The information furnished by others is believed to be reliable. However, no warranty is given for its accuracy.
5. All engineering information is assumed to be correct. The plans and illustrative material in this report are included only to assist the reader in visualizing the property.
6. It is assumed that there are no hidden or unapparent conditions of the property, subsoil, or structures that render it valuable. No responsibility is assumed for such conditions or for arranging for engineering studies that may be required to discover them.
7. It is assumed that there is full compliance with all applicable state and local environmental regulations and laws unless non-compliance is stated, defined, and considered in the valuation report.
8. It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless non-compliance is stated, defined, and considered in the valuation report.
9. It is assumed that all required licenses, certificates of occupancy, consents or other legislative or administrative authority from any local or national government or private entity or organization have been or can be obtained or renewed for any use on which the value estimate contained in this report is based.
10. It is assumed that the utilization of the land and improvements is within the boundaries or property lines of the property described and that there is no encroachment or trespassing unless noted in this report.



Signature

LIMITATIONS AND RESTRICTIONS

This valuation report has been made with the following general limiting conditions.

1. The apportionment, if any, of the total valuation figure in this report between land and improvements applies only under the stated client instructions and is hypothetical. The separate allocations for land and buildings must not be used in conjunction with any other valuation and are invalid if so used.
2. Possession of this report, or a copy thereof, does not carry with it the right of publication. It may not be used for any purpose by any person other than the party to whom it is addressed without the written consent of the valuer, and in any event only with proper written qualification and only in its entirety.
3. The valuer herein by reason of this valuation is not required to give further consultation, testimony, or be in attendance in court with reference to the property in question unless arrangements have been previously made.
4. Neither all nor part of the contents of this report (especially conclusions as the value, the identity of the valuer, or the firm with which the valuer is connected) shall be disseminated to the public through advertising, public relations, news, sales, or other media without the prior written consent and approval of the valuer.
5. Neither the whole nor any part of this valuation report or certificate or any reference thereto may be included in any published document, circular or statement, or published in any way without the valuer's written approval of the form and context in which it may appear. The publication shall deem to include references in company accounts and/or director's reports or any other company statement or circular.
6. The valuation is prepared on the basis that full disclosure of all information and facts which may affect the valuation, has been made to the valuer and no liability or responsibility will be accepted whatsoever for the valuation unless such full disclosure has been made.
7. This valuation is solely for the use of the party to whom it is addressed in accordance with the instructions. Reliance on it by any third party cannot be regarded as reasonable and no responsibility to any third party is or will be accepted for the whole or any part of the valuation.
8. The valuer has no personal interest in the property.
9. In the unlikely event of the client incurring any losses due to negligence of the valuers, valuers in training and assistants, the aggregate amount of the damages recoverable against the valuer shall not exceed the fee for providing the service.



Signature

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1. **INTRODUCTION**

I, Coenraad Botha, registered as a Professional Valuer in terms of the Property Valuers Profession Act 47 of 2000, do hereby certify that I have identified the subject property referred to in this report and have obtained all the necessary information to determine the market value thereof.

➤ *See Annexure 1 for Valuer Certificates*

1.1 **Instruction**

An instruction was received from Mrs Yolande van den Berg of Stellenbosch Municipality to attend to the rental valuation of the property being more commonly known as a Portion of Erf 6847, Stellenbosch. The purpose of the valuation is to determine the open market rental value of the property, as on 1 October 2024, for the lease of a telecommunication base station of the portion.

➤ *See Annexure 2 for Instruction*

1.2 **Date of Valuation**

The date of valuation as instructed by the client is 1 October 2024.

1.3 **Date of Inspection**

A Desktop Valuation was done.

2. **TITLE DEED DESCRIPTION**

2.1 **Title Deed**

The property report indicates title deed number as T31788/1973

2.2 **Description**

The property can be described as "Portion of Erf 6847, Stellenbosch, Western Cape". Hereafter in the report we will refer to this erf as the "subject property".

2.3 **Owner**

The property is registered in the name of Mun Stellenbosch.

2.4 **Extent**

The extent of Erf 6847 up for valuation, as measured via aerial photography, is 20m².

2.5 **Purchase Price**

Not relevant to this report, because it will not have an impact on Market Value.

2.6 Surveyor General Information

HCB could not find any discrepancies regarding the ground layout with the Surveyor General Information.

2.7 Title Deed Conditions

HCB did not have sight of the Title Deed; thus, we cannot comment on any restrictive conditions it may hold.

3. LOCAL, PROVINCIAL AND CENTRAL GOVERNMENT INFORMATION

3.1 Local Authority

This property falls under the jurisdiction of the Stellenbosch Municipality, situated in the Western Cape.

3.2 Zoning

The following Zoning was found on the Stellenbosch Municipal Website (October 2024). Zoned: **Community Zone** – this zoning makes provision for telecommunication base station

CHAPTER 14: COMMUNITY ZONE

141. Zone name and designation on map

- (1) The Community zone may be referred to by the code (C) and shall be indicated on the zoning map in pink (Colour code 230,0,169).

142. Purpose of the zone

- (1) The purpose of this zone is to make provision for:
- (a) buildings which are used for a wide range of community and welfare purposes including places of education for pre-primary, primary and secondary school levels.
 - (b) tertiary educational facilities such as colleges and universities; and
 - (c) permitted uses shall include ancillary uses such as administrative offices, residential uses, libraries, school hostels, recreational and sports facilities and any other uses and buildings that are ordinarily associated with such facilities.

143. Land use within this zone

- (1) The following land uses are permitted in this zone:

Primary Uses	Additional Uses (technical approval)	Consent Uses (application required)
<ul style="list-style-type: none"> • Clinic • Community residential building • Day care centre • Extramural facility • Indoor sport • Medical consulting rooms • Outdoor sport • Occasional use (one event/year) • Place of assembly • Place of education • Place of worship • Public institution • Welfare institution • Private road 	<ul style="list-style-type: none"> • Dwelling house • Employee housing 	<ul style="list-style-type: none"> • Freestanding base telecommunication station • Helicopter landing pad • Hospital • Hostel • Market • Occasional use (>one event/year) • Renewable energy structure • Rooftop base telecommunication station • Tertiary educational institution

Please Note: HCB Valuations & Services (Pty) Ltd retrieved this information of the Stellenbosch Municipal Website, should it be incorrect, we reserve the right to amend this document and adjust our valuation if needed.

4. PHYSICAL DESCRIPTION**4.1 Land**

Subject property is vacant land, it is in good condition.

- See Annexure 3 for Locality Map.

4.2 Improvements

The subject property is vacant. The only improvement on the property is the telecommunication base station.

5. MARKET ANALYSIS

Rent is a system of payment for the temporary use of something owned by someone else; the payments for such use are typically referred to as “rent”. In the open market, rent is a product; it does not occur naturally, as in, “this is the rent for the premises. To value rent, all the terms and conditions of the tenancy must be known, stated in advance, or defined. However, because the rent at a new letting is often agreed before the lease is drafted and/or approved; it is possible for a completed lease to contain terms and conditions that could produce a different rent to what was agreed.

6. METHOD OF VALUATION

The Comparable Rental Method of valuation is the most suitable method to apply to establish the market rental of the subject property. In applying the Comparable Rental Method, it is necessary to investigate the sales of similar type properties that have been rented as well as returns required by the holders of such land.

The above information is compared to the subject property, which involves judgments as to the degree of similarity regarding value factors such as location, shape of erf and use to which the subject property can be put.

7. ESTABLISHMENT OF COMPARABLE RENTALS**7.1 Highest and Best use**

Definition: *“The most probable use of a property which is physically possible, appropriately justified, legally permissible, financially feasible and which result in the highest value of the property being valued”.*

Therefore, it could be argued that the highest and best use of a property is, which is physically possible, appropriately justified, legal permissible, financially feasible and which result in the best value of the property to be valued.

I believe highest and best use is community usage, as it is located on erf 6847 that is utilised for community purposes.

7.2 Valuation Method

The market was surveyed for current leases, rates of return and leasing practices. Information was sourced from local estate agents, local property professionals, as well as our property info database. The information that was obtained was verified and adjustments were made for time, use, layout, and location.

Our findings for similar rentals in other areas are as follows:

Area	Usage	Current Rate
Canal Walk	Vodacom	R14 490
Tyger Valley	Vodacom Base Station	R14 150
Bayside Mall	Rain (Pty) Ltd	R9 915

7.3 Conclusion

The rate for lease of a telecommunication base station ranges from R10 000-00 to R14 500.

It is my opinion to apply a lowest tariff, due to the location of the subject property.

Conclusion

It is my opinion that the Open Market Value of the subject property on 1 October 2024 is R9 850-00 per month, taking into consideration sales and after adjusting for time, location, zoning, and usage.

8 CERTIFYING OF VALUE

I hereby certify that I have identified the subject property and obtained all the necessary information to determine the market rental thereof.

Accordingly, I hereby certify that in my opinion, to the best of my knowledge, skill and expertise, the monthly rental of the subject portion of 1 October 2024 to be R9 850-00 (nine thousand eight hundred and fifty rand per month) VAT Excluded



Hendrik Coenraad Botha
Professional Valuer
Registration Number: 5601

24 October 2024

Date of Signature

9 CAVEATS

This valuation has been prepared on the basis that full disclosure of all Information and factors which may affect the valuation have been made to Ourselves and we cannot accept any liability or responsibility whatsoever for the Valuation unless such full disclosure has been made.

9.1 Valuation Standard

This valuation has been prepared in accordance with the guidelines of the South African Institute of Valuers for valuation reports.

9.2 Statutory Notices and Unlawful Use

We have assumed that the property and its value are unaffected by any statutory notice or condition of Title where Title Deeds have not been inspected, and that neither the property nor its condition, nor its use, nor its intended use, is or will be unlawful.

9.3 Confidentiality

This valuation is produced exclusively for the Stellenbosch Municipality and for the specific purpose to which it refers. It may be disclosed to your other professional advisers assisting you in respect of that purpose. We accept no responsibility whatsoever to any parties other than yourselves who make use of this valuation.

9.4 Non-Publication

Kindly note that neither the whole nor any part of this report, nor any reference thereto maybe included in any published document, circular or statement, nor published in any way without our prior written approval at to the form or context in which it may appear.

10 ANNEXURES**10.1 Annexure 1 – Valuer Certificate**

SOUTH AFRICAN COUNCIL FOR THE
**PROPERTY VALUERS
 PROFESSION**

This is to certify that

HENDRIK COENRAAD BOTHA

is registered as

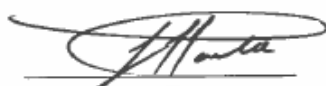
Professional Valuer

In terms of section 20(2)(a) of the
 Property Valuers Profession Act, 2000

DATE OF REGISTRATION AS: Professional Valuer: 28 January 2020

DATE OF ISSUE: 25 July 2024

PERIOD OF VALIDITY: 1 July 2024 - 30 June 2029


 JF Cloete
 President



REGISTRATION No: 5601


 ND Naidoo
 Registrar

VALUATION REPORT – RENTAL VALUATION OF A PORTION OF ERF 6849, STELLENBOSCH

10.2 Annexure 2 – Instructions

HCB

Valuations and Services (Pty) Ltd
HEAD OFFICE

38 Long Street, Moorreesburg, 7310

T: +27(0)22 433 2035 M: +27(0)83 663 2140 E: admin@hcb.co.za

**HCB would like to assist with your valuation request.
Kindly complete below to the best of your ability in order for us to provide you with a
quotation and subsequent valuation report.**

Erf/Farm Number:	Portion of Erf 6847
Town/Region:	Stellenbosch
Owner:	Stellenbosch Municipality
Zoning and Usage:	Swimming pool + telecommunications base station
Date of Valuation:	26/08/2024
Reason for valuation:	To determine market related rental for existing telecommunication base station
Any other information you feel is pertinent to the valuation:	
Expected Delivery Date:	ASAP

Should you have any questions or concerns contact:
 Helen: 081 4733 707 / helen@hcbval.co.za
 Coenraad: 083 663 2140 / coenraad@hcb.co.za

10.3 Annexure 3 – Locality Map / Aerial Photo



VALUATION REPORT – RENTAL VALUATION OF A PORTION OF ERF 6849, STELLENBOSCH

10.4 Annexure 4 – Property report

Hcb Valuations - Moorreesburg
Helen Louwrens

E-mail: helenlouwrens@gmail.com
Cell: 081 473 3707

Tel: 022 433 2035



Tel: 022 433 2035
E-mail: admin@hcb.co.za
PO Box 247, Moorreesburg, 7313



PROPERTY INFORMATION			
Erf	6847	GPS	18.851131"E 33.911968"S
Township	STELLENBOSCH	Extent	33 187 m²
Address	LAST STREET	Cadastral extent	15 214 m²
Suburb	CLOETESVILLE	Usage	Business
Municipality	STELLENBOSCH	Type	
Province	WESTERN CAPE	Zoning	
		Zoning Desc	

MUNICIPAL VALUATION	
Total Value	R 7 764 000
Valuation Year	2021

SALE INFORMATION			
Note: The Sale Price is inclusive of 17 properties on this Title Deed			
Owner	MUN STELLENBOSCH	Title Deed	T31788/1973
Sale Price	-	Bond Holder	-
Sale Date	-	Bond Amount	-
Registered	1973/10/25	Sale Type	T/T

[illegible]

8 5 3 181

772873

SYE METERS		RIGTINGS-HOEKE		COORDINATE		X	
				Y			
AB	227,24	Konstante	A	+	0,00	+	3700 000,00
BC	38,81	241 17 10	B	+	13 777,61	+	53 584,74
CD	50,38	340 45 30	C				
DE	7,87	250 45 30	D				
EF	50,38	340 45 30	E	+	13 517,96	+	53 495,61
GH	50,38	74 45 30	F				
HJ	50,38	250 45 30	G				
JK	7,87	340 45 30	H				
KL	21,10	70 45 30	J				
LM	50,47	340 45 30	K				
MN	50,38	254 45 30	L				
NO	7,87	344 45 30	N				
OP	50,38	74 45 30	O				
PQ	75,57	344 45 30	P				
QR	18,94	70 35 30	Q				
RS	124,63	164 45 30	R	+	13 511,14	+	53 753,83
ST	206,101	71 08 40	S				
TA	111,77	161 08 40	T	+	13 386,40	+	54 855,50
		Stel 1	Δ	+	15 599,48	+	54 040,53

Beekrwyling van Bakens:

A : Spoorstaaf 450mm hoog

Alle ander bakens : 12mm x 450mm ysterpenne

: Verrepaasingsmerk

Die figuur A B C D E F G H J K L M N O P Q R S T

stel voor

3,3187 Hektaar

ERF 6847, Stellenbosch

(Openbare Plek)

geleë in Clootessville Dorp in die Munisipaliteit en Administratiewe Distrik Stellenbosch

Provisie Kaap die Goeie Hoop.

Opgemaak in April 1965 - Jan. 1967 en

deur ons Junie 1971

Handtekening

Budget Landmeters

Hierdie kaart is geheg aan	Die oorspronklike kaart is	Lêer No. Stel 1055 81
No. _____	No. _____	M.S. No. E2725/67
geteater	geheg aan	EMO3/70 en E1927/71
t.g.v. _____	Transport/Grondboek	Komp.
	No. _____	BHSZ-1241 (6933)
		BHSZ-1243 (6935)
		ALR, Plan No. 784 (462)

Registateur van Aktes

10.6 Annexure 6 – Rental Valuation Certificate**HCB****Valuations and Services (Pty) Ltd****HEAD OFFICE**

35 Long Street, Moorreesburg, 7310

T: +27(0)22 433 2035 M: +27(0)83 663 2140 E: admin@hcb.co.za***Valuation Certificate***

Client: Stellenbosch Municipality

Erf Number: Portion of Erf 6487

Title Deed Number: T31788/1973

Area/Town: Stellenbosch

Owner: Mun Stellenbosch

Date of Valuation: 1 October 2024

Reference Number: STEL/PTN/6849

Rental Valuation Amount: R9 850-00/Month VAT Excluded

Zoning: Community Zone

Comments:

This Valuation Certificate must be read in conjunction with the attached Valuation Report.

Hendrik Coenraad Botha
Professional Valuer
Registration Number: 5601

7.3.2	PROPOSED LEASE AGREEMENT: ERF 1222 STELLENBOSCH (23 PLEIN STREET), THE HUSSAR GRILL STELLENBOSCH
-------	---

Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

21 November 2024

1. SUBJECT: PROPOSED LEASE AGREEMENT: ERF 1222 STELLENBOSCH (23 PLEIN STREET), THE HUSSAR GRILL STELLENBOSCH

2. PURPOSE

To consider an application from The Hussar Grill, to enter into a Lease Agreement with Stellenbosch Municipality, in terms of where they would be able to use a portion of Council-owned property for outdoor dining purposes.

3. DELEGATED AUTHORITY

In terms of the approved System of Delegations the Executive Mayor, in consultation with the Executive Mayoral Committee, has the delegated Authority to consider applications for Lease Agreements, up to a contract value not exceeding R5M and not exceeding a period of 10 years.

The Municipal Manager has the delegated authority to sign lease agreements on behalf of the Municipality.

4. EXECUTIVE SUMMARY

An application to use a portion of the street reserve for Outdoor Dining purposes has been received from The Hussar Grill of erf 1222, Stellenbosch. The establishment has an entrance on Plein Street that offers outdoor dining as well as an entrance from the back of the property, which is situated adjacent to the Mill stream. The application is in line with the provisions /requirements of the Outdoor Dining Policy and sufficient walkway is left open for pedestrian use. The applicant does not currently have a lease agreement with the Municipality and is therefore not paying for the use of the area. The application does not state the term they are applying for and the area they are interested in is 20 m².

The applicant has submitted a diagram of the area situated on the Mill Stream and they have indicated that they are of the intention to attend to certain upgrades on the existing deck. This means that they will have to submit building plans in the event that the Mayoral Committee approves the application for Outdoor Dining. They have not submitted a diagram for the area in Plein Street.

The entrance to the property is via wooden bridges over the Mill Stream. They have been trading from these premises for ten years.

5. RECOMMENDATIONS

- 5.1 that the land (erf 1222) measuring approximately 20m² in extent, be identified as land not needed to provide the minimum level of basic municipal services during the period that the rights are awarded;

5.2 that the application for outdoor dining be approved for the mill stream side of the property for a period of 3 years subject to the following conditions:

5.2.1 That no permanent structure or deck be erected without the prior written consent of council, including approved building plans and approval from the Heritage Advisory Committee.

5.2.2 A minimum of 1.5m (unobstructed walkway) be left open for pedestrian use, adjacent to the street kerb. In exceptional circumstances, a 1.5m unobstructed walkway adjacent to a shop front, may be allowed, in these instances a further 0.8m must be left open adjacent to the street kerb. Any deviations must be approved by the Municipal Manager on application.

The impact of proposed outdoor dining on pedestrian movements, is subject to an assessment in terms of the Municipality's Sidewalk Accessibility Policy and the Municipal Manager is mandated to amend the layout and demarcation of the area when assessing applications.

5.2.3 That a site development plan be submitted for approval which must address at least the following requirements:

- (a) Demarcation of the lease area relative to its abutting context with the street, the user property, and neighbouring properties. The demarcation of the outdoor dining area should preferably where possible be demarcated by natural features like for example plants must be clearly demarcated as per the approved site development plan. The type of demarcation must be done in consultation with the Municipal Manager. If natural features such demarcation is not possible the demarcation must be indicated on the plan with lines and applicable measurements. A line indicating the area for outdoor dining may also be used. In the event that the outdoor dining spills over the demarcated area the furniture will be confiscated.
- (b) Indicate the accurate location of all existing infrastructure, landscaping features and street furniture. The layout of all furniture and features that will be used for the outdoor dining activity.

5.2.4 Demarcation must be provided and maintained by the lessee.

5.2.5 No advertising signs(including A- frames) to be placed on the sidewalk or displayed against the building without the prior approval of council the Municipal Manager or delegate and if such signs is displayed, it must be within the demarcated area. All signs displayed outside the demarcated area may be removed by law enforcement and outdoor dining furniture outside the demarcated area can be confiscated and repeated offences may result therein that the lease be cancelled forthwith after a 30-day notice period.

5.2.6 All umbrellas to be used has to be at least 2.2m high. and may not have any signage on them.

5.2.7 Any awnings will require pre-approval from council.

5.2.8 Council is indemnified against all possible 3rd party claims.

- 5.2.9 The municipality or other public service providers must not be prohibited from maintaining, repairing, upgrading and / or installing new public services within the leased area. For planned maintenance and repairs, upgrades or new installations, the applicant will be provided with a 5-day written notice to remove all furniture for the municipality and any other public service provider to gain access. For emergency work the applicant will be required to remove everything immediately for the municipality or other public service providers to gain access.
- 5.2.10 The municipality reserves the right to end the lease agreement when the need arises, i.e. when the leased area is required for municipal or other public services purposes or when the applicant refuses the municipality or other public service providers access if required.
- 5.3 That the rental amount be determined by the Municipal Manager in terms of the approved tariffs and an escalation of CPI per annum applies.
- 5.4 Where the lessee does not comply with the conditions attach to the lease within 30 days after receipt of the approval, the approval may be withdrawn and the lease ended after a 30-day notice period. Such establishment will not be allowed to trade on Municipal Property until they comply and then re-apply for approval.
- 5.5The lease agreement with the municipality must be signed within 30 days after receipt of the letter of approval and the draft agreement.
- 5.6 Where the lessee put furniture or signs outside the demarcated agreed areas such furniture and signs will be removed by Law Enforcement without further notice after a notice was served on the establishment.
- 5.7That no outdoor dining be allowed on Plein Street before a proper application has been received and approved. The current area in 5,1 above does not include the stoepie area in Plein Street that are being used.

6. DISCUSSION / CONTENT

6.1 Background

6.1.1 Application for lease

An application was received from The Hussar Grill situated on 33 Plein Street, Stellenbosch to enter into a lease agreement for Outdoor Dining purposes. A copy of the application is attached hereto as **APPENDIX 1**.

The applicant has filed a diagram which indicates that they are of the intention to do certain building works on this area and will require approved building plans before construction can commence. A copy of the diagram is attached hereto as **APPENDIX 2**.

It is important to note that access to the back entrance of the restaurant is over Mill Stream.

6.2 DISCUSSION.

6.2.1. Locality and context

Erf 1222, Stellenbosch is located at 33 Plein Street, Stellenbosch, as shown on Fig 1. and Fig 2, below as well as photographs of how area is currently used under Fig 3.



Fig 1. Location and context



Fig 2 .Extent of area





Fig. 3 Current areas being used

6.2.2 Legal requirements

6.2.2.1 Municipal Asset Transfer Regulations

In terms of Section 36 of the Municipal Asset Transfer Regulation, when considering an application for an approval of a right to use municipal property, the following needs to be taken into account, *inter alia*:-

- a) whether the capital asset may be required for the municipality's own use during the period for which the right is to be granted;
- b) the extent to which any compensation to be received for the right, together with the estimated value of improvements or enhancements to the asset, will result in a significant financial benefit to the municipality;
- c) the (possible) risks and rewards associated with the use in relation to the municipality's interests;
- d) Any comments received from the local community, and
- e) compliance with the legislative regime applicable to the proposed granting of the right.

6.2.2.2 Stellenbosch By-Law on Roads and Streets

In terms of section 4 of the Stellenbosch By-Law on Roads and Streets, no person may, **without prior written permission of the Municipality**, cause an encroachment on a street, sidewalk or road reserve forming part thereof.

6.2.2.3 Property Management policy

Section 9 2.2 deals with deviations from the competitive process, and reads as follows:

The Municipal Council **may dispense with the competitive processes** established in this policy and may enter into a Private Treaty Agreement through any convenient process, which may include direct negotiations, including in response to an unsolicited application, but only in the following circumstances, and only after having advertised Council's intention so to act. Should any objections be received as a consequence of such a notice, such objections first be considered before a final decision is taken to dispense with the competitive process established in this policy. However, should any objections, be received from potential, competitive bidders, then a public competitive process must be followed. The advertisement referred to above should also be served on adjoining landowners, where the Municipal Manager is of the opinion that such transaction may have a detrimental effect on such adjoining landowner(s):

- (h) where encroachment applications are received from adjoining owners, including applications for outdoor dining permits, subject to approved tariff structure;

6.2.2.4 Outdoor Dining Policy

6.2.2.4.1 Policy Objective

To regulate the use of sidewalks or road reserves for the purpose of outdoor dining and trading, and the temporary use of Public Places for commercial ventures and displays.

6.2.2.4.2 Suitable Locations

Outdoor cafes, restaurants and traders may apply for lease where local conditions are favourable for their operation, including areas of Council e.g. road reserves, sidewalks, Public Open Spaces. All applications in locations of a high pedestrian usage, e.g. a retail centre, will be required to take pedestrian needs into consideration.

6.2.2.4.3 Assessment Criteria

The most important local conditions to be considered when an application for lease of the road reserve area is received will be those issues pertaining to pedestrian (including pedestrians who are using wheelchairs, baby prams or are visually impaired) and vehicular circulation, convenience and safety of patrons and the general public, existing streetscape elements and residential amenity.

The ground surface must be sufficiently level to support a proper layout and safe use.

6.2.2.4.4 Layout

The style, layout and orientation of furniture should be chosen according to the extent and shape of the available space of the leased area.

The size of an outdoor cafe or placement of any object on the sidewalk will depend on the width of the sidewalk

6.2.2.4.5 Defined Area

The applicant will be required to define the area with appropriate markers. (ie a single galvanized steel nail inserted in between the pavers, or a paint spot no larger than 5cm in diameter placed at the corners of the defined area in a semi- permanent paint) to the satisfaction of the Council.

6.2.2.4.6 Lease Conditions

The applicant must comply with the conditions set out in the lease agreement and this policy. The lease will be for a period of not more than 5 years with an option to renew. These conditions would also generally require that the local environmental factors be reviewed annually and adjustments to the lease agreement may be required.

If the lease agreement that is entered into is seen as not providing long term rights, there is no need to advertise the proposed agreement for public input/comments or objections. Should the municipality receive any complaints the lease agreement may be terminated due to objections.

6.3 Financial Implications

In terms of the current, approved tariff structure for outdoor dining lease agreements a fee of R159.00 per m² per month is charged. In this instance the monthly rental will be R 3 180.00.

6.4 Legal Implications

The legal implications are discussed under 6.2.2 above. As the proposed term of the lease agreement is five (5) years and when the value of the lease and property is taken into account the asset transfer regulations are not applicable as it is not seen as long-term rights on council property that are being given.

6.5 Staff Implications

No additional staff implications.

6.6 Previous / Relevant Council Resolutions**SPECIAL COUNCIL MEETING: 2022-06-22: ITEM 9.2.5 RESOLVEND (nem con)**

- (a) That council takes note of the intended communication to the public;
- (b) That Council takes note that all restaurants and business will be given notice to apply / re-apply for a lease to use council property for outdoor dining purposes; and
- (c) That the approval of the leases of three (3) years and less be delegated to the Municipal Manager for approval.

20TH COUNCIL MEETING: 2024-02-21: ITEM 11.3.1**RESOLVED**

- (a) that Council takes note of the report; and
- (b) that the amended General Conditions on Outdoor dining be approved.

6.7 Risk Implications

The risks are addressed in the item.

6.8 Comments from Senior Management

The item has not been circulated as the comments on outdoor dining is contained in the general conditions.

6.8.1 Municipal Manager

Supports the recommendations

ANNEXURES: 1. Application**2. Diagram – <Mill stream side****FOR FURTHER DETAILS CONTACT:**

NAME	Annalene de Beer
POSITION	Director: Corporate Services
DIRECTORATE	CORPORATE SERVICES

CONTACT NUMBERS	021-8088073
E-MAIL ADDRESS	Annalene.debeer@ Stellenbosch.gov.za
REPORT DATE	2024-10-17

ANNEXURE 1

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

C: PROPERTY DETAILS OF LEASE AREA APPLYING FOR

Suburb: CBD

Town: Stellenbosch

Area applying for ± 20 m²* To be supplemented with a sketch-plan with dimension in m²**D: TYPE OF APPLICATION:**

Please mark the appropriate block

For commercial purposes, other than for parking ☐For commercial parking purposes ☐For residential parking purposes ☐For non-commercial purposes ☐For projecting structures onto street reserves ☐For projecting structures onto other council-owned land ☒Other: please provide description: ☐

Brief description of application:

Extending our outside dining
area

Motivation: The Huisser Grill has been
successfully operating for 10 years.
Our outside dining needs an
upgrade to make the dining experience
better for our clients.

E: LIST OF ATTACHEMENTS AND SUPPORTING DOCUMENTS

Please mark the appropriate box

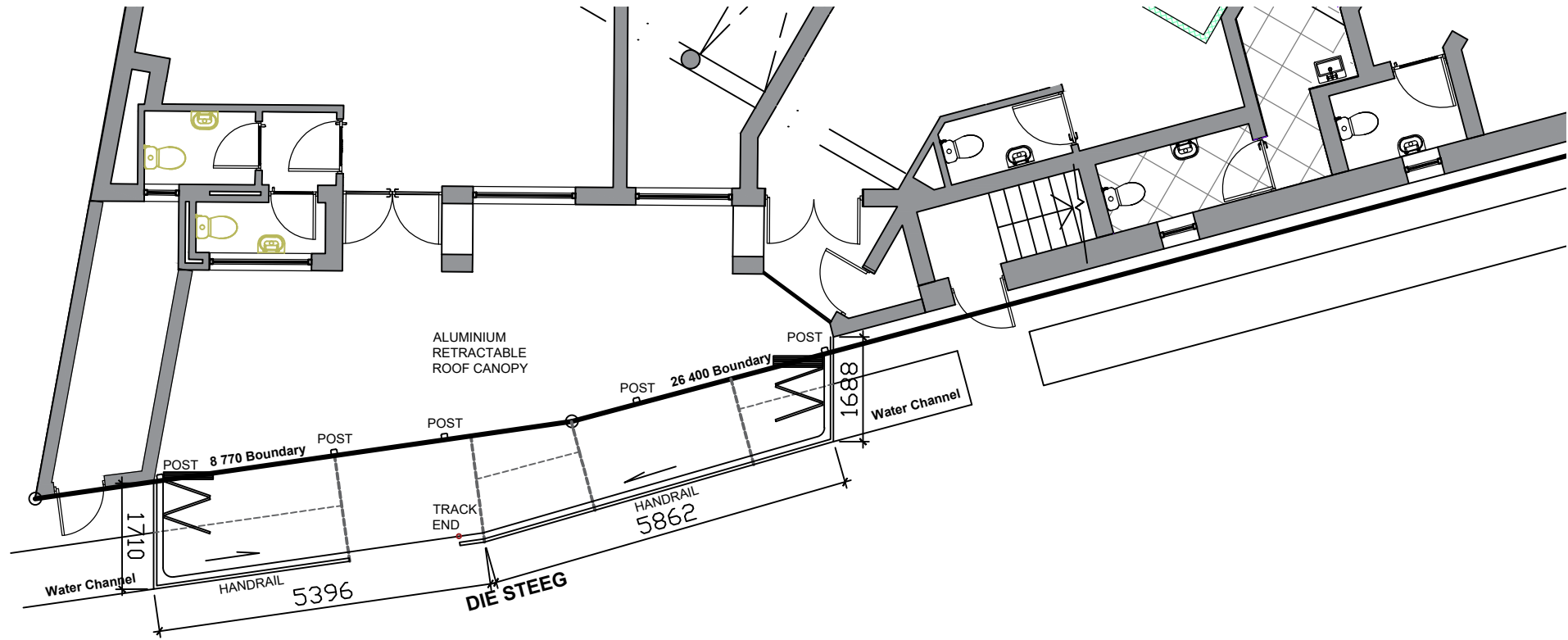
- Special Power of Attorney, where Applicant is not the owner ☐
- Diagram of proposed area of the lease area ☒
- Letters of consent (affected neighbours) ☐
- Application fee (non-refundable) ☐

I hereby certify that the information supplied in this application form is correct and that I am properly authorized to make this application.

Applicant's signature: *K. Yp* Date: *7/10/24*

Full name: *EE Van Lamp*

ANNEXURE 2



GROUND STOREY
SCALE 1-100



MILL STREAM ELEVATION
SCALE 1-100

**BRUWER &
ROBERTSON**
architecture

Email: apocrpr@gmail.com
Cell: 076 816 2337

PROJECT	SCALE	DATE
HUSSAR GRILL	1:100	SEPT 2024
DESCRIPTION	DRAWING NUMBER	REVISION
DRAWING SHOWING PROPOSED CANOPY POSITION	083-2023-000	0D
REVISIONS		
0D		2024-09-30

7.3.3	CLOSURE OF MUNICIPAL OFFICES DURING THE FESTIVE SEASON
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

21 November 2024

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

To request Council's approval to close the Municipal Offices during the 2024/2025 festive season.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

Over the years there have been numerous decisions by Council with regard to the closure of the municipal offices. In 2020 the Council resolved to close the offices between Christmas and New year. The 2024/2025 festive season therefore will see offices close between midday on 24 December 2024 until 08h00 on Thursday 2 January 2025 in terms of the standing Council resolution.

Management has received a vast number of requests from employees for annual leave for 2 and 3 January 2025. In the light of these leave applications, Council is therefore requested to extend the office closure until 08h00 on 6 January 2025. The previously agreed guidelines attached as **APPENDIX 1** will also apply to the extra two days for the 2024/2025 festive period.

5. RECOMMENDATIONS

- (a) that Council approve the closure of the Municipal Offices from 13h00 on 24 December 2024 until 6 January 2025 at 08h00;
- (b) that employees be informed that annual leave must be submitted on the dates the offices are closed;
- (c) that no additional leave be granted to staff;
- (d) that the Municipal Manager ensure that the operations of the municipality continue through inter alia the attached guidelines; and
- (e) that the Council resolution of 25 November 2020 remain in place for future years.

6. DISCUSSION / CONTENTS**6.1 Background**

Over the years there have been various decisions by Council in regard to the closure of the municipal offices. Council resolved during November 2020 to annually close offices between 24 December and the first working day after 1 January. The matter was discussed at the LLF and the guidelines attached as **APPENDIX 1** have been agreed upon by both unions in 2020 and have been used to ensure service delivery over the festive period.

6.2 Discussion

The Main Collective Agreement determines that each employee is entitled to 24 or 27 workdays leave per year of which at least 16 or 19 days must be taken in a calendar year. Whilst offices are closed, the days will be regarded as part of the compulsory leave each employee must take in a calendar year. The municipality cannot grant additional leave to employees during this period unless exemption is requested and granted by the SALGBC. The employer struggles each year to ensure that employees take their compulsory leave, especially those employees that are not essential workers. It is therefore important that employees take compulsory leave during the time that offices are closed.

Essential operations of the municipality will continue through the guidelines as attached. In 2020 the Council resolved to close the offices between Christmas and New year. The 2024/2025 festive season therefore will see offices close between midday on 24 December 2024 until 08h00 on Thursday 2 January 2025 in terms of the standing Council resolution.

Management has received a vast number of requests from employees for annual leave for 2 and 3 January 2025. In the light of these leave applications, Council is therefore requested to extend the office closure until 08h00 on 6 January 2025. The previously agreed guidelines attached as **APPENDIX 1** will also apply to the extra two days for the 2024/2025 festive period.

It should also be noted that various account payment options are available to the Community of Stellenbosch. Electricity purchases can also be made at numerous outlets.

6.3 Financial Implications

None.

6.4 Legal Implications

The recommendations are in line with legislation and the collective agreements applicable.

6.5 Staff Implications

Employees who do not perform the functions as indicated in the attached guidelines will have to submit annual leave for the office closure period.

6.6 Previous / Relevant Council Resolutions:

Previous Council resolutions dealt with the ad hoc closure on an yearly basis.

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

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

6.7 Risk Implications

Risks are addressed in the item.

6.8 Comments from Senior Management:

The comments from management have been incorporated in the draft guidelines

ANNEXURES**Annexure 1: Guidelines: Closure of offices****FOR FURTHER DETAILS CONTACT:**

NAME	Annalene De Beer
POSITION	Director Corporate Services
DIRECTORATE	Corporate Services
CONTACT NUMBERS	021 – 808 8018
E-MAIL ADDRESS	Annalene.Debeer@ Stellenbosch.gov.za
REPORT DATE	12 November 2024

ANNEXURE 1



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

GUIDELINES : CLOSURE OF OFFICES: 2024/25 FESTIVE SEASON

1. All municipal offices in the Stellenbosch Municipal Area will close for business over the period between 24 December from 13:00 to 6 January 08h00.
2. During the period of closure of the offices, all essential staff will be on standby to deal with operational service delivery complaints and perform essential services as and when needed.
3. Payment for standby and overtime for services performed will continue as usual.
4. Uniform staff (Traffic / Fire and Law Enforcement Including the control room) will continue with their operations as per the shift rosters.
5. All essential services like;
 - a. Municipal Court
 - b. Water Treatment Plants
 - c. Waste Water Plants
 - d. Disposal Sites
 - e. Refuse Removal / Collections / Area Cleaning
 - f. Emergency Services
 - g. Water & Sewer Operations (Reticulation)

will continue operations as usual.

6. Employees who does not fall under identified services in 4 and 5 above must put in annual leave for the period of the closure of the offices. These closure days will not be granted as additional leave.
 7. Staff regarded as essential under 4 and 5 above must be granted their annual leave as per a plan to ensure operations yet complying with the Main Collective Agreement.
-

7.3.4	APPLICATION FOR WAIVING OF PRE-EMPTIVE AND BUY-BACK RIGHTS: ERF 3395 FRANSCHHOEK (FAIR DONNE ESTATE)
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

21 November 2024

1. SUBJECT: APPLICATION FOR WAIVING OF PRE-EMPTIVE AND BUY-BACK RIGHTS: ERF 3395 FRANSCHHOEK (FAIR DONNE ESTATE)

2. PURPOSE

For Council to consider the application from the registered owner of Erf 3395 Franschhoek to waive its pre-emptive right as well as it's buy-back right as registered in the Title Deed.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

Erf 3395 Franschhoek is situated in the Fair Donne Estate in Reservoir Street. The registered owner of the property has filed an application to request Council to consent to waiving it's pre-emptive right as well as it's buy-back rights in order for the owner to sell the property to a third party.

The Fair Donne estate was developed with the intention to provide medium cost housing opportunities in the Franschhoek Valley. It was developed as a result of the Franschhoek Land and Housing Development Policy Framework signed in 1998 and the Franschhoek Social Accord of 2001 which dictated the future residential development in the Franschhoek Valley. A total of 56 erven were developed and the allocation of the properties were initially done in terms of a scoring criteria as approved by Council in 2010. As there were not enough beneficiaries who complied with the criteria or did not have the financial means the 2010 resolution was set aside and a new resolution was taken in 2014. More people applied for properties in the estate, and it is important to note that the list of qualifying applicants on the 2014 allocation has not been depleted.

The Property Management Department did a site inspection at the estate at the end of 2023 and from the 56 erven only 15 were fully constructed, 8 were half constructed, 25 were vacant. 8 erven have not been allocated of which 1 is zoned public open space. The latter should not be allocated as open spaces are needed for general wellness and use by communities. The sales agreements and Title Deeds of the properties has given rise to certain rights for the Municipality in terms of the state of the property – whether it has been developed or not.

In terms of the resolution for 2010 it was resolved that in the sales agreement there will be a clause indicating that:

- a) The owner will be obliged to complete building works within a period of 3 years, failing which he / she will be liable to pay rates as liquidated damages equal to the value of the approved building plan (deemed valuation);

- b) The owner will be obliged to start building work within a period of 5 years, failing which the municipality will have a pre-emptive right to buy back the undeveloped site at the sales price, as per the sales agreement.

The sales agreement, however, reads as follows:

Clause 12.5 provides that the purchaser and/or his successor in title shall, within a period of 36 months after the date of the first registration of transfer of the property from the seller to the purchaser (or such later date as the seller may direct in writing), complete building operations in respect of a dwelling house on the property (the plans and specifications of which shall have been approved in terms of clause 12.1 and clause 12.3). In the event that the purchaser fails to comply with the provisions of clause 12.5, then for the purpose of rates, the property shall be deemed to be improved, by the construction of a residential dwelling of the purchasers choice in terms of clause 12.3, or in the absence of such choice having been made by the purchaser, by a dwelling similar to the smallest of the choices in terms of clause 12.3.

Clause 13 provides a right to buy back the property in the event that the purchaser fails to comply with the provisions of clause 12.5 after 60 months after the date of the first registration of the transfer of the property from the seller to the purchaser (or such later date as the seller may direct in writing) then the seller will have a right to buy back the property at the same price as the purchaser has paid for it, plus a reasonable escalation.

Clause 13.2 provides that should the seller exercise its right in terms of clause 13.1 two independent valuers, appointed by the seller, determine a reasonable escalation. The weight average of the two valuers will be used as a basis to determine the fair escalation. The parties agree that the determination of the fair escalation, so determined, shall be binding on the parties.

Erf 3395 was never developed and is still vacant which means that the Municipality has the right to buy back the property on the terms set out above as well as the pre-emptive right as registered in the Title Deed. The council needs to consider the request of the applicant to sell the property to a third party and the Municipality therefore denouncing its buy back right.

It is important to note that there are still beneficiaries on the list waiting for allocation of properties and that the development was done to provide housing opportunities at a medium cost.

5. RECOMMENDATION

For consideration.

6. DISCUSSION / BACKGROUND**6.1 Background**

The Fair Donne estate was developed with the intention to provide medium cost housing opportunities in the Franschhoek Valley. It was developed as a result of the Franschhoek Land and Housing Development Policy Framework signed in 1998 and the Franschhoek Social Accord of 2001 which dictated the future residential development in the Franschhoek Valley. A copy of the agreement is signed agreement is attached hereto as **APPENDIX 1**.

A total of 56 erven were developed and the allocation of the properties were initially done in terms of a scoring criteria as approved by Council in 2010. As there were not enough beneficiaries who complied with the criteria or did not have the financial means the 2010 resolution was set aside and a new resolution was taken in 2014. More people applied for properties in the estate, and it is important to note that the list of qualifying applicants on the 2014 allocation has not been depleted.

The Property Management Department did a site inspection at the estate at the end of 2023 and it was determined that from the 56 erven only 15 are fully constructed, 8 are half constructed, 25 are vacant and 8 have not been allocated of which 1 is zoned public open space. This is important to note as the sales agreements and Title Deeds of the properties has given rise to certain rights for the Municipality in terms of the state of the property – whether it has been developed or not.

In terms of the resolution from 2010 it was resolved that in the sales agreement there will be a clause indicating that:

- c) The owner will be obliged to complete building works within a period of 3 years, failing which he / she will be liable to pay rates as liquidated damages equal to the value of the approved building plan (deemed valuation);
- d) The owner will be obliged to start with building work within a period of 5 years, failing which the municipality will have a pre-emptive right to buy back the undeveloped site at the sales price, as per the sales agreement.

The sales agreement, however, reads as follows:

Clause 12.5 - the purchaser and/or his successor in title shall, within a period of 36 months after the date of the first registration of transfer of the property from the seller to the purchaser (or such later date as the seller may direct in writing), complete building operations in respect of a dwelling house on the property (the plans and specifications of which shall have been approved in terms of clause 12.1 and clause 12.3.

Clause 12 - in the event that the purchaser fails to comply with the provisions of clause 12.5, then for the purpose of rates, the property shall be deemed to be improved, by the construction of a residential dwelling of the purchasers choice in terms of clause 12.3, or in the absence of such choice having been made by the purchaser, by a dwelling similar to the smallest of the choices in terms of clause 12.3

Clause 13. BUY BACK RIGHT

13.1 in the event that the purchaser fails to comply with the provisions of clause 12.5 after 60 months after the date of the first registration of the transfer of the property from the seller to the purchaser (or such later date as the seller may direct in writing) then the seller will have a right to buy back the property at the same price as the purchaser has paid for it, plus a reasonable escalation.

13.2 should the seller exercise its right in terms of clause 13.1 two independent valuers, appointed by the seller, will determine a reasonable escalation. The weight average of the two valuers will be used as a basis to determine the fair escalation. The parties agree that the determination of the fair escalation, so determined, shall be binding on the parties.

A copy of the Title Deed is attached hereto **APPENDIX 2**.

This specific property was never developed and is still vacant, which means that the Municipality has the right to buy back the property on the terms set out above as well as the pre-emptive right as registered in the Title Deed. The applicant has filed his application by way of affidavit. He indicates that he recently got divorced and it has had a massive financial impact on him. He therefore wishes to sell the property to a third party who has already signed an offer to purchase in the amount of R1 200 000.00 (ONE MILLION AND TWO HUNDRED THOUSAND RAND).

A copy of the affidavit is attached hereto as **APPENDIX 3** and a copy of the Offer to Purchase is attached hereto as **APPENDIX 4**.

Should Council decide to allow for the sale of the property the following condition in the Title Deed should be taken into consideration:

Should the Transferee sell the property prior to the expiration of the 8 year pre-emptive period and the Transferor decides not to exercise its right to purchase the property from the Transferee then and in such an event the Transferee shall pay to the Transferor an amount equal to the difference between the selling price and the fair market value of the undeveloped property, being R348 500.00 (THREE HUNDRED AND FORTY EIGHT THOUSAND, FIVE HUNDRED RAND), proportional to the remaining period of the pre-emptive right. For this purpose, the date of transfer on the name of the new owner will be the determining date for calculating such a proportional share of profit. The payment of the share shall take place on or before the date of registration of transfer into the name of the new Transferee thereof.

The date of registration into the applicant's name is 17 August 2017 which means the pre-emptive right is still in place until 16 August 2025.

6.2. DISCUSSION

6.2.1 Location and context

The property is located in the Fair Donne Estate in Reservoir Street, Franschhoek.



Fig 1. Location



Fig 2. View of Property

6.2.3 Ownership

The ownership of the properties vests with the applicant as per the attached Title Deed.

6.3 Financial Implications

If Council decides to buy back the property two valuers will have to be appointed as per the agreement and Council will have to pay those fees. Council will also need to purchase the property from the current owner, and the purchase price will only be known after the valuation reports are received.

Should Council decide to allow for the sale of the property the following condition in the Title Deed should be taken into consideration:

Should the Transferee sell the property prior to the expiration of the 8 year pre-emptive period and the Transferor decides not to exercise its right to purchase the property from the Transferee then and in such an event the Transferee shall pay to the Transferor an amount equal to the difference between the selling price and the fair market value of the undeveloped property, being R348 500.00 (THREE HUNDRED AND FORTY EIGHT THOUSAND, FIVE HUNDRED RAND), proportional to the remaining period of the pre-emptive right.

6.4 Legal Implications

The legal implications depend on the decision that is taken and are addressed in the item.

6.5 Staff Implications

No additional staff implications.

6.6 Previous / Relevant Council Resolutions**23RD COUNCIL MEETING: 2014-09-23: ITEM 7.3****RESOLVED:**

- (a) That the special council meeting: 2010-06-07 item 7(c) that reads as follows, be rescinded:

“That, should there be not sufficient qualifying applicants on the current waiting list, the acting municipal manager be authorised to sell the remaining erven per public tender”

- (b) That the new proposed criteria outlined below, be approved:

- (i) Potential beneficiaries must reside or work in the Franschhoek valley or be in the service of Stellenbosch Municipality for at least three years;
- (ii) Preferential treatment will be given to first time home owners;
- (iii) Preferential treatment will be given to previously disadvantaged individuals in the allocation process, if they qualify in terms of 3.1.1; and
- (iv) Should the need (people who qualify) outweigh the demand, then the criteria listed above will be converted into a points system in determining a final list of qualifying beneficiaries;
- (c) That a period of six months from date of advertisement be given to all new potential beneficiaries to submit their application; and

- (d) That, should this second opportunity not provide sufficient qualifying applicants, the municipal managers be authorised to sell the remaining erven per public tender.

6.6.1 Risk Implications

Many of the erven in the estate remain undeveloped and have not been allocated. There is a risk that the beneficiaries on the list that have not been allocated properties can take action against the Municipality. Council must make provision on the budget if the properties are to be bought back.

6.7 Comments from Senior Management

The item has not been circulated for comments.

- Appendix:**
1. Franschhoek Land and Housing Development Policy Framework
 2. Title Deed
 3. Affidavit from applicant
 4. Offer to Purchase

FOR FURTHER DETAILS CONTACT:

NAME	Annalene de Beer
POSITION	Director
DIRECTORATE	Corporate Services
CONTACT NUMBERS	021-8088018
E-MAIL ADDRESS	annalene.debeer@ Stellenbosch.gov.za
REPORT DATE	2024-11-07

APPENDIX 1

***FRANSCHHOEK
LAND AND HOUSING DEVELOPMENT
POLICY FRAMEWORK***

AGREEMENT

16 FEBRUARY 1998

AGREEMENT

We, the stakeholder organisations of Franschhoek agree as follows:

1. The principle of consensus

We have reached full consensus regarding the terms of this agreement and bind ourselves in utmost good faith to it.

The Council has also agreed to the terms of this agreement and we now present the accord to the Council for approval and ratification.

2. Integrated Development Plan for Franschhoek

This agreement shall form part of the Integrated Development Process and guide the future Structural Plan for Franschhoek.

3. Principles

This agreement, which determines the land use for Franschhoek as well as providing for matters relating to housing and incidental matters, is based on the relevant legislation i.r.o. housing and development, as well as on the vision and mission accepted in December 1997 for Franschhoek, and is founded on the following principles:

1. Spatial effectiveness (proximity to schools, commercial centres, and amenities)
2. Optimal cost effectiveness, including opportunity cost
3. Optimal utilisation of funds and resources
4. The preservation of land values
5. The discouraging of urban sprawl
6. The sustainability of solutions
7. A holistic and integrated approach
8. The integration of Franschhoek as one village
9. The preservation of the environment
10. The provision of land for the appropriate housing of all income groups
11. The acquisition of individual title and ownership to Franschhoek residents

Handwritten signatures:
 Baatman
 JMEY
 [Signature]

12. The optimal utilisation of infrastructure
13. The inclusion of medium and long term future planning
14. The preservation of the economic potential of the village
15. The improvement of the village image
16. The improvement of quality of life of all residents of the village

4. The determination of the Municipal Boundary

It is agreed that the Franschhoek Municipality will in the immediate term incorporate in its boundaries the area B marked on ANNEXURE A {Map} hereto, the area M, being the farm Mooiwater, and the land between the railroad and main road, to the west of the main road.

It is agreed that the future boundaries of the Municipality will aim to incorporate the entire valley, up to the Berg and Wemmershoek rivers, based on the principle that those areas which receive services and which form an integrated economic entity should be incorporated and be proportionally liable for taxes. The Town Council is requested to initiate negotiations and to start taking the required steps towards such incorporation without delay.

5. The determination of land and housing need

1. High cost

It is agreed that land currently owned by the Municipality should mostly be commercialised as high cost developments, to fund land acquisition and infrastructure for low-cost projects. The principle of cross subsidisation and financial support derived from high cost development is agreed upon.

Being self-sufficient, this group does not require direct Municipal assistance in housing. (referred to hereafter as “Group 5”)

2. Medium Cost

It is agreed that the Municipality has a direct responsibility i.r.o. facilitating medium cost development.

The short and medium term need is agreed as follows:

100 units

M. Beartman
JMR

Medium cost housing is defined as those groups who do not qualify for the benefits in terms of the National Housing Policy, or where this subsidy is insufficient, and where the beneficiary can afford to build a house to the value of:

Group 3: up to R80 000.00

Group 4: up to R150 000.00

3. Low Cost

It is agreed that the Municipality has a direct responsibility for low cost development. The short and medium term need is agreed as follows:

1010 units

Low cost housing is defined as those groups who:

Group 1 : do not qualify for the subsidy of the National Housing Policy, and cannot raise capital on the open market. These beneficiaries will receive a serviced site. The standard of services will depend on funding and ability to pay for the services.

Group 2 : qualify for the subsidy in terms of the National Housing Policy

6. Available land description

1. The following land is referred to in ANNEXURE A and is categorised for the purposes of this agreement as available land, land where development is to be encouraged, or land to be acquired as the case may be:

Symbol	Name	Owner	Size
L	Langrug	Municipality	9,5ha
M	Mooiwater	Garlic	36ha
V	Vietnam	Municipality	1
B1		Palozollo	2,6ha
B2		Lotter	0.7ha
B3		Lotter	12.3ha
B4		Hellinger	1,82ha
B5		Mcgahey	14,25ha
B6		Loubscher	12,3ha
B7		Hauman Trust	5ha
B8		Wilson	15,29ha
B9		Clark	12ha
A1		Municipality	1,8ha
A2		Municipality	5ha
G		Municipality	1ha
H		Municipality	1,5
C	Meentgrond/Common	Municipality	66

meentgrond


7. Approach

We agree that the land use and housing programme for Franschhoek be approached from a socio-economic perspective, driven by business principles. In meeting the social need for land and housing for the residents and future residents of Franschhoek, the assets of Franschhoek are to be carefully and creatively managed so as to ensure their optimal utilisation, the maintenance of their environmental attractiveness, and to generate maximum funding for development, with housing a priority.

8. The Development Trust

We agree to the establishment of an independent trading Trust (to be named "Franschhoek Incorporated?"), in terms of the provisions of the Housing Act section 9(2)(a)(iv) i.r.o. the creation by Council of a "business entity".

The aim of the Trust shall be to make proposals to the Council regarding the management, commercial exploitation and development of the land assets of the Municipality, and the acquisition, planning and development of suitable land whereupon to satisfy the housing needs of the residents of Franschhoek. The assets to be taken under management, include all existing and future municipally-owned land available for economic development, as well as trading and development rights associated therewith.

The formation, powers, and nature of the operations of the Trust, as well as its relationship with the Municipality, shall be the subject of a process to be lead by S D Raubenheimer. This process will also determine the nature of the assets of the Trust, and the relationship of the Trust to Municipal assets. This process will set out in the form of an agreement the rights and obligations of the Council and the Trust. The Trust and the Council will act in terms of the agreement to be determined between them, and will accordingly co-operate in a partnership. Once this process has been finalised, the Trust will be formed.

The Trustees will equitably represent all the stakeholders to this agreement in a manner to be determined in the above process. It is intended that trustees should offer their expertise free of charge.

The Trust shall consult with all stakeholders and interested parties in the process of formulating its plans and proposals. With regard to housing, the Trust shall specifically consult the intended beneficiaries.

The Trust will be entitled to negotiate, subject to the rights and responsibilities of the Council, with third parties with a view to the maximising of the value of the assets owned by the Municipality. In this way the Trust may present plans to Council for the sale or lease of assets, the development of assets, the establishing of joint and other ventures relating to the assets, the raising of finance and collateral against the assets, and so forth. The Trust shall further present to the Municipality , appropriate plans for the acquisition and utilisation of land, as well as submit detailed proposals for housing projects to be developed in accordance with this agreement.

Handwritten signatures and initials at the bottom right of the page, including what appears to be 'M. Raubenheimer' and 'J. M. R.'.

The duties and activities of the Trust will not in any way impair the Council from continuing with its responsibilities in regard to this agreement.

9. Land Acquisition

We agree that the funds generated through the land assets referred to be utilised to purchase area M [Mooiwater], areas B1 and B4 [Palozollo and Hellinger] and area B2 [Lotter]. We propose the purchase at a later stage of area B7.

Further portions of the area B which may need to be acquired, shall be investigated by the Trust at a later stage.

10. Land Use

We agree that the lower section of area M be utilised for Groups 1 & 2. We agree further that B1, B4 and B2 be utilised for Groups 3 & 4, each development to form a comprehensive entity providing for sporting and recreational amenities, churches, green areas and so forth.

We agree that a 50m belt parallel to the main road running next to area B, will not be claimed for housing development, nor will development plans for the B area be approved with plans for housing in this belt.

We agree that selected qualifying applicants as defined in terms of the process referred to in this agreement, will be granted full title to land with a view to creating a class of independent land owners.

For Groups 1 & 2, erven will be appr. 200 sq. m. in extent, or at higher density where specifically agreed. Such erven will all be serviced, with *inter alia* adequate roads, storm-water drainage, street lighting, and individual access to electricity, potable water and sewerage. In all areas space will also be provided for amenities, as and where appropriate.

We agree to the provision of a site for the establishing of a Housing Bureau, should funding for such a Bureau be sourced, to provide residents with all forms of capacity development regarding land ownership and construction of houses.

We agree that the present Langrug and the upper section of M be ear-marked for Groups 4 & 5.

We agree that the private development proposals received by Council i.r.o. areas B5 and B9 be supported. This support shall be conditional on negotiated additional contributions to External Services and Development Funds, and harmonising of services infrastructure, *inter alia* in support of the service provision in B1 and B4. The developer in B9 shall also be required to contribute to the maintenance of Wes Eind School.

We agree to the development of area H at best value on proposals to Council by the Trust for smallholdings or plots in the high cost category.

Meatman
Jmey

We agree to the exchange of area G for land behind the Municipality. The need in town for apartment accommodation must be taken into account when development proposals are considered.

We agree that the Trust propose the development plans for these areas and such further vacant plots as can be suitably developed.

We agree that area A2 be set aside in trust for land claims compensation - land claims being a matter that we would prefer to see settled locally, through direct tri-lateral negotiations between the Land Claims applicants, affected land owners and the Municipality, in conjunction with the relevant state authorities. It is requested that Council urgently convene such a meeting and initiate the negotiation process.

We agree that area A1 will be utilised for the establishment of 34 erven (or higher density group housing, if appropriate) to be allocated for medium cost housing. The Council will develop the properties and sell the developed erven at the cost price of the development costs. The land itself will be transferred free of charge.

We agree that area V be cleared of all informal settlements and that no claim for housing be made against this area.

We agree that area C be dealt with as a major asset, to be developed and marketed by the Trust to best commercial advantage, in order thereby to raise funds for land acquisition, infrastructure development and cross-subsidisation i.r.o. low-cost housing in areas B and M.

11. Time Frame

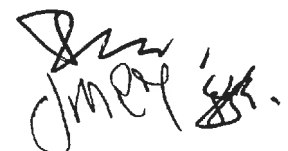
We agree that the Trust should, within six months of its foundation, develop concrete plans for presentation to the Council i.r.o. the commercialisation and utilisation of Municipal assets and the provision of housing as per this agreement, in order that results may be seen by the homeless as soon as possible. The contracting parties reserve the right to revert to their positions prior to this agreement (which *i.a.* proposes the development of the commonage for housing those presently lacking same), should clear indication of the capacity to deliver i.t.o. this agreement not be demonstrated by the end of 1998.

12. Conservation area

We agree to the enlargement of the Historic Conservation Area to include as far as is practicable, all historic structures in the municipal area, as well as the area between the railroad and main road, to the west of the latter.

13. Economic development

We agree that controlled and suitable economic development is essential for the sustainability of the housing plan.

M. Baatma


It is agreed that the establishment of commercial, light industrial and tourist friendly craft areas should be incorporated in the Integrated Development Plan for Franschhoek, centred on the present light industrial zone to the west of the proposed La Cotte roundabout..

We agree that Council should establish a workgroup, similar to the housing work group, to address the issue of Economic Development and Job Creation as part of the Integrated Development Process, to be facilitated by Mr. S. Raubenheimer. This work group is to study, and make recommendations to Council regarding a suitable economic development policy for Franschhoek, addressing all related issues but with special attention to job creation, and commercial and industrial land use zoning. This work group shall present its proposals to the Council by end March 1998.

14. Census and population data; influx

We agree that the residents and incoming residents of the town in informal settlements be counted and a data base be developed recording all necessary information regarding the residents for the purposes of the housing plan.

The waiting list shall also be updated urgently, after due consultation.

We agree that proper allocation criteria for the low and medium cost housing (Groups 1 to 4) be established by the Council, upon advice from the Trust.

We agree that the Town Clerk and the community organisations shall, in the interim, co-operate to control the erecting of further informal housing for new arrivals, particularly in non-serviceable areas such as that above the Langrug reservoir, and that such new arrivals shall be made aware of this agreement and shall be subject to the information process referred to above.

15. Communication

We agree to the establishment of a Communication Committee, made up of 6 members of the parties to this agreement, as well as of the Town Clerk in a liaison position with the task to achieve the following:

- to reduce this agreement into a simple pamphlet in English, Afrikaans and Xhosa for distribution among Franschhoek residents.
- to communicate to local media the terms of this agreement
- to communicate to all other forms of media the terms of this agreement and related events
- to hold question and answer sessions with residents to explain and publicise this agreement
- to communicate with landowners referred to in this agreement as a courtesy
- to communicate with the farming community concerning problems i.r.o. farm labour housing

m. Beartma
[Signature]
[Signature]

16. Social Compact

We agree to the terms of the following social compact (which shall be reduced to simple language in English, Afrikaans and Xhosa by the communication committee), which shall be signed by all residents acquiring land in terms of this agreement in the low and medium cost areas.

“As a person that qualifies in terms of the criteria determined in accordance with this agreement and the criteria as provided for in the National Housing Policy:

- I understand that I shall receive free of charge – upon binding myself to this Social Compact - freehold title to my own plot of land as part of a once-off process of normalisation aimed at the creation of communal unity, the spatial integration of the town Franschhoek, the promotion of individual land-ownership and the creation of opportunity for self-upliftment and economic advancement
- I understand that the level of services to this plot, and the level of subsidising of the services cost, will be determined by the Council, in consultation with the Trust, the Western Cape Housing Board, and the beneficiaries, and will depend on availability of funds
- I understand that this shall be achieved as a matter of urgency through the joint efforts of the Council and community organisations as represented in the Trust
- I understand that community structures that represent me were part of this planning process
- I understand that I myself, and all community structures will be continuously consulted in respect of this plan
- I understand that as a landowner I will have an asset which has value, but for which I will be responsible
- I understand, and herewith accept and support the Council's right to take legal action against me, or against any others, if I or they transgress the terms of this Social Compact
- I agree, in return for this free grant of a plot of land as described herein, to co-operate with the Council's housing plan in respect of allocation, relocation, and ordered development
- I agree to help the Council with the supply of information it may need for this plan
- I agree not to take part or encourage or support any uncontrolled squatting
- I agree to RDP principles related to housing provision and development, and agree specifically to personally support the Masakhane campaign by promptly paying for all services and utilities used by me, and such charges as levied by the Council, unless I can show good cause consonant with the terms of my contract of acquisition
- I agree to co-operate fully with all law enforcement agencies in the prevention of crime in the Franschhoek Valley, and bind myself not to commit any crime
- I agree that my rights to the plot accorded me in terms of the Housing Plan of the Council may be unilaterally withdrawn if I do not adhere to this Social Compact and the terms of my contract; in particular, if I should be found guilty of a serious crime and receive a non-suspended sentence of imprisonment from a competent court, if I fail to uphold the Masakhane principles, or if I aid and abet any illegal squatting.”

m. Baatman



In this way, we - proud residents of Franschhoek - herewith bind ourselves to individual freedom of spirit, compassion, justice and economic development, and equally to individual responsibility, ordered community life and good neighbourliness.

SIGNED AT FRANSCHHOEK ON 16 FEBRUARY 1998

The Executive Organ of the Council (The Town Clerk) :

The Rate-Payers Association :

The Land Claims Committee :

The Housing Action Committee :

The RDP Forum :

The Chamber of Business :

SANCO :

Vallee Tourisme :

The Franschhoek Development Forum :

The Housing Forum :

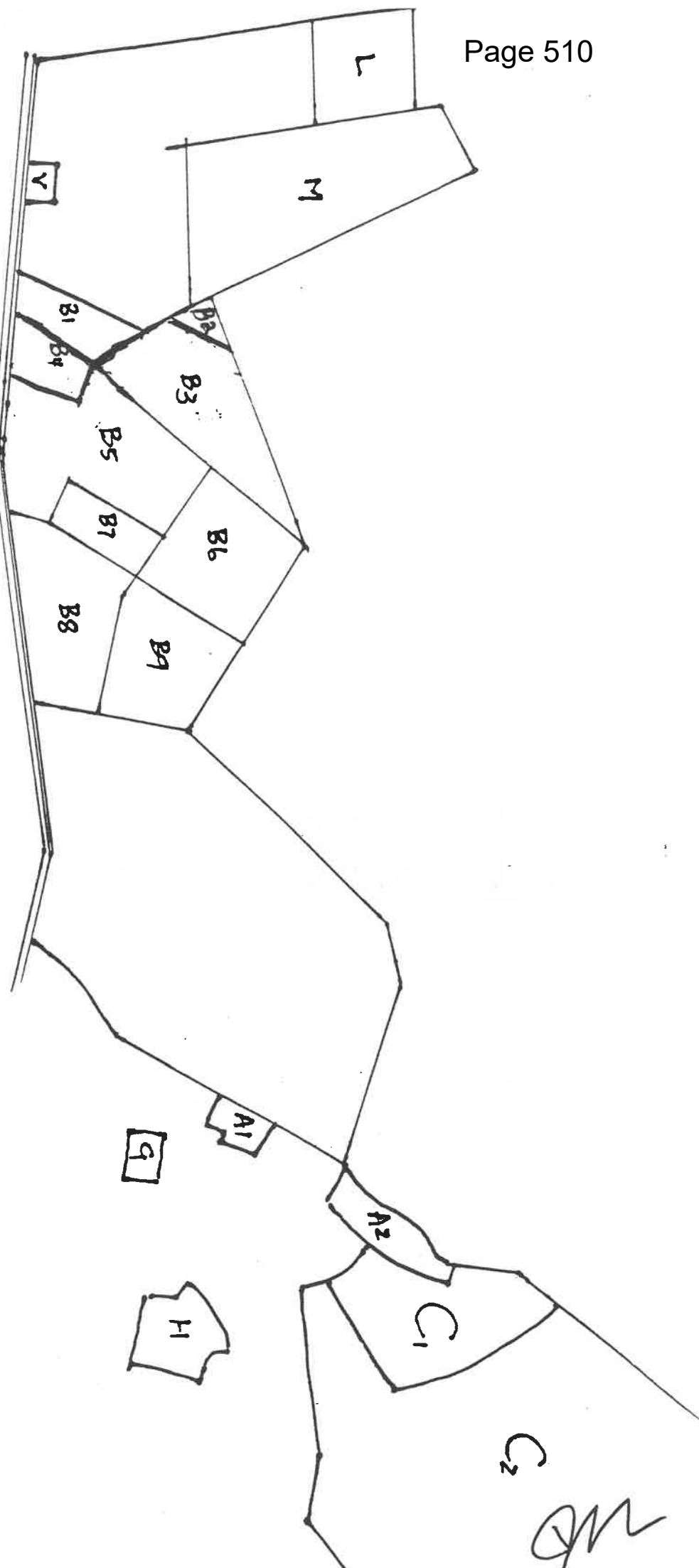
Vignerons de Franschhoek:

The Franschhoek Trust:

The Town Council of Franschhoek (the Mayor):

BY SIGNING THIS AGREEMENT, WE - THE DULY MANDATED SIGNATORIES - HAVE SOLEMNLY BOUND OUR ORGANISATIONS AND INSTITUTIONS TO THE SPIRIT AND TERMS OF THIS ACCORD.

L	Municipality	6.4 ha
M	Gardic	36 ha
V	Municipality	1 ha
B ₁	Palazolla	2.6 ha
B ₂	Lotter	- 72 ha
B ₃	Lotter	12.267 ha
B ₄	Hellinger	1.8 ha
B ₅	McGarley	14.2 ha
B ₆	Loubocher	12.3 ha
B ₇	Hauman Trust	5 ha
B ₈	Wilson	15.3 ha
B ₉	Clarke	12 ha
A ₁	Municipality	1.8 ha
A ₂	Municipality	5 ha
G	Municipality	1 ha
H	Municipality	1.5 ha
C	Municipality	66 ha
C ₁	15 ha	
C ₂	51 ha	



“POLICY GUIDELINES FOR ECONOMIC GROWTH”

We are in the process of drawing up a socio-economic plan for Franschhoek, as part of the Integrated Development Plan. We have already agreed upon the following vision and mission statements, which will form the basis of the policy guidelines envisaged:

VISION

Franschhoek is a beautiful rural town with a vibrant economy. Its hospitality, rich diversity, history and character makes it a choice destination for tourists.

It is also an exporter of quality products.

Franschhoek is a harmonious, sharing and caring town where every inhabitant feels at home and enjoy quality of life.

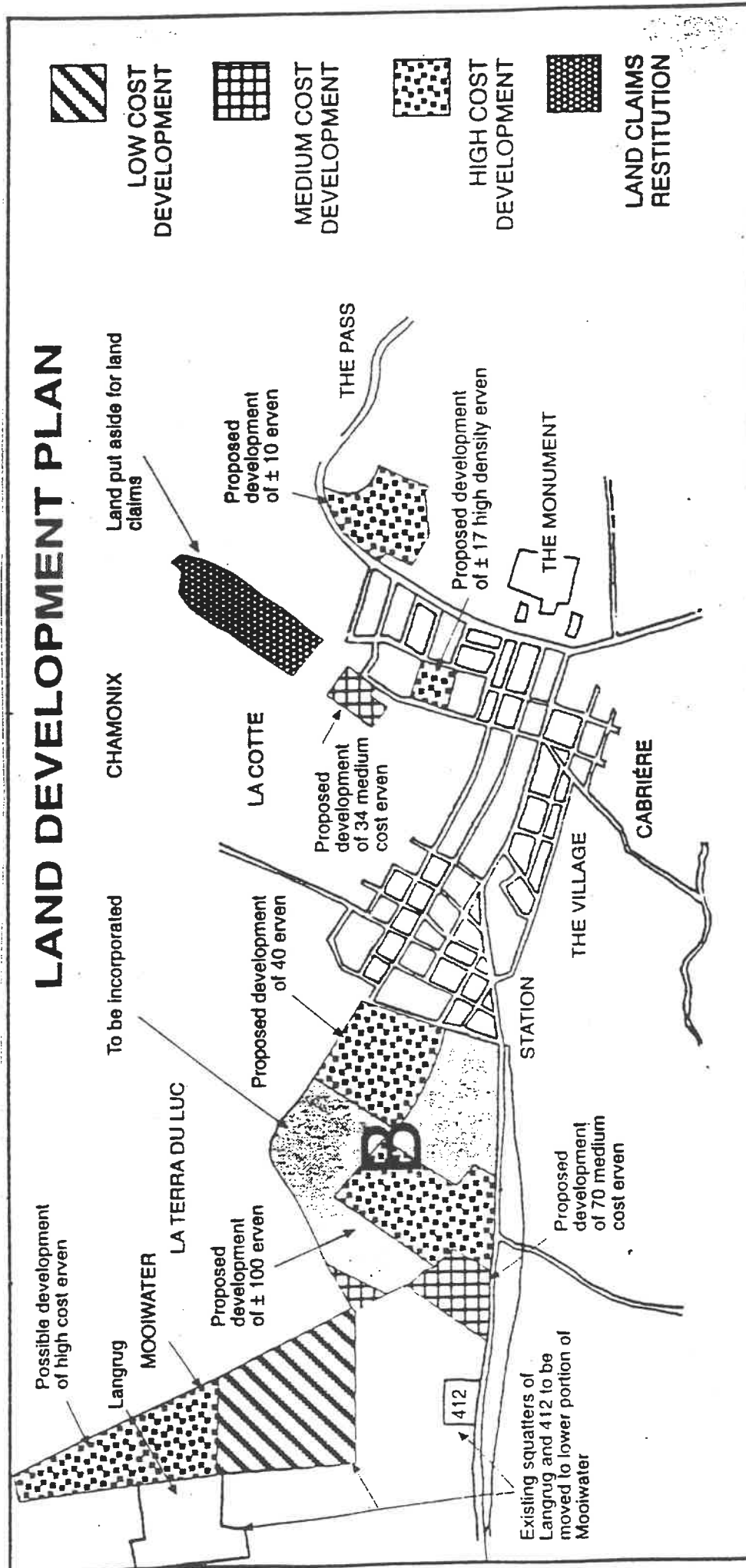
MISSION STATEMENT

In order to enhance the quality of life of all inhabitants and to facilitate social and economic development in accordance with the goals of Franschhoek's vision, it is the function of the Franschhoek Local Authority to create an enabling environment by:

- Establishing an appropriate policy and regulatory framework
- Delivering quality, cost-effective services and
- Creating and maintaining communal infra-structure

This will be done on the basis of the following values:

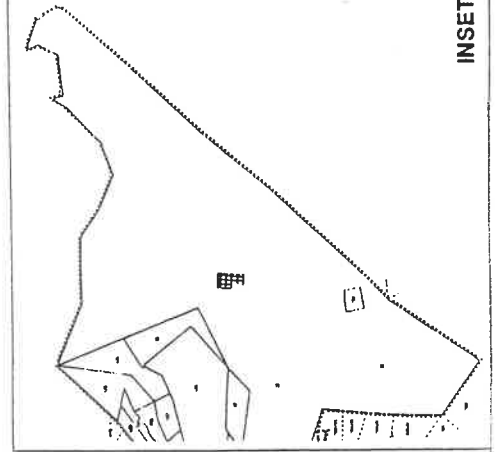
- Affordability
- Justice
- Equitability
- Inclusivity
- Sustainability
- Environmentally sound
- Enhancing the town's character
- Consensus seeking
- Goal-oriented and focussed
- Transparency
- Consistency
- Respectfulness of individual rights and diversity
- Accountability



LAND HOLDINGS REFERRED
TO IN THE FRANSCHOEK LAND
AND HOUSING DEVELOPMENT
POLICY FRAMEWORK
16/02/98



Symbol	Name	Owner	Size
L	Langeveld	Municipality	9.5ha
M	Mooiwater	Garic	16ha
V	Vierman	Municipality	1
B1		Pieterse	2.6ha
B2		Lotter	0.7ha
B3		Lotter	12.1ha
B4		Frederick	1.8ha
B5		McGarry	14.25ha
B6		Loubser	12.3ha
B7		Huisman Trust	5ha
B8		Wilson	15.29ha
B9		Clark	12ha
A1		Municipality	1.8ha
A2		Municipality	5ha
G		Municipality	1ha
H		Municipality	1.5
C		Municipality	66
	Meentgraaf/Common		



INSET

2. BEHUISING

Die volgende aantal huise/informele strukture bestaan:

■ Formele Behuising	:	Franschhoek Noord	:	447
	:	Franschhoek Suid	:	<u>575</u>
		<i>Totaal</i>	:	<u>1022</u>

■ Informele Behuising:	:	412	:	153
	:	Langrug	:	536
	:	Agterplaasstrukture	:	<u>80</u>
		<i>Totaal</i>	:	<u>769</u>

Volgens die laaste konsep-uitleg van Langrug, kan ±314 erwe daar voorsien word, sou die gebied *in situ* opgradeer word. Indien aanvaar word dat 412 nie *in situ* opgradeer gaan word nie, beteken dit dat alternatiewe grond voorsien sal moet word waarop die "tekort" van 455 voorsien sal moet word:

Voormelde getalle sluit nie in die aantal mense op die waglys nie, aangesien baie mense op die waglys in 412, Langrug of in agterplaasstrukture woon.

Om dus slegs die onmiddellike behoefte (uitgesluit mense op waglys) aan te spreek, moet 455 addisionele erwe voorsien word.

Indien aanvaar word dat erwe ±200m² groot moet wees, en 25% toegelaat moet word vir strate en oop ruimtes, is 11.3 hektaar grond nodig om die huidige behoefte te akkommodeer.

Indien aanvaar word dat 10% van bogenoemde persone nie kwalifiseer vir die staatsubsidie-skema nie, m.a.w., waar die gesin meer as R3500 per maand verdien, en verder aanvaar word dat laasgenoemde groep self lenings kan opneem by 'n bank, kan die verdeling tussen lae inkomste-behuising (subsidie) en medium inkomste-behuising as volg gedoen word:

■ Lae koste behuising	:	410 @ 200m ² /erf + 25% =	10.25 hektaar
■ Medium inkomste behuising:	:	45 @ 400m ² /erf + 30% =	<u>2.34</u> hektaar
■ Totaal: behoefte aan addisionele grond:			<u>12.59</u> hektaar

Voormelde berekenings t.o.v. sogenaamde medium-inkomste groep is slegs t.o.v. persone in agterplaasstrukture en informele behuising.

Indien aanvaar word dat daar ±50 ander persone is wat ook 'n behoefte aan medium inkomste behuising het, kan die situasie as volg saamgevat word:

■ Addisionele grond benodig vir:	lae inkomste behuising:	10 hektaar
	medium inkomste behuising:	<u>5</u> hektaar
	<i>Totaal</i>	<u>15</u> hektaar

APPENDIX 2

"NTS"

CSM ATTORNEYS
21 Plain Street,
Stellenbosch,
7600

Prepared by me

Tax guide	
Particulars	Amount
Purchase price/Value	R 115 422,13
Stamp duty	R 75,00
Transfer fee	
Reason for exemption	Exempt 1.1.0
Col.	section Act

CONVEYANCER
LESTER ELENZAK KLUE

CLYDE STEWARD MEYER
CONVEYANCER / AKTEBESORGER
KOMMISSARIS VANEDE
COMMISSIONER OF OATHS
PROKUREUR / ATTORNEY RSA
PLEIN STREET 21/21 PLEINSTRAAT
STELLENBOSCH
TEL: 021 883 8668 FAX: 021 883 8668
CELL: 083 739 4012

Certified true copy
2510/2024
Sign

DEED OF TRANSFER

T 000047457 / 2017

BE IT HEREBY MADE KNOWN THAT

TASLEEMA RINQUEST

appeared before me, REGISTRAR OF DEEDS at Cape Town, the said appearer
being duly authorised thereto by a Power of Attorney granted to him by

MUNICIPALITY OF STELLENBOSCH

which said Power of Attorney was signed at STELLENBOSCH on 13 July 2017.

DATA / CAPTURE

2017 -08- 21

MUMELELA MNAMATA

1 AUG 2017

RECEIVED

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Page 2

And the said appearer declared that his principal had, on 06 March 2017 truly and legally sold by Private Treaty, and that he, the said Appearer in his capacity aforesaid, did, by these presents, cede and transfer to and on behalf of

PHILIBONGO WILLIAM NTSHONTSHWANA
Identity Number [REDACTED]

AND

WENDY THEMBEKA NKINTI
Identity Number [REDACTED]

Married in community of property to each other

their Heirs, Executors, Administrators or Assigns, in full and free property

ERF 3395 FRANSCHHOEK
in the Municipality of Stellenbosch
Division Paarl
Province Western Cape

IN EXTENT 241 (TWO HUNDRED AND FORTY ONE) Square Metres

AS WILL APPEAR from General Plan SG No. 7062/2007 and held by
Certificate of Registered Title Number T59643/2012

A. SUBJECT to the conditions contained in Deed of Grant dated 17 November 1927, Paarl Freeholds Volume 4 Number 7, namely:

1.
2. That all roads and thoroughfares over the land, whether or not described in the plan or diagram thereof, shall remain free and uninterrupted unless closed, diverted or altered by competent authority.
3.
4. That the land hereby granted shall be subject to all rights and servitudes which now affect or at any time hereafter may be found to affect the title of the land hereby granted or which may be binding on the Government in respect of the said land as at the date hereof.

Certified true copy⁵

25.10.2024

Sign: _____

That the general right of way from and to the adjoining Crown land over the whole of the land hereby granted is reserved in favour of the Government.

CLYDE STEPHEN MEYER
OF WEST-NOER-PAARL, SURGER
KOMMISSEAR VAN JUSTISIE
KOMMISSEAR VAN JUSTISIE
PROKUREUR-GENERAAL
P.O. BOX 2142, PAARL
6010

TEL: 021 880 1111 FAX: 021 880 1112

CELL: 082 311 1111

GhostConvey 13.7.4.3

Page 3

- B. SUBJECT FURTHER to a servitude of water and pipeline created in Deed of Transfer T 18707/1971 in favour of Erf 59 (a Portion of Erf 23) Franschoek, measuring 2,7948 (Two comma Seven Nine Four Eight) hectares over the Remainder of Erf 23 Franschoek measuring 1775,7807 (One Thousand Seven Hundred and Seventy Five comma Seven Eight Zero Seven) hectares which pipeline is represented by the lines k e j l m n o p q on Diagram 1877/1966 annexed to Deed of Transfer T 18707/1971 together with certain ancillary rights and obligations as will more fully appear on reference to the said Deed of Transfer. The southern boundary of the pipeline servitude 3,15 metres wide is represented by the line d e on Diagram 704/2001 annexed hereto.

B. SUBJECT FURTHER TO THE FOLLOWING CONDITIONS IMPOSED BY THE MUNICIPALITY OF STELLENBOSCH IN IT'S VAVOUR, NAMELY

1. The Transferee hereby grants the Transferor the right of pre-emption to purchase the property within 8 (eight) years after date of transfer subject to the following conditions:
 - (a) The Transferee undertakes to the Transferor that he will not sell, donate, lease, exchange or otherwise alienate or dispose of the property or any right or interest therein of whatsoever kind save in accordance with the provisions of this right of pre-emption.
 - (b) This right of pre-emption will be inserted as a title condition against the title deed of the property to be registered in the name of the Transferee. It is recorded that this condition lapses as soon as the seller elects not to exercise the right of pre-emption as contemplated herein and has advised the Transferee in writing to this effect, subject to clause (d) hereunder.
 - (c) In the event that the Transferee dies or divorces during the period that the Transferor has the right of pre-emption, the Transferor shall, without exercising the right of pre-emption, consent to the transfer of the property to the heirs of the late Transferee or the beneficiary of the property in terms of the divorce order. The right of pre-emption shall however remain registered against the title deed of the property for the remainder of the 8 (eight) years after date of transfer of the property in the name of the Transferee.
 - (d) Should the Transferee sell the property prior to the expiration of the 8 year pre-emptive period and the Transferor decides not to exercise its right to purchase the property from the Transferee then and in such an event the Transferee shall pay to the Transferor an amount equal to the difference between the selling price and the fair market value of the undeveloped property, being R348 500.00 (Three Hundred and Forty Eight Thousand, Five Hundred Rand), proportional to the remaining period of the pre-emptive right. For this purpose the date of transfer into the name of the new owner will be the determining date for calculating such proportional share of profit. The payment of the share shall take place on or before the date of registration of transfer into the name of the new Transferee thereof.

OLYDE STEWARD MEYER
CONVEYANCER / AKTIBESORGER
KOMMISSARIS VAN EDE
KOMMISSARIS VAN EDE
PROKUREUR / ATTORNEY RSA
PLEIN STREET 21/21 PLEINSTRAT
STELLENBOSCH
TEL: 021 883 8666 FAX: 021 883 8668
CELL: 083 739 4012

Certified true copy

25-10-2024

Sign: _____

- (e) The parties agree that the seller shall not issue a rates clearance certificate in respect of the transfer as contemplated in clause (d), should the payment of the percentage share not be secured, to the satisfaction of the seller.
- (f) Should the Transferor exercise its right of pre-emption, two independent valuers, appointed by the Transferor, will determine a fair market value of the property at that stage. The weighed average of the two valuations so determined will be used as a basis to determine the sales price. The parties agree that the determination of the fair market value, so determined, will be binding on the parties.
- (g) Notwithstanding the provisions contained in clause 1 as well as clauses 2 and 3 hereinafter it is specifically recorded that the restrictive conditions of sale and title will be waived in favour of Mortgagee/s in the event of the Mortgagee/s exercising its/their rights under the Mortgage Bond registered over the property.

- 2 (a) The Transferee and/or his successors in title shall, within a period of 36 (thirty six) months after the date of the first registration of transfer of the property from the Transferor to the Transferee (or such later date as the Transferor may direct in writing), complete building operations in respect of a dwelling house on the property (the plans and specifications of which shall have been approved by the Transferor).

In the event that the Transferee fails to comply with the provisions of paragraph (a) after sixty (60) months after the date of the first registration of transfer of the property from the Transferor to the Transferee (or such later date as the Transferor may direct in writing) then the Transferor will have a right to buy back the property at the same price as the Transferee has paid for it, plus a reasonable escalation.

- (c) Should the Transferor exercise its Buy-Back Right two independent valuers, appointed by the Transferor, will determine a reasonable escalation. The weighed average of the two valuers will be used as a basis to determine the fair escalation. The parties agree that the determination of the fair escalation, so determined, shall be binding on the parties.

SUBJECT to the following condition as imposed by the Municipality of Stellenbosch in favor of the Faire Donne Estate Home Owner's Association:

That the property shall not be transferred without the written consent of the Faire Donne Estate Home Owner's Association in accordance with the provisions of its constitution.

CLYDE STEWART BRETHER
CONVEYANCER / AKTERESORGER
KOMMISSARIS VAN EDE
COMMISSIONER OF OATHS
PROKUREUR / ATTORNEY RSA
PLEIN STREET 21/21 PLEINSTRAT
STELLENBOSCH
TEL: 021 883 8566 FAX: 021 883 8668
CELL: 083 733 012

Certified true copy
25.10.2024
Sign: _____

Page 5

WHEREFORE the said Appearer, renouncing all right and title which the said
MUNICIPALITY OF STELLENBOSCH

heretofore had to the premises, did in consequence also acknowledge it to be
 entirely dispossessed of, and disentitled to the same, and that by these presents,
 the said

**PHELIBHONGO WILLIAM NTSHONTSHWANA and WENDY THEMBEKA
 NKINTI, Married as aforementioned**

their Heirs, Executors, Administrators or Assigns, now are and henceforth shall be
 entitled thereto, conformably to local custom, the State, however reserving its rights,
 and finally acknowledging the purchase price to be the sum R115 422.13 (One
 Hundred and Fifteen Thousand, Four Hundred and Twenty Two Rand, Thirteen
 cents).

IN WITNESS WHEREOF, I the said Registrar, together with the Appearer, have
 subscribed to these presents and have caused the Seal of Office to be affixed
 thereto.

THUS DONE AND EXECUTED at the Office of the REGISTRAR OF DEEDS at
 Cape Town on 17 AUG 2017


 q.q.

In my presence

 REGISTRAR OF DEEDS

Certified true copy
 25/08/2017
 Sign: 

CO
 DEEDS
 REGISTRAR OF DEEDS
 PROXY/DEPUTY/ATTORNEY/RSA
 PLEIN STREET 21/21 PLEIN STRAAT
 STELLENBOSCH
 TEL 021 883 9866 FAX 021 883 9668
 E-MAIL: DEEDS@FIC.gov.za

APPENDIX 3

FOUNDING AFFIDAVIT

I, the undersigned,

PHELIBHONGO WILLIAM NTSHONTSHWANA

Identity Number [REDACTED]

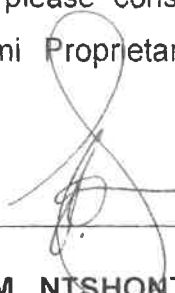
UNMARRIED

declare the following under oath:

1. ERF 3395 Franschhoek is registered in the names of my former spouse Wendy Thembeke Ntshontshwana, (Formerly Known As Nkinti), Identity Number [REDACTED], and me under Deed of Transfer Number T47457/2017. I attached a certified copy of the Title Deed as proof same marked annexure **"NTS 1"**.
2. I was married in community of property to my former spouse, but the marriage was dissolved by divorce. In terms of the divorce order my former spouse's undivided share in the immovable property was awarded to me. I attached a certified copy of the Divorce Order and Settlement Agreement as proof same marked annexure **"NTS 2"**.
3. On 07 October 2024 I decided to sell the property to Lanomi (Proprietary Limited), Registration Number: 2019/459013/07 for R1 200 000.00. I attached hereto a certified copy of the Deed of Sale marked annexure **"NTS 4"**, as well as certified copies of the purchaser's and sellers fica documents marked annexure **"NTS 5"**, **"NTS 6"**, **"NTS 7"** and **"NTS 8"**, respectively.
4. I confirm that my divorce had a massive financial impact on me, which has led to me being unable to properly maintain, secure the property, or complete the building operation within the required 36-month period as specified in paragraph 2(a) on page 4 of the Deed of Transfer. The property was registered in our names on 17 August 2017, and 7 years have passed of the 8-year restriction as imposed by condition B (d) on page 3 of the Title Deed.

P.W

5. I hereby apply to the Stellenbosch Municipality to please consent to the transfer of the property into the name of Lunomi Proprietary Limited, Registration Number: 2019/459013/07.



PHELIBHONGO WILLIAM NTSHONTSHWANA

SIGNED and SWORN to before me at Stellenbosch on this the 23rd day of October 2024, the said deponent acknowledged that she knows and understands the contents of this Affidavit and that she had no objection to the taking of the Oath and that he considered the oath as binding on her conscience, by uttering the words: "I swear that the contents of this declaration are true, so help me God".



COMMISSIONER OF OATHS

CLYDE STEWARD MEYER
CONVEYANCER / AKTEBESORGER
KOMMISSARIS VAN EDE
COMMISSIONER OF OATHS
PROKUREUR / ATTORNEY RSA
PLEIN STREET 21/21 PLEINSTRAAT
STELLENBOSCH
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APPENDIX 4

PRIME AUCTIONS

Page 1

RESIDENTIAL AGREEMENT OF SALE CONDITIONS OF SALE

Entered into between

PURCHASER

Lanomi (Pty) Ltd / Saul Chait

I.D.No. [REDACTED]

I.D.No. [REDACTED]

Represented in his/her personal capacity, or as nominee For and on behalf of a Company or Close Corporation or Trust Formed or to be Formed

CC/PTY/Trust

(Hereinafter referred to as the "PURCHASER")

Reg/Trust No. [REDACTED]

And

[REDACTED]

PHELIPHO GO WILSON *MSHOMTSE*
I.D.No. [REDACTED]

I.D. No. [REDACTED]

Represented In his/her personal capacity, or as nominee For and on behalf of a Company or Close Corporation or Trust Formed or to be Formed

CC/PTY/Trust

(Hereinafter referred to as the "SELLER")

Reg/Trust No. [REDACTED]

For the sale of the property together with improvements thereon described as:

ERF 3395, Reservoir Street,

Fair Donne Estate

Fransshoek. In extent 241sqm

(Hereinafter referred to as the "PROPERTY")

Transaction Date

07/10/2024

CLYDE STEWARD MEYER
CONVEYANCER / AKTIEBESORGER
KOMMISSARIS VAN EDE
COMMISSIONER OF OATHS
PROKUREUR / ATTORNEY RSA
PLEIN STREET 21/21 PLEINSTRAAT
STELLENBOSCH

TEL: 021 883 8666 FAX: 021 883 8668
CELL 083 739 4012

Sellers Initials PW Buyers Initials SC

Certified true copy

25-10-2024
Sign: [Signature]

Over my hand and seal I certify that the above is a true and correct copy of the original document.

Director of the Department of Justice and Constitutional Development, Cape Town

This sale is subject to the following terms and conditions and these conditions serve as an agreement of sale, whether the Property is sold by public auction or otherwise.

1.1. The SELLER hereby appoints Prime Auctions as its agent to immediately accept the offer and confirm the sale for and on behalf of the Seller should the requested selling price be achieved or exceeded.

1.2. The Property will be sold by way of public auction and once a bid has been made it cannot be withdrawn.

1.3. The sale shall be by rise and every bid shall constitute an offer to purchase for the amount bid. The Property shall be sold to the bidder of the highest accepted bid subject to the terms hereof.

1.4. The auctioneer is entitled in his sole discretion to refuse any offer without giving reasons for such refusal. In the event of there being a dispute regarding any bid, irrespective as to whether the bid has been knocked down, the property may again be put up for auction at the sole discretion of the auctioneer.

1.5. The Property is sold with reserve and subject to confirmation by the SELLER. The Property will be sold to the highest accepted bid, this offer shall be open for acceptance by the seller or his agent of which confirmation or refusal will be given without furnishing any reasons until 18h00 on the 7th (seventh) day from date of sale.

1.6. The purchaser hereby nominates Prime Auctions as its agent for the purpose of receiving and accepting notification of acceptance of this offer.

1.7. The Property is sold as described in the existing Title Deeds and subject to all servitudes, conditions, etc., as described therein.

1.8. Neither the SELLER nor the Auctioneer shall be responsible for the accuracy of any statement made in any advertisement or other notice of sale of the property relating to its situation or improvements thereon, extent, or other detail, and no compensation shall be claimable in respect of any error so made. All purchasers or their representatives will be deemed to have validated for themselves all relevant aspects of the property whether advertised or not, prior to bidding.

1.9. In the event of a higher offer being received before the date of confirmation it will be dealt with by the auctioneer under the same terms and conditions with the exception that the original Purchaser has the (right of first refusal).

CLYDE STEWARD MEYER
CONVEYANCER / AKTEBESORGER
KOMMISSARIS VAN EDE
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PROKUREUR-ATTORNEY RSA
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TEL: 021 883 8668 FAX: 021 883 8668
CELL: 083 739 4012

Sellers Initials **P.W** Buyers Initials **9**

Newcastle Realinvest Estate CC trading as Prime Auctions CK 1992/024664/23 VAT nr. 4350243624
www.primeauctions.co.za admin@primeauctions.co.za Veronique +27 (0) 63 749 1470 Director Veronique Huncer

Certified true copy
25.10.2024
Sign:

1.10. The highest bidder ("the Purchaser") shall sign these Conditions of Sale immediately on the fall of hammer or closing of auction via electronic platform

1.11. Should the SELLER reject the Purchaser's offer, the Auctioneer will immediately repay to the Purchaser any deposit and/or Auctioneer's Fee paid by it excluding any interest thereon.

1.12. The Consumer Protection Act 68 of 2008 is applicable to: "every transaction occurring within the Republic unless it is exempted by subsection (2), or in terms of subsections (3) and (4)."

1.13. Section 45 of Subsection (2) of the Consumer Protection Act 68 of 2008 provides that: "When goods are put up for sale by auction in lots, each lot is unless there is evidence to the contrary, regarded to be subject of a separate transaction."

2. CONDITIONS OF PAYMENT

2.1. On the fall of the hammer or closing of auction via electronic platform the Purchaser will pay to the Auctioneer over and above the bid price an Auctioneer's Fee equal to 10% (ten per centum) of the bid price, or R50 000 (Fifty Thousand Rand), whichever is the greater (plus VAT thereon), being Auctioneer's Fee.

2.2. The full bid price of the Property must be paid upon registration of transfer of the Property into the name of the Purchaser for which the Purchaser will be obliged to deliver a bank guarantee, acceptable to the Seller, within 30 (Thirty) days after confirmation of the sale by the SELLER or the Auctioneer, of which guarantee will be payable to the SELLER or his nominee.

3. TOTAL PURCHASE PRICE

The total purchase price including Auctioneer's Fee (including VAT on Auctioneer's Fee) is: R1 200 000
(ONE MILLION TWO HUNDRED THOUSAND RAND)

4. BID PRICE

The Bid Price of the Property (being the highest bid) is R1 080 000.00

(ONE MILLION AND EIGHTY THOUSAND RAND)

if applicable, and shall be paid by the Purchaser in cash (via EFT), or secured to the satisfaction of the Conveyancing attorneys, by a written guarantee from a registered financial institution, payable free of exchange, against registration of transfer of the Property into the Purchaser's name. The Purchaser may elect to secure the Purchase Price by payment in cash (via EFT) to the Conveyancing attorneys, who shall hold same in trust, pending registration of transfer into the name of the Purchaser upon which the conveyancer shall pay to the Seller or his/her nominee. The aforesaid guarantee shall be delivered and/or cash (via EFT) shall be payable by the Purchaser to the Conveyancing attorneys within thirty (30) days after confirmation of the sale by the Seller or the Auctioneer.

CLYDE STEWARD MEYER

CONVEYANCER / AKTEBESORGER

KOMMISSARIS VAN EDE

COMMISSIONER OF DEEDS

PO BOX 1177, TROMPSBURG

PLEIN STREET 2101 PLEIN STRAAT

STELLENBOSCH

TEL: 021 883 8666 FAX: 021 883 8668

Sellers Initials P. W Buyers Initials S

Certified true copy
24.10.2024
Sign: [Signature]

Upon signature of these conditions of sale by the Purchaser, an Auctioneer's Fee of

R120 000.00 (ONE HUNDRED AND TWENTY THOUSAND RAND)

inclusive of VAT is due and payable immediately by the Purchaser to the Auctioneer by way of electronic transfer or a bank guaranteed cheque acceptable to the Auctioneer. This Auctioneer's Fee will be deemed to have been earned by the Auctioneer either upon the requested selling price being achieved or if the sale is confirmed by the Seller at a lesser value, or if the sale is by private treaty on signature of these conditions.

This amount is payable to the following account:
Banking details to be provided by Consultant.

6.1 The parties note that the AUCTIONEER conducts auctions nationally and internationally from its Head Office in Newcastle, KwaZulu Natal, Republic of South Africa;

6.2 Experience has demonstrated:

6.2.1 that the auction transactions require constant monitoring by the AUCTIONEER's Auction Management Staff, working as a team with the Conveyancers and their staff;

6.2.2 that the auction transactions require allocated and dedicated staff to deal specifically with the administration, preparation, conducting of the auction, and after sales management. This ensures effective service to the needs of all parties;

6.2.3 to achieve this, the AUCTIONEER's Management Staff need to work as a team with an allocated and dedicated team of staff at the Transfer Conveyancers who can then account directly to all parties;

6.2.4 accordingly, the AUCTIONEERS have negotiated with ~~Southey Attorneys Inc.~~ ^{CSM Attorneys} for a conveyancing team dedicated to the property transactions of the AUCTIONEER, including:

dedicated conveyancers/notaries;

dedicated paralegals;

face-to-face meetings with the AUCTIONEER's Management Staff to deal with matters as and when issues arise;

CLYDE STEWARD MEYER
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Newcastle Realinvest Estate CC trading as Prime Auctions CK 1992/024884/23 • VAT nr. 4350243624

www.primeauctions.co.za admin@primeauctions.co.za Veroniale +27 (0) 83 749 1470 Directuure on 021 883 8668

Certified true copy

25.10.2024

Sign:

6.3 For these and other practical reasons, the parties agree to the appointment of ~~Southey Attorneys Inc~~ ^{CSM Attorneys} as the transfer attorneys;

6.3.1 Should you require oversight of the matter by your own conveyancers, you are welcome to instruct them at your own cost and our conveyancers will keep them updated on progress; our conveyancers will send transfer documents to your conveyancers of choice, to attend to signature at a customary fee to be negotiated, and our conveyancers will pay this amount from transfer fees.

6.4 Conveyancers appointed by the Auctioneer ("the conveyancer") shall attend to the registration of the transfer of the Property into the name of the Purchaser. The Purchaser shall be liable for and shall pay to the conveyancer all the costs of transfer, transfer duty or VAT, whichever is applicable on demand by the conveyancer.

6.5 The Seller and the Purchaser undertake to sign all documents necessary to register transfer of the Property immediately upon request of the conveyancer.

6.6 Transfer of the Property shall be passed into the name of the Purchaser as soon as reasonably possible after the costs mentioned in Paragraphs 6.4 hereof and the full Purchase Price has been paid to the conveyancer.

6.6.1 The Seller shall after transfer furnish notice to the local authority and/or Eskom terminating any consumer agreements in respect of the supply of water, electricity or other services to the Property. The Seller shall under no circumstances be liable for any loss or damage whatsoever arising as a result of it terminating any consumer supply agreements after transfer.

6.6.2 The Purchaser shall forthwith after date of transfer substitute the deposits and/or guarantees in respect of the property paid to the local authority and/or Eskom by the Seller, if any. The Purchaser shall notify the Seller that such substitutes have been provided to the local authority and/or Eskom, and the Seller shall be responsible for obtaining the return of any guarantees or refunds of any deposits from the local authority and/or Eskom.

7.1 Possession and occupation of the Property, subject to any leases, shall be given to the Purchaser upon registration of transfer from which date all risks and benefits of ownership in respect of the Property shall pass to the Purchaser.

7.2 From date of occupation the Property shall be at the Purchaser's sole risk, and shall become the Purchaser's responsibility from which time the Purchaser shall be responsible for all charges and costs relating to the Property.

CLYDE STEWARD MEYER
CONVEYANCER / AKTEBESORGER
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COMMISSIONER OF OATHS
PROKURER / PROKURATEUR
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TEL 021 663 8668 FAX 021 863 8668
CELL 083 739 4012

Sellers Initials P.W. Buyers Initials

83,749

Certified true copy

25.10.2024

Sign:

8. OCCUPATIONAL INTEREST

8.1. Should the Purchaser take possession of the Property prior to registration of transfer, he shall pay occupational interest, calculated at the rate of 12% (twelve percent) per annum on the full purchase price, paid monthly in advance and capitalised monthly from date of occupation to date of registration of transfer without deduction or set-off, on registration of transfer.

8.2. Should the Seller be in occupation of the property after registration of transfer, he shall pay occupational interest to the Purchaser calculated at the rate of 12% (twelve percent) per annum on the full purchase price capitalised monthly from date of registration of transfer to date of occupation by the Purchaser without deduction or set-off, on registration of transfer.

9. ZERO RATING is intended to be sold as a going concern, and is:

9.1. If the Property hereby sold is an enterprise or part of an enterprise which is capable of separate operation, it is recorded that:

9.1.1. The Property is disposed of as a going concern and will be an income earning activity on the date of transfer;

9.1.2. All assets necessary to enable the purchaser to carry on the business will have been transferred to the purchaser on the date of transfer;

9.1.3. The SELLER and the purchaser are VAT vendors within the meaning of the term as defined and used in Value Added Tax Act 1991 and are registered as such as at the date of submission to the South African Revenue Service for a transfer duty receipt and as at the date of registration of transfer;

9.1.4. This transaction is therefore a zero rated taxable supply in terms of Section 11 (1) (e) of the Act.

9.2. If SARS rules that this sale does not qualify to be zero rated, then the Purchaser must pay value added tax at the standard rate calculated on the purchase price within five (5) business days of receipt of written request from the Seller or the Conveyancers.

10.1. The Property is sold subject to all existing tenancies.

10.2. The Purchaser shall be bound by those terms and conditions of the existing leases as fall within the scope of the "koop" of which he is fully apprised.

CLYDE STEWART MEYER

CONVEYANCER / AKTEBESORGER

KOMMISSARIS VAN EDE

COMMISSIONER OF OATHS

PROKUREUR / ADVOKAAT

PLEIN STREET 21/21 PLEIN STRAAT

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CELL: 082 769 4012

Newcastle Realinvest Estate CC trading as Prime Auctions CH 1992/024884/23 VAT nr. 4350243624

www.primeauctions.co.za admin@primeauctions.co.za Veronique +27 (0) 83 749 1470 Director: Veronique Hunte;

Sellers Initials *J.W.*

Buyers Initials *de*

Certified true copy

25-10-2024

Sign:

11. REPAIRS AND IMPROVEMENTS

11.1. Prior to registration of transfer, the Purchaser shall not be entitled to effect any alterations to the Property without the prior written consent of the Seller.

11.2. The Seller shall not be obliged to compensate the Purchaser for any unauthorised alteration effected in the event of the sale being cancelled for whatsoever reason.

11.3. The Purchaser shall be liable for any damages suffered by the seller as a result of any alterations effected by the Purchaser not authorised by the Seller.

12. RATES AND TAXES

12.1. The Seller shall be responsible and make payment on demand to the conveyancers of all amounts for all charges and costs relating to the Property including rates and taxes to the date of transfer. For the purposes of giving transfer of the property to the Purchaser and in order to obtain the requisite clearance certificate in respect of the property, the Purchaser acknowledges that it shall be liable for and make payment on demand to the Seller's conveyancers of all amounts that the Seller's conveyancers may in their sole discretion determine to be the Purchaser's pro-rata liability for the rates as well as for any other charges levied against the property.

12.2. Neither the Seller nor the Auctioneer warrant or guarantee the correctness of the amount/s of the rates and taxes and all other charges and sums due and payable on and in respect of the Property to the relevant local authority which was obtained by the Seller and/or the Auctioneer from the local authority and conveyed before and/or after the auction to the Purchaser. Therefore neither the Seller nor the Auctioneer can be held responsible and liable for the correctness thereof.

13. BREACH

13.1 Should any one of the parties commit a breach of this Agreement or fails to comply with any of the provisions hereof, then the Aggrieved Party shall be entitled to give the Defaulting Party 7 (seven) days notice in writing to remedy such breach or failure (unless such breach or failure occurs after the transfer documents have been lodged in the Deeds Office for registration, in which case the 7 (seven) day period may, at the election of the Aggrieved Party be reduced to 48 (forty eight) hours). If the defaulting party fails to comply with such notice then the innocent party shall forthwith be entitled, but not obliged, without prejudice to any other rights or remedies which it may have in law, including the right to claim damages:

CLYDE STEWARD MEYER
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KOMMISSARIS VAN EDE
COMMISSIONER OF OATHS
PROKUREUR / ATTORNEY RSA
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TEL. 021 883 8668 FAX 021 883 8668
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Newcastle Realinvest

Sellers Initials P.W

Buyers Initials

VAT nr 43502436-24

{0} 83

Veronique

Certified true copy

25.10.2024

Sign:

13.1.1 to cancel this Agreement and upon cancellation:

13.1.1.1 If the defaulting party is the Purchaser the Seller shall be entitled to retain all amounts paid by the Purchaser, excluding Auctioneer's Fee, as rouwkoop or as a genuine pre-estimate of damage suffered by the Seller, and furthermore the Purchaser shall not be entitled to compensation from the Seller for any improvements of whatsoever nature it may have caused on the Property, whether with or without the Seller's consent. The parties specifically agree that the Auctioneer shall be entitled, but not obliged, to immediately resubmit the Property for auction; and

13.1.1.2 if the defaulting party is the Seller the Purchaser shall be entitled to a full refund of all monies paid in terms hereof to the Seller and to the Auctioneer and to claim any other damages from the Seller that it may have suffered as a result of the Seller's default; (OR)

13.1.1.3 to claim immediate performance and/or payment of all the defaulting party's obligations in terms hereof.

14. CANCELLATION

14.1 Upon cancellation of the Agreement for whatever reason, the Purchaser hereby undertakes to forthwith vacate the Property and to procure that the Property shall be vacated by any persons who occupy the Property through the Purchaser's title or by his permission. Occupation shall be redelivered in the same good condition as at the date of possession.

14.2 Occupancy of the Property by the Purchaser or persons on the authority of the Purchaser shall not create a tenancy either in terms of any statutory provision or at common law. 14.2.1 in the event of the cancellation of the sale following upon:

14.2.1.1 A breach by the Purchaser, It is specifically agreed that the purchaser shall forthwith become liable for and shall pay Prime Auctions' Auctioneer's Fee and other costs and charges as herein set forth.

14.2.1.2 A breach by the SELLER, the SELLER shall forthwith become liable for and shall pay Prime Auctions' Auctioneer's Fee and other costs and charges as herein set forth.

14.2.1.3 If the sale is cancelled as a consequence of the Seller's default or the purchaser's default, the party in default and/or at the election of Prime Auctions shall be liable for Prime Auctions' Auctioneer's Fee calculated in terms of Clause 5 above.

14.2.1.4 It is specifically agreed by both Seller and Purchaser that the Auctioneer's claim for Auctioneer's Fee shall be the first charge against any monies that may be payable to the Seller. If the sale is cancelled by the SELLER or Purchaser or by mutual consent for any reason whatsoever, the Auctioneer's Fee paid to the

CLYDE STEWARD MEYER
CONVEYANCER / AKTEBESORGER

KOMMISARIS VAN EDE

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PROKUREUR-ATTOIRY RSA

PLEIN STREET 2501 FLEINSTRAT

S. J. LEINQ. 0011

TEL 021 833 8668

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Sellers Initials *P. W.* Buyers Initials *S. W.*

Newcastle Real Estate CC trading as Prime Auctions CK 1992/024884/23 · VAT nr. 435024362-

admin@primeauctions.co.za Veronique +27 (0) 83 749 1470 Director Veronique Fanie

Certified true copy

25-10-2024

Sign:

The Purchaser shall be liable for all legal costs incurred by the Seller and the Auctioneer in enforcing the terms of this agreement, on an attorney and own client scale, including Auctioneer's Fee based on the High Court Tariff plus 20% (Twenty Percent).

16. NOTICE

Any notice sent by either party to the other arising from the signature of these conditions shall be deemed to have been received by the addressee –

- 16.1 Five (5) days after date of dispatch if sent by prepaid registered post; or
- 16.2 On the date of delivery by hand; or
- 16.3 On the date of successful facsimile transmission; or
- 16.4 On the date of successful emailing

17. JOINT AND SEVERAL LIABILITY

If this agreement is concluded with more than one Purchaser, the liability of all such Purchasers to the Seller and the Auctioneer shall be joint and several in solidum.

18. TO COMPANY, TRUST OR CLOSE CORPORATION TO BE FORMED

18.1. In the event of the party signing as Purchaser acting as Trustee for a Company/Close Corporation or Trust formed or to be formed, then that signatory binds himself/herself in their personal capacity as co principal debtor for all the obligations herein created and shall be responsible to the Seller as if he/she was the Purchaser in terms of this deed of sale.

18.2. In the event of the Company/Close Corporation not being incorporated within 45 (forty-five) days from the date of signature hereof then the signatory hereto as Purchaser shall be treated in his/her personal capacity as Purchaser and shall be liable for all the obligations herein contained as if he/she were the actual Purchaser.

18.3. Notwithstanding the foregoing, the signatory hereto shall be responsible in his/her personal capacity if:

18.3.1. The Company/Close Corporation to be formed is not incorporated/registered prior to the date on which the guarantees were to have been delivered.

18.3.2. The Company/Close Corporation to be incorporated does not ratify this agreement.

CLYDE STEWARD MEYER
CONVEYANCER/AKTEBESORGER
KOMMISSARIS VAN EDE
KOMMISSARIS VAN EDE
COMMISSIONER OF OATHS
PROBATE/ATTOORNIEK RSA
PLW/STREK 2331, DING TRAAAT
STELLERSPOORT
TEL: 021 83 83 83 83
CELL: 083 749 4012

Sellers Initials *P.W.* Buyers Initials

Newcastle Estate CC trading as Prime Auctions CC 1992/024884/23 VAT nr. 4350740574
admin@primeauctions.co.za Veronique K27 (C) 63 749 1470 Director: Veronique K27

Certified true copy

25.10.2024
Sign:

18.3.3 The Company/Close Corporation, despite ratification, fails to comply strictly with the terms of this agreement.

18.3.4. In the event of the signatory purchasing on behalf of a Trust and the Trust is not registered: all the above obligations shall apply to the signatory in his/her personal capacity.

18.3.5. In the event of there being more than one Purchaser reflected on this agreement, such Purchasers shall be jointly and severally liable in solidum for the due and proper performance of all the parties' obligations in terms of this agreement and the parties hereto waive their rights under the exception de duobus vel pluribus reis debendi, meaning that this is a benefit acquired by the Debtor where several debtors are bound jointly, but not severally, and each one is liable for only his/her own share of the whole debt. By renouncing this benefit, the whole debt can be recovered from one, or some, or all of the debtors.

18.3.6. Should it transpire that the Power of Attorney or Resolution in terms of which any Purchaser signs this agreement is for any reason invalid, then the signatory shall be liable in his/her personal capacity for all the terms and conditions created in this agreement.

19. COMPANY AND CORPORATION

If the Seller is or is deemed to be a company or close corporation, to enable the Purchaser to elect whether to purchase the share or member's interest and loan accounts (if any) as the case may be, the Seller undertakes, if requested to do so within 7 (seven) days of this agreement, to make all its records available to the Purchaser within 7 (seven) days of the request. Within 7 (seven) days of such records becoming available the Purchaser shall, in writing, inform the Seller if he wishes to purchase the share or member's interest in, and loan accounts, if any, against the Seller whereupon the Seller shall instruct the attorneys to prepare a contract upon which the shareholders or members, as the case may be, are prepared to sell the shares or member's interest and loan accounts (if any). If, within 7 (seven) days of preparation of the contract is signed by the Seller and the Purchaser, a copy will be dispatched per prepaid registered post by the attorney to Prime Auctions

20. COMPANIES, CLOSE CORPORATIONS, ASSOCIATIONS OR TRUSTS

20.1 Should the Purchaser be a Company, Close Corporation, Association or Trust, the person signing this agreement on behalf of such Purchaser, by his signature hereto interposes and binds as surety for and coprincipal debtor with the Purchaser for the due and proper discharge of all its obligations arising from this agreement.

20.2 In such an event the surety hereby renounce the benefits of the following exception:

20.2.1 Excussion – meaning the legal process or proceedings whereby a creditor must proceed against a principal debtor before proceeding against a surety or subsidiary debtor. This benefit is hereby renounced.

20.2.2 Division – meaning the legal claims must be divided amongst sureties. This benefit is hereby

CLYDE STEWARD MEYER
CONVEYANCER / AKTERESORGER

Sellers Initials *P.W* Buyers Initials

TEL: 021 883 8666 FAX: 021 883 8668
Estate CC Trading as Prime Auctions CK 1992/024884/23 VAT nr. 4350340624
admin@primeauctions.co.za • Veronique +27 (0) 83 749 1470 • Director

Certified true copy

25.10.2024
Sinn

21. VOETSTOOTS

21.1. The Purchaser acknowledges that he has inspected the Property, is satisfied therewith and purchases the Property "voetstoots" and subject to the terms and conditions and servitudes mentioned or referred to in the Title Deeds.

21.2. The Purchaser acknowledges that he has not been induced into entering into this agreement by any express or implied information, statement, advertisement or representation made by the Auctioneer or any other person, or by on behalf of the SELLER. The Purchaser hereby waives any rights whatsoever which he may otherwise have obtained against the SELLER as a result of such information, statement, advertisement or representation made by or on behalf of the SELLER.

21.3. The Purchaser acknowledges and understands that, as it is buying the Property on auction, the provisions of Section 55 of the Consumer Protection Act 68 of 2008 are not applicable to this transaction.

22. NOTWITHSTANDING that the property is sold "voetstoots" in respect of the dwelling on the property, the Seller at his expense shall provide the Purchaser within 60 (Sixty) days thereafter, with:

22.1 Gas Installation

The Seller shall, prior to the transfer date, at the Seller's expense, furnish the Purchaser with a valid GAS INSTALLATION CERTIFICATE, issued by a registered person, in respect of the gas installation on the property as required by the Pressure Equipment Regulations in terms of the Occupational Health and Safety Act 85 of 1993 or Act passed in substitution thereof. In the event of any repairs being required to be made to the gas installation or any part thereof, the costs of all such repairs shall be for the Seller's account. Should there not be any gas installation installed on the property the certificate will not be applicable or required;

22.2 Electric Fence:

22.2.1 A certificate of compliance showing that the electrical installation has been approved in terms of Government Gazette No 14350 of the Machinery and Occupation Safety Act No 6 of 1983;

22.2.2 In terms of Regulation 12(4) and (5) of the Electrical Machinery Regulations, 2011 (being regulations to the Occupational Health and Safety Act, 1993) the user or lessor of an electrical fence and/or an electrical fence energiser shall obtain an Electric Fence System Certificate, issued by a registered person prior to transfer of the property. This certificate is transferable. Consequently, the seller shall be responsible for production of a valid transferable certificate, and failing that, for obtaining a new Electrical Fence System Certificate before the property is transferred to the purchaser.

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CONVEYANCER / AKTEBESORGER
KOMMISSARIS VAN EDE
COMMISSIONER OF OATHS
PROKURER / ADVOKAAT
PLEIN STR. 112, 2101, N. STRAAT
STELLENBOSCH
TEL 021 883 8006 FAX 021 883 8668
CELL 083 739 4012

Sellers Initials

P.W

Buyers Initials

Certified true copy

25-10-2024

Sign:

22.3 Solar Electricity:

The seller shall provide to the purchaser a certificate of compliance showing that the electrical installation approved in terms of Government Gazette No 14350 of the Machinery and Occupational Safety Act 6 of 1983 and/or, in terms of any regulation specific to generation, distribution and storage of Solar produced electricity.

22.4 Solar Water Heating:

The seller shall provide, at his/her/its own cost, a Certificate of Compliance with respect to the plumbing, piping, fittings and good condition of the Solar Heating system in terms of relevant regulations of the Occupational Health and Safety Act 1993 and/or any subsequent regulation specific to solar water heating, plumbing and fittings.

22.5 ELECTRICAL INSTALLATION CERTIFICATE OF COMPLIANCE

The Seller shall furnish at its cost the necessary electrical installation certificate of compliance, which certificate is issued in terms of the Occupational Health and Safety Act No 85 of 1993. Should any repairs be required to comply with the act, the cost of such repairs will be for the account of the Seller. In the event that the Seller delivers an existing certificate of electrical compliance, the Seller warrants that the said certificate was not issued more than 2 years prior to the date of registration of transfer into the name of the Purchaser and that there have been no alterations to the electrical installation at the Property since the issue of such certificate.

22.6 JURISDICTION OF THE COURT

The parties hereto consent to the jurisdiction of the Magistrate's Court in terms of Section 45 read with Section 28 of the Magistrates' Court Act of 1944 as amended. Notwithstanding the foregoing, this shall not preclude either party from approaching the High Court for any relief.

25

25.1. This agreement constitutes the whole agreement between the parties as to the subject matter hereof and no agreement, representation or warranty between the parties other than those set out herein are binding on the parties;

25.2. No extension of time, waiver, indulgence or suspension of any of the provisions of this agreement which any party hereto may have given shall be binding unless recorded in a written document signed by all parties;

25.3. This sale does not include any movable assets found on the Property excepting for any movable assets specifically mentioned in these conditions;

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KOMMISSARIS VAN EDE
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PROKUREUR / ATTORNEY RSA
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TEL 021 883 8666 FAX 021 883 8668
CELL 083 739 4012

Sellers Initials *P.W.* Buyers Initials *...*

Certified true copy
25.10.2024
Sign: *[Signature]*

SELLER'S DETAILS

I/We) Pheliso Hongu William Ntshontshwana in my/our capacity as the
Seller:

HEREBY CONFIRM THIS SALE ON THE CONDITIONS AS HEREIN SET OUT

DATED AT TRINSCHEUR ON THIS 07 DAY OF OCTOBER 20 24

SIGNATURE OF SELLER(S)

1. [Signature] 2. _____

AS WITNESSES:

1. _____ 2. _____

1. FOR AND ON BEHALF OF THE SELLER

1. _____ 2. _____

SELLER'S TELEPHONE NUMBER: [REDACTED]

SELLER'S FAX NUMBER: n/a

SELLER'S EMAIL: [REDACTED]@gmail.com

INCOME TAX REFERENCE NUMBER: [REDACTED]

TRANSFERING ATTORNEYS: Clyde Steward Meyer
(CSM Attorneys)

TEL: [REDACTED]

EMAIL: [REDACTED]@smallbusiness.co.za

CLYDE STEWARD MEYER
CONVEYANCER / INTERESORGER
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TEL 021 883 6668 FAX: 021 883 8668
CELL 083 729 4012

Certified true copy
25-10-2024

Sign: _____

VIRTUA / PROPERTY SALES / AUCTIONS

Newcastle Realinvest Estate CC trading as Prime Auctions CK 1992/024884/23 • VAT nr. 435043674
www.primeauctions.co.za • admin@primeauctions.co.za • Veronique +27 (0) 83 749 1470 • Director: Veronique

PURCHASER'S DETAILS

PURCHASER: LANOMI (PTY) LTD

IDENTITY NUMBER: [REDACTED]

MARITAL STATUS: Divorced

HUSBAND/WIFE'S FULL NAMES: [REDACTED]

CONTACT PERSON: SAUL CHAIT

REG. NO: [REDACTED]

VAT NUMBER: N/A

TELEPHONE NUMBER: [REDACTED]

CELLPHONE NUMBER: [REDACTED]

EMAIL ADDRESS: [REDACTED]

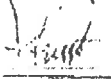
INCOME TAX NR/S: [REDACTED]

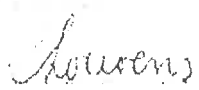
PHYSICAL ADDRESS: [REDACTED]

POSTAL ADDRESS: [REDACTED]

DATED AT Woodstock ON THIS 4th DAY OF October 20²⁴

I the purchaser hereby confirm that the full extent of my obligations and rights herein have been explained to me and that I have been given an opportunity to make the necessary enquiries in respect of the property and all material aspects related to this property and sale and that I understand the effect of the agreement.


*SIGNATURE OF PURCHASER

1.  2. 
FOR AND ON BEHALF OF THE PURCHASER

AUCTIONEER ACCEPTING BID AS WITNESSES:

Certified true copy

25-10-2024

Sign:

CLYDE STEWARD MEYER
CONVEYANCER / AIGEBESORGER
KOMMISSARIS VAN EDE
COMMISSIONER OF OATHS

PROKUREUR / ATTORNEY RSA
PLEIN STREET 20/21 PLEINS TRAAT
STELLENBOSCH

TEL: 021 883 8666 FAX: 021 893 8668
CELL: 083 739 4012

[REDACTED]



I/we the undersigned,

Name & Surname: Lanani (Pty) Ltd Identity Number:

Name & Surname:

Identity Number:

Hereby consent to the processing of any of my/our personal information as requested by **Prime Auctions** who will need the information to enable them to attend to the transfer and/or bond registration.

1. The information provided to the Auctioneer Consultant will only be used for
purposes and will not be re-used.
2. All information will only be collected and used in terms of the **Deeds registries Act 47**
The FIC Act No 38 of 2001 (The FICA Act), and the **Sectional titles Acts 95** of 1986.
3. I understand that if I fail to provide the necessary required personal information to the Auctioneer
Consultant will not be able to proceed with the transaction.
4. My personal information will not be transferred to a third party, unless specifically on my request.
5. By signing this consent, I consent to the use of my personal information between the following
relevant parties which are involved in the process:

- The Estate Agent/Auctioneer Consultant
- The Bond Originator
- The Bond Cancellation Attorney
- The Bond Registration Attorney
- Any Financial Institution
- Any other related party

Done and signed at Stellenbosch

On this 14th day of October 2024

Signature (1): [Signature]

Signature (2): [Signature]

Comments:

CLYDE STEWARD MEYER
CONVEYANCER / AFTREKERSORGER
KOMMISSARIS VAN EDE
COMMISSIONER OF DEEDS
PROKUREUR / ATTORNEY RSA
PLEIN STREET 21/21 PLEIN STRAAT
STELLENBOSCH
TEL 021 863 8668 FAX 021 863 8668
CELL 083 739 4012

Certified true copy
25.10.2024
Sign: [Signature]

25.4. No variation or alteration or cancellation of these Conditions of Sale or any of the terms hereof, shall be of any force or effect, unless in writing and signed by the parties hereto;

25.5. Wording importing the singular shall include the plural and vice versa, and words importing the masculine gender shall include the feminine gender and words importing persons shall include partnerships and bodies corporate, and vice versa;

25.6. The Seller warrants that he, or the Auctioneer on his behalf, is duly authorised to sign acceptance of the Deed of Sale;

25.7. The parties hereto, as by their signatures, do confirm:-

25.7.1. that they have read and understand all the terms and conditions contained herein and agreed thereto and that they are bound thereby;

25.7.2. that they are duly and properly authorised herein.

Certified true copy

25.10.2024

Sign: _____

CLYDE STEWARD MEYER
CONVEYANCE & AKTEBESORGER
KOMM. J. VAN EDE
COMMISSIONER OF OATHS
PROKURATOR ATTORNEY RSA
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Sellers Initials **P.W** Buyers Initials **...**

CLYDE STEWARD MEYER
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CELL 083 739 4012

Certified true copy
25/10/2004
Sign: _____



REPUBLIC OF SOUTH AFRICA NATIONAL IDENTITY CARD

Surname:
NTSHONTSHWANA
Names:
PHELIBHONGO WILLIAM
Sex:
M



Signature

Status:
CITIZEN

NTS

7.3.5	ERF 13246, STELLENBOSCH: DUTCH REFORM CHURCH: WELGELEGEN: APPLICATION TO ENFORCE FALL-BACK CLAUSE: WAY FORWARD
-------	---

Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

21 November 2024

1. SUBJECT: ERF 13246, STELLENBOSCH: DUTCH REFORM CHURCH: WELGELEGEN: APPLICATION TO ENFORCE FALL-BACK CLAUSE: WAY FORWARD

2. PURPOSE

The item is returned to Council for consideration.

3. DELEGATED AUTHORITY

Council must consider the matter.

4. EXECUTIVE SUMMARY

Stellenbosch Municipality and the Dutch Reform Church: Welgelegen concluded an Exchange of Land Agreement in 1995 in terms whereof erf 13246, Stellenbosch (municipal land) was exchanged for two residential erven in Die Boord, being erven 12758 and 12759 (church land) on an equal in value basis. The Agreement, however, has a fall-back clause, indicating that the land must be transferred back to the Municipality should it no longer needed for church purposes. Seeing that the Dutch Reform Church: Welgelegen does not want to use the property for church purposes they have requested that the fall-back clause be enforced, as per the Agreement. An agreement must be reached on the value at which the property is bought back, as per the Agreement.

On 24 February 2021 Council considered the matter and, *inter alia*, decided to mandate the Municipal Manager “to negotiate a mutually agreed price to buy back erf 13246, Stellenbosch from the Dutch Reform Church, Welgelegen” The council resolution *inter alia* mandated the Municipal Manager to negotiate an agreed price with the church.

Following the above decision, a formal offer was made to the Dutch Reform church, based on the current municipal valuation. Following the above offer, the Dutch Reform Church as submitted a counteroffer, based on a valuation obtained by them. In terms of the council resolution the Municipal Manager is now reporting back on the negotiations.

The item served again before Council in May 2021 and was referred back to the administration for further discussion. The Municipal Manager met with the church on 15 February 2022 where the fall-back clause was discussed and the necessary history pertaining the transaction was obtained. Options, as well as an updated counteroffer, approved by the Church’s Council, was submitted after the meeting (**APPENDIX 1**). At the Mayco meeting on 23 March 2022 the item a was again referred back for further discussion. An agreement that Council should consider the way forward as the municipal manager was not able to reach agreement with the church on the value at which the buyback must be done.

We have not been able to reach any consensus with the church. Council should make the church a final offer for the erf, if they do not want to accept it the erf will remain in their possession and the municipality will have to institute legal action should they want to sell it otherwise as the parties were not able to reach an agreement on the re-purchase of the erf. The item served before Mayco in April 2022 and was referred back for legal input. The item was resubmitted for consideration in July 2023 but referred back for legal input.

We received a legal opinion (it is not attached due to the confidentiality thereof) indicating that due to the fact that the value of the property cannot be determined from the agreement the enforcement of the fall-back clause may be problematic.

The municipality received a letter from the attorneys (**Appendix**) of the church requesting a response to indicate whether the municipality is going to buy the erf back or renounce the buyback right and allow the church to deal with it as they wish. Further discussions with the church took place and it was alluded that they may want to use the property to build an old age home and correspondence would have been sent in this regard. We however received an email to which the same letter on April 2024 was attached demanding that we denounce on the fall back clause and attaching a legal opinion indicating they are not bound by the buyback clause and can deal with it as they please.

5. RECOMMENDATION

For consideration

6. DISCUSSION / CONTENT

6.2 Background

During 1995 Stellenbosch Municipality and the Dutch Reform Church: Welgelegen concluded an Exchange of Land Agreement, in terms whereof erf 13246, Stellenbosch (municipal owned land at the time) was exchanged for two residential erven (church land) in Die Boord on an equal in value basis.

6.1.1 Application to enforce buy-back clause

During 2019 the Dutch Reform Church: Welgelegen requested the enforcement of the buy-back clause, as provided for in the Exchange of Land Agreement.

6.1.2 Council Resolution

On 24 February Council considered the matter, and resolved as follows:

- a) *that Council invokes the buy-back clause;*
- b) ***that the Municipal Manager be mandated to negotiate a mutually agreed price to buy back erf 13246, Stellenbosch, from Dutch Reform Church: Welgelegen; and***
- c) ***that the Municipal Manager reports back to Council on the price before a final decision is made and the sale agreement is signed".***

A copy of the agenda item is attached as **APPENDIX 2**.

6.1.3 Offer to Dutch Reform Church

Following the above Council-resolution, the Municipal Manager formally submitted a written offer to the Dutch Reform Church, based on the current municipal valuation of R2 700 000.00. A copy of the Municipal Manager's offer dated 21 March 2021 is attached as **APPENDIX 3**.

6.1.4 Counteroffer received from the Dutch Reform Church: Welgelegen

Please find hereto attached as **APPENDIX 4** a counteroffer dated 22 April 2021 received from the Dutch Reform Church, based on a valuation obtained by them.

Following the above, the Municipal Manager has requested that the offer be put to Council for their consideration.

6.3 Discussion

6.3.1 Location and context

Erven 12758 and 12759 is situated in Rhodes-North Road, Die Boord, as indicated on Fig 1 and 2, below.



Fig 1: Location and context: Erven 12758 and 12759



Fig 2: Extent: Erven 12758 and 12759

Erf 13246 is located off Wildebosch Road, Paradyskloof, as indicated on Fig 3 and 4, below.



Fig 3: Location and context: erf 13246



Fig 4: Extent Erf 13246

6.3.2 Property description and Ownership

Erf 13246, measuring 9000m² in extent, is registered in the name of the Dutch Reform Church: Welgelegen, by virtue of Title Deed T4376/2001. Although erf 13246 was rezoned to Religious Purposes, this rezoning has lapsed. The zoning has therefor reverted back to Agricultural Use.

Erven 12758 and 12759 measuring 767m² and 720m² in extent respectively, are registered in the name of Stellenbosch Municipality by virtue of Title Deeds T4375/2001. The properties are zone single residential but is used for an early childhood development centre in term of a Lease Agreement (undetermined period).

6.3.3 Contractual situation

In terms of clause 1 of the Exchange of Land Agreement (Ruilooreenkoms) the parties agreed that the properties which were the subject of the exchange, are equal in value.

In terms of clause 13, should erf 13246 not be used for religious purposes by the church, it will be transported back to the Municipality at an amount to be agreed upon by the parties.

6.3.4 Valuation

In terms of valuations obtained from Pendo Property Valuers and DDP, they valued the property at R5 100 000.00 and R4 500 000, respectively. The weighted average is R4 800 000.00.

6.7 Financial Implications

The financial implications are directly linked to the agreed price. In terms of valuations obtained from Pendo Property Valuers and DDP, they valued the property at R5 100 000.00 and R4 500 000, respectively. The weighted average is R4 800 000.00. The valuation report also formed part of the item that served before council on 24 February 2021. The municipal valuation was R2 700 000.00.

6.8 Staff Implications

No additional staff implications.

6.9 Previous / Relevant Council Resolutions

SPECIAL COUNCIL MEETING: 2021-02-24: ITEM 8.1

RESOLVED (majority vote)

- (a) that Council invokes the buy-back clause;
- (b) that the Municipal Manager be mandated to negotiate a mutually agreed price to buy back erf 13246, Stellenbosch, from the Dutch Reform Church: Welgelegen; and
- (c) that the Municipal Manager reports back to Council on the price before a final decision is made and the sale agreement is signed.

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

Cllr G Cele (Ms); FT Bangani-Menziwe (Ms); N Mananga-Gugushe (Ms); C Moses (Ms);

RS Nalumango (Ms); N Sinkinya (Ms); P Sitshoti (Ms) and LL Stander.

EXECUTIVE MAYORAL COMMITTEE: 2021-05-19: ITEM 9.1

RESOLVED

that this item be referred back to administration for further discussions.

EXECUTIVE MAYORAL COMMITTEE: 2022-03-23: ITEM 7.2.8

RESOLVED

that the item be referred back to the administration for further refinement and discussion.

EXECUTIVE MAYORAL COMMITTEE: 2022-04-19: ITEM 7.2.1

RESOLVED

that this matter be referred back to Administration for legal input.

6.10 Risk Implications

This may lead to litigation from the church, or the municipality will have to interdict the church from selling the property if the church follow their legal advice.

6.11 Comments from Senior Management

No comments were requested.

ANNEXURES:

Appendix 1: Letter from Church

Appendix 2: A copy of the Municipal Manager's offer

Appendix 3: A counteroffer received from the Dutch Reform Church

Appendix 4: Letter from Mr Feenstra

FOR FURTHER DETAILS CONTACT:

NAME	Annalene de Beer
POSITION	<i>Director: Corporate Services</i>
DIRECTORATE	<i>Corporate Services</i>
CONTACT NUMBERS	<i>021-8088750</i>
E-MAIL ADDRESS	<i>Annalene.deBeer@ Stellenbosch.gov.za</i>
REPORT DATE	<i>12 November 2024</i>

APPENDIX 1



STELLENBOSCH
WELGELEGEN
NG Gemeente

Buitekringweg 6
Dalsig, 7600
021 886 5975
skriba@stelwel.co.za
www.stelwel.co.za

25 Februarie 2022

Die Munisipale Bestuurder
Stellenbosch Munisipaliteit
Posbus 17
STELLENBOSCH
7599

Geagte Me Metler

NGK GROND: ERF 13246, PARADYSKLOOF

Ons verwys na Raadsbesluite in die verlede asook na samesprekings met uself op 15 Februarie 2022.

Soos bespreek, gee ons hiermee verdere toeligting t.o.v die agtergrond asook die Kerk se voorstel oor die finalisering van die aangeleentheid.

1. AGTERGROND T.O.V GRONDTRANSAKSIES

Daar het in die verlede moontlike mispersepsies bestaan oor die voorafgaande transaksies en veral t.o.v of dit op 'n kommersiële basis geskied het al dan nie. Soos hieronder uiteengesit, het alle vorige transaksies streng volgens kommersiële en markwaarde beginsels geskied en het geen skenkings van die munisipaliteit se kant af plaasgevind nie.

- 1.1. Gedurende 1981 koop die Kerk teen markwaarde Erwe 5908 - 5914 in die Boord (sien Liggingsplan aangeheg) vanaf die ontwikkelaar, Libertas Ontwikkelings Edms Beperk (sien Bylaag 1_Aankoop van Erwe). Die doel was om 1 of 2 pastorie wonings asook 'n kerk/saal daar op te rig. Die ligging het later bewys as ongeskik a.g.v. die besware van eienaars van omliggende residensiële eiendomme.
- 1.2. Gedurende 1985, na onderhandelinge met die Munisipaliteit, word die 7 erwe van die Kerk geruil (met beginsel van gelykop waarde) vir 1ha grond (erf 5339) ook in Die Boord geleë (sien Liggingsplan aangeheg asook Bylaag 2_Ruiloooreenkoms 1985).

Die Kerk het hierna erf 5339 in 1994/1995 ontwikkel vir 'n pastorie asook enkelwoon erwe wat verkoop is om die pastorie te bou.

- 1.3. Gedurende 1995 en op inisiatief van die Munisipaliteit, het onderhandelinge plaasgevind dat erwe 12758 en 12759 wat binne die gedeelte van die grond van die Kerk geleë was, en waarop 'n bestaande kleuterskool gebou was en wat die Munisipaliteit wou behou, geruil word vir 0,9ha grond (nou erf 13246) in Paradyskloof - ook op 'n gelyke markwaarde grondslag.

Daar was egter 'n terugkoop klousule in die ruilkontrakte opgeneem sou die Kerk die grond nie vir bededoeleindes gebruik nie.

Die ruilkontrak bepaling was dat die Munisipaliteit dan die grond teen 'n prys soos deur beide partye ooreengekom, sou koop. Gegewe die transaksie basis en beginsel soos per par. 1 hierbo uiteengesit, moet dit na die Kerk se opinie op 'n markwaarde beginsel plaasvind.

2. MARKWAARDE EN TERUGKOOP PRYS

Nadat die Stadsraad besluit het dat die kontrakbepaling van die terugkoop, uitgevoer moet word, is die verskeie waardasies gedoen.

2.1. TWEE WAARDASIES WAT MUNISIPALITEIT AANGEVRA HET.

- | | |
|--------------|---------------|
| 2.1.1. Pendo | : R 5 100 000 |
| 2.1.2. DDP | : R 4 500 000 |

2.2. TWEE EVALUERINGS WAARDASIES DEUR KERK AANGEVRA

- | | |
|--|---------------|
| 2.3. Real Direct (Bylaag 3_Waardasies aangeheg) | : R 10 - 12m |
| 2.4. Anna Basson Eiendomme (Bylaag 3_Waardasies aangeheg) | : R 7 - 8m |
| 2.5. Aanbod vanaf Munisipaliteit
(Munisipale waardasie) | : R 2 700 000 |

2.6. SONERINGSREGTE AS BASIS VIR WAARDASIE

Na die Kerk se mening het die twee Munisipale waardasies 'n belangrike tekortkoming deurdat die huidige soneringsregte en parameters van erf 13246 nie in berekening geneem is nie.

Erf 13246 is gesoneer vir Landboudoeleindes waarop twee residensiële wonings van 600m² elk gebou kan word. Dit het 'n wesenlike invloed op die markwaardasie soos in die Kerk se twee waardasies uitgespel word.

Verder is dit belangrik om in ag te neem dat as deel van die Raadsbesluit van 1995, die voorwaarde van die beskikbaarheid van dienssteaansluitings vir erf 13246 opgelê is, maar op koste van die Kerk.

2.7. GEWEEGDE GEMIDDELD VAN WAARDASIES (BTW UITGESLUIT)

- Twee Munisipale waardasies : R4,8m
- Twee Kerk Waardasies : R9,0m
- Al vier Waardasies : R8,1m

3. OPSIES VIR OORWEGING DEUR DIE STADSRAAD

3.1 Opsie 1

Gegronde op die kommersiële basis waarop alle transaksies vanaf 1981 geskied het, is ons van mening dat die beginsel van 'n terugval/koop transaksie nie van toepassing behoort te wees nie.

Die Kerk is derhalwe ook bereid om die opsie te aanvaar dat dié klousule deur die Munisipaliteit opgehef word en dat die Kerk dan vry is om na goeie dinge met die eiendom te handel, op voorwaarde dat Munisipale dienste aansluitings en toegang vanuit Wildeboschstraat deur die Stadsraad beskikbaar gestel word op koste van die Kerk.

3.2 Opsie 2

Gegronde op al die bostaande inligting, is die Kerk van mening dat 'n terugkoop prys van R8,0m (BTW uitgesluit) 'n billike terugkoop prys sou wees. Hierdie bedrag is die geweegde gemiddelde van die ontvangende waardasies.

Die opsies vir die Stadsraad hierbo uiteengesit, word in die goeie gees van die onderhandelinge gedoen en dank ons u vir die Stadsraad se oorweging.



Ds Monty Sahd

Namens Kerkraad, NG Gemeente Stellenbosch-Welgelegen

GEROEP GEWILLIG GESTUUR

1981: AANKOOP VAN ERWE 5908 - 5914

JDEW/ma
1981.09.16

Die Saakgelastigde
Nederduitse Gereformeerde Kerk
Posbus 144
KAAPSTAD
8000

Meneer

TRANSPORT LIBERTAS ONTWIKKELINGS EDMS BEPERK : N G GEMEENTE
WELGELEGEN
VERBAND N G GEMEENTE WELGELEGEN : SAAKGELASTIGDE VAN DIE
NEDERDUITSE GEREFORMEERDE KERK IN KAAPLAND

Ons verwys graag na die brief van 2 deser aan u gerig deur dr D J Hattingh in sy hoedanigheid as Voorsitter van die Kerkraad van die Nederduitse Gereformeerde Gemeente Welgelegen te Stellenbosch, waarin hy u namens die Kerkraad in kennis gestel het dat hulle die lening van R90 000,00 aanvaar vir die aankoop van die ondergemelde erwe geleë in die Boord, Stellenbosch, naamlik: Nos 5908, 5909, 5910, 5911, 5912, 5913 en 5914.

* Ons ageer in hierdie aangeleentheid namens ons kliënte, die Kerkraad van die N G Gemeente Welgelegen en aangesien kliënte aanspreeklik sal wees vir betaling van rente teen 11,75% p j op die totale koopprys van R100 000,00 vanaf 1 November 1981 indien registrasie van transport tot na daardie datum deur hulle toedoen vertraag sal word, sal ons dit waardeer as u as 'n saak van dringendheid opdrag sal geenaan u prokureurs, wat ons aanvaar mnre D P de Klerk en van Gend sal wees, vir registrasie van gemelde verbandlening.

Ons verkry graag u bevestiging hieromtrent.

Die uwe
CLUVER & MARKOTTER

PER

J A L DE WAAL

1985 RUILOOREENKOMS:
TRANSPORTAKTE

117

VIR ENDOSSEMENTE KYK BLADSY
FOR ENDORSEMENTS SEE PAGE 5 ET SEQ.

20/6/00
Oukongs aken
[Signature]

CLUVER MARKOTTER INC/ING.
Prokurêurs / Attorney's
Posbus / P.O. Box 12 Tel: 808 5600
Stellenbosch

2000

T 20474/85

TRANSPORTAKTE

JDEW:MA

CLUVER EN MARKOTTER
PROKUREURS
STELLENBOSCH

Opgesê deur my

J A L DE WAAL,

Aktebesorger.

HIERBY WORD BEKEND GEMAAK

DAT JACOBUS ADRIAAN LOUW DE WAAL

Aktebesorger, voor my, Registrateur van Aktes in Kaapstad, verskyn het, behoorlik daartoe
gemagtig deur 'n volmag geteken te STELLENBOSCH

van MAART 19 85 op die 27ste dag
en aan hom verteen deur GERHARDUS
MATTHYS STRYDOM in sy hoedanigheid as Stadsklerk van

DIE MUNISIPALITEIT STELLENBOSCH

EN /

-2-

NADEMAAL die grond beskrywe as

ERF 5339 (n gedeelte van Erf 5652) STELLENBOSCH in die
Munisipaliteit en Afdeling Stellenbosch

GROOT 1,0000 (EEN) hektaar

op naam van die MUNISIPALITEIT STELLENBOSCH geregistreer is uit
hoofde van Transportakte No T 20472/85

EN NADEMAAL die grond beskrywe as

1. ERF 5908 STELLENBOSCH in die Munisipaliteit en Afdeling
Stellenbosch
GROOT 910 (NEGEHONDERD EN TIEN) vierkante meter
2. ERF 5909 STELLENBOSCH in die Munisipaliteit en Afdeling
Stellenbosch
GROOT 1116 (EENDUISEND EENHONDERD EN SESTIEN) vierkante
meter
3. ERF 5910 STELLENBOSCH in die Munisipaliteit en Afdeling
Stellenbosch
GROOT 1072 (EENDUISEND TWEE EN SEWENTIG) vierkante meter
4. ERF 5911 STELLENBOSCH in die Munisipaliteit en Afdeling
Stellenbosch
GROOT 1123 (EENDUISEND EENHONDERD DRIE EN TWINTIG) vier-
kante meter
5. ERF /

-3-

5. ERF 5912 STELLENBOSCH in die Munisipaliteit en Afdeling Stellenbosch

GROOT 804 (AGTHONDERD EN VIER) vierkante meter

6. ERF 5913 STELLENBOSCH in die Munisipaliteit en Afdeling Stellenbosch

GROOT 966 (NEGEHONDERD SES EN SESTIG) vierkante meter

7. ERF 5914 STELLENBOSCH in die Munisipaliteit en Afdeling Stellenbosch

GROOT 878 (AGTHONDERD AGT EN SEWENTIG) vierkante meter

op naam van die NEDERDUITSE GEREFORMEERDE GEMEENTE WELGELEGEN TE STELLENBOSCH geregistreer is uit hoofde van Transportakte No T47597/1981;

EN NADEMAAL DIE MUNISIPALITEIT STELLENBOSCH en die NEDERDUITSE GEREFORMEERDE GEMEENTE WELGELEGEN TE STELLENBOSCH op 27 Maart 1985 met mekaar ooreengekom het om voormelde stukke grond uit te ruil;

NOU DERHALWE sedeer en transporteer ek in my voormelde hoedanigheid aan en ten gunste van

NEDERDUITSE GEREFORMEERDE GEMEENTE WELGELEGEN TE STELLENBOSCH of Regverkrygendes

Blanke Groep

*Regimeel NE 123 met 1981/1982
Groot (2500 m²) tot 1000 m²
begrensd deur die omliggende land
vanaf 1100.*

*Erk. 123 met 1981/1982 ERF / 123 met 1981/1982
deur die 1100 m².*

-4-

ERF 5339 (n gedeelte van Erf 5652) STELLENBOSCH in die
Munisipaliteit en Afdeling Stellenbosch

GROOT 1,0000 (EEN) hektaar

SOOS aangedui op die aangehegte Kaart L.G. No 6106/84 en gehou
kragtens Transportakte No 20472/85

I. Wat betref die figuur a f g e:

A. ONDERHEWIG aan die voorwaardes waarna verwys word in Trans-
portakte No 11199/1970.

B. GEREGTIG op die voordeel van die Serwituut waarna verwys word
in die volgende aantekening gedateer 7 Februarie 1905 op
Transportakte No 2582 gedateer 21 Maart 1902, naamlik:

"Registration of Servitude.

By Deed of 30th Novr 1904 the owner of the land hereby conveyed
has been granted a right of way and the right to lay certain
water pipes over the land conveyed by Trfr. 5455 d/d 27 July
1901. As will more fully appear on reference to the copy
annexed hereto."

II. Wat betref die figuur f b c d g:

ONDERHEWIG aan die voorwaardes waarna verwys word in
Transportakte No 11199 gedateer 30 April 1970.

WESHALWE / ...

WESHALWE die Komparant, q.q., afstand doen van al die regte en titel wat die bogenoemde
DIE MUNISIPALITEIT STELLENBOSCH

voorheen op genoemde eiendom gehad het en gevolglik ook erken dat **DIE MUNISIPALITEIT
STELLENBOSCH**
geheel en al van die besit daarvan onthef is en nie meer daarop geregtig is nie, en dat,
krachtens hierdie Akte bogenoemde

NEDERDUITSE GEREFORMEERDE GEMEENTE WELGELEGEN TE STELLENBOSCH
of Regverkrygendes

tans en voortaan daarop geregtig is, ooreenkomstig plaaslike gebruik, behoudens die regte
van die Staat; en ten slotte verklaar hy dat die billike markwaarde van die eiendom
vasgestel is op R210 000,00 (TWEEHONDERD EN TIEN DUISEND RAND).

TEN BEWYSE waarvan ek, die genoemde Registrateur van Aktes, tesame met die
Komparant, q.q., hierdie Akte onderteken en met die Ampseël bekragtig het.

ALDUS GEDOEN en geteken op die Kantoor van die Registrateur
van Aktes in Kaapstad, Provinsie van die Kaap die Goeie Hoop,
op die 10de

dag van die maand Junie

in die jaar van onse Heer Eenduisend
Nogehonderd VYF EN TAGTIG (1985)

In my teenwoordigheid,

Registrateur van Aktes.

Geregistreer in die Register van

Folio

v.d.Stel

Klerk.

ENDORSEMENT IN TERMS OF SECTION 46 OF ACT 47/37 (AS AMENDED)
 EN DOSSEMENT KRAGTENS ARTIKEL 46 WET 47/37 (SOOS GEWYSIG)

The land herein described has been subdivided.
 Die grond hierin beskryf is onderverdeel.

in accordance with General Plan No.
 in ooreenstemming met Algemene Plan Nr. 709/1994

approved by the Surveyor General on
 goedgekeur deur die Landmeter-Generaal op 15/3/94

into erven numbers .. 12753 — 12764
 in erwe genommer

Public place numbers
 Openbare Plekke genommer

and Thoroughfares.
 en Strate.

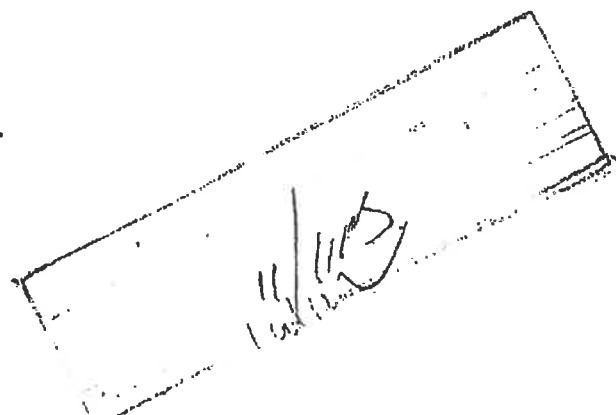
Application filed as BC 66174 94
 Aansoek geliasseer by BC

In terms of Ordinance: 15/85
 In terme van Ordonnansie:

REGISTRAR OF DEEDS
 REGISTRATEUR VAN AKTES

DEEDS OFFICE
 AKTEKANTOOR
 CAPE TOWN
 KAAPSTAD

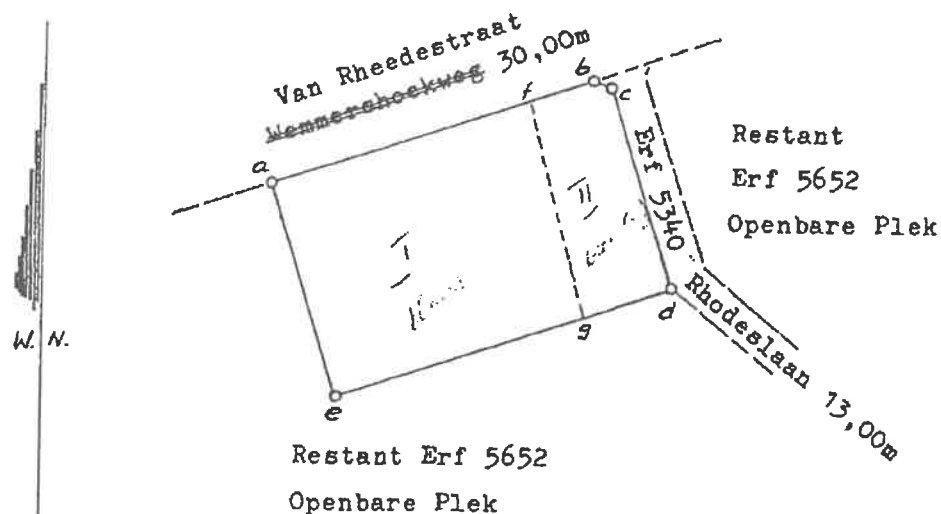
.....19.....



SYE METER		RIGTINGS- HOEKE	KOÖRDINATE			L.G. No.
			Y	Stelsel	Lo. 19° X	
				0,00	+3700000,00	
ab	120,16	251 44 10	a	+ 13 684,88	+ 57 757,17	6106-84 Goedgekeur  n. Landmeter-generaal
bc	7,07	296 44 10	b	+ 13 570,78	+ 57 719,52	
cd	75,00	341 44 10	c	+ 13 564,46	+ 57 722,70	
de	125,16	71 44 10	d	+ 13 540,96	+ 57 793,92	
ea	80,00	161 44 10	e	+ 13 659,81	+ 57 833,14	
	39+	Libertas	Δ	+ 14 057,59	+ 58 372,93	1984 -08-24
	40+	Paradys	Δ	+ 10 120,28	+ 59 264,21	

Bakenbeskrywing:

a,b,c,d,e : 12mm ysterpen



Skaal 1: 2500

Die figuur a b c d e

stel voor 1,0000 hektaar

grond, synde

ERF 5339 (n gedeelte van Erf 5652) STELLENBOSCH

geleë in Stellenbosch Dorp Uitbreiding 18 in die Munisipaliteit en

Administratiewe Distrik Stellenbosch

Provinsie Kaap die Goeie Hoop.

Opgemeet in Mei, Junie 1984

deur my,

[Signature]
LandmeterHierdie kaart is geheg aan
TRANSPORTAKTE
No. T

gedateer 20474/85

l.g.v. N G GEMEENTE WELGE-
LEGEN TE STELLENBOSCH

Registrateur van Aktes

Die oorspronklike kaart is.

No. 6108/84 geheg aan

Transport/Grondbrief

No. T 20474/85

Lêer No. Stel. 294.

M.S. No. E 1724/84

Komp.BHSZ-1473(M2765)

BH-8DC/V53 (1502)

LIGGINGSPLAN

Erf 5339

**ERVEN 12758
& 12759**

Erven 5908 - 5914

Erf 13246

KERK EVALUERINGS WAARDASIES



15 April 2021

CLUVER MARKOTTER PROKUREURS
1ste vloer
Cluver Markotter gebou
Meulstraat
STELLENBOSCH
7600

Ons verwysing:
RD20210407
Aandag
Arend de Waal

AANGAANDE: KRITIESE EVALUERING VAN WAARDASIES VAN ERF 13246, STELLENBOSCH

U opdrag gedateer 29 Maart 2021, verwys

Aangeheg vind die nodige dokumentasie en let asb daarop dat die verslag nie n opemark waardasie van die eiendom is nie en slegs n evaluering van die twee verslae soos aan ons voorsien.

Laat weet gerus indien jul 'n ten volle gemotiveerde verslag verlang om ons bevindinge meer breedvoerig te vervat,

Enige navrae kan gerig word aan my,

Baie dankle en groete

Jean Marais

PROFESSIONELE GEASSOSIEERDE WAARDEERDER

Nasionale Diploma in Eiendomswaardasies
MBA

Geregistreerd met die Suid-Afrikaanse Raad vir die Eiendomswaardasie Professie (SACPVP)

Erik Marais

PROFESSIONELE WAARDEERDER

Nasionale Diploma in Eiendomswaardasies

Geregistreerd met die Suid-Afrikaanse Raad vir die Eiendomswaardasie Professie (SACPVP)

Geregistreerd met die Suid-Afrikaanse Raad van Waardeerders (SA)



- 1.1 Opdrag is ontvang van *Arend de Waal van Cluver Markotter Prokureurs*, namens die *Nederduitse Gereformeerde Kerk, Stellenbosch Welgelegen* om 'n evaluering te doen op vorige opemark waardasies wat op Erf 13246, Stellenbosch gedoen is.
- 1.2 Die inligting vervat in hierdie verslag na my wete korrek en is baseer op inligting ontvang van die opdraggewer en/of sy verteenwoordiger asook eksterne bronne.
- 1.3 Die menings uitgespreek en gevolgtrekkings gemaak, is gedoen na deeglike verifiëring en oorweging van die inligting.

REAL DIRECT



PROPERTY VALUATIONS | BUSINESS VALUATIONS | SURVEYING | ACCOUNTING

EVALUERING VAN WAARDASIE VERSLAG



1. Aannames deur waardeerder

Die waardasies is gebaseer op die aanname dat die eiendom is geleë buite die huidige stedelike raamwerk val. Dit is deur ons ondersoek bevestig. Derhalwe word enige moontlike ontwikkelingspotensiaal buite rekening gelaat. Dit is redelik en korrek volgens ons.

2. Metodiek

Die voorgestelde *Vergelykbare Transaksie-metode* is die aanvaarde en mees geskikte metode.

3. Markondersoek

Die 10x transaksies wat gebruik is het die volgende gevolgtrekkings gehad, volgens die verslag, en word soos volg deur ons bespreek:

Transaksies #1, #8, #9 en #10.

Sales 1, 8 and 9 represent small holdings located in the Welgevonden and Jamestown nodes respectively. These sales are considered indicative of similar sized small holdings, but the location of the subject property is deemed superior which suggests an upward adjustment would be justified for the subject property. Sale 10 represents a similar sized tract of agricultural land located in a comparable node. This sale serves as a good indication of the rate to be applied to the subject property, with an upward adjustment justified for the efflux of time.

- Die waardeerder se gevolgtrekking is aanvaarbaar en ons stem saam met die vergelyking dat die onderwerpeiendom se ligging hom onderskei van hierdie eiendomme. *Transaksie #10*, alhoewel die mees vergelykbare eiendom, is n enkele transaksie in Franschoek en kan nie verteenwoordigend wees van n marknorm mbt die onderwerp perseel nie.

Transaksies #2, #4, #5 en #6.

Sales 2, 4 and 5 represent smaller tracts of residential land located in prime residential estates. These properties are not considered directly comparable, but were included to illustrate the premium paid for prime residential land with concomitant lifestyle appeal. These sales ranged between R 5 460 000 and R 12 000 000 which is considered indicative of the opportunity value of a prime lifestyle opportunity in this node. It must however be borne in mind that these properties are located in secured villages. Sale 6 a vacant residential stand located in the immediate vicinity of the subject property, was included to illustrate the higher prices paid for small holdings (Sales 8 and 9) vis a vis vacant residential land in the same area.

- Ons stem saam dat hierdie persele uit die oogpunt van ligging uitstekend is maar dat weens die grootte die vergelyking volgens n per-vierkante-meter basis nie redelik en vergelykbaar is nie. In hierdie opsig moet dit genoem word dat die onderskeie kooppryse van R 5,460,000 en R5,990,000 vir twee persele van onderskeidelik 901m² en 1,099m² in die aanliggende residuesiële node beslis n aanwyser van die basiswaarde te wees.

Transaksies #3 en #7

"Sales 3 and 7 represent development sites, with development rights in place at the date of sale. The location of these properties is considered inferior, but the sales were included for comparison with larger tracts of land in demand due to the lifestyle appeal".

- Daar word saamgestem met die waardeerder se aanname aangesien hierdie potensiaal reeds in die vroeë stadium van die verslag buite rekening gelaat is.

Addisionele markinligting

Aangesien die onderwerp perseel oor n landbou sonering beskik, behoort dit, uit n potensiele benuttings oogpunt, addisionele waarde te skep. Die onderwerp eiendom kan in terme van die sonering benut word vir twee wooneenhede (daarteenoor laat die sonering van n enkel residuesiële gesoneerde perseel slegs een woonhuis toe).

Hierdie voordeel sal beslis die bemerkbaarheid van die onderwerp eiendom aansienlik verhoog in die opemark, na ons mening.

Die volgende transaksies is goeie markaanwysings van die geleentheidswaarde wat landbou sonering bied:

Gedeelte 1 van Plaas 1480, Stellenbosch

Koopprys: R26,000,000 (18 September 2009) – 4x geleenthede teen R 6,500,000 elk op datum van transaksie (en ongeveer R13,000,000/ geleentheid in 2021)



4. Gevolgtrekking

Alhoewel die waardasie verslag voldoen aan al die vereistes, is ons tog van mening dat in die toepassing van die finale waarde, die geleentheidswaarde wat die landbou sonering van die onderwerpperseel bied, nie beklemtoon word nie.

Gegewe hierdie voordeel tesame die uitstekende en unieke ligging, sal die onderwerpperseel heelwaarskynlik in die **R10,000,000 tot R12,000,000** prysklas tans verhandel, in ons opinie.

REAL DIRECT



PROPERTY VALUATIONS | BUSINESS VALUATIONS | SURVEYING | ACCOUNTING

EVALUERING VAN WAARDASIE VERSLAG



1. Aannames deur waardeerder

Die waardasies is gebasseer op die volgende aannames:

- Die eiendom is geleë buite die huidige stedelike raamwerk val. Dit is deur ons ondersoek en bevestig.
- Derhalwe word enige moontlike ontwikkelingspotensiaal buite rekening gelaat. Dit is redelik en korrek volgens ons.

2. Metodiek

- Die voorgestelde *Vergelykbare Transaksie-metode* is die aanvaarde en mees geskikte metode.

3. Markondersoek

Die 8x transaksies wat gebruik is het die volgende gevolgtrekkings gehad, volgens die verslag, en word soos volg deur ons bespreek:

"By analysing all the comparable transactions, we have concluded that Comparable sale 1 is not necessarily considered as the best comparable due to the larger extent of the property and the agricultural nature of the immediate surroundings. Comparables sales 2 and 3 are smaller in extent compared to the subject property, however considered more comparable to the subject property in terms of the highest and best use of the subject property i.e. a lifestyle opportunity. Comparable sales 4 to 8 comprise of upmarket residential zoned stands that are fully serviced and that fall within the urban edge of Stellenbosch. These comparable sales are far smaller compared to the subject property and range between 975m² and 4 124 m² in extent.

Furthermore, portion 9 of the farm Edgbaston no.104 (1.16ha) was listed earlier this year for R3 250 000 (R2 801 724/ha) as vacant agricultural land. This property forms part of the same small estate where Comparable 3 is situated. However, this property has since been rezoned to offer 45 development opportunities. This listing is currently at R10 950 000, which equates to a rate of R243 333 / opportunity".

Transaksies #1 en #2.

Hierdie eiendomme verteenwoordig 'n perseel as deel van 'n groter produktiewe landbou entiteit. Eiendomme landelik geleë en nie vergelykbaar nie.

Transaksies #4, #2 en #6

Enkel residuesiële eenhede (met slegs een toelaatbare eenheid), baie kleiner erwe en geleë binne gevestigde buurte met beboude persele reg rondom. Nie vergelykbaar nie.

Transaksies #7 en #8.

Transaksie #7 is "outlier" en waarde heeltemal buitensporig en nie in-lyn met marknorme nie. Klein erf binne gevestigde node.

Koopsom van R23,510,000 vir Transaksie #8 verteenwoordig vakante grond binne die hartjie van Stellenbosch en die koper sal (as gekyk word na die omliggende eiendomme) heelwaarskynlik waarde toevoeg tot die eiendom deur te onderverdeel/ ontwikkel – gegewe die premie wat betaal is vir daardie potensiaal. Nie vergelykbaar nie na ons mening.

Transaksies #3

Hoogs vergelykbare eiendom. Soos die onderwerpeiendom beskik die perseel oor n Landbou-sonering (2x eenhede)en alhoewel ietwat kleiner, is die eiendom, soos die onderwerp perseel, ook op die rand van die stedelike raamwerk.

Die afskaling van die onderwerpeiendom se waarde met betrekking tot dat die transaksie se ligging binne n sekuriteits ontwikkeling, kan afgespeel word teen die meer eksklusiewe ligging van die onderwerpeiendom (in vergelyking met Transaksie #3).

Die aangepaste kwantum van ongeveer R11,000,000/ hektaar op die datum van waardasie is realisties en direk vergelykbaar met die norm van die onderwerpeiendom.

Vir Aandag: Gys de Klerk

21 Mei 2021

Goeiedag Gys,

KRITIESE EVALUERING VAN ERF 13246, STELLENBOSCH

Ek het die waardeerder (Real Direct) se opinie deurgelees en ondersteun die beginsels en besprekings wat hy opper – Ek is egter van mening dat 'n prys van R11m/ha nie tans behaal sal word nie.

Erf 13246 (Die eiendom) is volgens munisipale rekords gesoneer as Landbou. Die munisipale waardasies is dus gebaseer op landbou waarde. Aanpassing sou gemaak word vir ligging ens. Die munisipale waardasie sal dus veel laer wees as potensiële markwaarde in die ope mark. Na my mening is die eiendom 'n "baie" groot erf met Lanbousonering en moet daar na die geleentheidskoste gekyk word.

1. Die eiendom is geleë net langs die stedelike grens, wat beteken hoofdienste is reeds beskikbaar en slegs interne aansluitings hoef gedoen te word.
2. Die huidige sonering (Landbou) laat 2 woonhuise van 600m² toe. Hierdie is dus 'n unieke geleentheid vir 2 families om eiendom op aandeelblokskema te bekom. Daar is ook 'n mark vir eienaars wat leefstyl eiendomme soek maar nie die bedryf van landbou wil doen nie. Die wingerd kan maklik deur 'n wynmaker bestuur word en 'n eie etiket is altyd 'n trekpleister.
3. Die eiendom lê nie in die middel van nêrens en kan maklik aansluit by reeds beskikbare veiligheidsdienste – dit is dus 'n voordeel om langs die ontwikkelde eiendomme geleë te wees (maar tog ook deel van die landelike gebied).

Gegewe die beskikbare markinligting en tendense is my mening dat daar wel vraag sal wees vir die unieke eiendom en die eiendom behoort in die opemark tussen R7,0 en R8m te haal.

Met vriendelike groete



Deon Carstens
072 906 2717

APPENDIX 2



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

KANTOOR VAN DIE MUNISIPALE BESTUURDER

Ons verw.: Erf 13246 St/Bosch

Navrae: Piet Smith

Epos: piet.smith@stellenbosch.gov.za

Datum: 30 Maart 2021

Die Voorsitter: NG Gemeente Stellenbosch-Welgelegen

Buitekringweg 6

Dalsig

7600

Geagte Ds Monty Sahd

TERUGKOOP KLOUSULE: ERF 13246, STELLENBOSCH

U skrywe gedateer 04 Oktober 2018, verwys.

Neem asseblief kennis dat die Raad op 27 Februarie 2021, hierdie aangeleenthied oorweeg het. Na oorweging, is die volgende besluit geneem:

"RESOLVED (majority vote)

- a) *that Council invokes the buy-back clause;*
- b) *that the Municipal Manager be mandated to negotiate a mutually agreed price to buy back erf 13246, Stellenbosch, from the Dutch Reform Church: Welgelegen; and*
- c) *that the Municipal Manager report back to Council on the price before a final decision is made and the sale agreement is signed".*

Ek het intussen die agtergrond inligting bestudeer, insluitende die twee kwotasies wat in hierdie verband verkry is.

Na oorweging van al die relevante inligting tot my beskikking, insluitende die huidige munisipale waardasie, is ek van mening dat 'n billike koopsom vir die betrokke eiendom R2 700 000.00 is.

Gemelde prys is gebaseer op die jongste munisipale waardasie (2021).

Om my in staat te stel om terugvoering aan die Raad te gee, verneem ek graag of u genoemde aanbod aanvaar, onderhewig daaraan dat die Munisipale Raad dit so aanvaar.

Ek verneem graag van u.

Die uwe,

Geraldine Mettler
Munisipale Bestuurder

APPENDIX 3

U verw: Erf 13246 Stellenbosch
Datum: 22 April 2021

Die Kantoor van die Munisipale Bestuurder
Stellenbosch Munisipaliteit
Pleinstraat 3
Stellenbosch
7600

Geagte me Mettler

TERUGKOOP KLOUSULE: ERF 13246 STELLENBOSCH

Ons verwys na u skrywe van 30 Maart 2021, waarop ons ontvangs erken het in ons skrywe van 19 April 2021.

Die Kerkraad het hierdie aangeleentheid nou behoorlik oorweeg aan die hand van 'n verslag wat ons laat opstel het deur 'n onafhanklike waardeerder, mnr Jean Marais van Real Direct.

Ons is van mening dat die koopprys van hierdie eiendom slegs bepaal kan word aan die hand van die huidige billike markwaarde daarvan. Ons het dus 'n kundige waardeerder geraadpleeg hieroor, wie van mening is dat die huidige billike markwaarde van hierdie eiendom tussen R10 000 000,00 en R12 000 000,00 is. Sy motivering hiervoor word volledig uiteengesit in die aangehegte verslag.

Ons verskil dus met respek van u mening dat die bedrag van R2 700 000,00 'n billike koopprys vir hierdie eiendom is. Hierdie bedrag is in ieder geval wesenlik minder as die onafhanklike waardasies wat u ten opsigte van die eiendom laat doen het.

U is in terme van u Raad se besluit gemagtig om met ons te onderhandel in 'n poging om ooreen te kom op 'n koopprys wat vir beide partye aanvaarbaar is.

Ons glo dat dit bewerkstellig kan word en sal graag met u wil vergader hieroor.

Ons verneem vriendelik wanneer dit vir u geleë sal wees om ons te woord te staan hieroor.

Vriendelik die uwe



Ds Monty Sahd namens NGK Stellenbosch-Welgelegen

REAL DIRECT



PROPERTY VALUATIONS | BUSINESS VALUATIONS | SURVEYING | ACCOUNTING

15 April 2021

CLUVER MARKOTTER PROKUREURS
1ste vloer
Cluver Markotter gebou
Meulstraat
STELLENBOSCH
7600

Ons verwysing:
RD20210407
Aandag
Arend de Waal

AANGAANDE: KRITIESE EVALUERING VAN WAARDASIES VAN ERF 13246, STELLENBOSCH

U opdrag gedateer 29 Maart 2021, verwys

Aangeheg vind die nodige dokumentasie en let asb daarop dat die verslag nie n opemark waardasie van die eiendom is nie en slegs n evaluering van die twee verslae soos aan ons voorsien.

Laat weet gerus indien jul 'n ten volle gemotiveerde verslag verlang om ons bevindinge meer breedvoerig te vervat,

Enige navrae kan gerig word aan my,

Baie dankie en groete

Jean Marais

PROFESSIONELE GEASSOSIEERDE WAARDEERDER

Nasionale Diploma in Eiendomswaardasies

MBA

Geregistreerd met die Suid-Afrikaanse Raad vir die Eiendomswaardasie Professie (SACPVP)

Erik Marais

PROFESSIONELE WAARDEERDER

Nasionale Diploma in Eiendomswaardasies

Geregistreerd met die Suid-Afrikaanse Raad vir die Eiendomswaardasie Professie (SACPVP)

Geregistreerd met die Suid-Afrikaanse Raad van Waardeerders (SA)

REAL DIRECT



PROPERTY VALUATIONS | BUSINESS VALUATIONS | SURVEYING | ACCOUNTING

- 1.1 Opdrag is ontvang van *Arend de Waal van Cluver Markotter Prokureurs*, namens die *Nederduitse Gereformeerde Kerk, Stellenbosch Welgelegen* om 'n evaluering te doen op vorige opemark waardasies wat op Erf 13246, Stellenbosch gedoen is.
- 1.2 Die inligting vervat in hierdie verslag na my wete korrek en is baseer op inligting ontvang van die opdraggewer en/of sy verteenwoordiger asook eksterne bronne.
- 1.3 Die menings uitgespreek en gevolgtrekkings gemaak, is gedoen na deeglike verifiëring en oorweging van die inligting.

REAL DIRECT



PROPERTY VALUATIONS | BUSINESS VALUATIONS | SURVEYING | ACCOUNTING

EVALUERING VAN WAARDASIE VERSLAG



1. Aannames deur waardeerder

Die waardasies is gebaseer op die aanname dat die eiendom is geleë buite die huidige stedelike raamwerk val. Dit is deur ons ondersoek bevestig. Derhalwe word enige moontlike ontwikkelingspotensiaal buite rekening gelaat. Dit is redelik en korrek volgens ons.

2. Metodiek

Die voorgestelde *Vergelykbare Transaksie-metode* is die aanvaarde en mees geskikte metode.

3. Markondersoek

Die 10x transaksies wat gebruik is het die volgende gevolgtrekkings gehad, volgens die verslag, en word soos volg deur ons bespreek:

Transaksies #1, #8, #9 en #10.

Sales 1, 8 and 9 represent small holdings located in the Welgevonden and Jamestown nodes respectively. These sales are considered indicative of similar sized small holdings, but the location of the subject property is deemed superior which suggests an upward adjustment would be justified for the subject property. Sale 10 represents a similar sized tract of agricultural land located in a comparable node. This sale serves as a good indication of the rate to be applied to the subject property, with an upward adjustment justified for the efflux of time.

- Die waardeerder se gevolgtrekking is aanvaarbaar en ons stem saam met die vergelyking dat die onderwerpeiland se ligging hom onderskei van hierdie eiendomme. *Transaksie #10*, alhoewel die mees vergelykbare eiendom, is n enkele transaksie in Franschoek en kan nie verteenwoordigend wees van n marknorm mbt die onderwerp perseel nie.

Transaksies #2, #4, #5 en #6.

Sales 2, 4 and 5 represent smaller tracts of residential land located in prime residential estates. These properties are not considered directly comparable, but were included to illustrate the premium paid for prime residential land with concomitant lifestyle appeal. These sales ranged between R 5 460 000 and R 12 000 000 which is considered indicative of the opportunity value of a prime lifestyle opportunity in this node. It must however be borne in mind that these properties as located in secured villages. Sale 6, a vacant residential stand located in the immediate vicinity of the subject property, was included to illustrate the higher prices paid for small holdings (Sales 8 and 9) vis a vis vacant residential land in the same area.

- Ons stem saam dat hierdie persele uit die oogpunt van ligging uitstekend is maar dat weens die grootte die vergelyking volgens n per-vierkante-meter basis nie redelik en vergelykbaar is nie. In hierdie opsig moet dit genoem word dat die onderskeie kooppryse van R 5,460,000 en R5,990,000 vir twee persele van onderskeidelik 901m² en 1,099m² in die aanliggende residiële node beslis n aanwyser van die basiswaarde te wees.

Transaksies #3 en #7

“Sales 3 and 7 represent development sites, with development rights in place at the date of sale. The location of these properties is considered inferior, but the sales were included for comparison with larger tracts of land in demand due to the lifestyle appeal”.

- Daar word saamgestem met die waardeerder se aanname aangesien hierdie potensiaal reeds in die vroeë stadium van die verslag buite rekening gelaat is.

Addisionele markinligting

Aangesien die onderwerp perseel oor n landbou sonering beskik, behoort dit, uit n potensiele benuttings oogpunt, addisionele waarde te skep. Die onderwerp eiendom kan in terme van die sonering benut word vir twee wooneenhede (daarteenoor laat die sonering van n enkel residiële gesoneerde perseel slegs een woonhuis toe).

Hierdie voordeel sal beslis die bemarkbaarheid van die onderwerp eiendom aansienlik verhoog in die opemark, na ons mening.

Die volgende transaksies is goeie markaanwysings van die geleentheidswaarde wat landbou sonering bied:

Gedeelte 1 van Plaas 1480, Stellenbosch

Koopprys: R26,000,000 (18 September 2009) – 4x geleentheid teen R 6,500,000 elk op datum van transaksie (en ongeveer R13,000,000/ geleentheid in 2021)



4. Gevolgtrekking

Alhoewel die waardasie verslag voldoen aan al die vereistes, is ons tog van mening dat in die toepassing van die finale waarde, die geleentheidswaarde wat die landbou sonering van die onderwerpperseel bied, nie beklemtoon word nie.

Gegewe hierdie voordeel tesame die uitstekende en unieke ligging, sal die onderwerpperseel heelwaarskynlik in die **R10,000,000 tot R12,000,000** prysklas tans verhandel, in ons opinie.

REAL DIRECT



PROPERTY VALUATIONS | BUSINESS VALUATIONS | SURVEYING | ACCOUNTING

EVALUERING VAN WAARDASIE VERSLAG



1. Aannames deur waardeerder

Die waardasies is gebasseer op die volgende aannames:

- Die eiendom is geleë buite die huidige stedelike raamwerk val. Dit is deur ons ondersoek en bevestig.
- Derhalwe word enige moontlike ontwikkelingspotensiaal buite rekening gelaat. Dit is redelik en korrek volgens ons.

2. Metodiek

- Die voorgestelde *Vergelykbare Transaksie-metode* is die aanvaarde en mees geskikte metode.

3. Markondersoek

Die 8x transaksies wat gebruik is het die volgende gevolgtrekkings gehad, volgens die verslag, en word soos volg deur ons bespreek:

“By analysing all the comparable transactions, we have concluded that Comparable sale 1 is not necessarily considered as the best comparable due to the larger extent of the property and the agricultural nature of the immediate surroundings. Comparables sales 2 and 3 are smaller in extent compared to the subject property, however considered more comparable to the subject property in terms of the highest and best use of the subject property i.e. a lifestyle opportunity. Comparable sales 4 to 8 comprise of upmarket residential zoned stands that are fully serviced and that fall within the urban edge of Stellenbosch. These comparable sales are far smaller compared to the subject property and range between 975m² and 4 124 m² in extent.

Furthermore, portion 9 of the farm Edgbaston no.104 (1.16ha) was listed earlier this year for R3 250 000 (R2 801 724/ha) as vacant agricultural land. This property forms part of the same small estate where Comparable 3 is situated. However, this property has since been rezoned to offer 45 development opportunities. This listing is currently at R10 950 000, which equates to a rate of R243 333 / opportunity”.

Transaksies #1 en #2.

Hierdie eiendomme verteenwoordig 'n perseel as deel van 'n groter produktiewe landbou entiteit. Eiendomme landelik geleë en nie vergelykbaar nie.

Transaksies #4, #2 en #6

Enkel residuesiële eenhede (met slegs een toelaatbare eenheid), baie kleiner erwe en geleë binne gevestigde buurte met beboude persele reg rondom. Nie vergelykbaar nie.

Transaksies #7 en #8.

Transaksie #7 is "outlier" en waarde heeltemal buitensporig en nie in-lyn met marknorme nie. Klein erf binne gevestigde node.

Koopsom van *R23,510,000* vir *Transaksie #8* verteenwoordig vakante grond binne die hartjie van *Stellenbosch* en die koper sal (as gekyk word na die omliggende eiendomme) heelwaarskynlik waarde toevoeg tot die eiendom deur te onderverdeel/ ontwikkel – gegewe die premie wat betaal is vir daardie potensiaal. Nie vergelykbaar nie na ons mening.

Transaksies #3

Hoogs vergelykbare eiendom. Soos die onderwerpeiendom beskik die perseel oor n Landbou-sonering (2x eenhede) en alhoewel ietwat kleiner, is die eiendom, soos die onderwerp perseel, ook op die rand van die stedelike raamwerk.

Die afskaling van die onderwerpeiendom se waarde met betrekking tot dat die transaksie se ligging binne n sekuriteits ontwikkeling, kan afgespeel word teen die meer eksklusiewe ligging van die onderwerpeiendom (in vergelyking met *Transaksie #3*).

Die aangepaste kwantum van ongeveer *R11,000,000/* hektaar op die datum van waardasie is realisties en direk vergelykbaar met die norm van die onderwerpeiendom.

APPENDIX 4

THE MUNICIPALITY OF STELLENBOSCH

Pleinstreet
Stellenbosch
7600

Ref: Geraldine Mettler Municipal.manager@ Stellenbosch.gov.za
Yolande van den Berg Yolande.vandenberg@ Stellenbosch.gov.za
Annelene de Beer Annelene.debeer@ Stellenbosch.gov.za

Prokureurs, Transportbesorgers En Notarisse

Attorney's Conveyances And Notaries

Dorpstraat 6 / Street Stellenbosch 7600
Posbus / PO Box 1029 Stellenbosch 7599

Tel: 021 883 8012

Email: roelof@reenstrainc.co.za
conveyancing@feenstrainc.co.za

12 March 2024

Dear Madam

RE: WELGELEGEN DUTCH REFORMED CHURCH ERF 13241 STELLENBOSCH: TERUGVALSREG

We refer to previous correspondence in terms of which the Municipality was invited in writing on the 29th May 2023 to exercise its "terugvalsreg" referred to in clause 13 of the Exchange Agreement dated the 12th May 1995 entered into between the Church and the Municipality and incorporated as condition F in Deed of Transfer T4376/2001 at a market related price, to which invitation no formal reply was received.

Our client in the interim obtained an opinion from Professor Gerhard Lubbe of the Law faculty of the University of Stellenbosch on the legal implications of said clause 13. A copy of Professor Lubbe's opinion is attached hereto of which the conclusion is self-explanatory.

Our instructions are to request the Municipality to sign and provide the attached waiver of its "terugvalsreg" to us before the 31st May 2024. For the sake of clarity, the waiver is only required for the Registrar of Deeds requirements in the event the Municipality does not exercise its aforesaid "terugvalsreg". In this regard it is recorded that in terms of Professor Lubbe's opinion our client is not bound to clause 13 and consequently does not have to honour the "terugvalsreg" (as it is not binding) but is at liberty to sell the property to whom they wish.

Kindly acknowledge receipt.

Regards

RJ FEENSTRA



7.3.6	REPORT TO COUNCIL ON FARM 1653 LA MOTTE
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

21 November 2024

1. SUBJECT: REPORT TO COUNCIL ON FARM 1653 LA MOTTE**2. PURPOSE**

To provide a feedback report to Council regarding Erf 1653 La Motte.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

In February 2024 Property Management Section was requested to conduct an investigation regarding the different uses on this erf. It is one of the large properties with different uses on the property, most of which, is not accommodated in terms of zoning or sub-division. It was resolved that the property must be subdivided and resolutions taken on those parts of the property that is not used for municipal services.

An investigation was conducted on the uses of the property and herewith the information found. The property was donated to the Stellenbosch Municipality by the Cape Winelands Municipality and registered in the name of the Stellenbosch Municipality in 2017.

It is the department's suggestion that:

a) those properties required for Municipal Services be subdivided from the bigger property;

b) it be noted that the property donated to WC Province for a school, is already in the process of been subdivided from the bigger property and transferred to the department of education;

c) that those properties Council are prepared to lease be subdivided from the bigger property and legalised through lease agreements;

d) that a decision is made what the future of the rest of the property before any further subdivisions are made.

e) that the zoning of the properties in a) and b) be brought in line with the usage after sub division.

The current zoning is Agriculture. The Letter to the Education department was not send off as they are waiting for the subdivision for them to register the property in their name. The notices to the occupiers of the houses have been delivered recently. An update report will be provided in February 2025. In the meantime it is recommended that council consider the subdivision of the properties that the municipality are using.

5. RECOMMENDATIONS

- (a) that those properties required for Municipal Services be subdivided from the bigger property (marked as building 1, 6 and 7 below) and be retained as they are required for municipal use;
- (b) that it be noted that the property donated to WC Province, for a school (marked as 5 below), is already in the process of been subdivided from the bigger property and transferred to the department of education;and
- (c) that eviction proceedings be instituted against people who live in properties and who do not vacate the properties after given notice to vacate.

6. DISCUSSION / CONTENT**6.1 Background****6.1.1 Donation from Cape Winelands:**

The property was initially donated to the Stellenbosch Municipality by the Cape Winelands Municipality and registered in the name of Stellenbosch Municipality during 2017. Most of the structures and properties currently on Farm 1653 La Motte were already there and in use when the property was transferred to the Stellenbosch Municipality.

6.1.2 Council's request for a report

In February 2024 one of the properties on Farm 1653 La Motte was before Council for consideration of using same as offices for the Infrastructure Department. Council resolved, *inter alia*, that an investigation be done by the Property Management Department into the use of the remainder of the properties on the Farm and a report be brought back to Council.

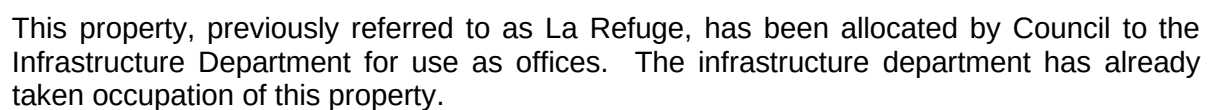
6.2 DISCUSSION**6.2.1 Location and context**

The property under discussion is Farm 1653 La Motte, which is situated close to Franschhoek.



There are 11 properties or portions of land on Farm 1653 La Motte. Each will be discussed with a photograph and summary of who is currently making use of the property or what the future plans are for the specific portion of land.

BUILDING 1:



BUILDING 2:

This is a residential and business property currently occupied by Mr Adam Cloete who runs a security business from the premises. Mr Cloete has been in the property for over 15 years and has no lease agreement in place with the municipality. Mr Cloete does not receive or pay a municipal account. The Cape Winelands municipality has no record of the property ever being allocated to Mr Cloete and also no lease agreement on file. His occupation is therefore regarded as illegal and unapproved.

BUILDING 3:

This property is being used by Mr Fred Simons as a residential property with an office at the back. According to Cape Winelands municipality Mr Simons moved into the property in 2003, and they have no agreement with him. Mr Simons also does not have a lease agreement

with the Stellenbosch Municipality. There is no record of Mr Simons receiving or paying a municipal account. His occupation is therefore regarded as illegal and unapproved.

BUILDING 4:

This is a residential property occupied by Manfred Paulsen. He has no lease agreement with Stellenbosch Municipality and also didn't have a lease agreement with Cape Winelands municipality. Cape Winelands Municipality indicated that Mr Paulse worked on the Work for Water Project and it is possible that he received permission from SAFCOL to move in without a formal lease agreement. Stellenbosch Municipality has not been provided with any official documentation from SAFCOL or any other body that may have had he rights to provide legal occupancy. For that reason, the occupation is regarded as illegal and unapproved.

PORTION 5

This portion of the farm was donated by the Stellenbosch Municipality to the Western Cape Government with the intention for them to build a new school for the La Motte and Wemmershoek areas. The sub-division as well as registration of this portion in the name of the Western Cape Government is currently underway.

BUILDING 6



The recycling depot component is currently not being used by the Stellenbosch Municipality. There is a woman who uses the space illegally and there is currently legal action to evict her from the property in process. The municipality cannot use the space due to the illegal occupant. The municipality has appointed a consultant to build a depot as soon as the eviction has taken place.

A part of the buildings on the property is used by the Roads and Stormwater department as well as Water Services as a depot.

BUILDING 7



This is the current fire station from which the services are delivered for the area. An upgrade/maintenance on this building is also in process after the roof was repaired.

BUILDING 8

This property is known as the “ou-opleidings-sentrum” and there are three different families occupying the property. The identity of all occupants on this property is not clear and there are no lease agreements in place for this property. The occupants are also not receiving municipal accounts. Their occupation is therefore seen as illegal and unapproved.

BUILDING 9

This is a residential property occupied by Mary Arendse. She has been residing in the property for over 15 years. There is no lease agreement between the Stellenbosch Municipality and Mrs. Arendse. She does receive and pay a municipal account. The Cape

Winelands Municipality has no record of an agreement with Mrs. Arendse allowing her to take occupation of the property. The occupation is therefore seen as illegal and unapproved.

BUILDING 10

This is a residential property occupied by Mr. Eddie Cloete. Mr. Cloete was allocated the property by SAFCOL however he has no lease agreement with the Stellenbosch Municipality. The Cape Winelands District Municipality confirmed the allocation by SAFCOL in a letter. Mr Cloete receives and pays a municipal account.

BUILDING 11



This property is known as the “Sop-kombuis” and is occupied by Sylvia Bell. The Cape Winelands Municipality confirmed in a letter in 2004 that she took illegal occupation of the property and there was no agreement with Mrs. Bell when she took occupation of the property in 2003. She also does not have a lease agreement with the Stellenbosch Municipality. She receives a municipal account on a monthly basis for water, which she pays. The occupation is therefore regarded as illegal and unapproved.

Fig 1 amplified indicating the different properties referred to above.



6.3 Financial implication

The occupants are not paying rent for the use of the properties and most of them are also not receiving or paying municipal accounts. The electricity is provided by Eskom and the Infrastructure Directorate has been requested to put in prepaid electricity meters. The occupants of the houses were given notices to vacate the properties and if they refuse evictions will have to be carried out.

6.4 Legal requirements

Subdivisions of the properties council is using for services should be completed. Eviction proceedings will have to be instituted if the illegal occupants do not vacate the properties after the notices was delivered.

6.5 STAFF IMPLICATIONS

No additional staff implications at this stage. Both the Fire Department and Waste Management has staff members in the two buildings used by the municipality for services.

6.6 RISK IMPLICATIONS

The risks are addressed in the content of the item.

6.7 PREVIOUS COUNCIL RESOLUTIONS:**20TH COUNCIL MEETING: 2024-02-21: ITEM 11.3.2****RESOLVED**

- (a) that the use of the property for Infrastructure Services be approved;
- (b) that the Council resolution dated 2023-03-22, be reviewed and rescinded; and
- (c) that the use of the rest of the property be investigated and a report be brought back to Council.

EXECUTIVE MAYORAL COMMITTEE: 2024-05-22: ITEM 7.3.2**RESOLVED**

that this item be referred to the Administration for site inspection, whereafter the same be resubmitted to the June 2024 Mayoral Committee Meeting.

EXECUTIVE MAYORAL COMMITTEE: 2024-07-24: ITEM 7.3.10**RESOLVED**

- (a) that this item be referred back for confirmation of zoning,
- (b) that a letter must be sent to the Western Cape Education department to find out when will the transfer of the property will be done;
- (c) that a notice be given to the people in these properties to vacate the properties and take appropriate legal action where required; and
- (d) that a Status report on these properties must submitted every second month.

6.8 COMMENTS FROM SENIOR MANAGEMENT**6.8.1 Municipal Manager:**

The municipality will have to start with eviction processes against the illegal occupiers who do not vacate the properties after the notices. The houses are needed for accommodation for some of our staff in infrastructure that are required to work on the wastewater treatment plants and electricity sub stations. They currently reside in town in property earmarked for local economic development given its location.

Sub- division of the property needs to be finalised.

6.8.2 Director Planning and Economic Development;

The property currently has a split zoning: Agriculture and Rural Zone as base zone and Utility Services Zone (existing fire station yard).

The recommendation in paragraph 5 of the item is supported. The intended land uses must be confirmed in order to complete and / or initiate the appropriate land use applications to obtain the required land use rights.

It should also be noted that the Housing Development Section has started with the process of looking into the feasibility of providing some form of housing development on a portion of the property.

6.8.3 Director Infrastructure Services

We confirm that the site on which Building 6 is, is utilised by Infrastructure Services as a Roads and Water Services Depot.

We agree for the Municipality to proceed with the eviction process.

Comments from Corporate Services: *The legal action to evict the illegal user has started some time ago already and is in process.*

6.8.4 Director Community and Protection Services

Supported.

6.8.5 CFO

Supports the recommendations.

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	2024-11-12

7.3.7	REPORT BACK ON THE REMOVAL OF RESTRICTIVE CONDITIONS AND FALLBACK CLAUSE: ERF 6128, STELLENBOSCH
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

21 November 2024

1. SUBJECT: REPORT BACK ON THE REMOVAL OF RESTRICTIVE CONDITIONS AND FALLBACK CLAUSE: ERF 6128, STELLENBOSCH

2. PURPOSE

To report back on the stale mate regarding the development of erf 6128.

3. DELEGATED AUTHORITY

The Municipal Council must consider the matter.

4. EXECUTIVE SUMMARY

The current owners of erf 6128, Stellenbosch bought the property in 2013 for an amount of R12 000 000. The property was registered in their name on 3 March 2014.

They have subsequently demolished the existing buildings, with the view of redeveloping the site for retail shops and offices which will service the community and upgrade the visual impact of the entrance to Stellenbosch.

With the submission of their building plans, they were, however informed that the property must first be rezoned from Light Industrial to General Business Zone to accommodate the proposed development. They subsequently submitted a rezoning application, together with an application for the relaxation of the restrictive title deed conditions B.1 and 2, i.e. that the property may only be used for industrial purposes, failing which the property shall revert to the Municipality, subject to certain conditions. It should also be noted that the restriction on the title deed condition in terms of the fall-back clause is only applicable on a portion of the property. The proposed development also is in line with the Municipalities SDF.

The Planning and Development Department has requested that Council consider the matter, i.e. whether they are going to enforce the title deed conditions (buy back the property) or whether the conditions can be removed from the title deed of the erf.

Council at a Special In-Committee meeting of 2021-09-29 item 12.4.2 mandated the Municipal Manager to enter into discussions with landowners to facilitate an amicable solution given by the buy-back clause. The Municipal Manager subsequently met with the owner on 10 March 2022. An agreement, subject to council approval, was reached that an item will be re-submitted to Council to request Council to approve that the restrictive conditions contained in paragraph 2.B.1 and 2.B.2 of the title Deed T10083/2014, as set out in paragraph 6.2.1, be removed, subject thereto that the necessary processes set out in Section 33(4) of the Stellenbosch Land-use Planning By-law be followed.

Council resolved on 25 May 2022

- (a) that council agrees not to invoke the fallback condition provided that a written agreement is reached that: the development applied for (**APPENDIX 2**) is completed within a period of 24 months and in accordance with the prevailing planning provisions; and

- (b) that should the property be sold prior to the development as per (b) above the fallback clause will be invoked and the property will fall back to the municipality as per the existing restrictive condition in the title deed.

The owners withdrew the application for rezoning on 18 March 2024 and indicated that they will retain the Light Industrial Zoning will retain. The property has not been developed within the two years provided.

The municipality wrote a letter to the owners that given that the provision as resolved on in May 2022 has not been completed by the owners the item will return to Council for re-consideration (**Appendix A**). The owner responded to the letter (**Appendix B**). The allegations against the municipality are denied. The owners had all the opportunities but are not making any progress.

A portion of the property is needed for the dualling of Bird Street as was reported in 2022 already. Following further discussions, it was established and confirmed by both Infrastructure Services as well as die Developer's Consultant in its Site Development Plan that the planned dualling of Bird Street was taken into consideration. See **Appendix C**, page 5/11 **Diagram 1: Bird Street dualling with Tennant Road link – extract of Conceptual Design**.

5. RECOMMENDATION

For Consideration

6. DISCUSSION / CONTENT

6.1 BACKGROUND

6.1.1 Acquisition of erf 6128

During 2013 Lorax Property Investment (Pty) Ltd acquired erf 6128 at a purchase price of R12 000 000. The property was registered in their name on 2014.03.03.

6.1.2 Demolition of buildings

During 2018 the owner demolished the buildings on the site, due to vandalism, security as well as with the view of re-developing the site for retail shops and offices.

6.1.3 Building plan

Following the demolition of the buildings, building plans were submitted, with the view of redeveloping the site which will service the community and upgrade the visual impact of the entrance to Stellenbosch. The owner, however, was informed that they must first submit a rezoning application, allowing for retail shops and offices.

6.1.4 Rezoning application

During January 2019 the owner submitted a rezoning application to enable them to do the redevelopment.

6.1.5 Restrictive conditions

Following the submission of the rezoning application, it became evident that there are specific restrictive title deed conditions prohibiting the rezoning of the property.

There are 2 title conditions:

1. Servitudes registered for access in favour of properties that does not belong to the municipality and does not exist anymore;
2. Land use restriction that indicates that the property may only be used for light industrial purposes. The planning department confirms that this restriction is a land us matter and will and can be dealt with through the normal rezoning application;
3. A fallback clause that if the zoning is changed then council may exercise its rights to reclaim the land.

For this reason, the Planning Department has decided not to consider the Land-use application until such time as the restrictive conditions have been removed.

On legal advice it is recommended not to remove the fallback clause as that protect Council's right. If Council is however happy with the proposed development, Council can, by agreement, allow the process to continue and not invoke the fallback provision. Should the owners not proceed as agreed Council can then invoke the clause as it is contained in the title deed.

6.2 DISCUSSION

6.2.1 Locality and context

Erf 6128 is situated off Bird Street, as indicated on Fig 1 and 2 below.



Fig 1: Location and regional context



Fig 2: Erf 6128

6.2.2 Restrictive title deed conditions

As indicated above, there are restrictive conditions registered against the title deed of the property, prohibiting it from being utilised/ developed as a General Business site, allowing for retail shops and offices, as set out in more detail below:

2.B.1 "That the said land shall be solely used for industrial purposes, provided that the Transferee and his successors in title shall have the right to erect on dwelling house on a portion thereof as a residence for the present and future owner, his manager or representative"

2.B.2 "In the event of the land being no longer used by the Transferee or his successors in title for industrial purpose and such transferee fails to dispose of land to some Company, person or persons for industrial purposes within six months thereafter, then the said land shall revert to the said Municipality, who shall have the right to dispose of same against payment to the then registered owner of the value of the buildings erected thereon, such value to be fixed by two independent Sworn Appraisers, who shall have due regard to the state of the market at the same time of making the appraisal, the purpose for which the intending purchaser requires such buildings, also any other circumstances which may detrimentally affect the value thereof"

It should also be noted that the conditions as contained in the Deed of Transfer Number T5999 dated 5 June 1942 is only applicable on a portion of the property.

6.3 FINANCIAL IMPLICATIONS

To determine the value of the fallback provision is challenging as the buildings that was on the property has been demolished and the value of the fallback provision was dependant on that.

6.4 LEGAL IMPLICATIONS

In terms of Section 33 of the Stellenbosch Municipal Land-use By-law:

- “33. (1) *The Municipality may, on its own initiative or on application in terms of section 15(2), remove, suspend or amend a restrictive condition.*
- (2) *the Municipality may remove, suspend or amend a restrictive condition—*
(a) permanently;
(b) for a period specified in the approval; or
(c) subject to conditions of approval.
- (3) *In addition to the procedures set out in Chapter IV, the owner must*□
(a) submit a copy of the relevant title deed to the Municipality; and
(b) where applicable, submit the bondholder's consent to the application.
- (4) *The Municipality must cause a notice of an application in terms of subsection*
(1) to be served on□
(a) all organs of state that may have an interest in the restrictive condition;
(b) a person whose rights or legitimate expectations will be affected by the approval of the application; and
(c) all persons mentioned in the title deed for whose benefit the restrictive condition applies.
- (5) *When the Municipality considers the removal, suspension or amendment of a restrictive condition, the Municipality must have regard to the following:*
(a) the financial or other value of the rights in terms of the restrictive condition enjoyed by a person or entity, irrespective of whether these rights are personal or vest in the person as the owner of a dominant tenement;
(b) the personal benefits which accrue to the holder of rights in terms of the restrictive condition;
(c) the personal benefits which will accrue to the person seeking the removal, suspension or amendment of the restrictive condition if it is amended, suspended or removed;
(d) the social benefit of the restrictive condition remaining in place in its existing form;
(e) the social benefit of the removal, suspension or amendment of the restrictive condition; and
(f) whether the removal, suspension or amendment of the restrictive condition will completely remove all rights enjoyed by the beneficiary or only some of those rights.
- (6) *An approval to remove, suspend or amend a restrictive condition comes into operation—*
(a) if no appeal has been lodged, after the expiry of the period contemplated in section 79(2) within which an appeal must be lodged; or

(b) *if an appeal has been lodged, when the Appeal Authority has decided on the appeal.*

(7) *The Municipality must cause a notice of the decision to remove, suspend or amend a restrictive condition to be published in the Provincial Gazette after the decision comes into operation as contemplated in subsection (6) and notify the Registrar of the decision."*

6.5 STAFF IMPLICATIONS

This report has no additional staff implications to the Municipality.

6.6 PREVIOUS / RELEVANT COUNCIL RESOLUTIONS

In-Committee meeting of Special meeting of Council: 2021-09-29 item 12.4.2.

Mayoral Committee: 2022-04-19 item 7.2.2.

EXECUTIVE MAYORAL COMMITTEE: 2022-04-19: ITEM 7.2.2

RESOLVED

that the item be referred back for input from Infrastructure Services and then be referred to Council.

4th Council Meeting: 2022-04-26 item 10.2.1. **4TH COUNCIL MEETING: 2022-04-26: ITEM 10.2.1**

RESOLVED

that this matter be referred back to the Administration for further discussions.

5th COUNCIL MEETING: 2022-05-25: ITEM 11.11.1

RESOLVED (majority vote)

- (c) that Council notes the feedback from the Municipal Manager;
- (d) that council agrees not to invoke the fallback condition provided that a written agreement is reached that: the development applied for (APPENDIX 2) is completed within a period of 24 months and in accordance with the prevailing planning provisions; and
- (e) that should the property be sold prior to the development as per (b) above the fallback clause will be invoked and the property will fall back to the municipality as per the existing restrictive condition in the title deed.

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

CIllrs MM Danana; EP Masimini; RS Nalumango (Ms); M Nkopane (Ms); N Ntsunguzi (Ms); MG Rataza; and A Tomose.

6.7 RISK IMPLICATIONS

The risks have been addressed in the item.

6.8 COMMENTS FROM SENIOR MANAGEMENT

The comments from Planning and the Municipal Manager were incorporated in the item.

INPUT FROM INFRASTRUCTURE SERVICES:

The site development plans, building plans ect. compiled by the developer must make adequate provision for future road widening on Bird Steet, also taking into account restrictions on turning movements. Pedestrian movements along Bird Street must also be adequately accommodated. Provisions for the road widening on Bird Street will be dealt with through the planning approval process and all Municipal conditions stipulated must be met to the satisfaction of the Municipality. These provisions do not have to form part of any decision by Council now as it will be dealt with in the planning approvals.

ANNEXURES:

Appendix A: Letter to owner

Appendix B: Response from owner

Appendix C: Site Development Plan

FOR FURTHER DETAILS CONTACT:

NAME	Annalene de Beer
POSITION	Director Corporate Services
DIRECTORATE	Corporate Services
CONTACT NUMBERS	021 808 8018
E-MAIL ADDRESS	Annalene.deBeer@ Stellenbosch.gov.za
REPORT DATE	2024- 11-15

ANNEXURE A



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

OFFICE OF THE MUNICIPAL MANAGER

Email: municipal.manager@ Stellenbosch.gov.za

Contact no.: 021 808 8025

1 November 2024

LORAX PROPERTY INVESTMENTS (PTY) LTD

BY EMAIL: [REDACTED]

[REDACTED]

Dear Sir / Madam

NOTICE TO INVOKE FALLBACK CLAUSE AND RESTRICTIVE CONDITIONS: ERF 6128 STELLENBOSCH

We refer to the abovementioned matter as well as your Land Use application for Rezoning and subsequent Appeal.

Your company acquired said property during 2013 and same was registered in your name on 3 March 2014. During 2018 you demolished the buildings on the property and submitted building plans to the Stellenbosch Municipality indicating the intention to redevelop the site for retail shops and offices.

With the submission of your building plans, you were informed that the property must first be rezoned from Light Industrial to General Business Zone in order to accommodate the proposed development.

We wish to note the following conditions as set out in the Deed of Transfer for Erf 6128 Stellenbosch:

“2.B.1 That the said land shall be solely used for industrial purposes, provided that the Transferee and his successors in title shall have the right to erect one dwelling house on a portion thereof as a residence for the present and future owner, his manager or representative.

2.B.2 In the event of the land being no longer used by the Transferee or his successor in title for industrial purpose and such transferee fails to dispose of land to some Company, person or persons for industrial purposes within six months thereafter, then the said land shall revert to the said Municipality, who shall have the right to dispose of same against payment to the then registered owner of the value of the buildings erected thereon, such value to be fixed by two independent Sworn Appraisers, who shall have due regard to the state of the market at the same time of making the appraisal, the purpose for which the intending purchaser requires such buildings, also any other circumstances which may detrimentally affect the value thereof.”

As a result, your company submitted a Land Use application with the Municipality for the rezoning of the property as well as a letter requesting that the restrictive conditions in the Title Deed be removed. It is important to note that what your company has deemed restrictive conditions in the Title Deed, is in actual fact a fallback clause by which the property shall revert to the Municipality, subject to certain conditions if no longer used or sold for light industry purposes.

An item was prepared for consideration by Council on whether or not Council should invoke the fallback condition.

We confirm that on 25 May 2022 Council resolved as follows:

- “(a) that Council notes the feedback from the Municipal Manager;*
- (b) that Council agrees not to invoke the fallback condition provided that a written agreement is reached that the development applied for (APPENDIX*

2) is completed within a period of 24 months and in accordance with the prevailing provisions; and

(c) that should the property be sold prior to the development as per (b) above the fallback clause will be invoked and the property will fall back to the municipality as per the existing restrictive condition in the title deed."

We place on record that it has now been over two years since the Council resolution and no written agreement has been reached between you and the Municipality to complete the development within two years. Although there has been a rezoning application which resulted in an appeal, we have not been able to reach a final agreement.

On 18 March 2024 we received a letter from Viridus Works, acting on your behalf, indicating that your company no longer intends pursuing the rezoning of the property for purposes of a retail development with a Local Business or Mixed-Use Zone. The letter further states that the existing development rights in terms of the industrial zoning of the property will instead be retained.

We therefore write this letter to you to give notice of our intention to take the matter back to Council in November, with the intention to invoke the fallback conditions contained in the Title Deed, wherein the property should have been used for industrial purposes within six months after the property is registered in your name. Although the property has been registered in your name for several years there has been no development and therefore no use of the land for industrial purposes. The suspensive condition as per the Council resolution of 25 May 2022 has also not been complied with.

Yours faithfully,



Geraldine Mettler

MUNICIPAL MANAGER

T: +27 21 808 8025

Town House, Plein Street, Stellenbosch, 7600 • PO Box 17, Stellenbosch, 7599
www.stellenbosch.gov.za

ANNEXURE B

Yolande van den Berg

From: Rose Jordaan [REDACTED]
Sent: Wednesday, 06 November 2024 16:32
To: Annelene Rooifontein; [REDACTED]; Dupré Lombaard (Virdus Works)
Cc: mm; Geraldine Mettler; Annalene De Beer; Nomie Tshefu; Yolande van den Berg; Stiaan Carstens; Anthony Barnes; Rozeeta Petersen
Subject: [EX] Re: Erf 6128 Notice to invoke fallback clause
Attachments: Erf 6128 Notice to invoke fallback clause.pdf

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Annelene,

Thank you for your letter which now finally clarifies the intent of the municipality and explains the malicious approach by the municipality to our attempted development of Erf 6128.

For your information we have been engaging with the municipality's approved consultant Traffic Engineers and municipal roads department regarding the requirement of Erf 6128 for the extension and upgrading of the R304. Due to the ongoing negotiations, and the slow response from the municipality, it is not possible to submit any development plans currently. It is suggested you follow up with your own departments.

We believe that the attached letter has been served in bad faith by the municipality and that it has been the municipality's intention all along to destroy the viability of our project which would have created over 100 jobs, so that the municipality could expropriate the property. This is documented in the outrageous and inexplicable delays over the last 3 years caused by the Municipal Manager, Geraldine Mettler, as well as the exorbitant and irrational requirements to simply change the zoning of this Erf so we could go forward with a wonderful development that would benefit the town.

The extortionary attempt to steal land that was legally purchased by ourselves is noted and we reserve our rights in this matter. We will defend our rights and our land vehemently.

It seems that the municipality only takes the media seriously and we are very comfortable to let this be aired in the court of public opinion.

Kind regards,

Rose Jordaan

T- [REDACTED]

W www.plaisir.co.za, www.bartinney.co.za, www.noblesavage.co.za

ANNEXURE C

Contact Address:

iCE Group (Stellenbosch),
P O Box 131,
Stellenbosch, 7599

Tel No: +27 (0) 21 880 0443
Fax No: +27 (0) 21 880 0390
e-mail: piet@icegroup.co.za

**Consulting Services**

- Civil Engineering Services
- Roads
- Traffic Engineering

Contact Person: Piet van Blerk

Your Ref: Erf 6128, Stellenbosch

Our Ref: iCE/S/1305

Date: 14 August 2019

Lorax Property Investments (Pty) Ltd
5 Bird Street
STELLENBOSCH
7600

Attention: Mr Nico Cloete

Sir

**APPLICATION FOR REZONING FROM INDUSTRIAL TO COMMERICAL, AND
SITE DEVELOPMENT PLAN SUBMISSION FOR ERF 6128, STELLENBOSCH:
TRAFFIC IMPACT ASSESSMENT**

This company was appointed to prepare a Traffic Impact Assessment (TIA) for the proposed commercial development on Erf 6128, Stellenbosch.

1. BACKGROUND AND LOCALITY

The subject property is situated on the corner of Bird Street and Bell Street, adjacent to the Du Toit Railway Station, Stellenbosch. See the **Locality Plan** attached.

Line shops were previously accommodated on-site, however, these buildings have since been demolished and the property is currently vacant. According to information, the property is currently zoned for light industrial use.

The conceptual design of the dualling of Bird Street (R304/Main Road 174) between the R44 and Welgevonden Boulevard was conducted by this company, which also addresses access management along Bird Street, all of which will be taken into consideration hereafter.

This TIA accompanies the Application for Rezoning from Industrial to Commercial and Site Development Plan Submission for Erf 6128, Stellenbosch.

2. PROPOSED DEVELOPMENT

2.1 Proposed Development

The proposed commercial development will consist of the following:

Retail ('Anchor')	1 307 m ² Gross Leasable Area (GLA)
Line Shops	722 m ² GLA
Offices	786 m ² GLA
Total	2 815 m² GLA

See the proposed layout on the attached **Site Plan** and **Basement** layout prepared by Meyer & Associates Architects.

Stellenbosch office:

Tel: 021 8800 443
Fax: 021 8800 390

Directors:

P.J. Van Blerk, PrEng.

iCE Group (Overberg) t/a
iCE Group (Stellenbosch)

Reg No: 2006/133238/23



2.2 Access to the Property

Access to the property was previously obtained from Bird Street and Bell Street– see the photo below. Access to the redeveloped property will be obtained from these streets in line with the AMP. Detail on access will be discussed in *paragraph 4* below.



Photo 1 : Existing and proposed access(es)

3. TRAFFIC

3.1 Existing Traffic

To obtain information regarding existing weekday peak hour traffic, counts were conducted at the Bird Street/Bell Street intersection on Tuesday, 23 July 2019 from 06h30 to 08h30 and again from 16h00 to 18h00. Pedestrian activity and cyclists were also included with the said counts. The peak hour volumes derived from these counts are indicated in **Figure 1** attached.

3.2 Traffic Growth

Based on historic counts (2016) and the updated counts (2019), an average growth rate of $\pm 3\%$ was calculated along Bird Street (at its intersection with Bell Street) and $\pm 1\%$ along the Bell street-approaches.

For the purpose of traffic analyses, a five (5) year forecast was assessed. The existing 2019 peak hour traffic volumes were thus increased as per abovementioned growth rates for five (5) years to obtain the estimated 2024 peak hour volumes as indicated in **Figure 2** attached.

3.3 Traffic Generation

Trip generation rates as contained in the TMH17 *South African Trip Data Manual* were consulted to calculate the potential peak hour traffic generated by the proposed development. The said manual suggests the following rates for the proposed land uses:

	AM Peak Hour Rate	Split (in/out)	PM Peak Hour Rate	Split (in/out)
Retail*	2,88 trips per 100 m ² GLA	65/35	16,31 trips per 100 m ² GLA	50/50
Office	2,1 trips per 100 m ² GLA	85/15	2,1 trips per 100 m ² GLA	20/80

*Based on the TMH17 formulas: $0,6 \times \left[1 + \frac{6}{1 + m^2/3500} \right]$ & $3,4 \times \left[1 + \frac{6}{1 + m^2/3500} \right]$

Based on the above, the proposed development could potentially generate the following peak hour trips:

	AM Peak Hour Trips			PM Peak Hour Trips		
	Total	In	Out	Total	In	Out
Retail (2 029 m ² GLA)	58	38	20	330	165	165
Office (786 m ² GLA)	18	15	3	18	4	14
Total	76	53	23	348	169	179

As mentioned in *paragraph 1* above, according to information, the property is currently zoned for light industrial use. The potential peak hour trips tabled above will thus not all be new to the road network, as the facilities previously operating on-site (prior to the demolition thereof), contributed to the peak hour traffic in the area.

3.4 Traffic Distribution

The peak hour traffic that can potentially be generated as calculated above was distributed to the road network based on the existing directional split in peak hour traffic in the vicinity of the subject property, as well as knowledge of the area.

As indicated on the attached plans, the majority of parking will be provided on basement level (which obtains access via Bell Street, whilst the ground floor parking obtains access via Bird Street). The traffic that can potentially be generated by the proposed development was therefore distributed via the two accesses based on the ratio of parking provided on the relevant level vs the total parking.

The said distribution is indicated in **Figure 3** attached.

3.5 Traffic Analysis

Traffic analyses of the intersections were done by means of the Sidra Intersection 8.0 software. Service levels A to D are considered acceptable, with D the critical. The link volumes were analysed by means of the methods contained in the Highway Capacity Manual.

Bird Street/Bell Street intersection:

This intersection is currently stop-controlled on the side streets (Bell Street), with free-flow conditions along Bird Street. A short dedicated right-turn lane exists along the southern Bird Street-approach. See the lane layout in the photo below.



Photo 2 : Existing Bird Street/Bell Street intersection lane layout

3.5.1 Analyses of Existing and Estimated Peak Hour Volumes (excluding proposed development)

Link Volumes:

As indicated in **Figure 1** and **Figure 2** attached, the following link volumes (total two-way traffic) are experienced/expected along Bird Street in the vicinity of the subject property:

Existing 2019 (AM/PM)	1 665/1 794
Estimated 2024 (AM/PM)	1 910/2 052

As per the above volumes, the dualling of Bird Street in the vicinity of the subject property is already required.

It can thus be concluded that the dualling of Bird Street in the vicinity of the subject property is required to accommodate the background traffic (existing and estimated peak hours).

Bird Street/Bell Street intersection:

According to the Sidra analyses, acceptable service levels A and B are currently experienced along the Bird Street-approaches, whilst unacceptable service levels F are experienced along the side streets (Bell Street) during the existing 2019 AM and PM peak hours. According to the Sidra analyses, the average queuing experienced on the eastern Bell Street-approach is beyond its intersection with Tennant Road. The conceptual design plans for the dualling of this section of Bird Street includes a left-in/left-out link between Tennant Road and Bird Street – see an extract below (**Diagram 1**) and the layout attached (**Diagram 5**). With this link in place, an alternative route will be created for right-turning vehicles struggling to access Bird Street via Bell Street.



Diagram 1 : Bird Street dualling with Tennant Road link – extract of Conceptual Design

During the estimated 2024 peak hours, these service levels are anticipated to remain, with further increase in queuing along the side streets.

As mentioned above, an alternative opportunity to accommodate right-turning movements from the side streets will exist with the dualling of Bird Street. However, as the dualling of Bird Street (although required) is not realistically expected to be implemented within the short term, it is suggested that the provision of traffic signals at this intersection be considered to address the abovementioned unacceptable service levels and excessive queuing. According to the Sidra analyses, service levels on the side streets can be expected to improve, however, the provision of the potential traffic signals will result in some queuing along Bird Street opposed to the free-flow conditions currently experienced.

From an intersection spacing perspective the potential traffic signals could be problematic. This will be further discussed in *paragraph 4* below.

It can thus be concluded that to accommodate the background traffic at the Bird Street/Bell Street intersection, the provision of traffic signals be considered as a short term solution until such a time that Bird Street is dualled.

3.5.2 Analyses of Expected Peak Hour Volumes (including proposed development)

The traffic that can potentially be generated by the proposed development (**Figure 3**) was added to the estimated 2024 peak hour volumes, i.e. background traffic (**Figure 2**), to obtain the expected 2024 peak hour volumes (**Figure 4**).

Link Volumes:

As indicated in **Figure 4** attached, the following link volumes (total two-way traffic) are expected along Bird Street in the vicinity of the subject property:

Expected 2024 (AM/PM) 1 950/2 277

As per the previous paragraph, the dualling of Bird Street in the vicinity of the subject property is already required to accommodate the existing peak hour traffic, prior to the implementation of the proposed development. With the addition of the proposed development traffic, no additional dualling is required.

It can thus be concluded that no dualling, additional to that required to accommodate the background traffic, is considered necessary as result of the proposed development.

Bird Street/Bell Street intersection:

With the increase in right-turning traffic towards Bell Street, it is suggested that a dedicated right-turn lane be provided along the northern Bird Street-approach, similar to the existing dedicated right-turn lane along the southern Bird Street-approach, to accommodate the proposed development traffic. This is addressed in the conceptual plans for the dualling of Bird Street (extract attached as **Diagram 5**).

It can thus be concluded that to accommodate the addition of the proposed development traffic at the Bird Street/Bell Street intersection, a dedicated right-turn lane be provided along the northern Bird Street-approach (similar to the existing lane along the southern Bird Street-approach).

Bird Street/Access intersection:

According to the Sidra analyses, unacceptable service levels F can be expected on the access-approach to the intersection during the expected AM and PM peak hours. Acceptable service levels A can be expected along Bird Street (both approaches) during the AM peak hour, whilst service level A can be expected along the southern Bird Street-approach, and C along the northern Bird Street-approach during the PM peak hour. The service level C expected is as result of the potential right-turning traffic towards the proposed development (sharing the lane with the through traffic). As previously mentioned, access to Bird Street will initially be that of a full access for the interim, as the proposed access has been identified as future left-in/left-out when the road is dualled. The construction of a dedicated right-turn lane will thus at this stage result in abortive work. It is therefore suggested that the access operate as full access until such a time that the road is dualled, but that dedicated turning lanes (resulting in abortive work) not be constructed at this stage as vehicles struggling to turn right into the subject property will have the opportunity to do so at the alternative access (Bell Street).

It can thus be concluded that no upgrades are considered necessary to the Bird Street/Access intersection to accommodate the proposed development traffic.

Bell Street/Access intersection:

According to the Sidra analyses, acceptable service levels can be expected on all approaches to this intersection.

It can thus be concluded that no upgrades are considered necessary to the Bell Street/Access intersection to accommodate the proposed development traffic.

4. GEOMETRY

As previously mentioned, access will remain to Bird Street and Bell Street. According to the *Road Network Information System* (RNIS) of WCG, Bird Street (north of its intersection with the R44) can be classified as a Class 2-road. Bell Street can be classified as a Class 5-road.

As mentioned with the analyses of the background traffic, it is suggested that the signalisation of the Bird Street/Bell Street intersection be considered. According to information, the said intersection used to operate as a signalised intersection years ago. As also mentioned, the spacing of signalised intersections along Bird Street is of concern when considering replacing the traffic signals at the Bird Street/Bell Street intersection. According to the *Road Access Guidelines* (RAG) of WCG, spacing required between signalised intersections along Class 2-roads in intermediate areas are 540 metres. The subject intersection is situated ± 155 metres from the R44/Bird Street intersection (centre-to-centre), which is currently a signalised intersection.

Substandard spacing thus exists along this section of Bird Street for the provision of traffic signals at the Bird Street/Bell Street intersection.

The abovementioned accesses will be provided in line with the AMP. The proposed access to Bird Street will provide access to the ground floor parking area, whilst an access to Bell Street will provide access to the basement parking area. A one-way link is proposed from the ground floor parking to the basement parking/Bell Street-access. The said link will also facilitate right-turning outbound traffic in future when the R304 (i.e. Bird Street) is dualled and the Bird Street-access (initially full access) changed to a left-in/left-out (as per the AMP).

Two-way traffic is facilitated within the isle width of the ground floor parking area, whilst one-way traffic flow is proposed within the basement.

With the design of the accesses it is suggested that minimum 6,0 metre bellmouth radii be provided.

Deliveries and refuse removal are proposed to be handled adjacent to the basement-access (Bell Street). A loading bay is indicated to accommodate delivery- and refuse vehicles on-site as to not obstruct traffic flow along Bell Street.

5. PARKING

According to the Stellenbosch Zoning Scheme Regulations, 4 bays per 100 m² GLA are required for shops and offices. Based on this, a total of 113 parking bays are required (for the 2 815 m² GLA).

It is proposed to provide parking at the abovementioned rate for the offices, but to provide 6 bays per 100 m² GLA for the retail components. As indicated on the attached plan, a total of 152 parking bays are proposed (39 ground floor and 113 basement), which is in excess of the required parking and thus sufficient.

Parking bays as indicated consist of dimensions in line with normal parking standards – 2,5 by 5,0 metre bays, with bays adjacent to walls 2,85 metres wide. The isle widths behind 90-degree parking bays are 7,0 metres and minimum 5,0 metres behind angled parking bays, both of which are considered sufficient. The parallel parking bays proposed consist of minimum 2,5 by 6,0 metre dimensions which is also considered sufficient.

6. PUBLIC AND NON-MOTORISED TRANSPORT

6.1 Public Transport

Traffic counts conducted as mentioned in *paragraph 3.1* above also identified taxis. These volumes are indicated in **Diagram 2** below. From these volumes it can be noted that very few taxis turn towards the railway station, and that some taxis use this road link (i.e. Bell Street) between the R44 and Bird Street as rat run during the PM peak hour to avoid the R44/Bird Street signalised intersection.

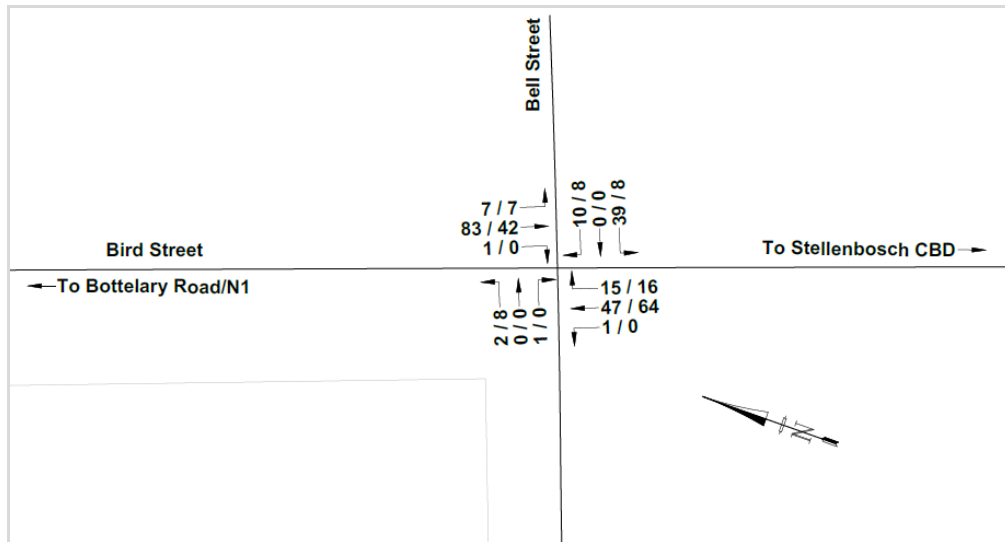


Diagram 2 : Existing AM/PM peak hour taxi volumes

As indicated on the attached plan, the eight (8) 90-degree parking bays along Bell Street are proposed to be marked for taxis.

The Conceptual Design plans for the dualling of Bird Street included parallel parking along Bird Street (including the extent of the property boundary abutting the road), as parking did not previously exist on-site. However, as indicated on the attached layout plans, sufficient on-site parking will be provided with the proposed development, and it is the intention of the developer to provide a paved surface (possibly with public seating areas) within the space previously considered for potential parallel public parking. Traffic flow along Bird Street can thus be expected to improve with the exclusion of the parallel parking.

As previously mentioned, the subject property is situated adjacent to the Du Toit Railway Station.

Based on the above, it is not considered necessary to provide additional public transport facilities to accommodate the proposed development.

6.2 Non-motorised Transport (NMT)

As mentioned in *paragraph 3.1* above, pedestrians and cyclists were also included in the traffic count conducted. Refer to **Diagram 3** and **Diagram 4** below:

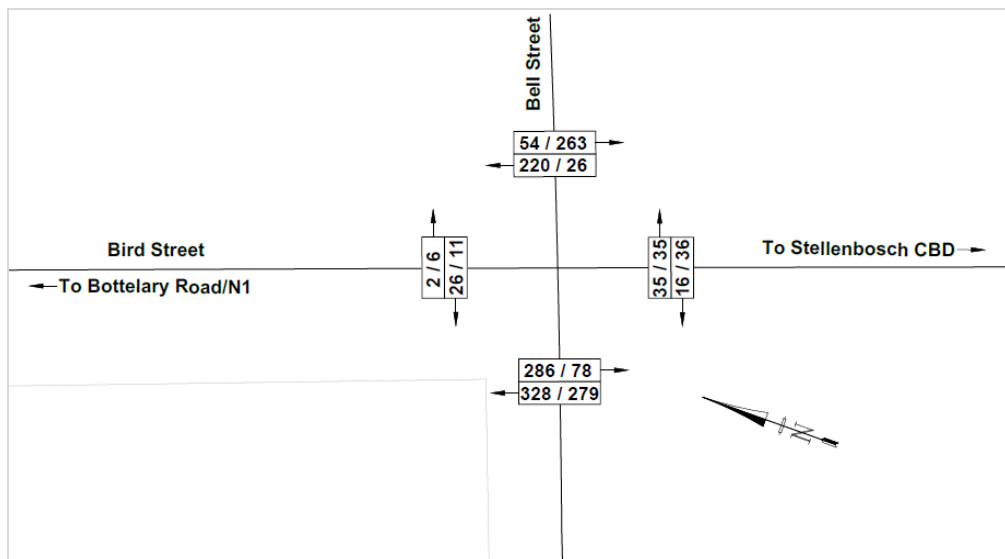


Diagram 3 : Existing AM/PM peak hour pedestrian volumes

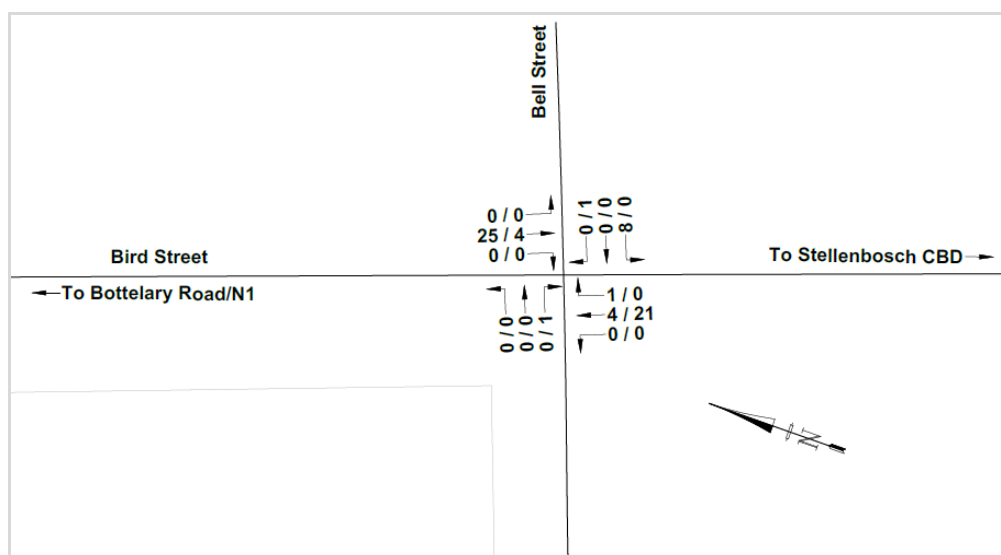


Diagram 4 : Existing AM/PM peak hour bicycle volumes

As per the above diagrams, the main movement of pedestrians and cyclists is along Bird Street, however some pedestrians cross Bird Street in the vicinity of its intersection with Bell Street (assumed to travel to/from the railway station). Should traffic signals be considered at the intersection, provision should be made for pedestrians at the intersection.

Sidewalks currently exist along both sides of Bird Street and Bell Street, in the vicinity of the subject property. With the dualling of the R304 (i.e. Bird Street), a 2,0 metre wide sidewalk is proposed along the eastern side of the road and a 3,5 metre wide NMT facility along the western side of the road.

As mentioned above, it is the intention to surface the area between the property boundary and the edge of Bird Street. This will tie in with existing facilities accommodating pedestrians, as well as with the future planned NMT-facility along this section of Bird Street.

It is not considered necessary to provide NMT facilities additional to the abovementioned, as result of the proposed development.

7. CONCLUSIONS

The following can be concluded from the report:

- 1) That this TIA accompanies the Application for Rezoning from Industrial to Commercial and Site Development Plan Submission for Erf 6128, situated on the corner of Bird Street and Bell Street, adjacent to the Du Toit Railway Station, Stellenbosch;
- 2) That the proposed development will consist of 1 307 m² GLA retail anchor, 722 m² GLA line shops and 786 m² GLA offices, with access to Bell Street and to Bird Street in line with the AMP of the R304 (i.e. Bird Street);
- 3) That the proposed development has the potential to generate 76 AM peak hour trips (53 in, 23 out) and 348 PM peak hour trips (169 in, 179 out);
- 4) That to accommodate the background traffic, the dualling of Bird Street in the vicinity of the subject property is required, and that it is suggested that the potential signalisation of the Bird Street/Bell Street intersection be considered;
- 5) That to accommodate the proposed development traffic, it is suggested that a dedicated right-turn lane be provided along the northern Bird Street-approach to the Bird Street/Bell Street intersection (similar to the existing right-turn lane along the southern-approach);

- 6) That the proposed development access to Bird Street will initially be a full access, and with the future dualling of the R304, operate as left-in/left-out access as per the AMP;
- 7) That deliveries and refuse removal will be handled adjacent to the basement-access to Bell Street;
- 8) That parking is proposed (152 bays) in excess of the Municipal minimum requirement (113 bays), with dimensions in line with normal parking standards;
- 9) That the Du Toit Railway Station is situated adjacent to the subject property and that accommodation for taxis are proposed along Bell Street, and no additional public transport facilities thus considered necessary as result of the proposed commercial development; and
- 10) That sidewalks currently exist along both sides of Bird Street and Bell Street, in the vicinity of the subject property, and that with the dualling of the R304 a 2,0 metre sidewalk is proposed along the eastern side of the road and a 3,5 metre NMT facility along the western side and that no additional NMT-facilities are thus considered necessary as result of the proposed development.

8. RECOMMENDATIONS

From the above the following are recommended:

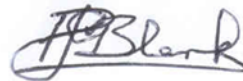
- 1) That to accommodate the background traffic:
 - a) The dualling of Bird Street in the vicinity of the subject property is required to accommodate the existing traffic; and
 - b) The potential signalisation of the Bird Street/Bell Street intersection be considered and that should it be provided provision should be made for pedestrians;
- 2) That to accommodate the proposed development traffic, it is suggested that a dedicated right-turn lane be provided along the northern Bird Street-approach to the Bird Street/Bell Street intersection (similar to the existing right-turn lane along the southern-approach).

We trust that the Traffic Impact Assessment will be to your satisfaction and will gladly provide any additional information required on request.

Yours faithfully



Yolandi Obermeyer (B. Eng Civil)
iCE GROUP (STELLENBOSCH)



Piet van Blerk Pr. Eng
iCE GROUP (STELLENBOSCH)

Attachments

Locality Plan

Layout Plans

- Figure 1 Existing AM/PM Peak Hour Traffic Volumes (Thursday, 25 July 2019)
- Figure 2 Estimated 2024 AM/PM Peak Hour Traffic Volumes (including annual traffic growth)
- Figure 3 Distribution of Traffic Generated by Proposed Development
- Figure 4 Expected 2024 AM/PM Peak Hour Traffic Volumes (including annual traffic growth and proposed development)
- Diagram 5 Dualling of Bird Street: Conceptual Design Extract



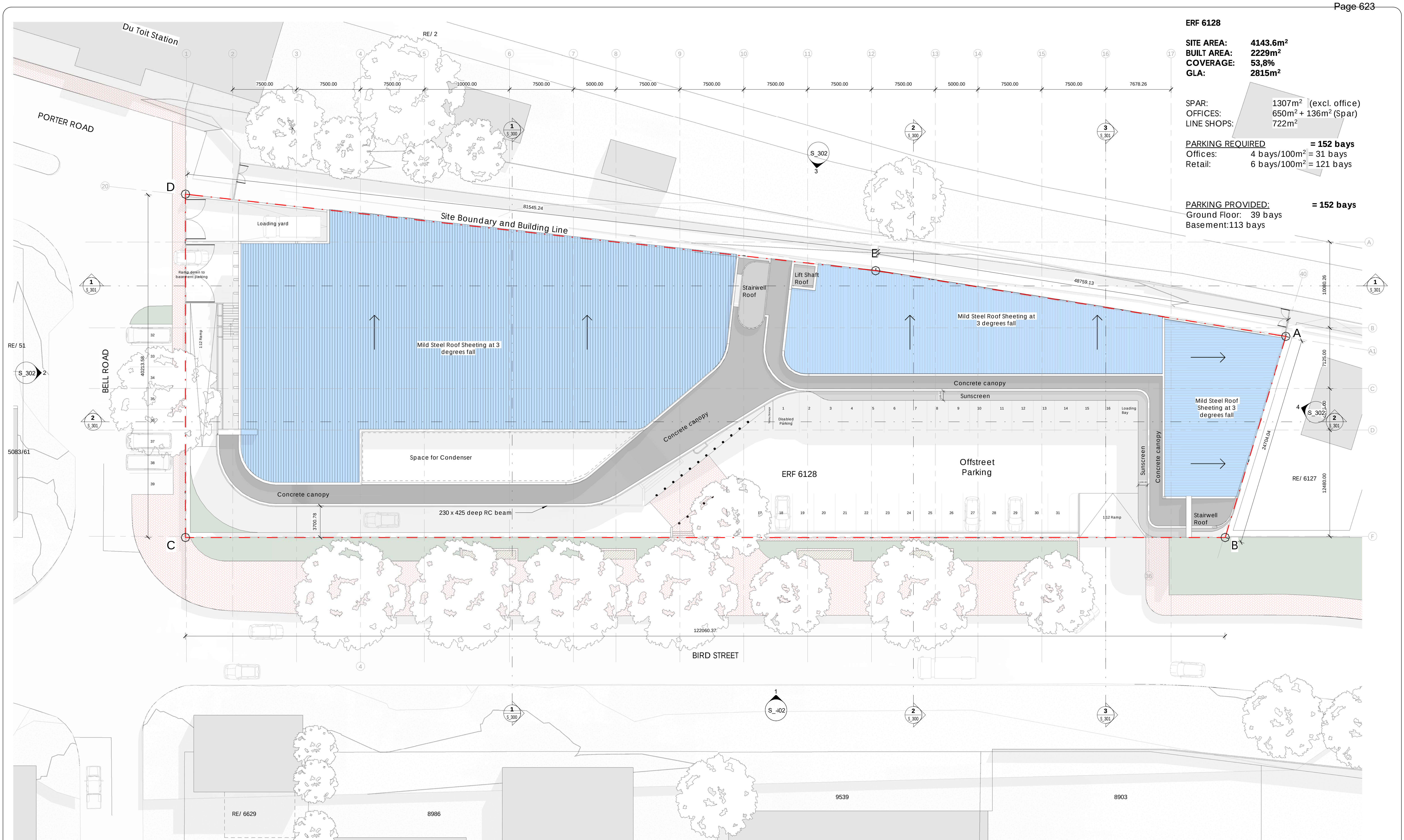
Posbus / PO Box 131
Stellenbosch 7599

Time Square Unit 8
9 Electron Street
Techno Park
Stellenbosch 7600

Tel. : 021 - 880 0443
Faks / Fax : 021 - 880 0390
e-pos / e-mail : piet@icegroup.co.za



Locality Plan



ERF 6128

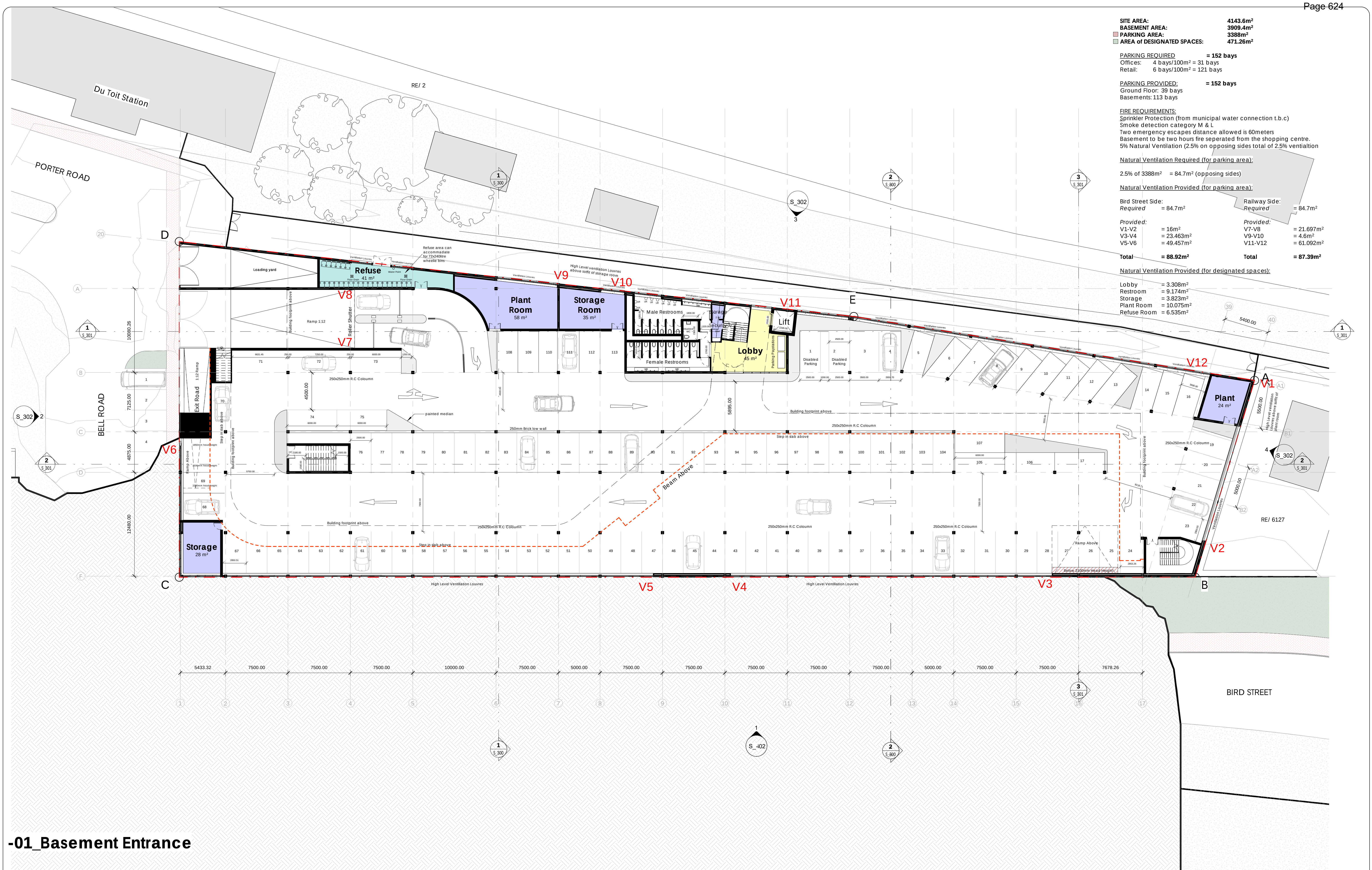
SITE AREA: 4143.6m²
BUILT AREA: 2229m²
COVERAGE: 53,8%
GLA: 2815m²

SPAR: 1307m² (excl. office)
OFFICES: 650m² + 136m² (Spar)
LINE SHOPS: 722m²

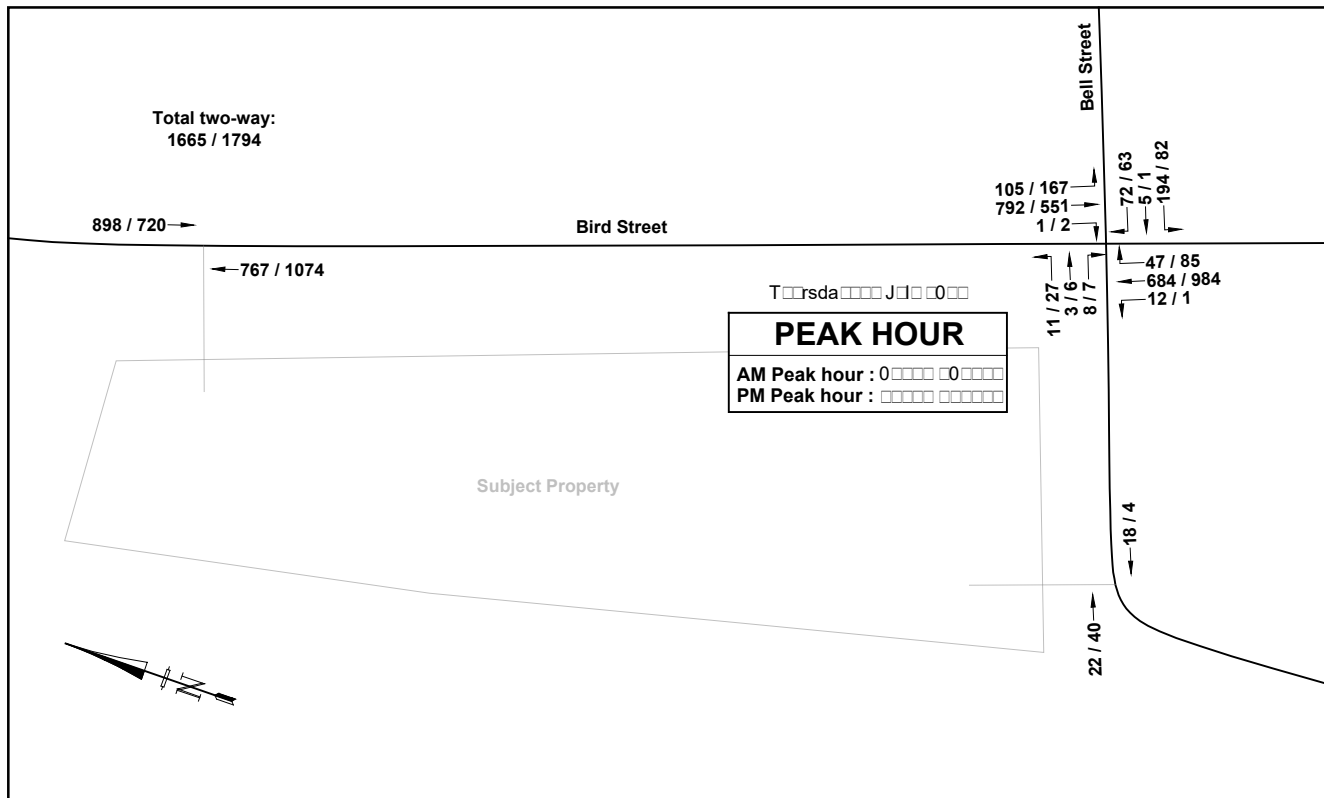
PARKING REQUIRED = 152 bays
Offices: 4 bays/100m² = 31 bays
Retail: 6 bays/100m² = 121 bays

PARKING PROVIDED: = 152 bays
Ground Floor: 39 bays
Basement: 113 bays

Site Plan | Scale 1 : 200

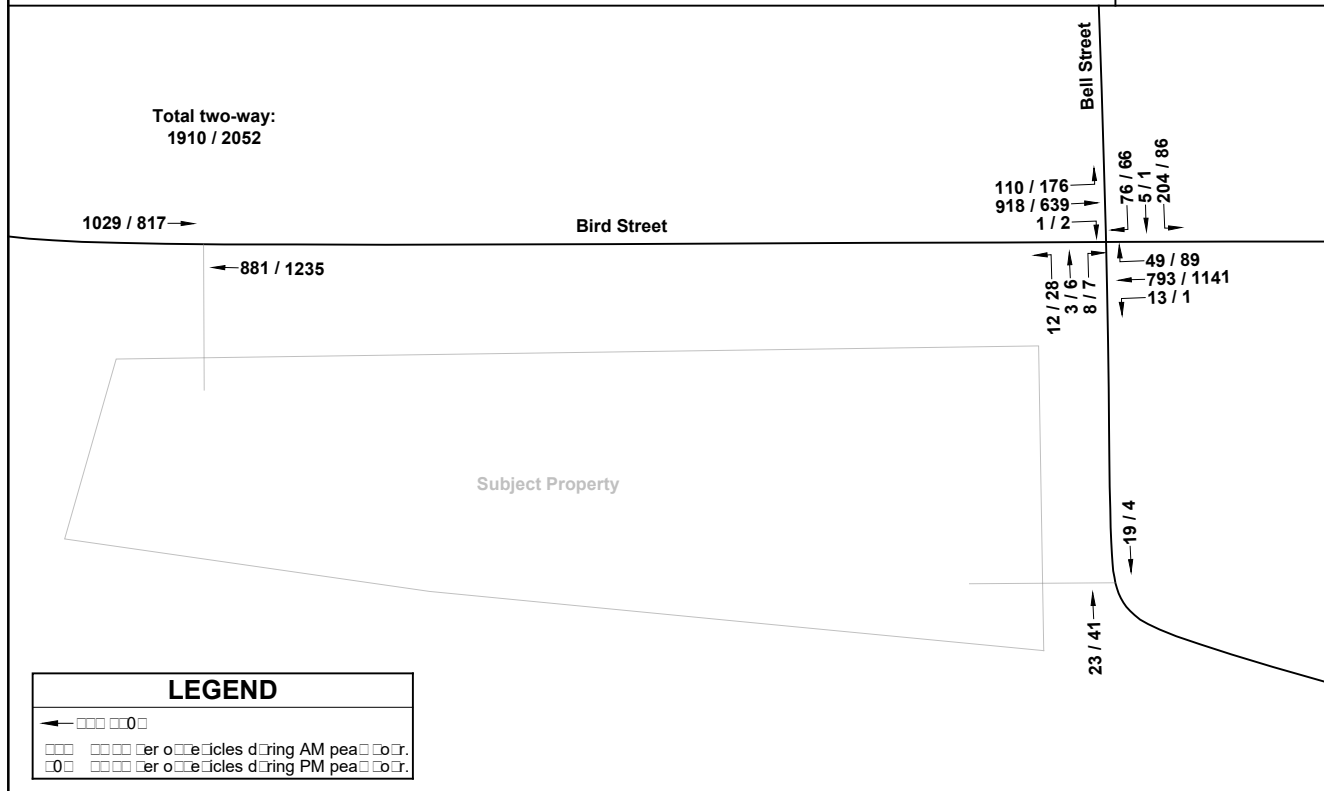


-01_Basement Entrance



**Existing AM/PM Peak Hour Traffic Volumes
(Thursday, 25 July 2019)**

Figure 1



**Estimated 2024 AM/PM Peak Hour
Traffic Volumes (including annual
traffic growth)**

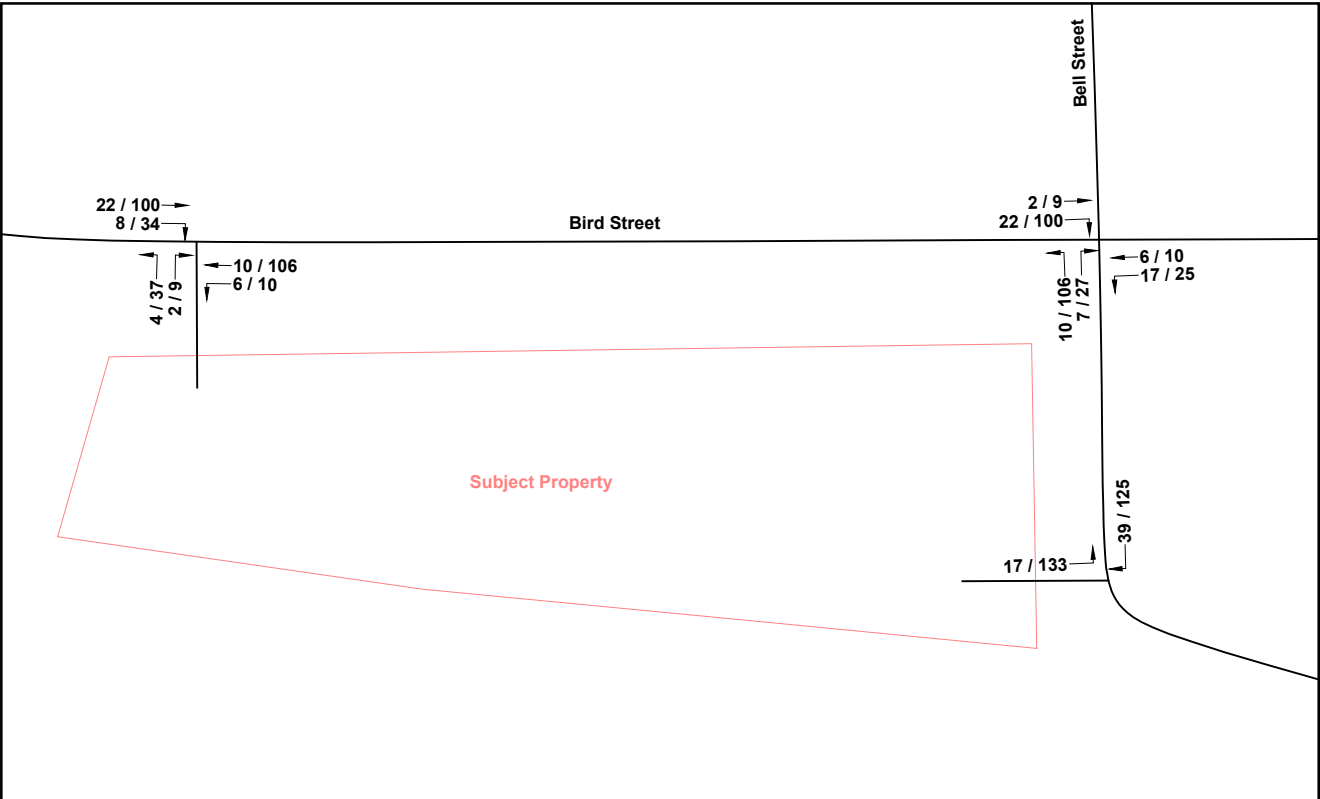
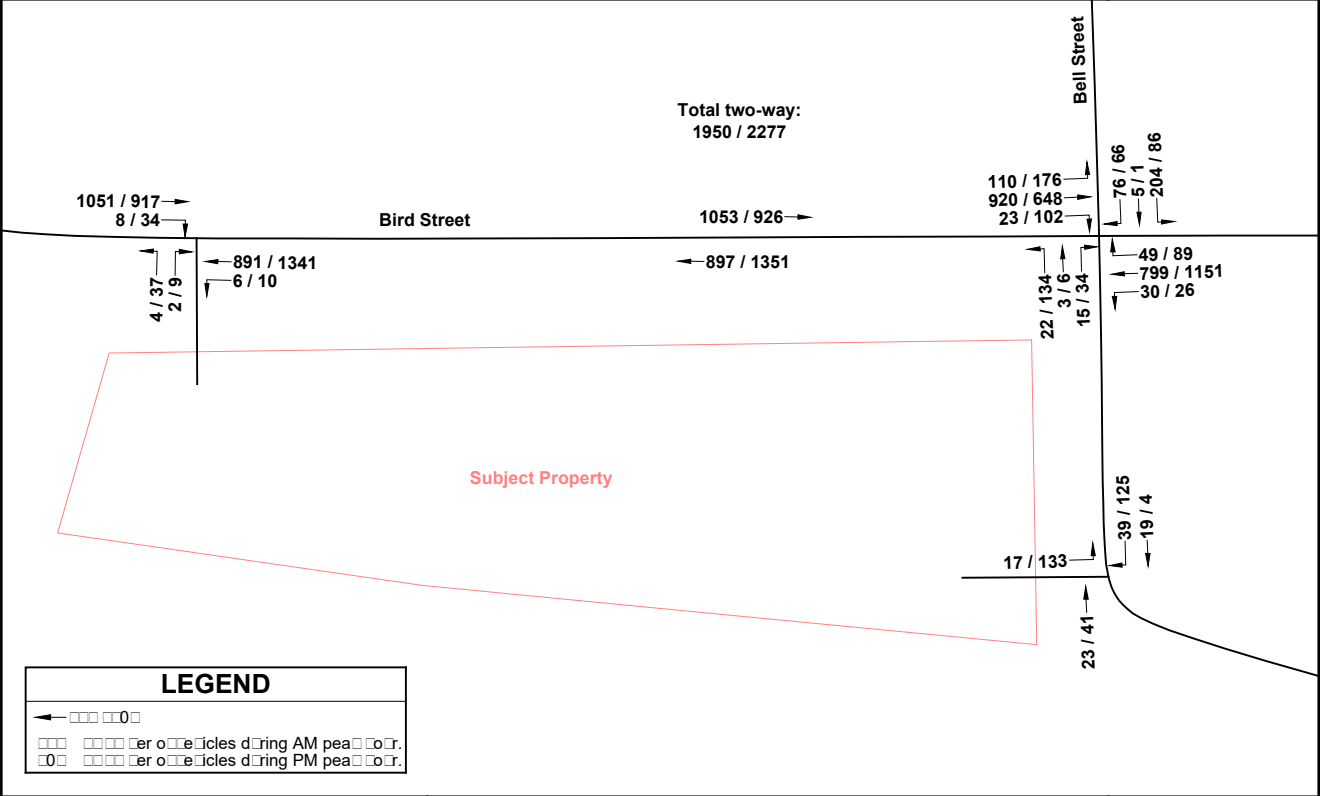
Figure 2

Posits PO 0000
Stellenbosch 0000

Tide Square Unit
Electron Street
Techno Park
Stellenbosch

Tel. 000 0000 0000
Fax 000 0000 0000
e:pos@eall.com
piet@icegroup.co.za





LEGEND

← 00000000

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e0pos 0e00ail 00iet0 icegro0p.co.0a

GROUP (Pty) Ltd.



Posbus / PO Box 131
Stellenbosch 7599

Time Square Unit 8
9 Electron Street
Techno Park
Stellenbosch 7600

Tel. : 021 - 880 0443
Faks / Fax : 021 - 880 0390
e-pos / e-mail : piet@icgroup.co.za



**Dualling of Bird Street:
Conceptual Design Extract**
(not to scale)

Diagram 5

7.3.8	APPROVAL OF THE INFORMATION STATEMENT. PORTION OF FARM 528 AND PORTION OF FARM 529C ALSO FORMERLY KNOWN AS MOUNTAIN BREEZE CARAVAN PARK
-------	--

Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

21 November 2024

1. SUBJECT: APPROVAL OF THE INFORMATION STATEMENT. PORTION OF FARM 528 AND PORTION OF FARM 529C ALSO FORMERLY KNOWN AS MOUNTAIN BREEZE CARAVAN PARK

2. PURPOSE

The purpose of this report is for Council to approve the information statement regarding a possible sale on auction of the property as per the Council Resolution on 30 October 2024.

3. DELEGATED AUTHORITY

Council must consider the matter.

4. EXECUTIVE SUMMARY

At the Council meeting held on 28 July 2021, Council decided to provide an opportunity for the public to submit written inputs on the most possible future use of the facility, before deciding on a way forward. The public notice requested inputs on/before 3 September 2021. Various written submissions were received. Council resolved on 30 March 2022:

- (a) that Council take note of all the proposals received;
- (b) that Council identifies Portions 528 and 529C, Stellenbosch as not currently needed for minimum municipal services;
- (c) that a call for proposal for development of the facilities for Cycling, hiking groups, an Eco-education and Adventure centre for school groups along with overnight facilities be advertised;
- (d) that the existing buildings and infrastructure be use for the above purpose;
- (e) that the facility to be leased for a period of 5 years; and
- (f) that successful lessee enter into a rental agreement with the municipality and be responsible for the security, maintenance and the payment of all services of the facility.

The administration reported to council in October 2024 that there are several challenges to implement the Council resolution as intended on 30 March 2022. Council reviewed and rescinded the decision of 30 March 2022 and took a new decision:

26TH COUNCIL MEETING: 2024-10-30: ITEM 10.3.2**RESOLVED** (majority vote with 3 abstentions)

- (a) that the Council resolutions taken on 2022-07-27 be reviewed and rescinded;
- (b) that Portions 528 and 529C, Stellenbosch (also known as Mountain Breeze Caravan Park) be identified as land not needed for basic Municipal Services;
- (c) that an information statement be prepared for approval by council to indicate Council's intention to sell the property on auction to the highest bidder and that the item and information statement returns to Council for approval of the information statement;
- (d) that provision be made for a fall-back clause if the buyer wants to sell the property within 10 years;
- (e) that the property must be used as per the current zoning and will be sold voetstoots; and
- (f) that an updated property valuation report be obtained before the item be resubmitted to Council.

The combined municipal valuation for the land is R16,7 million and a further valuation will be obtained during the public participation process that must now again be followed. The current zoning is agricultural and rural, and it had a consent use for a camping site. The latter expires after 5 years and cannot be renewed. It is situated in a mainly agricultural area and the airfield. It is also situated outside the urban edge and therefore in terms of current zoning and location cannot be developed for housing.

Council must approve a new information statement in line with the abovementioned resolution.

5. RECOMMENDATIONS for consideration:

- (a) that Council approves the Information statement for public participation; and
- (b) that it be noted that the item will return to Council for the consideration of an in-principle decision after the public participation process.

6. DISCUSSION**6.1 Background**

At the Council meeting held on 28 July 2021, Council decided to provide an opportunity for the public to submit written inputs on the most possible future use of the facility, before deciding on a way forward. The public notice requested inputs on/before 3 September 2021. Various written submissions were received. Council resolved on 30 March 2022:

- (a) that Council take note of all the proposals received;
- (b) that Council identifies Portions 528 and 529C, Stellenbosch as not currently needed for minimum municipal services;

- (c) that a call for proposal for development of the facilities for Cycling, hiking groups, an Eco-education and Adventure centre for school groups along with overnight facilities be advertised;
- (d) that the existing buildings and infrastructure be use for the above purpose;
- (e) that the facility to be leased for a period of 5 years; and
- (f) that successful lessee enter into a rental agreement with the municipality and be responsible for the security, maintenance and the payment of all services of the facility.

The administration reported to council in October 2024 that there are several challenges to implement the Council resolution as intended on 30 March 2022. Council reviewed and rescinded the decision of 30 March 2022.

6.2 Discussion

A new decision was taken on 30 October 2024:

- (a) that the Council resolutions taken on 2022-07-27 be reviewed and rescinded;
- (b) that Portions 528 and 529C, Stellenbosch (also known as Mountain Breeze Caravan Park) be identified as land not needed for basic Municipal Services;
- (c) that an information statement be prepared for approval by council to indicate Council's intention to sell the property on auction to the highest bidder and that the item and information statement returns to Council for approval of the information statement;
- (d) that provision be made for a fall-back clause if the buyer wants to sell the property within 10 years;
- (e) that the property must be used as per the current zoning and will be sold voetstoots; and
- (f) that an updated property valuation report be obtained before the item be resubmitted to Council.

The combined municipal valuation for the land is R16,7 million and a further valuation will be obtained during the public participation process that must now again be followed. The current zoning is agricultural and rural, and it had a consent use for a camping site. The latter expires after 5 years and cannot be renewed. It is situated in a mainly agricultural area and the airfield. It is also situated outside the urban edge and therefore in terms of current zoning and location cannot be developed for housing.

Council must approve a new information statement (**APPENDIX 1**) in line with the abovementioned resolution.

6.2.1 Locality and context

Mountain Breeze Caravan Park is situated on Lease Portions 528 and 529C, measuring 20.3ha in size, as indicated on Fig 1 and 2 below.

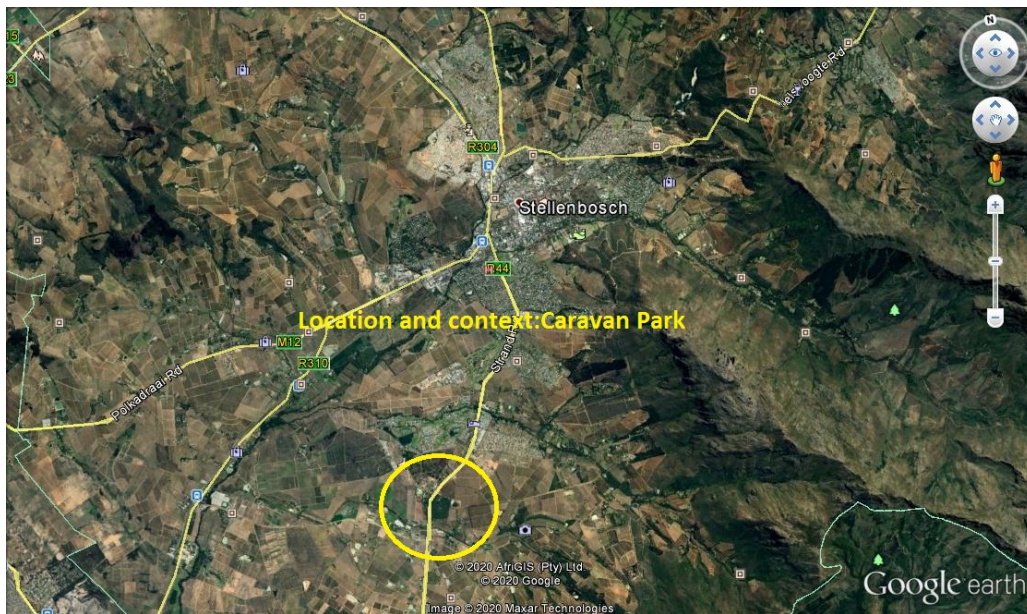


Fig 1: Location and regional context

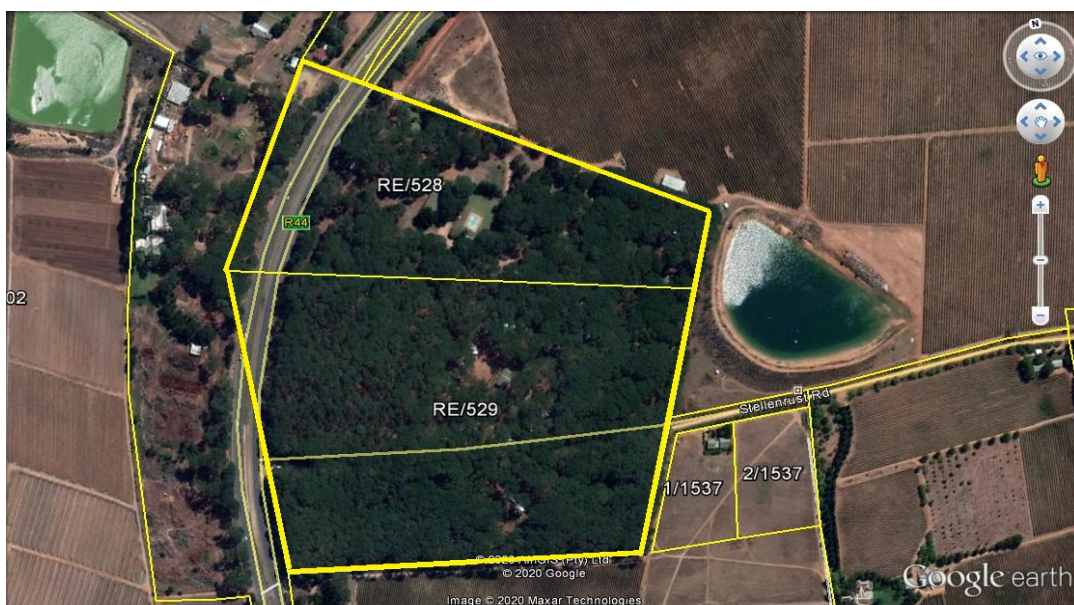


Fig 2: Extent of property(s)

6.2.2 Ownership

The ownership of the two properties vests in Stellenbosch Municipality by virtue of Title Deeds STFH-891 and STFH6-4/1890, respectively.

6.2.3 Access

Access to the property is *via* a registered servitude access off the R44, over a portion of Farm 1166, Stellenbosch as shown on Fig 3, below.

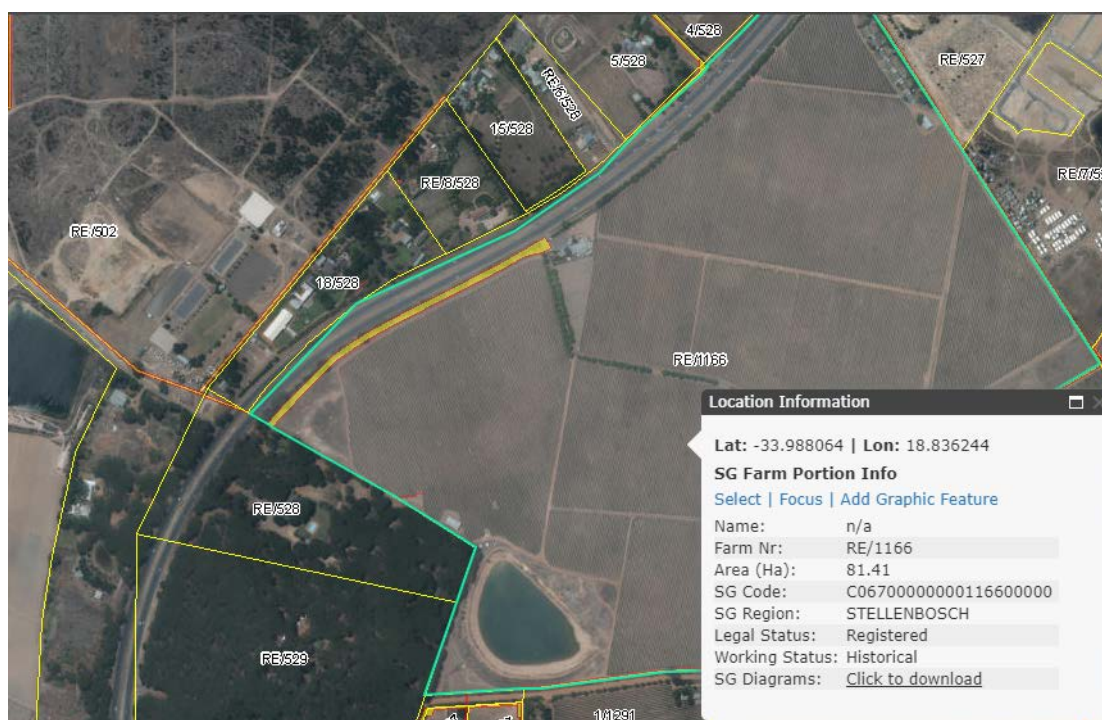


Fig 3: Access road

The servitude was registered at the Surveyor General in 1985, LG Diagram 8786/83.

6.2.4 Access to services

The property has access to irrigation water (Theewaterskloof) and is getting drinking water from a borehole situated on the neighbouring farm 1166 (Zettlers). Electricity is supplied by Eskom.

6.2.5 Improvements

There are various building and amenities on the site including some chalets, a swimming pool and a hall with a kitchen.

6.3 Financial Implications

The combined municipal valuation for the land is R16,7 million and the current zoning agricultural and rural and it had a consent use for a camping site. The latter expires after 5 years and cannot be renewed.

6.4 Legal Implications

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

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

-
- b) *The municipal Council has approved in principle that the right may be granted.*
 - 2) *Sub-regulation (1)(a) must be complied with only if:*
 - a) *the capital asset in respect of which the proposed right is to be granted has a value in excess of R10m; and*
 - b) *a long-term right is proposed".*
 - "3) a) *Only a Municipal Council may authorise the public participation process referred to in sub-regulation (a)*
 - b) *a request to the Municipal Council for the authorisation of a public participation process must be accompanied by an Information Statement*, stating:*
 - i) *the reason for the proposal to grant a long term right to use, control or manage the relevant capital asset;*
 - ii) *any expected benefit to the municipality that may result from the granting of the right;*
 - iii) *any expected proceeds to be received by the municipality from the granting of the right; and*
 - iv) *any expected gain or loss that will be realised or incurred by the municipality arising from the granting of the right".*

If Council resolved to sell the property the item will be returned to council after the process for another process in terms of section 32,33,34 of the Asset transfer regulations during which the views of National and provincial treasury needs to be followed. After the second process only, Council can take a final decision on the selling of the property

6.5 Staff Implications

There are currently four staff members employed on short term contracts until a final decision is taken. They ensure maintenance, including cleaning of the ablution facilities and access control. Their contracts are subject to the finalisation of the tender process. The municipality has also appointed a security firm to deploy a security guard on a night shift to the property.

6.6 Previous / Relevant Council Resolutions

3RD COUNCIL MEETING: 2022-03-30: ITEM 11.2.2

RESOLVED (nem con)

that Council take note of all the proposals received;

that Council identifies Portions 528 and 529C, Stellenbosch as not currently needed for minimum municipal services;

that a call for proposal for development of the facilities for Cycling, hiking groups, an Eco-education and Adventure center for school groups along with overnight facilities be advertised;

that the existing buildings and infrastructure be use for the above purpose;

that the facility to be leased for a period of 5 years; and

that successful lessee enter into a rental agreement with the municipality and be responsible for the security, maintenance and the payment of all services of the facility.

5TH COUNCIL MEETING: 2022-05-25: ITEM 13.3

RESOLVED (nem con)

that Council approves the Information Statement for publication.

6TH COUNCIL MEETING: 2022-07-27: ITEM 11.3.2

RESOLVED (majority vote with abstentions)

(a) that Council considered the input received on the Information Statement;

(b) that Council confirms the decision to identify Portions 528 and 529C, Stellenbosch as

land not needed for municipal services;

(c) that a call for proposal for development of the facilities for Cycling, hiking groups, an

Eco-education and Adventure centre for school groups along with overnight facilities be advertised;

(d) that the existing buildings and infrastructure be used for the above purpose;

(e) that the existing facility be leased for a period up to 9 years; and

(f) the successful lessee must enter into a rental agreement with the municipality and be

responsible for the security, maintenance and the payment of all services of the facility.

26TH COUNCIL MEETING: 2024-10-30: ITEM 10.3.2

RESOLVED (majority vote with 3 abstentions)

(g) that the Council resolutions taken on 2022-07-27 be reviewed and rescinded;

(h) that Portions 528 and 529C, Stellenbosch (also known as Mountain Breeze Caravan Park) be identified as land not needed for basic Municipal Services;

(i) that an information statement be prepared for approval by council to indicate Council's intention to sell the property on auction to the highest bidder and that the item and information statement returns to Council for approval of the information statement;

(j) that provision be made for a fall back clause if the buyer wants to sell the property within 10 years;

(k) that the property must be used as per the current zoning and will be sold voetstoots; and

- (I) that an updated property valuation report be obtained before the item be resubmitted to Council.

The following Councillors requested their votes of dissent be minuted:

Cllrs J Andrews; MM Danana; JA Davids; RB Hendrikse; N Mananga-Gugushe; EP Masimini; M Nkopane; N Ntsunguzi; GA Petersen; MG Rataza; A Tomose and M van Stade.

6.7 Risk Implications

Risks are addressed in the item content.

6.8 Comments from Senior Management

The item was not circulated for comments at this stage.

6.8.1 Municipal Manager

Supports the recommendations.

ANNEXURES:

Appendix 1: Information statement

NAME	Annalene de Beer
POSITION	Director
DIRECTORATE	Corporate Services
CONTACT NUMBERS	021-8088018
E-MAIL ADDRESS	Annalene.deBeer@ Stellenbosch.gov.za
REPORT DATE	2022 – 07-11

APPENDIX 1



INFORMATION STATEMENT IN RELATION TO INTENDED DISPOSAL OF PORTIONS OF 528 AND 529c CURRENTLY KNOWN AS MOUNTAIN BREEZE CARAVAN PARK, STELLENBOSCH

1. PURPOSE

The purpose of this statement is to provide the prescribed information in terms of regulation 32, 33, 34 and 35 of the Asset Transfer Regulations, published in terms of Section 168 of the Local Government: Municipal Finance Act (R878, 22 August 2008), to the public to provide input on during the public participation process.

2. BACKGROUND

2.1 Existing Contractual arrangements

Stellenbosch Municipality and **Stellenbosch Caravan Park cc** (Malan) concluded a long term Lease Agreement during 1992 for a period of 30 years (1 April 1991-31 March 2021)

This Lease Agreement was later ceded to the **Mountain Breeze Caravan Park cc** (Visser). The lease Agreement expired on 31 March 2021 but was extended on a month to month basis until council was in a position to make an informed decision on the future use of the property. The lessee terminated the extension from 30 June 2021. Council then took over the day -to-day upkeep of the property, but closed it to the public. Council went through an extensive process to determine what the future of the properties should be. Council decided to provide an opportunity for the public to submit written inputs on the most possible future use of the facility, before deciding on a way forward. At the Council meeting of 30 March 2022 Council resolved that they intend to call for proposals to use the existing facilities for Cycling, hiking groups, eco education and adventure centre for school groups with overnight facilities. The administration reported back in October 2024 that there are various challenges with the implementation of council resolution especially due to the services to the property and the zoning. Council resolved to review and rescind the 2022 resolution to lease the property. The intention for a disposal of the property by auction was indicated which triggered a public participation process in terms of the MFMA through the publication of an information statement.

3. DISCUSSION

3.1 Public Participation Process

Council resolved to review and rescind the previous 2022 resolution and has resolved to advertise its intention to sell the property voetstoots at an auction to the highest bidder. The bidder to use the property within the current zoning of agriculture.

In terms of the Asset Transfer Regulations, before Council can make an in principle decision dispose of Municipal property, the Municipal Manager must first conduct a public participation process in terms of the provisions of the MFMA.

3.2 Information Statement

In terms of regulation 35, the Municipal Manager, when making public the proposal to dispose of the property, must also make available the Information Statement referred to in regulation 34.

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

- i) the reason for the proposal to dispose of the relevant capital asset;
- ii) any expected benefit to the municipality that may result from the granting of the right;
- iii) Any expected proceeds to be received by the municipality from the granting of right; and
- iv) Any expected gain or loss that will be realised or incurred by the municipality arising from the granting of the right.

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

The Stellenbosch Council solicited the views of the public on what uses the property can serve the public, Council does not intend to run the Caravan Park any longer as it is not a core function of Council and if Council make it available for a third party Council wanted to be sure what kind of activities should the area serve. From the public participation process Council selected the activities of Cycling, hiking, eco education and adventure and also specifically targeting the youth. There will be overnight facilities as the park currently have such facilities available as well as ablution facilities. As this is not a core function of Council, Council wanted to make it available at a fee to a third party to provide these facilities on the site and lease the property. In preparation of the tender it became clear that the property is not suitable for the uses intended as the services and access to the property will be a huge challenge when rezoning is required to use the property as intended. Council resolved on 30 October 2024 to review and rescind the resolution on 27 July 2022 and resolved inter alia:

- (c) *that an information statement be prepared for approval by council to indicate Council's intention to sell the property on auction to the highest bidder and that the item and information statement returns to Council for approval of the information statement;*
- (d) *that provision be made for a fall back clause if the buyer wants to sell the property within 10 years;*
- (e) *that the property must be used as per the current zoning and will be sold voetstoots; and*
- (f) *that an updated property valuation report be obtained before the item be resubmitted to Council.*

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

The disposal of the property will bring in revenue that Council can use for other purposes. The facility is currently not used optimally and if disposed of and used within the Zoning rights approved can enhance the agricultural usages around it. The people that are currently illegally occupying the land will have to be removed by the new owner.

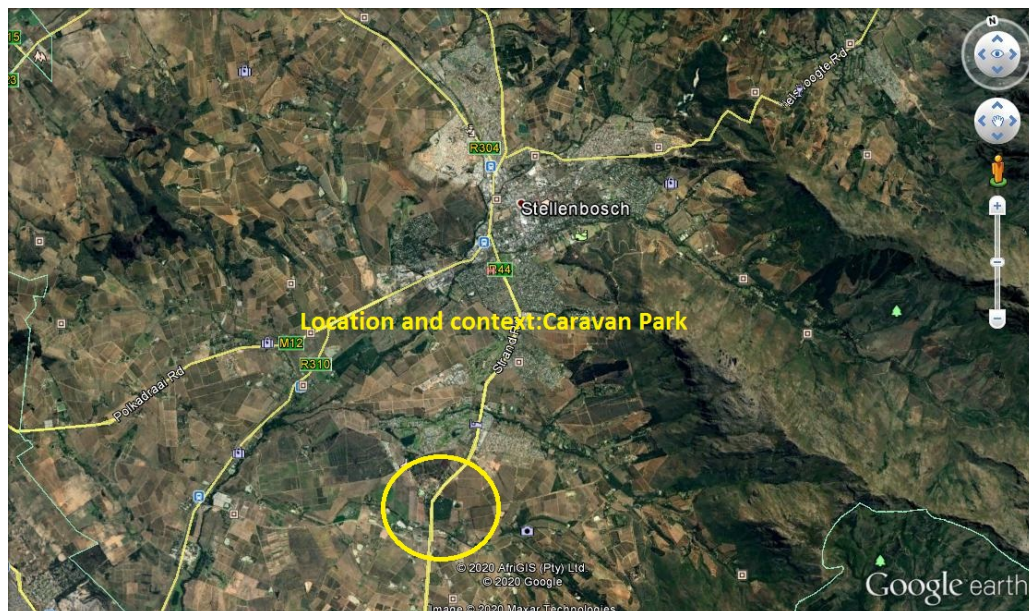
3.2.3 Expected proceeds to be received by the Municipality form the granting of the right

The land will be sold on auction and the municipality will set a reserve price that will not be less than the Municipal Value of the property. As this will be an open bidding process the highest price will encourage competition. A final decision by council will be taken after the auction to dispose of the property and council may at that stage decide that the price is too low and then not dispose of the property.

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

The aim of the disposal is to get revenue from a piece of land that is currently not used optimally.

3.3 Location and context





3.4 Public Comment invited:

The public are herewith invited to provide input/comment/alternative proposals to the municipality on the proposal to enter into a lease agreement with a to be determined third party to use the current facilities for cycling, hiking, eco-education and overnight facilities linked to these activities. Comment must reach the offices of the Municipality on or before 7 July 2022 and must be addressed to the Municipal Manager via email at Municipal.Manager@ Stellenbosch.gov.za or 3rd Floor, Main Office Building, 17 Plein street, Stellenbosch. Any queries can be directed to Me Yolande van den Berg (021) 808 8073 or Yolande.vandenBerg@ Stellenbosch.gov.za.

7.3.9	REVIEW OF STELLENBOSCH MUNICIPAL HONOURS BYLAW
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

21 and 27 November 2024

1. SUBJECT: REVIEW OF STELLENBOSCH MUNICIPAL HONOURS BYLAW**2. PURPOSE**

To review the Stellenbosch Municipal Honours By-Law of 2002 and make a recommendation to Council.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

The Stellenbosch Municipal Council in 2002 promulgated The Municipal Honours and Medals By-Law in terms of which Council can recognise and consider persons for exceptional achievements or rendering of exceptional; meritorious service on the interest of the municipality attached as **APPENDIX 1**. The bylaw is twenty years old and needs to be revised. A draft bylaw was placed on the agenda of the Corporate Services section 80 committee on 1 August 2023 on request of the Executive Mayor. The draft revised bylaw was discussed by the Committee and the Speaker who was invited to the meeting. The committee requested the Chairperson and the Director Corporate Services to discuss some aspects with the Speaker. The discussion took place, and the final draft served before the Mayoral committee in September 2023. It was referred back for more inputs. The new draft is attached as **APPENDIX 2**.

5. RECOMMENDATIONS**CORPORATE SERVICES COMMITTEE: 2023-08-01: ITEM 6.2****RESOLVED**

- (a) That 4) iv – vi to be removed.
- (b) That 4 iv) be replaced to read that a Councillor who served 3 full consecutive terms as a normal Councillor without appearing in front of a disciplinary hearing, be awarded 5 additional points.
- (c) That the word's "Executive Mayor be removed from 4 iii) as the Executive Mayor is comprehensively covered in other provisions.

It is further recommended that all the changes indicated in red in the bylaw be approved.

6. DISCUSSION / CONTENTS**6.1 Discussion:**

The Stellenbosch Municipal Council in 2002 promulgated The Municipal Honours and Medals By-Law in terms of which Council can recognise and consider persons for exceptional achievements or rendering of exceptional, meritorious service on the interest of the municipality. The bylaw is twenty years old and needs to be revised. Attached is a draft bylaw that on request of the Executive Mayor was placed before the section 80 committee. The draft revised bylaw was discussed by the Committee and the Speaker who was invited to the meeting. The committee requested the Chairperson and the Director Corporate Services to discuss some aspects with the Speaker. The discussion took place, and the final draft is now brought back to the Executive Mayor as advise as she requested for consideration.

6.2 Financial Implications

The manufacturing of medals and hosting of ceremonial events must be funded through the approved budget annually.

6.5. Legal Implications

The content and recommendations comply with Council policies and legislation.

6.6. Staff Implications

No additional staff implications

6.7. Previous / Relevant Council Resolutions:

Approval of the BYLAW in 2002

6.8. Risk Implications

The risks have been addressed in the item.

Recommendations by the Section 80 Corporate Services Committee to the Executive Mayor:

CORPORATE SERVICES COMMITTEE: 2023-08-01: ITEM 6.2**RESOLVED**

- a) That 4) iv – vi to be removed.
- b) That 4 iv) be replaced to read that a Councillor who served 3 full consecutive terms as a normal Councillor without appearing in front of a disciplinary hearing, be awarded 5 additional points.
- c) That the word's "Executive Mayor be removed from 4 iii) as the Executive Mayor is comprehensively covered in other provisions.

ANNEXURES:**Appendix 1 : Honours Bylaw 2002****Appendix 2 : Final Draft Reviewed Honours Bylaw 2024**

<i>NAME</i>	Annalene de Beer
<i>POSITION</i>	Director
<i>DIRECTORATE</i>	Corporate Services
<i>CONTACT NUMBERS</i>	021 808 8018
<i>E-MAIL ADDRESS</i>	Annalene.deBeer@ Stellenbosch.gov.za
<i>REPORT DATE</i>	15 November 2024

APPENDIX 1

(3)

~~STELLENBOSCH MUNICIPAL HONOURS BY-LAW~~

BY-LAW

To provide for Municipal honours, the conferral thereof, the amendment of conferral, of Municipal honours, and to provide for matters incidental thereto.

PREAMBLE

WHEREAS section 156(5) of the Constitution of the Republic of South Africa, Act No 108 of 1996, in general authorise a municipality to exercise any power concerning a matter reasonably necessary for, or incidental to, the effective performance of its functions;

WHEREAS section 186(9) and (10) of the Municipal Ordinance 1974 (No 20 of 1974), in particular, authorise a municipality to confer the freedom of the municipality on a person or to present a medal, memento, address or other commemorative token to persons;

WHEREAS section 156(2) of the Constitution of the Republic of South Africa authorise a municipality to make by-laws for the effective administration of the matters which it has the right to administer;

WHEREAS it is desirable to take into consideration and recognise persons for exceptional achievements or the rendering of exceptionally meritorious service in the interest of the municipality; and

WHEREAS this needs to be done in an orderly manner;

Be it, therefore, enacted by the Council of the Stellenbosch Municipality.

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1. Definitions
2. Municipal Honours
3. Conferral of Municipal Honours
4. Annulment of Conferral of Municipal Honours
5. Municipal Honours Advisory Panel
6. Criteria for the bestowing of Municipal Honours
7. Warrants
8. Short Title and Date of Commencement

1. DEFINITIONS

1. "The Council" means the political structure of Stellenbosch Municipality in terms of section (4) of the Establishment Notice (P.N. 489/2000) as contemplated in section 18 of the Municipal Structures Act.
2. "Stellenbosch Municipality" means the municipality established in terms of section (4) of the Establishment Notice (P.N. 489/2000).
3. "Municipal Manager" means the person that is the head of administration and also accounting officer for the municipality, appointed in terms of section 82 of the Municipal Structures Act, Act 117 of 1998.
4. "Councilor" means a member of the Municipal Council of Stellenbosch Municipality.
5. "Municipality" for the purposes of section 7 means:
 - (a) the Municipality of Stellenbosch established by Provincial Notice 489 of 2000 dated 22 September 2000;
 - (b) any municipality established under the provision of the Local Government Transition Act, 1993;
 - (c) any municipality established under the provisions of the Municipal Ordinance, 1974 or any previous ordinance providing for the establishment of a municipality;
 - (d) any council or committee established under the provisions of the Black Local Authorities Act, 1982;
 - (e) any management committee established under the provisions of Provincial Ordinance No 6 of 1963.
6. "Employee" means an employee of Stellenbosch Municipality and shall for the purposes of section 6(8) include commencement service at one of the following established municipalities:

Stellenbosch Municipality
Franschhoek Municipality
Pniel Local Council
Boland District Municipality
Winelands District Council
Western Cape Metropool Council
Stellenbosch Divisional Council.

2. MUNICIPAL HONOURS

2. (1) There are the following Municipal honours for Stellenbosch Municipality:
 - (a) freedom of the Municipality or freedom of the town of Stellenbosch, Franschhoek or Pniel;
 - (b) honorary citizenship of the Municipality of Stellenbosch;
 - (c) illuminated address of the Municipality or illuminated address of the town of Stellenbosch, Franschhoek or Pniel;
 - (d) Aldermanship certificate;
 - (e) a Council's commendation certificate;
 - (f) a Mayor's commendation certificate; and
 - (g) certificate for long or outstanding service with the Council.
2. (2) There are the following medal for the Stellenbosch Municipality:
 - (a) the Simonsberg medal (gold) for exceptional achievement or for performing an act of bravery within the Municipal area of Stellenbosch;
2. (3) The Mayor is the patron of the Municipal honours as described in section (1) and (2).

3. CONFERRAL OF MUNICIPAL HONOURS

3. (1) The Mayor, after of approval of Council may confer municipal honours on any person and may make a posthumous conferral of a municipal honour.

4. ANNULMENT OF CONFERRAL OF MUNICIPAL HONOURS AND MEDALS

4. (1) The Mayor, after approval of Council may annul the conferral of a Municipal honour if the holder of the honour has performed any action or has behaved in a manner which harmed the interest of the Municipality of Stellenbosch, or otherwise has become unworthy of the Municipal honour concerned.
4. (2) The Mayor shall, in annulling the conferral of a Municipal honour in terms of subsection (1), do so in accordance with the advice of the panel referred to in section 5.

5. MUNICIPAL HONOURS ADVISORY PANEL

5. (1) The Mayor must obtain advise on the conferral, annulment or restoration of Municipal honours from an advisory panel, consisting of:
 - (a) a maximum of five (5) councillors, broadly representative of the council, appointed by council; and
 - (b) a maximum of five (5) people, highly respected by and who are broadly representative of the people of Stellenbosch Municipality, appointed by Council, if Council so wishes.
5. (2) The advisory panel shall meet at the request of the Mayor.

6. CRITERIA FOR THE BESTOWING OF MUNICIPAL HONOURS

6. (1) The freedom of the Municipality or the freedom of the town of Stellenbosch, Franschhoek or Pniel will be conferred:
 - (a) a non-resident person or organisation, when such a person or organisation is worthy of such an honour in the opinion of Council;
 - (b) if approved by Council by way of a broad consensus. The freedom of the Municipality or of a town shall not be conferred on an active politician.
6. (2) Honorary citizenship of the Municipality of Stellenbosch will be conferred:
 - (a) on a person of national and/or international stature residing in Stellenbosch Municipality for a period of at least 25 years, when such person is worthy of such an honour in the opinion of Council;
 - (b) on such a person if unanimously approved by Council at a Special Council Meeting. Alternatively when approved by Council by way of a broad consensus.
 - (c) Honourary citizenship will not be conferred on an active politician.
6. (3) An illuminated address of the municipality or an illuminated address of the town of Stellenbosch, Franschhoek or Pniel will be conferred:
 - (a) on a person when such person is worthy of such an honour in the opinion of Council;
 - (b) if approved by Council by a two-thirds majority vote;
6. (4) Aldermanship will be conferred on a serving Councillor of Stellenbosch Municipality:
 - (a) who has served on one or more municipalities within the Republic of South Africa for a total period of 20 years. Such terms of office need not be consecutive;

- (b) upon the assumption of the office of Mayor. This criterium does not apply to acting Mayors or acting chairperson of Council. Such title shall be removed if such Councillor does not serve the Council for a full term of office as Mayor;
- (c) who obtains the minimum of 20 points on the following scale:
 - (i) one point for each completed year served as a Councillor on any municipality; plus
 - (ii) one additional point for each completed year service as a member of the executive of any municipality or as chairperson of a standing committee or portfolio committee of such municipality; plus
 - (iii) one additional point for each completed year service as a deputy mayor of a municipality; plus
 - (iv) two additional points for each completed year served as a mayor or chairperson of any municipality; plus
 - (v) two additional points for each completed year served as a member of the executive committee or chairperson of a standing committee of the Stellenbosch Municipality subsequent to 5 December 2000; plus
 - (vi) three additional points for each completed year served as deputy mayor or speaker of the Stellenbosch Council.
- 6. (5) Any current serving Councillor who is of the view that he/she qualifies for Aldermanship, should notify the Municipal Manager in writing, together with the necessary details to the satisfaction of the Municipal Manager. The Municipal Manager shall make a recommendation to Council, after having considered all the relevant details. The Municipal Manager shall for the purpose of this by-law create an appropriate database of all current serving councillors of the Council of Stellenbosch as from 5 December 2000.
- 6. (6) The Council's recommendation certificate will be conferred;
 - (a) a resident of Stellenbosch Municipality when such person is worthy of such an honour in the opinion of Council;
 - (b) if approved by Council;
- 6. (7) The Mayor's recommendation certificate will be conferred on:
 - (a) a resident of Stellenbosch Municipality; and
 - (b) in the sole discretion of the Mayor.
- 6. (8) A certificate for long outstanding service with the Council will be conferred on an employee:
 - (a) who has served the municipality for a period of 25 years, on condition that such an employee has not been found guilty of misconduct for a period of 10 years prior to his/her 35th year of service.
- 6. (9) A medal will be conferred on a resident of Stellenbosch Municipality when:
 - (a) such person is worthy of such an honour in the opinion of Council; and
 - (b) if approved by Council by way of a broad consensus.

7. WARRANTS

The Mayor together with the other members of Council may, by special Council decision and after publication thereof in the Provincial Gazette, issue warrants for the better carrying out of the objects of this by-law and in particular, but without prejudice to the generality of the foregoing, relating to:

- (a) the keeping and administering of the Municipal honours referred to in section 1;
- (b) the keeping of a register of Municipal honours conferred;
- (c) the replacement of lost or stolen Municipal honours and the charges, therefor;
- (d) the publication of an annual Municipal honours list;
- (e) the wearing of Municipal medals;
- (f) benefits and privileges of Alderman;
- (g) rules regarding the annulment and restoration of provincial honours;
- (h) the issuing of accompanying certificates;
- (i) the lay-out/description of Municipal honours/medals; and
- (j) the protocol regarding the handing over of Municipal honours.

8. SHORT TITLE

This by-law is called the Stellenbosch Municipal Honours By-law and takes effect on date of publication thereof.

APPENDIX 2



**STELLENBOSCH MUNICIPALITY
MUNICIPAL HONOURS BY-LAW**

PREAMBLE

To provide for Municipal honours, the conferral thereof, the amendment of conferral, of Municipal honours, and to provide for matters incidental thereto

WHEREAS section 156(5) of the Constitution of the Republic of South Africa, Act No 108 of 1996, in general authorise a municipality to exercise any power concerning a matter reasonably necessary for, or incidental to, the effective performance of its functions;

AND WHEREAS section 156(2) of the Constitution of the Republic of South Africa authorise a municipality to make by-laws for the effective administration of the matters which it has the right to administer;

AND WHEREAS it is desirable to take into consideration and recognise persons for exceptional achievements or the rendering of exceptionally meritorious service in the interest of the municipality; and

AND WHEREAS this needs to be done in an orderly manner;

THEREFORE, enacted by the Council of the Stellenbosch Municipality.

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1. DEFINITIONS

1. *"The Council"* means the political structure of Stellenbosch Municipality in terms of section (4) of the Establishment Notice (P.N. 489/2000) as contemplated in section 18 of the Municipal Structures Act and as amended from time to time.
2. *"Stellenbosch Municipality"* means the municipality established in terms of section (4) of the Establishment Notice (P.N. 489/2000) as amended from time to time.
3. *"Municipal Manager"* means the person that is the head of administration and also accounting officer for the municipality, appointed in terms of section 82 of the Municipal Structures Act, Act 117 of 1998.
4. *"Councillor"* means a member of the Municipal Council of Stellenbosch Municipality.
5. *"Municipality"* for the purposes of section 7 means:
 - (a) the Municipality of Stellenbosch established by Provincial Notice 489 of 2000 dated 22 September 2000 and amended by Provincial notice 118/2021 dated 15 October 2021;
 - (b) any municipality established under the provision of the Local Government Transition Act, 1993;
 - (c) any municipality established under the provisions of the Municipal Ordinance, 1974 or any previous ordinance providing for the establishment of a municipality;
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6. *"Employee"* means an employee of Stellenbosch Municipality and shall for the purposes of section 6(8) include commencement service at one of the following established municipalities:

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 - (f) a Mayor's commendation certificate; and
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- (1) The Mayor must obtain advise on the conferral, annulment or restoration of Municipal honours from an advisory panel, consisting of:
 - (a) a maximum of five (5) councillors, broadly representative of the council, appointed by council; and

(b) a maximum of five (5) people, highly respected by and who are broadly representative of the people of Stellenbosch Municipality, appointed by Council, if Council so wishes.

- (2) The advisory panel shall meet at the request of the Mayor.

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 - (a) on a person when such person is worthy of such an honour in the opinion of Council;
 - (b) if approved by Council by a two-thirds majority vote;
- (4) Aldermanship will be conferred on a serving Councillor of Stellenbosch Municipality:
 - (a) who has served on one or more municipalities within the Republic of South Africa for a total period of 20 years. Such terms of office need not be consecutive;
 - (b) upon the assumption of the office of Mayor. This criterium does not apply to acting Mayors or acting chairperson of Council. Such title shall be removed if such Councillor does not serve the Council for a full term of office as Mayor;
 - (c) who obtains the minimum of 20 points on the following scale:
 - (i) one point for each completed year served as a Councillor on any municipality; plus
 - (ii) one additional point for each completed year service as a member of

the executive of any municipality or as chairperson of a standing committee or portfolio committee of such municipality; plus

- (iii) one additional point for each completed year service as an ~~Executive Mayor, Deputy Mayor, Speaker or Council Whip~~ of a municipality; ~~plus~~
 - iv) a Councillor who served 3 full consecutive terms as a normal Councillor without appearing in front of a disciplinary hearing, be awarded 5 additional points.
 - (IV) ~~(two additional points for each completed year served as a mayor or chairperson of any municipality; plus~~
 - (V) ~~two additional points for each completed year served as a member of the executive committee or chairperson of a standing committee of the Stellenbosch Municipality subsequent to 5 December 2000; plus~~
 - (IV) ~~three additional points for each completed year served as deputy mayor or speaker of the Stellenbosch Council.~~
- (5) Any current serving Councillor who is of the view that he/she qualifies for Aldermanship, should notify the Municipal Manager in writing, together with the necessary details to the satisfaction of the Municipal Manager. The Municipal Manager shall make a recommendation to Council, after having considered all the relevant detail. The Municipal Manager shall for the purpose of this by-law create an appropriate database of all ~~current serving~~ **councillors that served on the Stellenbosch Council** as from 5 December 2000.
- (6) The Council's recommendation certificate will be conferred ~~to~~;
- (a) ~~a~~ resident of Stellenbosch Municipality when such person is worthy of such an honour in the opinion of Council; ~~and~~
 - (b) if approved by Council;
- (7) The Mayor's recommendation certificate will be conferred on:
- (a) a resident of Stellenbosch Municipality; and
 - (b) in the sole discretion of the Mayor.
- (8) A certificate for long outstanding service with the Council will be conferred on an employee:
- (a) who has served the municipality for a period of ~~25~~ 35 years, on condition that such an employee has not been found guilty of misconduct for a period of 10 years prior to his/her 35th year of service.
- (9) A medal will be conferred on a resident of Stellenbosch Municipality when:
- (a) such person is worthy of such an honour in the opinion of Council; and
 - (b) if approved by Council by way of a broad consensus.
 - (c)

Commented [ADB1]: The committee felt that due to (b) above it is not necessary for the Executive Mayor to be listed here.

7. PROCLAMATION

The Mayor together with the other members of Council may, by special Council decision and after publication thereof in the Provincial Gazette, issue a proclamation for the better carrying out of the objects of this by-law and in particular, but without prejudice to the generality of the foregoing, relating to:

- (a) the keeping and administering of the Municipal honours referred to in section 1;
- (b) the keeping of a register of Municipal honours conferred;
- (c) the replacement of lost or stolen Municipal honours and the charges, therefor;
- (d) the publication of an annual Municipal honours list;
- (e) the wearing of Municipal medals;
- (f) benefits and privileges of Alderman;
- (g) rules regarding the annulment and restoration of provincial honours;
- (h) the issuing of accompanying certificates;
- (i) the lay-out/description of Municipal honours/medals; and
- (j) the protocol regarding the handing over of Municipal honours.

8. SHORT TITLE

This by-law is called the Stellenbosch Municipal Honours By-law and takes effect on date of publication thereof.

7.4	FINANCIAL SERVICES: (PC: CLLR JC ANTHONY)
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7.4.1	WRITE-OFF OF IRRECOVERABLE DEBT IN RESPECT OF SPORT GROUNDS
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

21 November 2024

1. SUBJECT: WRITE-OFF OF IRRECOVERABLE DEBT IN RESPECT OF SPORT GROUNDS

2. PURPOSE

To gain approval from Council to write-off the balance of the long outstanding accumulated debts of all sport codes / Councils and to ensure the finalization of all the various lease agreements with the Sport Councils.

This will give the Council the opportunity to build conditions that will benefit the whole of the community, whilst it will free up the Clubs to maintain the leased properties more effectively and that Revenue be managed properly and effectively by Finance.

3. DELEGATED AUTHORITY

Council to approve in terms of Par 1 and 3 of the Irrecoverable Debt Policy and MFMA.

4. EXECUTIVE SUMMARY

This report contains all information in respect of sport grounds which outstanding debt has prescribed due to various reasons and circumstances and is therefore, according to legislation, no longer recoverable and/or it will be no longer financially viable to continue with further litigation to recover this outstanding debt due to the lack of sign agreements/contracts.

To prevent the municipality from incurring further expenditure that may be regarded as wasteful and fruitless, it is recommended that the outstanding balances as per this report, plus any further costs and interest levy after date of this report, be written off as irrecoverable. It is further recommended that all levies after date of this report be for the account of Council through the Internal Billing processes till finalization and sign of all contracts/agreements with Sport Councils and that the Municipal Manager be instructed to sign, as a matter of urgency, all agreements/contracts to ensure effective management of revenue to the municipality.

5. RECOMMENDATIONS

- (a) that the outstanding balances as per this report, plus any further costs and interest levied after the date of this report, be written off as irrecoverable;
- (b) that all levies after date of this report be for the account of Council through the Internal Billing processes till finalization and sign of all contracts/agreements with Sport Councils and,

- (c) that the Municipal Manager be authorised to sign all agreements/contracts to ensure effective management of revenue to the municipality.

6. DISCUSSION / CONTENTS

6.1 Background

Currently various sports clubs are in arrears regarding their financial responsibilities towards Stellenbosch Municipality. All the contracts have lapses since before 2010 and the Department of Community and Protection Services is in the process of signing new lease agreements with all the sports councils.

This item is to inform the Council of the current situation and to seek permission that these outstanding accounts be written off due to the lack of current signed agreements.

6.2 Discussion

The diverse histories and motivations of why sports clubs must pay services and rent to the municipality, and why arrears must be written off, have been debated for many years since before 2010. Due to the latter, no credit control measures could be implemented, especially due to the lack of signing new contracts.

All sport-clubs and- councils are multi-racial sport facilities owned by Stellenbosch Municipality and caters for the sports community of the Greater Stellenbosch.

The absence of lease agreements impedes the ability to generate revenue and sustain their daily operations. Sports Councils are dependent on the operational running budget of the Municipality.

The renegotiations of contracts with the sport councils have at their roots the intention to level the playing fields with regards to access to facilities for the less fortunate, but also to transfer responsibility of the maintenance of municipal properties to the users thereof.

The following table indicates the outstanding numbers of sports clubs. It must be noted that the levies paid by the municipality and the ESCOM account are not regarded as outstanding debt but have been paid by the municipality.

SPORT COUNCIL	OUTSTANDING DEBT (13/11/2024)
Cloetesville Account Number 10409596 – Rental Note: Rates exempted, and all services paid by Council	R 1 035.31
Klapmuts Account Number 10498307 – Rental Note: Rates exempted, and all services paid by Council	R 1 380.96
Jamestown Account Number 10498297 – Rental Note: Rates exempted, and all services paid by Council	R 1 471.84

Kylemore Account Number 10409565 – Rental & Sewerage Clearance Note: Rates exempted, and all services paid by Council	R 7 107.85
Kayamandi Account Number 10409541 – Water & Electricity Note: Rates exempted, and other services paid by Council	R 3 897 059.77
Ida's Valley Account Number 10409589 – Rental Note: Rates exempted, and all services paid by Council	R 1 380.90
Pniel Account Number 10409558 – Rental Note: Rates exempted, and all services paid by Council	R 1 020.45
Franshoek Groendal Account Number 10409613 – Water & Electricity Note: Rates exempted, and all other services paid by Council	R 2 853 552.19
Groendal Account Number 32896 – Water Note: Rates exempted, and all services paid by Council	R 9 179.26
Raithby Account Number 10409572 – Water & Rent Note: Rates exempted, and all services paid by Council	R 223 755.14
Raithby Account Number 10409572 – Water & Rent Account Number 519001322 – Rates, Refuse & Sewerage Note: Rates not exempted, and all other services not paid by Council	R 484 641.94
Total Amount for Write-off	<u>R 7 481 585.61</u>

6.3 Financial Implications

Irrecoverable debt of R 7 481 585.61 has been provided for in the Provision for Bad Debts, hence there is no real loss for the municipality.

6.4 Legal Implications

None. Write-off is done in terms of the Irrecoverable Debt Policy.

6.5 Staff Implications

None.

6.6 Previous / Relevant Council Resolutions:

None.

6.7 Risk Implications

None.

6.8 Comments from Senior Management:**6.8.1 Director: Corporate Services:****6.8.1 Chief Financial Officer:**

Paragraph 1 of the Irrecoverable Debt Policy read as follows:

“All applicable actions must have been executed/implemented before any debt, owed to Stellenbosch Municipality will be considered for writing-off.

However, in special cases where all applicable actions were impossible/impractical to implement, the administration must motivate such write-off for consideration.

The irrecoverable debt of registered indigent consumers may be written-off on an annual basis by Council.

The abovementioned applicable actions are those as contained in the approved Credit Control and Debt Collection Policy of Stellenbosch Municipality.”

It needs to be made very clear that the prescribed processes cannot be followed mainly due to the lack of valid contracts since before 2010 with legal entities. As such, credit control and debt collection procedures have proved to be ineffective.

With reference to the latter, the writing-off of these debts is generally supported by Finance, but subject to the following.

- That the outstanding debt be written off plus any additional interest/cost but that the relevant department ensure that valid contracts have been concluded and entered with all the relevant Sports Bodies before a date as determined by the Council.
- That Council approves the principle of writing off all outstanding debt on date of this report, including of any further interest and costs, as these amounts increase on a regular basis due to additional interest and costs being added. The actual amount outstanding on the date of writing off will then be written off to ensure a zero balance.
- Any levies after this report will be for the account of Council through the Internal Billing processes
- That Council determines a date by which all new contracts have been entered and legally signed by all the sports bodies and the Municipal Manager.
- Contracts must be entered into with a legal entity to ensure that if required, the municipality will have proper legal recourse. All sports bodies must ensure that a legal entity is created for this purpose. Under no circumstances should contracts be entered into with individuals acting on behalf of the sports body.

- The Contracts must be very specific on the matter of rates and municipal services in the sense that it must clearly make clear which aspects are exempted and which will be payable by the sports bodies.
- The newly created legal entities must complete the formal application for services forms to ensure that relevant services are provided, and accounts are rendered to the correct entity liable for payment thereof.
- In addition, the Finance Department must be provided with a clear diagram indicating the location of all water and electricity meters, the confirmation of any sewage and refurbishment to ensure that the correct services are properly linked and billed to the relevant Sports Body.

6.8.2 Municipal Manager:

Supports the item.

FOR FURTHER DETAILS CONTACT:

NAME	JP WAGENER
POSITION	Manager Revenue
DIRECTORATE	Finance
CONTACT NUMBERS	021 808 8531
E-MAIL ADDRESS	pieter.wagener@ Stellenbosch.gov.za
REPORT DATE	13 November 2024

7.4.2	WRITE-OFF OF IRRECOVERABLE AND PRESCRIBED INDIGENT DEBT OLDER THAN 90 DAYS
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

21 November 2024

1. SUBJECT: WRITE-OFF OF IRRECOVERABLE AND PRESCRIBED INDIGENT DEBT OLDER THAN 90 DAYS

2. PURPOSE

Council to approve the write-off of irrecoverable and prescribed indigent debt as discussed below.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

The attached **APPENDIX 1** contains instances where:

- Outstanding indigent debt has prescribed due to various reasons and circumstances and is therefore, according to legislation, no longer recoverable and/or
- It will be no longer financially viable to continue with further litigation to recover these outstanding debt as it will be extremely costly, time consuming and ineffective.

To prevent the municipality from incurring further expenditure that may be regarded as wasteful, it is recommended that the outstanding balances as per **APPENDIX 1 (R 35 326 041.74)**, plus any costs/interest levy after date of this report, be written off as irrecoverable.

5. RECOMMENDATION

that the accounts listed in **APPENDIX 1** are regarded as irrecoverable and that the total outstanding balances of R **35 326 041.74**, at the time of drafting the report, plus any interest or costs levied after this report, be written off.

6. DISCUSSION / CONTENTS

6.1 Background

Debt that is older than three years has prescribed by law and is no longer considered to be legally recoverable. The approved Irrecoverable Debt Policy allows for the debt

of special cases where all applicable credit control and debt collection actions were impossible/impractical to implement, to motivate same for consideration for write-off.

Although the indigent consumers are subsidized for water, electricity, sanitation and refuse monthly, the accumulated debt on these accounts do not decline. Instead, it increases monthly. This is mainly due to socio-economic challenges which make it impossible for the indigent consumers to settle their accounts. Another contributing factor is the high-water consumption levels of the Indigent consumers, due to leakages which they cannot afford to repair by themselves.

The Revenue Department together with the Engineering Department is in the process to repair all leaks of these Indigent consumers and replace the conventional meter with a Water Management Device, capped at 12 kilolitres.

These registered indigent consumers meet the criteria as set out in the Indigent Policy and they are regarded as the poorest of the poor.

These matters were submitted to the Chief Financial Officer, and it was agreed that the matters be submitted to Council for write-off.

6.2 Discussion

- 6.2.1** The attached balances as per **APPENDIX 1 (R 35 326 041.74)** at the time of the report, contains details of indigent customer accounts where all applicable actions have been executed/implemented and normal credit control and debt collection measures and processes have not been successful in recovering the full outstanding debt. Further attempts to recover the debt will also not be cost effective. Some of these debts are also older than three years and have therefore prescribed in terms of Section 11 of the Prescription Act, 69 of 1969.

6.3 Financial Implications

Irrecoverable debt of **R 35 326 041.74** has been provided for in the Provision for Bad Debts, hence there is no real loss for the municipality.

6.4 Legal Implications

None. Write-off is done in terms of the Irrecoverable Debt Policy.

6.5 Staff Implications

None.

6.6 Previous / Relevant Council Resolutions:

None.

6.7 Risk Implications

None.

6.8 Comments from Senior Management:**6.8.1 Director: Corporate Services:****6.8.1 Chief Financial Officer:**

Compiled the Item.

6.8.2 Municipal Manager:

Supports the item.

APPENDIX: 1- Prescribed/Irrecoverable Debt**FOR FURTHER DETAILS CONTACT:**

NAME	<i>JP Wagener</i>
POSITION	<i>Manager Revenue</i>
DIRECTORATE	<i>Finance</i>
CONTACT NUMBERS	<i>021 808 8016</i>
E-MAIL ADDRESS	<i>Pieter.wagener@ Stellenbosch.gov.za</i>
REPORT DATE	<i>15 November 2024</i>

APPENDIX 1

<u>Account</u>	<u>Group</u>	<u>Outstanding</u>						
<u>Number</u>	<u>Number</u>	<u>Balance</u>		<u>Sum of Penalty</u>	<u>Sum of VAT/GST</u>		<u>Total Debt</u>	
13930	ILU23	R 58 882.28	R	17 817.78	R 7 256.63	R	83 956.69	
40226	INI24	R 427 835.17	R	101 539.08	R 64 175.35	R	593 549.60	
43384	INU23	R 63 405.38	R	20 868.11	R 9 510.86	R	93 784.35	
44079	ILU24	R 62 451.80	R	17 465.25	R 9 367.88	R	89 284.93	
44110	ILU23	R 80 302.76	R	9 152.35	R 12 045.43	R	101 500.54	
45434	INP23	R 37 615.49	R	6 809.70	R 5 642.37	R	50 067.56	
10016941	INU24	R 32 323.09	R	4 904.63	R 4 523.25	R	41 750.97	
10040351	INU24	R 44 773.23	R	18 409.54	R 6 323.20	R	69 505.97	
10042449	INI23	R 73 053.25	R	14 175.23	R 10 958.01	R	98 186.49	
10042975	INP24	R 35 375.24	R	12 447.22	R 5 088.74	R	52 911.20	
10043660	INI23	R 55 158.07	R	18 033.76	R 8 256.48	R	81 448.31	
10043811	ILU24	R 41 621.83	R	15 413.15	R 5 804.05	R	62 839.03	
10043907	INU24	R 77 318.05	R	18 608.12	R 11 507.88	R	107 434.05	
10043990	INP24	R 29 426.29	R	12 692.29	R 4 347.91	R	46 466.49	
10056947	INI23	R 47 906.74	R	18 263.09	R 7 159.56	R	73 329.39	
10057508	INP23	R 148 721.87	R	91 981.50	R 20 869.57	R	261 572.94	
10071043	INU23	R 221 545.24	R	27 450.02	R 33 231.77	R	282 227.03	
10072013	INI23	R 52 510.65	R	18 189.35	R 7 876.56	R	78 576.56	
10081750	INI23	R 63 625.64	R	42 079.70	R 9 213.72	R	114 919.06	
10084179	INP24	R 37 225.88	R	11 336.59	R 5 523.80	R	54 086.27	
10084186	INP23	R 57 665.95	R	37 618.86	R 8 356.52	R	103 641.33	
10084526	INP23	R 41 131.68	R	22 832.73	R 5 914.08	R	69 878.49	
10084650	INU23	R 35 140.08	R	8 078.68	R 5 271.06	R	48 489.82	
10084825	INI24	R 370 694.82	R	87 427.68	R 55 311.39	R	513 433.89	
10102718	INU24	R 153 271.39	R	33 807.61	R 21 938.99	R	209 017.99	
10105687	INU23	R 54 388.32	R	4 140.29	R 3 855.61	R	62 384.22	
10105890	INU23	R 40 600.74	R	6 577.33	R 3 085.26	R	50 263.33	
10106633	INU23	R 48 383.48	R	2 935.14	R 1 960.98	R	53 279.60	
10114410	INU23	R 42 494.96	R	2 230.64	R 1 357.45	R	46 083.05	
10114458	INU23	R 67 755.55	R	2 975.04	R 2 055.94	R	72 786.53	
10140451	ILI23	R 80 216.38	R	22 537.16	R 9 652.81	R	112 406.35	
10141122	INP24	R 57 316.16	R	22 248.15	R 6 260.11	R	85 824.42	
10149632	INU24	R 93 775.97	R	48 328.62	R 9 028.65	R	151 133.24	
10155163	ILI23	R 54 645.85	R	24 147.04	R 8 082.94	R	86 875.83	
10155211	ILU23	R 50 231.95	R	22 832.99	R 7 414.62	R	80 479.56	
10155314	INP23	R 70 395.21	R	45 098.28	R 10 206.91	R	125 700.40	
10155613	INU24	R 28 486.91	R	12 584.87	R 4 235.71	R	45 307.49	
10155651	INP24	R 40 124.93	R	15 083.63	R 5 930.51	R	61 139.07	
10155943	INP24	R 73 173.41	R	25 894.87	R 10 889.55	R	109 957.83	
10156229	INP23	R 63 432.72	R	43 487.80	R 8 868.68	R	115 789.20	
10160095	INU24	R 85 762.66	R	29 921.48	R 10 756.02	R	126 440.16	
10162884	INP24	R 55 703.56	R	15 110.54	R 8 355.53	R	79 169.63	
10163043	INU24	R 165 374.51	R	55 830.61	R 24 657.52	R	245 862.64	
10163184	INP23	R 64 309.74	R	28 334.33	R 9 529.18	R	102 173.25	
10163201	INU24	R 30 584.07	R	6 510.25	R 4 587.58	R	41 681.90	
10163445	INU24	R 53 326.84	R	22 744.55	R 7 930.07	R	84 001.46	
10163593	INU23	R 71 025.66	R	50 580.69	R 10 221.84	R	131 828.19	
10163658	INU24	R 52 174.75	R	10 007.02	R 7 826.21	R	70 007.98	

<u>Account</u>	<u>Group</u>	<u>Outstanding</u>						
<u>Number</u>	<u>Number</u>	<u>Balance</u>		<u>Sum of Penalty</u>	<u>Sum of VAT/GST</u>		<u>Total Debt</u>	
10164154	INP24	R 120 768.99	R	56 257.42	R 17 871.68	R	194 898.09	
10164329	INU23	R 31 086.24	R	12 911.69	R 4 636.37	R	48 634.30	
10164343	INI23	R 323 776.29	R	105 539.34	R 48 566.47	R	477 882.10	
10164381	INP24	R 41 044.04	R	12 748.31	R 6 156.74	R	59 949.09	
10164398	INP24	R 39 239.46	R	15 198.45	R 5 840.11	R	60 278.02	
10164783	INU24	R 43 362.22	R	16 470.52	R 6 485.06	R	66 317.80	
10167676	INP23	R 54 271.17	R	36 498.60	R 7 852.21	R	98 621.98	
10168835	INP23	R 31 015.59	R	11 809.95	R 4 647.99	R	47 473.53	
10170764	ILP23	R 43 263.82	R	17 679.86	R 6 452.45	R	67 396.13	
10171033	ILU24	R 34 385.64	R	15 132.32	R 5 115.57	R	54 633.53	
10171064	INU23	R 44 634.00	R	14 694.49	R 6 695.12	R	66 023.61	
10171370	INP23	R 46 939.87	R	18 294.76	R 6 995.06	R	72 229.69	
10171442	INP23	R 51 214.71	R	30 828.32	R 7 410.39	R	89 453.42	
10171521	INU24	R 50 016.32	R	32 199.75	R 7 243.19	R	89 459.26	
10171600	INU23	R 42 324.66	R	8 106.89	R 6 348.71	R	56 780.26	
10176083	ILI24	R 98 931.23	R	28 616.64	R 14 810.83	R	142 358.70	
10178470	ILU24	R 59 439.71	R	3 697.98	R 8 915.96	R	72 053.65	
10179220	INU23	R 32 209.78	R	10 061.13	R 4 830.07	R	47 100.98	
10195774	INU23	R 35 405.32	R	15 729.57	R 5 262.12	R	56 397.01	
10200531	INI23	R 44 183.41	R	14 608.13	R 6 627.58	R	65 419.12	
10200548	INU23	R 47 824.18	R	30 133.08	R 6 921.82	R	84 879.08	
10218387	INU23	R 63 168.09	R	8 413.96	R 9 475.22	R	81 057.27	
10218569	INU23	R 37 953.89	R	4 100.02	R 5 693.12	R	47 747.03	
10234776	INU24	R 42 329.60	R	17 884.31	R 6 286.16	R	66 500.07	
10234972	INU23	R 68 093.04	R	38 709.11	R 9 942.27	R	116 744.42	
10235485	INU24	R 49 680.14	R	11 728.61	R 7 451.96	R	68 860.71	
10235674	INI23	R 47 629.37	R	16 535.67	R 7 125.22	R	71 290.26	
10235715	INP24	R 57 281.21	R	22 534.71	R 8 520.18	R	88 336.10	
10235746	INU24	R 72 861.89	R	7 891.05	R 10 929.26	R	91 682.20	
10235777	INU24	R 43 413.10	R	9 174.13	R 6 512.00	R	59 099.23	
10235818	INP24	R 42 128.91	R	10 312.71	R 6 319.38	R	58 761.00	
10235959	INU23	R 40 104.95	R	10 472.32	R 6 015.18	R	56 592.45	
10236149	INP24	R 106 613.25	R	15 164.40	R 15 992.00	R	137 769.65	
10236170	INP24	R 44 100.23	R	18 856.24	R 6 543.10	R	69 499.57	
10236194	ILI24	R 124 928.26	R	50 083.93	R 18 584.00	R	193 596.19	
10236228	INP23	R 36 160.47	R	15 106.60	R 5 378.59	R	56 645.66	
10236235	INP24	R 53 523.83	R	15 414.55	R 8 028.68	R	76 967.06	
10236321	INP23	R 298 452.79	R	168 327.94	R 43 875.36	R	510 656.09	
10241222	INI24	R 53 596.58	R	11 539.28	R 8 039.45	R	73 175.31	
10241624	INU24	R 31 560.13	R	4 794.99	R 4 734.02	R	41 089.14	
10241655	INP24	R 37 483.37	R	14 485.80	R 5 583.29	R	57 552.46	
10246722	INP23	R 79 112.58	R	33 294.01	R 11 755.00	R	124 161.59	
10246825	INP23	R 110 364.89	R	37 904.90	R 16 347.27	R	164 617.06	
10246894	INP24	R 34 036.56	R	9 277.61	R 5 105.60	R	48 419.77	
10246911	INP23	R 66 355.12	R	27 807.21	R 9 819.70	R	103 982.03	
10246942	ILI24	R 41 538.87	R	17 418.44	R 6 179.34	R	65 136.65	
10246973	INU23	R 70 367.79	R	44 927.87	R 10 131.08	R	125 426.74	
10246980	INP23	R 50 948.09	R	12 899.79	R 7 642.26	R	71 490.14	

<u>Account</u>	<u>Group</u>	<u>Outstanding</u>						
<u>Number</u>	<u>Number</u>	<u>Balance</u>		<u>Sum of Penalty</u>	<u>Sum of VAT/GST</u>		<u>Total Debt</u>	
10247084	INP24	R 54 283.32	R	21 242.45	R 8 104.71	R	83 630.48	
10247132	INI24	R 42 210.24	R	12 173.09	R 6 102.23	R	60 485.56	
10247170	INI23	R 59 291.84	R	33 747.60	R 8 598.32	R	101 637.76	
10247242	INI24	R 52 865.79	R	18 090.13	R 7 930.07	R	78 885.99	
10247716	INU23	R 174 880.03	R	45 985.19	R 26 232.04	R	247 097.26	
10247761	INI24	R 76 922.68	R	17 946.95	R 11 538.44	R	106 408.07	
10247785	ILU24	R 62 437.90	R	7 672.07	R 9 365.71	R	79 475.68	
10247792	ILU24	R 32 044.79	R	7 032.52	R 4 806.70	R	43 884.01	
10247950	ILU24	R 120 089.43	R	8 149.17	R 18 013.41	R	146 252.01	
10248061	INU24	R 281 328.96	R	146 442.26	R 41 008.51	R	468 779.73	
10248102	INP24	R 53 853.03	R	12 040.45	R 8 077.87	R	73 971.35	
10248164	INP24	R 50 808.46	R	21 005.47	R 7 535.45	R	79 349.38	
10248243	INP24	R 101 840.99	R	42 023.39	R 15 188.38	R	159 052.76	
10248384	INU24	R 133 230.70	R	16 573.99	R 19 984.55	R	169 789.24	
10248470	INP24	R 39 574.97	R	8 823.84	R 5 936.23	R	54 335.04	
10248528	INI24	R 44 338.70	R	9 937.55	R 6 650.75	R	60 927.00	
10248913	INP24	R 90 031.19	R	20 159.63	R 13 504.63	R	123 695.45	
10250244	ILU24	R 48 317.99	R	19 269.80	R 7 177.36	R	74 765.15	
10250330	ILP23	R 86 465.97	R	18 369.35	R 12 968.02	R	117 803.34	
10250347	INP24	R 60 291.32	R	15 071.69	R 9 043.65	R	84 406.66	
10250938	INI24	R 236 795.20	R	30 784.61	R 35 519.18	R	303 098.99	
10251018	ILI24	R 32 440.19	R	14 298.83	R 4 811.08	R	51 550.10	
10251025	ILU24	R 39 924.22	R	7 539.51	R 5 986.69	R	53 450.42	
10251111	INP24	R 70 305.06	R	23 626.99	R 10 202.47	R	104 134.52	
10251166	INP24	R 44 744.13	R	17 874.64	R 6 418.15	R	69 036.92	
10251276	ILU24	R 61 765.36	R	11 276.13	R 9 133.93	R	82 175.42	
10251290	INI24	R 43 426.15	R	15 202.68	R 6 482.38	R	65 111.21	
10251355	ILP23	R 47 906.11	R	10 405.66	R 7 185.92	R	65 497.69	
10251489	INU23	R 32 476.22	R	4 723.23	R 4 871.39	R	42 070.84	
10251506	INI24	R 144 577.47	R	25 926.32	R 21 686.56	R	192 190.35	
10251582	INU24	R 32 443.38	R	7 495.34	R 4 866.44	R	44 805.16	
10251915	INI23	R 54 609.09	R	23 624.15	R 8 064.74	R	86 297.98	
10257681	ILP24	R 32 487.37	R	6 871.37	R 4 873.16	R	44 231.90	
10257904	INP24	R 232 524.81	R	151 742.12	R 33 280.75	R	417 547.68	
10257980	INP24	R 58 147.07	R	23 262.53	R 8 665.12	R	90 074.72	
10258060	INP24	R 53 012.89	R	12 690.31	R 7 951.91	R	73 655.11	
10258077	INU23	R 107 170.85	R	23 868.40	R 15 990.79	R	147 030.04	
10267154	INP24	R 37 242.94	R	7 965.35	R 5 586.37	R	50 794.66	
10267178	ILU24	R 37 791.66	R	7 696.64	R 5 668.62	R	51 156.92	
10267305	INP24	R 30 501.70	R	5 359.61	R 4 541.41	R	40 402.72	
10267367	INI23	R 357 761.35	R	132 869.97	R 53 118.23	R	543 749.55	
10267484	INP24	R 56 838.73	R	11 592.09	R 8 525.75	R	76 956.57	
10267635	INI23	R 67 298.76	R	16 658.90	R 10 094.81	R	94 052.47	
10270022	INU24	R 34 898.73	R	6 030.18	R 5 234.84	R	46 163.75	
10270118	INU24	R 53 974.99	R	17 572.51	R 8 096.40	R	79 643.90	
10270204	INU24	R 97 559.66	R	28 360.28	R 14 633.99	R	140 553.93	
10270259	ILU24	R 95 535.11	R	39 318.57	R 14 129.52	R	148 983.20	
10270527	INI23	R 32 846.41	R	7 991.04	R 4 926.96	R	45 764.41	

<u>Account</u>	<u>Group</u>	<u>Outstanding</u>					
<u>Number</u>	<u>Number</u>	<u>Balance</u>		<u>Sum of Penalty</u>	<u>Sum of VAT/GST</u>	<u>Total Debt</u>	
10270709	INP24	R 33 870.72	R	5 501.49	R 5 080.60	R 44 452.81	
10270723	ILI24	R 47 767.39	R	25 795.52	R 6 966.56	R 80 529.47	
10270778	INP24	R 43 271.94	R	11 890.24	R 6 490.78	R 61 652.96	
10270888	INU24	R 37 827.09	R	5 252.16	R 5 674.04	R 48 753.29	
10271119	INI23	R 51 743.92	R	11 784.94	R 7 761.55	R 71 290.41	
10271195	INP24	R 102 325.80	R	13 565.05	R 15 348.84	R 131 239.69	
10271683	INP24	R 31 513.02	R	5 132.59	R 4 726.97	R 41 372.58	
10271700	INP24	R 161 164.87	R	52 157.63	R 24 174.69	R 237 497.19	
10271717	INP24	R 71 008.17	R	16 533.43	R 10 651.25	R 98 192.85	
10271786	ILP24	R 126 202.60	R	25 028.19	R 18 930.28	R 170 161.07	
10271827	INU24	R 44 917.88	R	5 461.46	R 6 737.64	R 57 116.98	
10271896	INU24	R 63 443.74	R	22 917.66	R 9 403.07	R 95 764.47	
10271944	INP24	R 93 309.83	R	59 570.04	R 12 985.07	R 165 864.94	
10271982	INP24	R 70 955.02	R	9 116.85	R 10 643.22	R 90 715.09	
10272172	INP24	R 90 902.40	R	13 740.13	R 13 563.39	R 118 205.92	
10272237	INI24	R 76 366.58	R	20 576.73	R 10 704.92	R 107 648.23	
10272268	INP23	R 144 973.53	R	28 881.57	R 21 293.57	R 195 148.67	
10274404	INP23	R 50 234.80	R	21 816.67	R 7 442.28	R 79 493.75	
10274459	ILU24	R 44 342.46	R	5 748.49	R 6 651.36	R 56 742.31	
10274514	INP24	R 225 801.08	R	34 466.20	R 33 870.07	R 294 137.35	
10274655	INP23	R 50 787.54	R	11 489.36	R 7 618.07	R 69 894.97	
10274662	INU24	R 94 220.14	R	52 874.31	R 13 746.84	R 160 841.29	
10274679	INU23	R 150 944.90	R	33 472.57	R 22 641.70	R 207 059.17	
10274686	ILI24	R 30 652.20	R	6 694.71	R 4 597.75	R 41 944.66	
10274820	INP23	R 30 093.50	R	6 806.97	R 4 513.92	R 41 414.39	
10274909	INI23	R 76 519.52	R	37 971.34	R 11 191.38	R 125 682.24	
10275223	INU24	R 50 178.89	R	11 091.49	R 7 362.40	R 68 632.78	
10277115	INP24	R 43 483.43	R	12 530.42	R 6 522.46	R 62 536.31	
10277177	INP24	R 50 386.80	R	11 991.58	R 7 558.00	R 69 936.38	
10277225	INP23	R 245 719.15	R	41 697.37	R 36 628.59	R 324 045.11	
10277342	INP24	R 38 949.55	R	8 177.96	R 5 842.43	R 52 969.94	
10277359	INI24	R 67 293.65	R	27 522.26	R 9 984.13	R 104 800.04	
10278556	ILI24	R 39 536.37	R	16 876.72	R 5 871.01	R 62 284.10	
10278563	INP24	R 30 484.91	R	8 633.22	R 4 572.69	R 43 690.82	
10278594	INP24	R 63 605.13	R	24 498.33	R 9 489.37	R 97 592.83	
10278628	INP24	R 76 892.67	R	53 508.06	R 10 622.37	R 141 023.10	
10278635	ILI24	R 63 932.45	R	24 419.56	R 9 515.29	R 97 867.30	
10281905	INU24	R 87 236.43	R	48 022.70	R 12 674.62	R 147 933.75	
10285411	INU23	R 51 240.72	R	34 405.34	R 7 045.29	R 92 691.35	
10286412	ILU24	R 29 115.06	R	12 780.80	R 4 330.99	R 46 226.85	
10294031	ILU23	R 42 945.87	R	22 740.65	R 6 295.96	R 71 982.48	
10297807	INP23	R 40 953.26	R	16 011.99	R 6 111.42	R 63 076.67	
10297869	INP24	R 154 526.11	R	38 290.86	R 23 178.95	R 215 995.92	
10297924	INP23	R 52 560.21	R	8 928.70	R 7 884.05	R 69 372.96	
10297948	INP24	R 32 837.85	R	14 387.72	R 4 873.59	R 52 099.16	
10312704	INI23	R 136 858.04	R	24 984.38	R 19 949.90	R 181 792.32	
10333758	ILU24	R 55 481.33	R	4 768.07	R 8 322.21	R 68 571.61	
10353794	INI24	R 72 932.16	R	2 846.92	R 2 279.80	R 78 058.88	

<u>Account</u>	<u>Group</u>	<u>Outstanding</u>						
<u>Number</u>	<u>Number</u>	<u>Balance</u>		<u>Sum of Penalty</u>	<u>Sum of VAT/GST</u>		<u>Total Debt</u>	
10401543	INU24	R 268 949.33	R	23 670.11	R 5 727.31	R	298 346.75	
10407350	ILU24	R 34 245.21	R	7 476.86	R 5 136.75	R	46 858.82	
10418484	ILU23	R 126 645.03	R	19 637.77	R 18 996.73	R	165 279.53	
10422580	INU24	R 75 758.25	R	5 475.58	R 11 363.73	R	92 597.56	
10427774	INU23	R 60 019.68	R	21 054.80	R 9 002.94	R	90 077.42	
10437216	INU24	R 78 591.00	R	23 139.06	R 11 642.80	R	113 372.86	
10488432	INU23	R 28 689.84	R	7 401.56	R 4 303.57	R	40 394.97	
10513895	INP23	R 124 271.19	R	23 371.03	R 18 640.67	R	166 282.89	
10513929	INI24	R 75 153.09	R	44 103.01	R 10 932.75	R	130 188.85	
10513950	INU24	R 32 324.68	R	14 112.17	R 4 797.86	R	51 234.71	
10513967	INU24	R 33 080.89	R	14 766.45	R 4 769.78	R	52 617.12	
10514078	INP24	R 38 162.52	R	14 834.31	R 5 675.36	R	58 672.19	
10610617	INU24	R 57 911.67	R	24 022.20	R 8 621.60	R	90 555.47	
10611979	INU23	R 34 636.48	R	14 951.43	R 5 082.11	R	54 670.02	
10612183	INU23	R 90 485.46	R	47 372.55	R 13 126.45	R	150 984.46	
10619379	INU24	R 38 367.88	R	3 378.82	R 5 755.17	R	47 501.87	
10630378	INI24	R 32 606.32	R	7 743.31	R 4 890.91	R	45 240.54	
10631128	INP23	R 30 897.05	R	7 061.38	R 4 634.60	R	42 593.03	
10660739	INU24	R 45 152.27	R	15 010.17	R 6 773.01	R	66 935.45	
10661125	INI24	R 41 889.40	R	14 754.89	R 6 267.55	R	62 911.84	
10661132	INP24	R 48 981.41	R	26 846.79	R 7 018.75	R	82 846.95	
10669422	INU24	R 47 382.18	R	19 374.01	R 7 013.61	R	73 769.80	
10669721	INU24	R 46 677.03	R	16 291.33	R 6 974.62	R	69 942.98	
10670570	INU23	R 47 038.98	R	27 085.61	R 6 822.41	R	80 947.00	
10670738	INU23	R 63 091.49	R	33 240.73	R 9 202.22	R	105 534.44	
10670824	INU24	R 36 856.67	R	7 908.27	R 5 528.46	R	50 293.40	
10671423	ILU23	R 57 059.30	R	33 355.54	R 8 303.50	R	98 718.34	
10671519	INP24	R 47 365.59	R	27 248.07	R 6 870.39	R	81 484.05	
10671935	INI24	R 58 147.58	R	14 834.96	R 8 722.09	R	81 704.63	
10672039	INP24	R 44 948.09	R	14 989.20	R 6 742.36	R	66 679.65	
10672170	INU24	R 42 841.02	R	18 608.29	R 6 334.27	R	67 783.58	
10672307	ILU24	R 41 965.07	R	17 682.34	R 6 215.54	R	65 862.95	
10672338	INP24	R 37 624.65	R	13 845.10	R 5 632.60	R	57 102.35	
10672479	INU24	R 37 630.84	R	13 781.29	R 5 625.56	R	57 037.69	
10672754	INI24	R 42 829.95	R	7 513.71	R 6 424.49	R	56 768.15	
10672857	INU23	R 129 718.16	R	36 943.39	R 19 457.76	R	186 119.31	
10672888	INU24	R 60 680.93	R	22 492.42	R 9 013.90	R	92 187.25	
10672936	INI23	R 47 092.43	R	14 825.45	R 7 063.87	R	68 981.75	
10677993	INU23	R 205 417.86	R	77 046.02	R 30 501.26	R	312 965.14	
10678145	ILU24	R 46 132.17	R	18 983.83	R 6 828.82	R	71 944.82	
10682351	INU23	R 42 818.60	R	9 564.09	R 6 418.71	R	58 801.40	
10693351	INP23	R 67 708.37	R	35 210.21	R 9 215.90	R	112 134.48	
10703058	INP24	R 39 067.75	R	16 125.51	R 5 789.17	R	60 982.43	
10703247	INU23	R 41 506.54	R	21 075.83	R 6 035.57	R	68 617.94	
10703450	INI23	R 53 372.41	R	24 510.44	R 7 843.76	R	85 726.61	
10703539	INU24	R 43 037.30	R	16 007.73	R 6 452.03	R	65 497.06	
10703591	INU24	R 42 568.85	R	16 472.88	R 6 328.86	R	65 370.59	
10703632	INI24	R 43 590.80	R	18 327.48	R 6 458.80	R	68 377.08	

<u>Account</u>	<u>Group</u>	<u>Outstanding</u>					
<u>Number</u>	<u>Number</u>	<u>Balance</u>	<u>Sum of Penalty</u>		<u>Sum of VAT/GST</u>		<u>Total Debt</u>
10703656	INU24	R 41 658.99	R	15 382.32	R	6 225.30	R 63 266.61
10703890	INU24	R 52 387.63	R	22 766.11	R	7 842.90	R 82 996.64
10704279	INU23	R 31 625.09	R	17 656.46	R	4 596.90	R 53 878.45
10704444	INU23	R 40 779.80	R	22 223.12	R	5 909.71	R 68 912.63
10704712	INU24	R 46 366.46	R	22 526.76	R	6 785.12	R 75 678.34
10704877	INU24	R 35 534.48	R	18 215.64	R	5 194.93	R 58 945.05
10705029	INU23	R 31 801.84	R	17 965.74	R	4 616.63	R 54 384.21
10705115	INU24	R 46 330.11	R	24 027.67	R	6 768.38	R 77 126.16
10705177	INI24	R 52 259.17	R	25 050.72	R	7 676.75	R 84 986.64
10705469	INI24	R 82 803.43	R	22 968.84	R	12 420.43	R 118 192.70
10705713	ILU24	R 29 559.46	R	7 687.15	R	4 433.93	R 41 680.54
10708376	INU24	R 43 270.10	R	16 236.83	R	6 468.89	R 65 975.82
10708826	INU24	R 38 900.45	R	21 662.30	R	5 675.07	R 66 237.82
10712623	INU24	R 43 956.63	R	17 419.77	R	6 516.47	R 67 892.87
10712654	INU24	R 38 257.60	R	15 581.78	R	5 670.30	R 59 509.68
10714357	INI23	R 40 285.70	R	12 425.34	R	6 042.85	R 58 753.89
10721700	INP24	R 39 138.30	R	8 313.39	R	4 448.79	R 51 900.48
10728549	INI23	R 35 277.50	R	11 864.24	R	4 949.08	R 52 090.82
10830815	INP23	R 29 897.74	R	13 392.68	R	4 379.93	R 47 670.35
10843525	INP24	R 97 450.08	R	29 834.75	R	14 617.49	R 141 902.32
10843831	INP24	R 61 538.08	R	17 639.61	R	9 208.23	R 88 385.92
10879683	INI24	R 35 634.16	R	12 117.90	R	5 281.11	R 53 033.17
10887312	INU23	R 44 858.76	R	13 233.05	R	6 725.85	R 64 817.66
10919239	INU23	R 30 002.41	R	8 200.08	R	3 446.66	R 41 649.15
10971369	INU23	R 213 492.02	R	18 962.29	R	4 418.56	R 236 872.87
10983236	INI24	R 48 372.51	R	6 182.92	R	6 970.08	R 61 525.51
22740041	INU24	R 48 606.11	R	15 655.06	R	6 937.22	R 71 198.39
22870045	ILI23	R 38 387.12	R	1 254.62	R	5 748.62	R 45 390.36
109844370	INU23	R 109 594.75	R	8 583.74	R	3 225.09	R 121 403.58
109863494	INU24	R 86 596.93	R	1 068.71	R	3 396.01	R 91 061.65
109914851	INU24	R 172 159.42	R	13 546.54	R	9 756.52	R 195 462.48
370171658	ILU23	R 57 625.68	R	5 121.71	R	8 643.91	R 71 391.30
370700663	ILU24	R 58 637.33	R	6 156.91	R	8 795.56	R 73 589.80
370731850	ILU23	R 81 019.13	R	15 855.05	R	12 134.49	R 109 008.67
372183318	ILI24	R 46 474.77	R	3 982.00	R	6 697.52	R 57 154.29
372813149	INP23	R 37 474.08	R	12 745.79	R	4 963.27	R 55 183.14
442190004	INU23	R 30 285.81	R	6 894.86	R	4 102.43	R 41 283.10
461220052	INU24	R 46 770.62	R	12 132.44	R	5 414.52	R 64 317.58
600098003	ILI23	R 341 520.44	R	42 527.52	R	51 228.09	R 435 276.05
600223009	INU23	R 37 316.73	R	11 834.04	R	5 596.65	R 54 747.42
600336101	ILU23	R 76 720.79	R	16 423.02	R	11 508.15	R 104 651.96
620001124	INU23	R 115 208.99	R	14 456.53	R	17 276.68	R 146 942.20
620001801	INU23	R 36 904.11	R	3 522.42	R	5 448.20	R 45 874.73
620002651	INP24	R 62 211.35	R	39 044.96	R	8 976.78	R 110 233.09
700704192	INP23	R 67 250.77	R	17 894.81	R	7 680.25	R 92 825.83
700720402	INP23	R 105 144.14	R	53 040.49	R	12 696.56	R 170 881.19
700738564	INP24	R 292 080.74	R	99 900.57	R	33 119.12	R 425 100.43
703190158	INI23	R 48 983.64	R	12 770.82	R	7 347.58	R 69 102.04

<u>Account</u>	<u>Group</u>	<u>Outstanding</u>						
<u>Number</u>	<u>Number</u>	<u>Balance</u>		<u>Sum of Penalty</u>	<u>Sum of VAT/GST</u>		<u>Total Debt</u>	
703190505	ILU23	R 68 744.23	R	24 192.13	R 10 268.69	R	103 205.05	
703190859	INP24	R 160 141.26	R	81 053.20	R 23 364.46	R	264 558.92	
703190907	INU24	R 38 103.21	R	4 986.63	R 5 715.50	R	48 805.34	
703191300	INP24	R 37 201.29	R	13 647.13	R 5 282.80	R	56 131.22	
703191403	INP24	R 73 768.27	R	17 454.45	R 11 065.20	R	102 287.92	
703200051	INP24	R 35 134.45	R	5 859.96	R 5 146.87	R	46 141.28	
703200707	INP24	R 59 677.31	R	39 510.29	R 8 610.99	R	107 798.59	
703201258	ILU24	R 40 644.08	R	15 503.43	R 6 051.51	R	62 199.02	
703202455	ILU24	R 339 393.85	R	127 603.00	R 50 909.27	R	517 906.12	
703202754	INP24	R 66 283.71	R	22 112.02	R 9 942.75	R	98 338.48	
703203016	INP24	R 31 649.46	R	4 953.58	R 4 747.33	R	41 350.37	
703203559	INP24	R 90 569.18	R	58 055.59	R 11 456.70	R	160 081.47	
703203951	INU24	R 35 090.42	R	18 977.83	R 5 186.03	R	59 254.28	
703204158	INU23	R 95 470.12	R	56 320.65	R 13 535.10	R	165 325.87	
703205159	INI23	R 46 661.68	R	10 947.06	R 6 755.36	R	64 364.10	
703205252	INP23	R 81 482.12	R	44 027.24	R 11 953.23	R	137 462.59	
703205551	INP24	R 62 291.94	R	18 378.83	R 9 343.82	R	90 014.59	
703205953	INP23	R 70 633.63	R	32 911.56	R 10 350.18	R	113 895.37	
703206019	INP24	R 60 881.07	R	33 179.24	R 8 773.19	R	102 833.50	
703207209	INU23	R 63 186.81	R	10 357.15	R 9 327.24	R	82 871.20	
703208509	INP24	R 320 165.81	R	98 084.05	R 48 025.11	R	466 274.97	
703209108	INP24	R 63 835.69	R	24 838.91	R 9 503.07	R	98 177.67	
703210304	INU23	R 34 498.15	R	14 635.42	R 4 753.45	R	53 887.02	
703210751	ILP23	R 80 185.44	R	6 889.45	R 12 027.88	R	99 102.77	
703210854	ILU23	R 30 167.28	R	7 531.45	R 4 525.13	R	42 223.86	
703211408	INU24	R 34 280.50	R	17 507.66	R 4 892.24	R	56 680.40	
703211453	INP24	R 72 175.48	R	30 798.06	R 10 777.17	R	113 750.71	
703217019	ILP24	R 115 903.55	R	31 805.74	R 17 385.52	R	165 094.81	
703217600	ILU24	R 31 565.48	R	5 664.68	R 4 661.78	R	41 891.94	
703612294	INP23	R 56 439.71	R	14 454.45	R 6 137.00	R	77 031.16	
703612373	ILU23	R 44 620.53	R	18 334.89	R 6 111.08	R	69 066.50	
706010086	ILU24	R 56 626.16	R	15 234.00	R 5 940.88	R	77 801.04	
707072906	INP23	R 48 746.08	R	12 949.62	R 6 225.70	R	67 921.40	
707260150	ILI23	R 57 481.89	R	13 511.56	R 8 179.64	R	79 173.09	
707392826	INP24	R 29 219.12	R	10 840.57	R 3 871.95	R	43 931.64	
707556440	INI23	R 115 162.29	R	38 695.29	R 14 757.29	R	168 614.87	
707561327	INI23	R 101 706.86	R	43 684.34	R 14 138.69	R	159 529.89	
707561468	INP24	R 30 647.77	R	11 245.18	R 4 158.03	R	46 050.98	
707561516	ILP24	R 213 119.97	R	50 044.59	R 30 889.64	R	294 054.20	
707561633	INP24	R 75 785.97	R	17 641.06	R 10 327.19	R	103 754.22	
707561808	ILU23	R 59 269.73	R	13 535.40	R 8 385.15	R	81 190.28	
707561815	INP24	R 53 606.04	R	11 322.31	R 7 489.04	R	72 417.39	
707620004	ILU24	R 40 348.97	R	9 738.74	R 5 424.13	R	55 511.84	
707671244	INP24	R 69 066.15	R	20 817.54	R 7 676.26	R	97 559.95	
707680792	ILI24	R 39 513.71	R	16 892.15	R 5 739.54	R	62 145.40	
707680857	INP24	R 45 180.73	R	10 727.43	R 5 572.95	R	61 481.11	
707680871	INP24	R 83 031.28	R	27 661.16	R 10 928.67	R	121 621.11	
707680912	INP24	R 44 349.48	R	8 746.55	R 5 962.58	R	59 058.61	

<u>Account</u>	<u>Group</u>	<u>Outstanding</u>				
<u>Number</u>	<u>Number</u>	<u>Balance</u>		<u>Sum of Penalty</u>	<u>Sum of VAT/GST</u>	<u>Total Debt</u>
707680950	INP24	R 42 345.89	R	7 618.79	R 6 069.26	R 56 033.94
<u>Grand Total</u>		<u>R 24 261 669.45</u>		<u>R 7 656 526.71</u>	<u>R 3 407 845.58</u>	<u>R 35 326 041.74</u>
<u>Appendix 1</u>						<u>R 35 326 041.74</u>

7.5	HUMAN SETTLEMENTS: (PC: CLLR R DU TOIT)
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7.5.1	APPROVAL OF THE DRAFT LAND AVAILABILITY AGREEMENT BETWEEN THE STELLENBOSCH MUNICIPALITY AND CROWIE PROPERTY GROUP (PTY) LTD FOR THE DEVELOPMENT OF FARMS 81/2 AND 81/9, STELLENBOSCH FOR SOCIAL HOUSING
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

21 November 2024

- 1. SUBJECT: APPROVAL OF THE DRAFT LAND AVAILABILITY AGREEMENT BETWEEN THE STELLENBOSCH MUNICIPALITY AND CROWIE PROPERTY GROUP (PTY) LTD FOR THE DEVELOPMENT OF FARMS 81/2 AND 81/9, STELLENBOSCH FOR SOCIAL HOUSING**

2. PURPOSE

To seek Council's approval to enter into a Land Availability Agreement (LAA) with Crowie Property Group (Pty) Ltd, the developer selected through the Municipality's tender process, to develop and manage the social housing project envisioned on Farms 81/2 and 81/9, Stellenbosch.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

The Western Cape Provincial Administration has designated Stellenbosch Municipality as a "Leader Town" with the capacity to participate in the Social Housing Programme. This initiative aims to provide high-quality, well-managed rental housing for low- and moderate-income households in well-located areas of the Municipality.

As part of this program, Stellenbosch Municipality has leased two specific sites, Farm 81/2 and Farm 81/9, Stellenbosch on a 40-year lease. This decision followed a public consultation process and was approved by the Council on July 29, 2020. The Municipality is responsible for facilitating these developments under the National Social Housing Programme, guided by the Social Housing Act (2008).

The Council now needs to agree to the signing of the specific LAA between the Municipality and Crowie Property Group (Pty) Ltd. Included in the agreement is a set of municipal incentives that will assist in creating a financially viable project. These incentives have been agreed by the Municipality's senior management team and are in line with existing capital incentives for government financed housing projects as well as operational incentives linked to the Municipality's indigency policy.

5. RECOMMENDATIONS

- (a) that Council approves the draft Land Availability Agreement (LAA) between Crowie Property Group (Pty) Ltd and the Stellenbosch Municipality;
- (b) that Crowie Property Group (Pty) Ltd prepares a detailed project plan for approval by Council before the rights to the land on a 40-year leasehold basis is entered into;
- (c) that Council endorses the capital and operational incentives contained in the draft LAA as per **ANNEXURE 2**;
- (d) that the Municipal Manager be authorised to sign the draft LAA and negotiation minimum amendments if required and submit to Council for condonation; and
- (e) that the Municipal Manager be authorized to sign any additional information or documentation required as may be necessary to ensure compliance with regulatory requirements and to facilitate the effective implementation of the project.

6. DISCUSSION / CONTENTS**6.1 Background**

The Council has approved the development and implementation of a Social Housing programme in the Municipality. The intention is provide well located, good quality and well managed rental housing opportunities affordable low- and moderate-income households. This is to be achieved through the National Social Housing programme governed by the Social Housing Act (2008) and its linked policy and procedures. The national responsibility for the overall management of the national programme rests with the Social Housing Regulatory Authority (SHRA) established in terms of the Social Housing Act. In terms of the legislation the Municipality is responsible for the facilitation of such development in among other ways in the release of municipal land at a price that makes such projects financially viable and other incentives within its authority.

The Council has already agreed to the rollout of the Social Housing programme in Stellenbosch and the initial release of land for the first three projects. The release of the first of these sites Farms 81/2 and 81/9, Stellenbosch was agreed by Council after public consultation on its plans to dispose of the land. This was followed by a procurement process for eligible entities to apply for the development and long-term management of the site based on a 40-year lease. After adjudication of the submissions, through the Municipality's procurement process, Crowie Property Group (Pty) Ltd was chosen as the preferred bidder. Crowie Property Group (Pty) Ltd now need to finalise a detailed Project Plan before the signing of the draft Land Availability Agreement (LAA).

The draft Land Availability Agreement (as **ANNEXURE 1**) provides a contractual framework that permits Crowie Property Group (Pty) Ltd to prepare such a Project Plan with the assurance that if it meets the Municipality's requirements while giving surety to the developer, that as long as they produce a financially viable detailed plan in line with the municipal intent and their submitted tender proposal, that the Municipality will sign the draft LAA.

The draft Land Availability Agreement also outlines to the developer the key incentives that the Municipality will provide in terms of relevant development charges and access to indigency relief for eligible tenants. These incentives were workshopped with senior management team, and which are mainly in line with existing Council policies.

The advantage for the Municipality is the development of units to meet its commitment to a more economically and racially integrated town as well as the extra financing from government for part of the development cost which would otherwise not be available to the Municipality.

6.2 Discussion

Having undertaken public consultation on the release of Farm 81/2 and Farm 81/9, Stellenbosch for this purpose, the Municipality followed a procurement process to Call for Proposals to develop and undertake the long-term management of the development in accordance with the Social Housing Regulations.

As a result of this Crowie Property Group (Pty) Ltd was selected as the preferred bidder. However, before signing the final contract awarding the land, it is necessary that Crowie Property Group (Pty) Ltd prepares a detailed Project Plan for formal approval by Council. The Project Plan involves a detailed description of the project, its financing and a timetable for delivery that meets the requirements of the award. For this Crowie Property Group (Pty) Ltd are required to invest financial and human resources. To best protect the interest of both the Municipality and the developer it is necessary to have a signed Land Availability agreement between the Municipality and Crowie Property Group (Pty) Ltd. Council has already agreed in principle to enter into such agreements with Social Housing Institutions and/or Other Development Agencies.

The draft Land Availability Agreement (LAA) provides both Stellenbosch Municipality and Crowie Property Group (Pty) Ltd with the necessary protections to allocate resources effectively prior to finalizing the long-term lease. Through this agreement, Crowie Property Group (Pty) Ltd is granted the assurance to develop a detailed Project Plan that meets the Municipality's requirements, with the confidence that, upon compliance, the Council will grant a 40-year leasehold right.

In return, the Municipality will receive a comprehensive development and financing plan for review and approval, ensuring alignment with Council's objectives and regulatory standards.

6.3 Financial Implications

There are no substantive financial implications should the recommendations as set out in the report be accepted. The financial implication for the Municipality is in the price of the disposal of the land on a 40-year leasehold basis, based on the final Project Plan and its linked implementation. When this is prepared it will then be tabled to the Council for its final approval.

6.4 Legal Implications

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

6.5 Staff Implications

This report has limited staff implications to the Municipality. These require time from the Department: Integrated Human Settlement staff to liaise with Crowie Property Group (Pty) Ltd to ensure preparation of the Project Plan in line with the Municipality's requirements.

6.6 Previous / Relevant Council Resolutions:

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2020-03-20: ITEM 7.4.2

- “(a) that the land in question, remainder of Erf 2149, Stellenbosch (Lapland flats), Remainder of Farm 180 (open spaces near Teen-die-Bult flats) and Erf 81/2 and Erf 81/9 Stellenbosch, be identified as land parcels **not needed for the Municipality's own use** during the period for which the right is to be granted;
- (b) that Council, **in principle**, approve the Municipality's entering into **Land Availability Agreements** with SHIs and ODAs successful in the Public Competitive Process (with SHIs and ODAs successful in the Public Competitive Process in terms of Regulation 34(1) (b) of the Asset Transfer Regulation (ATR), read with paragraph 9.2.2.1 (l) of the Policy on the Management of Council owned property, subject to the following conditions:
- (i) that **Council's intention** so to act, i.e. the awarding of rights on a private treaty agreement basis, **be advertised** for public comments;
 - (ii) that, simultaneously, the **public participation** process envisaged in Regulation 35 of the ATR **be followed**;
 - (iii) that Lease Agreement be concluded, based on a **40-year term** based on applicable tariffs;
 - (iv) that the Lease Agreement provide for **review/revision**, should the need arise for further development/redevelopment of the area; and
- (c) that, following the public participation process referred to above, a report be submitted to Council in order for Council to give a mandate to the Administration to proceed with the Public Competitive Process that will result in the awarding of the long-term use rights.”

35TH COUNCIL MEETING: 2020-02-26: ITEM 11.4.1

RESOLVED (majority vote)

- “(a) that the progress report be noted;
- (b) that Council approves in principle the development proposal as set out in the draft feasibility study;
- (c) that the Municipal Manager is authorised to undertake a process towards entering into Land Availability Agreements with competent Social Housing Institutions (SHIs) or Other Development Agencies (ODAs);
- (d) that a Smart Partnership and a Land Availability Agreement be entered into with the successful accredited Social Housing Institution (SHI) or Other Development Agency (ODA); and
- (e) that the proposed base criteria which need to be met by a viable Social Housing Institution, be noted.”

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

FT Bangani-Menziwa (Ms); DA Hendrickse; N Mananga-Gugushe (Ms); C Moses (Ms); N Sinkinya (Ms); P Sitshoti (Ms) and LL Stander.

6.6 Risk Implications

There are no substantial risks for the Council other than the failure of Crowie Property Group (Pty) Ltd to produce an acceptable plan for the Municipality. In such a case the award becomes null, and void and the Municipality would need to restart a process for the awarding of the site.

6.8 Comments from Senior Management:

The proposed incentives were submitted to Senior Management for approval (see attached as **ANNEXURE 2**).

ANNEXURES

- Annexure 1:** Copy of the draft Land Availability Agreement (LAA) for signing between the Stellenbosch Municipality and Crowie Property Group (Pty) Ltd
- Annexure 2:** Proposed incentives

FOR FURTHER DETAILS CONTACT:

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

ANNEXURE 1

LAND AVAILABILITY AGREEMENT (LAA)

Entered into by and between



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Duly represented by Ms Geraldine Mettler, in her capacity as the Municipality Manager

AND

Crowie Property Group (Pty) Ltd (Pty) Ltd

Registration number:

Duly represented by

In his capacity as the Chief Executive Officer and duly authorized to sign this Agreement

In relation to

FARM 81/2 AND FARM 81/9, STELLENBOSCH

Part of the Stellenbosch Municipality Social Housing Programme

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1. DEFINITIONS AND INTERPRETATION

In this Agreement, unless otherwise required or indicated by the context, the singular shall include the plural and vice versa, words indicating any one gender shall include the other genders, words indicating natural persons shall include juristic persons and bodies corporate and vice versa. The following words or phrases shall bear the following special meaning assigned to them below, and shall be interpreted as such for this Agreement, even if such interpretation is contrary to the ordinary grammatical meaning of the words and phrases

The following terms shall have the meanings respectively assigned to them hereunder, namely:

- | | |
|----------------------------|---|
| 1.1 "Anchor Business Plan" | Shows the project's financial viability. It includes a working financial model in Excel electronic format. It is based on approved density and buildable gross floor area (GFA) for the entire site and individual buildings as applicable; |
| 1.2 "Agreement" | means this agreement contained herein including all annexures thereto; |
| 1.3 "Municipality" | means Stellenbosch Municipality listed on page 1 duly represented herein by Geraldine Mettler ; |
| 1.4 "Commencement Date" | means the date from which the partner is entitled to exercise its right to land for the duration of this land availability agreement; |
| 1.5 "Inception Date" | means the date on which the lease is signed by both parties and becomes legally binding; |
| 1.6 "Contract" | means this Agreement and the Project Agreement and the Land lease agreement read together; |
| 1.7 "Calls for Proposals" | means the original Calls for Proposals; |
| 1.8. "Parties" | means the Municipality and the Partner; |
| 1.9 "Partner" | means Crowie Property Group (Pty) Ltd ; |

- 1.10 "Project Agreement" means any agreement entered between the Municipality and the Partner that established the terms under which the project will be executed;
- 1.11 "Pre-Feasibility and Financial Project Proposal (PFF)" The Pre-Feasibility and Financial Project Proposal is the project's initial development concept and preliminary financial viability model as presented by the Partner to the Municipality in response to the municipal Request for Proposal call on the Land. It has to be negotiated and approved by the Municipality prior to consideration and inclusion in the Land Availability Agreement;
- 1.12 "Programme Manager" means an employee of the Municipality or any person nominated in writing by the Municipality responsible for the coordination of the Municipality's Social Housing Programme, whose details shall be communicated to the partner;
- 1.13 "Project Manager" means an employee of the Municipality, or such other person as may be nominated in writing by the Municipality;
- 1.15 "Project" means the proposed development on the allocated land identified in this agreement for planning of the social housing development by the partner;
- 1.16 "Social Programme" refers to the development of affordable rental stock for low-moderate income households in terms of the Social Housing policy, legislation and regulations;
- 1.17 "SHRA" means the Social Housing Regulatory Authority as established by Social Housing Act 16 of 2008;

- 1.18 "Social Housing Subsidy/ies" means public funding, inclusive of institutional and consolidated capital grant funding, provided by the SHRA or any other organ of state defined in section 239 of the Constitution of the Republic of South Africa of 1996, utilised for the creation of housing stock for social housing purposes;
- 1.19 "SHI or ODA" An SHI (Social Housing Institution) is a non-profit entity registered and accredited by the SHRA under the Social Housing Act 16 of 2008, and an ODA (Other Delivery Agent) is a for-profit company that can implement a social housing subject to project-specific accreditation from the SHRA;
- 1.20 "Municipal grants" means public funds by the municipality, inclusive of Municipal Infrastructure grants, Urban settlements development grants or others that are allocated by Stellenbosch municipality to support the proposed social housing development.

2. RECORDAL

- 2.1 The Municipality wishes to establish a Social Housing Programme to create well-located and well-managed affordable rental social housing schemes on land made available solely for social housing with or without other complementary land use approved by the Municipality.
- 2.2 The partner is an ODA, **Crowie Property Group (Pty) Ltd**, chosen through a Request for Proposal tender procurement process to allocate the subject land, which will be awarded for social housing development.
- 2.3 The Municipality wishes to agree on granting the lessee, **Crowie Property Group (Pty) Ltd**, the right to use, develop and occupy the subject land identified in this agreement to the partner based on an **Approved Pre-Feasibility and Financial Project Proposal (PFF)** included as **Appendix 1**, that meets the conditions outlined in this agreement or any changes to it agreed by parties in the process of the planning linked to this agreement and its subsequent binding Project Agreement.
- 2.4 The land lease agreement allows **Crowie Property Group (Pty) Ltd** to use the land for 40 years.
- 2.5 **Crowie Property Group (Pty) Ltd** will pay the Municipality a determined value yearly.
- 2.6 The Parties wish to conclude this Agreement in writing.

3. AGREEMENT

- 3.1 The Municipality and the Partner hereby agree that the terms and conditions of this Land Availability Agreement (LAA) shall link contractually to the Project Agreement to be signed between the parties, together with any future project agreement addendums that govern their relationship in respect of all services provided by the partner currently or at any time in the future in respect of this social housing in Stellenbosch Municipality.
- 3.2 This LAA establishes a framework for preliminary arrangements for making land available on a leasehold basis for a social housing project, specifying the conditions under which Stellenbosch Municipality agrees to offer the subject land for social housing to **Crowie Property Group (Pty) Ltd** and ensures it with exclusive rights on the subject land to the partner to continue

project packaging and financing process within agreed municipal conditions, performance compliance and mile stone completion targets for the proposed social housing project.

4. OBJECTIVES

4.1 The objectives of this Agreement are as follows:

- 4.2 A systems approach to establishing strong, mutually beneficial contractual arrangements between the Municipality and the appointed social housing implementation company Crowie Property Group (Pty) Ltd as its “partner” on the Social Housing Programme.
- 4.3 To guarantee that the identified land will be leased to the partner provided they meet the development conditions and requirements outlined in this agreement, subsequent project contracts, and any other agreed upon by the partners in planning this site’s development.
- 4.4 To preserve the opportunity for the Partner to obtain the rights to develop land of the Municipality within a framework that protects the Municipality’s land investment and resources to achieve their socio-economic housing program objectives.
- 4.5 Within this contracting agreement framework, the Parties will conclude a linked Project Agreement. The Project Agreement will be finalized once the project is more clearly defined and the partner submits a detailed execution plan.

5. INCEPTION AND COMMENCEMENT DATE

- 5.1 The inception date of this agreement shall be the date on which this agreement is signed by both Parties or on any other date as the Parties may mutually agree in writing.
- 5.2 From the Inception date, the partner shall have the right to commence due diligence activities on the land, including, but not limited to, conducting site inspections and advance feasibility studies to determine the development concept and financial proposal precisely.
- 5.3 This Agreement shall commence on the (insert date) subject to such earlier termination as provided for in clause 13, it shall continue in force and effect for two (2) years, with a possible extension of one (1) additional year not

exceeding a total LAA period of three (3) years.

- 5.3 Should both parties agree on an extension, it will be negotiated six (6) months before the expiry of the first term of the LAA.

6. LAND FOR DEVELOPMENT TRANSACTION TERMS

The Municipality offers the land to the partner under the following terms:

6.1 A long-term lease agreement for a period of forty (40) years, subject to the following terms and conditions;

- a) An detailed development plan linked to financing proposal and project delivery schedule formally agreed by the municipality in terms of the partner's submitted proposal.
- b) The land lease payments (financial offer) in Rand value made by Crowie Property Group (Pty) Ltd in the initial project proposal.
- c) Payment is paid monthly in arrears over the lease agreement term.

7. PROPERTY DESCRIPTION OF LAND FOR DEVELOPMENT

The land subject of this agreement is defined as follows;

Erf numbers: FARM 81/2 AND FARM 81/9 STELLENBOSCH

Street Address: Insert

Co-ordinates: Insert

Extent (Area in sqm): Insert

The cadastral details are contained in **APPENDIX 2** of this agreement.

8. CONDITIONS FOR THE DEVELOPMENT OF THE LAND

8.1 The following general conditions apply to the site its development:

- 8.1.1 Maximization of the development potential of the site and the Municipality's social housing development objectives.
- 8.1.2 Social and economic neighbourhood integration with the surrounding areas.
- 8.1.3 Access to adequate rental housing for low- and moderate-income

households in well-managed urban environments.

8.2 The Municipality sets the following specific conditions.

8.2.1 Number of Social Housing Units: The target is 800 units.

8.2.2 Three to four-story walk-up buildings with diverse housing typologies to accommodate different family sizes.

8.2.3 Comply with the Social Housing Policy and the SHRA's general norms and standards regarding project design, income targeting, and unit mix for internal cross-subsidization.

8.2.4 Integrate green spaces and gardens within the project, providing residents with recreational areas that enhance social interaction and well-being.

9. CONSIDERATION OF DEVELOPMENT INCENTIVES

9.1 To promote investment and reduce the risk of developing sustainable social housing, The municipality has decided to guarantee the following municipal incentives for this project.

9.1.1 Exemption from paying development charges;

9.1.2 Exemption from Planning Scrutiny charges;

9.1.3 Exemption from Building plan approval charges;

9.1.4 Rates reduction charged at the residential base level;

9.1.5 Apply indigency policy to the project, benefiting qualifying tenants subject to means testing.

The project manager will support **Crowie Property Group (Pty) Ltd** in negotiating the approval of the following additional concessions,

9.1.6 Reduced parking ratio for social housing

The following site reports that will reduce the project capital costs will be provided to the Crowie Property Group (Pty) Ltd;

9.1.7 Topographical surveys

9.1.8 Geotechnical study

9.1.9 Traffic impact assessment

9.1.10 Flood line report

9.1.11 Town planning rezoning application

9.2 Should the development trigger any upgrades which does not form part of the Municipality's Capital Expenditure Framework then the developer will be held liable for any charges connected therewith.

10. OUTPUT OF THE LAND AVAILABILITY AGREEMENT PROJECT AGREEMENT

The terms and conditions and the process of the planning undertaken during the Land Availability Agreement period should result in a 'Property Development Plan' with an "Anchor Business Plan" agreed upon by both partners that will guide the development of the land. The output of the Land Availability Agreement will conclude with the execution of a linked Project Agreement. The Project Agreement, at a minimum, will cover the following:

- 10.1 The Project Agreements will detail project-specific details and define terms and conditions for executing the project development.
- 10.2 The Project Agreements shall address the following sections but are not exclusively limited to the same.
 - 10.2.1 The agreed property development plan contains the specific terms and conditions for the project development, development process, and post-construction property management details.
 - 10.2.2 The Anchor Business Plan, with all funding sources shown
 - 10.2.3 The development schedule with the development time frame and milestones
 - 10.2.4 The phasing plan of the project and performance management completion
 - 10.2.5 The material contribution of the Partners.
 - 10.2.6 The system and procedures of monitoring the agreement in coordination and collaboration with the relevant stakeholders, municipality, province, SHRA, and the SHRA mandatory reporting and performance monitoring procedures.

11. OVERALL ROLES OF THE PARTIES

The Municipality undertakes to:

- 11.1 Grant the partner a 40-year lease agreement, provided that the proposed project development proposal aligns with the municipal vision articulated in this agreement.
- 11.2 Provide access to information that affects the site available to the Municipality, which can assist in the property development planning and packaging process right through to the tenancing and property management phase.
- 11.3 Actively participate in discussions with the partner at different stages in the planning, implementation and operational process; and
- 11.4 Give due consideration to additional incentives where there is a proven leverage to achieve the socio-economic and urban development vision.

The Partner undertakes to:

- 11.5 Carry out the Pre-Feasibility and Financial Project Proposal in response to the municipal request for proposal (RFP) on the land
- 11.6 Carry out the planning process for the development of the site and/or building in accordance with the Land Availability Agreement and the subsequent Project Agreement to be executed with the Municipality.
- 11.7 To provide the proper opportunities to engage with the Municipality expediently on progress and content throughout the planning process in accordance with an agreed timetable.

Collaboration and Communication:

- 11.8 The parties agree to convene monthly progress meetings to discuss the project's progress made by the Partner regarding the work assigned to them in terms of the Project Agreement.
- 11.9 Including any other matter relevant to the project as a whole that may affect the proper and timely completion of any aspect of the project.
- 11.10 Each meeting shall include representatives from the Municipality and the partner and detailed minutes shall be recorded and distributed to all parties within five working business days following each meeting.

12. CONDUCT OF SERVICES AND TIMETABLE FOR DELIVERY

- 12.1 The Partner shall provide those services as per an agreed Time Schedule and Completion Milestones as outlined in **Appendix 3** of this agreement and subsequently as per the Project Agreement.
- 12.2 To ensure that the services provided comply with all the relevant prescript
- 12.3 That they timeously advise of any deviation variation to schedule or any completion milestone changes, and which shall be agreed to by both parties before the original contract expiry.

13. ACTION FOR NON-PERFORMANCE IN TERMS OF THE CONTRACT

- 13.1 In the event that the Partner fails to complete the work within the schedule or any agreed variations on this, the Municipality has the right to terminate this agreement and withdraw rights to the land from the Partner.
- 13.2 To implement condition 13.1, the Municipality must show that it has timely undertaken its responsibilities under this agreement.
- 13.3 In the event that the Municipality terminates the contract for non-performance, the Municipality has no liability to the partner and, therefore, is not responsible for reimbursement to the partner for any work done to date unless there is a previous agreement to do this to use for further work on the site.
- 13.4 The municipality reserves the right to recover all costs, losses or damages incurred or suffered by it due to non-performance.
- 13.5 If non-performance is due to malicious conduct, the municipality can report the partner to the Province, CIPC and the SHRA developer database, advocating a restriction (blacklisting) on the partner from obtaining social housing business from the municipality, the province and the SHRA.

14. MANNER OF RENDERING SERVICES

- 14.1 All products developed and services performed by the Partner shall be of a standard and quality consistent with the Social Housing program standards. The Partner shall further exercise all reasonable skill, care and diligence in performing any such services and shall carry out all its responsibilities and duties following the recognized professional standards and in any manner and of a standard acceptable to the Municipality.

15. TERMINATION

The municipality reserves the right to terminate the provisions of any services relating to the project should:

15.1. The partner must remedy a failure in the performance of the services within 30 (Thirty) business days of receipt of such notice or within such further period as the Municipality may approve in writing.

15.2. The partner fails, in the absence of any review or appeal proceedings, to comply with any final decision reached as a result of any legal or arbitration proceedings.

15.3. The partner has engaged in corrupt or fraudulent practices in competing for or executing the Agreement. For purposes of this clause-

“corrupt practice”

means the offering, giving, receiving or soliciting of anything of value to influence the action of an official in the selection process or contract execution.

“fraudulent practice”

means a misrepresentation of facts in order to influence a selection process or the execution of a contract to the detriment of the Municipality, and includes collusive practice among parties (before or after submission of proposals), designed to establish prices at artificial, non-competitive levels and to deprive the Municipality of the benefits of free and open competition.

15.4 The Municipality reserves the right to cancel this Agreement with the Partner in the event of the Partner being placed under liquidation. This will be dealt with as per the prescripts of the relevant section of the Social Housing policy and regulations if such liquidation results in the Partner not being able to render such services as agreed upon in this Agreement.

16. CONFIDENTIALITY

The Partner shall not, without the prior written consent of the Municipality, disclose to any third party any information of any nature disclosed to it, acquired by the Partner or its employees, or developed during the services rendered in accordance with this Agreement without the prior written consent of the Municipality having been obtained.

17. BREACH

In the event that either Party ("the defaulting party") to this Agreement breaches any material term of this Agreement and fails to remedy such breach within 30 ~~7~~ (seven Thirty) days of the date of receipt of a written notice from the other Party ("the aggrieved party") requiring such breach to be remedied, the aggrieved party will be entitled immediately to cancel this Agreement by written notice to the defaulting party, which cancellation will be without prejudice to any other rights which the aggrieved party may at law enjoy arising out of such breach and/or cancellation.

18. DISPUTE RESOLUTION

Any disagreement or dispute arising between the parties about the implementation, application, interpretation or breach of the Agreement shall be settled as follows;

18.1 A disagreement or dispute must be in writing.

18.2 The Parties must initially make a reasonable effort to settle any such difference or dispute through consultation and negotiations.

18.2.1 If the parties fail to reach an agreement, the dispute shall be referred to a single arbitrator agreed on by the parties. Ruling is not automatically binding unless the parties agree to give effect to the Ruling in writing before the Arbitration.

18.2.2 If the parties cannot agree on a nomination of who the Arbitrator shall be, the following criteria shall be used for the following disputes:

18.2.3 For an accounting matter, an independent practicing-chartered accountant who has been in practice for not less than Fifteen (15) years and who shall be nominated by the Chairman, for the time being, of the local Society of Chartered Accountants;

18.2.4 For primarily a legal matter, a Senior practicing Advocate of the local Bar or Attorney who has been in practice for not less than Ten (10) years and who shall be nominated by the local Bar Association.

18.2.5 any other matter, an independent and suitably qualified person; as may be agreed upon between the Parties.

18.3 To decide the dispute according to what he/she considers just and equitable in the circumstances.

- 18.4 To investigate or cause to be investigated any matter, fact or thing which he considers necessary or desirable in connection with the dispute and for the purpose shall have the widest powers of investigating all the books and records of members of any party to the dispute and have the right to take copies and make extract there from the right have them produced or delivered at any reasonable place required by him for the purposes above.
- 18.5 To make such award, including an award for specific performance, an interdict, damages or a penalty or otherwise as he in his discretion may deem fit and appropriate.
- 18.6 The arbitration shall be held as quickly as possible after it is demanded, with a view to completion within thirty (30) days after it has been so demanded. The period of 30 days can be extended by written consent of the parties.
- 18.7 Immediately after the arbitrator has been agreed upon or nominated in terms of clauses 18.3.1 to 18.3.3, any of the parties to the dispute shall be entitled to call upon the arbitrator to fix a date and place when and where the arbitration proceedings shall be held and to set the procedure and manner in which the arbitration proceedings will be held.
- 18.8 Such arbitration proceedings shall be conducted informally and as inexpensive and expeditiously as possible wherever the arbitrator may consider shall suit the balance of convenience under the circumstances.
- 18.9 Each Party consents, in terms of (insert section of the Magistrates' Court and Act, to the jurisdiction of local Magistrates) Court regarding any proceedings on this Agreement.

19. DOMICILIUM AND NOTICES

- 19.1 The Parties hereto choose *domicilia citandi et executandi* for all purposes of and in connection with this Agreement as follows:

The Municipality	_____

Facsimile No.	_____

the Partner	_____

Facsimile No.	_____

- 19.2 Any Party hereto shall be entitled to change its *domicilium* from time to time, provided that any new *domicilium* selected by it shall be a street address and any such change shall only be effective upon receipt of notice in writing by the other Parties of such change.
- 19.3 Any notice given by or to either party in terms of this Agreement shall be given in writing and shall be delivered by hand to a responsible person present at or sent by prepaid registered post or facsimile transmission to the *domicilium* chosen by the addressee in terms of this Agreement.
- 19.4 A notice sent by one Party to another Party shall be deemed to be received:
- 19.4.1 on the date of delivery, if delivered by hand;
- 19.4.2 on the fourth day after posting, if sent by prepaid registered mail;
- 19.4.3 on the date sent if forwarded by facsimile transmission.
- 19.4.4 on the date sent or forwarded by the email
- 19.5 Notwithstanding anything to the contrary herein contained a written notice or communication actually received by a Party shall be an adequate written notice or communication to it notwithstanding that it was not sent to or delivered at its chosen *domicilium citandi et executandi*.

20. WHOLE AGREEMENT

This agreement constitutes the entire agreement between the Parties regarding the subject matter hereof. No agreements, guarantees or representations, whether verbal or in writing, have been concluded, issued or made, upon which either party is relying in concluding this Agreement, save to the extent set out herein.

21. NO WAIVER

No waiver or indulgence of whatsoever nature shall be of any force of effect, including a waiver or indulgence in respect of this clause 2149, unless it is reduced to writing and signed by and on behalf of the Parties.

22. NO INDULGENCE

No indulgence, leniency or extension of time which a party (the "grantor") may grant or show to the other, will in any way prejudice the grantor or preclude the grantor from exercising any of his rights in the future.

23. SEVERABILITY

If any particular provision and/or term of this Agreement is found to be defective or unenforceable or is cancelled for any reason (whether by any competent Court or otherwise) then the remaining provisions and/or terms shall continue to be of full force and effect. Each provision and/or term of this Agreement shall accordingly be construed as entirely separate and separately enforceable in the widest sense from the other provisions and/or terms hereof.

24. NO CESSION OR ASSIGNMENT

Neither party hereto shall be entitled to cede or assign any of its rights, or delegate any of its obligations hereunder without the prior written consent of the other first being obtained.

25. NO VARIATION

No variation, suspension, deletion, amendment or modification of this agreement is of any force or effect, unless recorded ~~reduced to~~ in writing and signed by the

Parties, and is effective only in the specific instance and for the purpose and to the extent set out.

26. EXECUTION/SIGNATURES

IN WITNESS WHEREOF;

The Parties have expressly executed this Agreement on the date of last signature herein under:

FOR THE STELLENBOSCH MUNICIPALITY

SIGNED ATON THIS THEDAY OF2024.

AS WITNESSES:

1.

2.

Municipal Manager that is duly authorised

FOR THE CROWIE PROPERTY GROUP (PTY) LTD

SIGNED ATON THIS THEDAY OF2024.

AS WITNESSES:

3.

4.

**Chief Executive Officer of the SHI
(Duly authorised thereto)**

Appendix

Appendix 1: Approved Pre-Feasibility and Financial Project Proposal (PFF)

Appendix 2: Cadastral details

Appendix 3: Time Schedule and Completion Milestones

ANNEXURE 2

STELLENBOSCH SOCIAL HOUSING PROGRAMME

INCENTIVES FOR SOCIAL HOUSING

1. CAPITAL INCENTIVES

The following capital incentives are proposed and agreed upon by the relevant departments.

Development Contributions: It is agreed by the relevant department that these are waived as per other government-financed housing schemes.

Town Planning and Building Fees: Full exemption in line with other government-financed housing schemes.

Bulk Infrastructures Upgrades: Full exemption if budgeted on CEF, Social Housing Institution will be responsible for infrastructure upgrades should the Municipality not make provision for it on the budget in line with other government financed housing schemes.

Parking ratios: The parking ratio that has been proposed by Senior Management is 0.75 per unit.

2. OPERATIONAL INCENTIVES BASIC SERVICE: SH TARIFFS AND RATES

The principle agreed is that the Municipality's indigency policy applies to Social Housing tenants meeting the income requirement. A special category for Social Housing in Indigent Policy will be created to regulate and simplify the incentives for indigent families. Below find a table that provides operational incentives.

BASIC SERVICE	SH TARIFFS AND RATES	COMMENTS
Electricity	100 units per SH unit	Every tenant has it's own prepaid meter box
Water	6000 litres per SH unit	For administrative purposes the following approach is suggested: On each SH project it is regulated that 30% of rentals are affordable to households with monthly incomes up to R7 500. Of these 10% must be affordable to households with incomes of R5 500 or less. The SHIs are required to do thorough income checks in allocating units. They must also report regularly to the SHRA on allocations. It would be more administratively simple to give the SHI the benefits of indigencies for 30% of the tenants and permit the SHI to manage the allocations to the relevant tenants.
Sanitation services	A service subsidy not exceeding the cost of one sewerage service unit supplied to residential properties with a maximum area of 250m ² – The units will not exceed 250m ² and the qualifying households will receive the indigent subsidy for sanitation services	
Refuse collection	Refuse removal once a week	For example 30% of the entire municipal account that deals with water, sanitation, refuse removal and rates will be managed in this manner It should be noted that this requires a policy change and therefore suggested to be dealt with through the LAA. Council may or may not approve it.
Rates	Rebate of R250 000 on the property valuation in line with the Municipality's Rates Policy.	

7.6	INFRASTRUCTURE SERVICES : (PC : R PHEIFFER)
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7.6.1	STATUS REPORT ON THE ALTERNATIVE ENERGY GENERATION PROGRAMME – NOVEMBER 2024
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Collaborator No: 776792
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 21 November 2024

1. SUBJECT: STATUS REPORT ON THE ALTERNATIVE ENERGY GENERATION PROGRAMME – NOVEMBER 2024

2. PURPOSE

For Council to note the progress of the Municipality's as well as Provincial Government initiatives regarding the Alternative Energy Programme projects which are underway at present.

3. DELEGATED AUTHORITY

Municipal Council.

4. EXECUTIVE SUMMARY

- 4.1** The draft application for load curtailment was submitted to Eskom on 07 March 2024 and is due to serve at the Eskom Loadshedding Committee. Though the indication from Eskom was that this application would serve at the April 2024 Loadshedding Committee, confirmation has been received from Eskom that the application has not yet served. At the meeting held on 31 July 2024, further proposals were provided by Eskom for the Municipality to amend the current application so that Eskom's Loadshedding Committee can take it into consideration. A revised application was submitted to Eskom on 22 August 2024. The Stellenbosch Load Curtailment Application Finalization meeting with Eskom was held on 15 October 2024 to finalize the load curtailment application. Eskom will respond in writing to the Municipal request submitted previously.

Given the considerable amount of time, effort and resources put into this Application, and the fact that Eskom has changed their advice to the Municipality on multiple occasions and has not formally responded to the submitted applications, the Municipality is now considering making the Load-Shedding mitigation aspect of the AEG programme a secondary objective. The primary objective now is to mitigate the rising cost of Electricity from Eskom, especially since Loadshedding has not returned for more than 200 days.

- 4.2** A tender for the purchase of 20MW of electricity from an Independent Power Producer (IPP), was conditionally approved by the BAC on 16th September 2024. Consultation with the successful bidder to conclude the Power Purchase Agreement (PPA) will commence after the 21-day appeal period. A kick-off meeting was held with the winning bidder on 25 October 2024. The initial award was subject to appeal which has now lapsed. No appeals were received, and the contract is now conditionally awarded.

- 4.3** The Supervisory Control and Data Acquisition (SCADA) project is on track with the implementation of remote viewing at six of the seven main substations completed under Phase 1 of the project in the 2023/2024 financial year. Phase 2 of the project commenced in October 2024 and will include the complete plant to master station verification/testing and implementation of remote switching at Gholf-, Jan Marais-, Markotter, Suidwal- and Cloetesville substations as well as the installation of the SCADA system and implementation of remote viewing and remote switching at Franschoek substation, which could not be completed in Phase 1.

The two remaining main substations (Main and University) can only be completed once the project to replace the 66kV switchgear at the two substations are completed. According to the project programme for implementing the 66kV switchgear at Main- and University substations, the project is planned to be completed in March 2025.

- 4.4** All municipal buildings that require alternative energy supplies are being investigated as part of the AEG initiatives. The municipality has successfully applied for grant funding of R5 million from DMRE Energy Efficiency Demand Side Management for 2024/25 financial year. This funding will be utilized for the installation of energy efficient lighting in Municipal offices and buildings, retrofitting of LED streetlights and the installation of two PV installations on critical plant buildings. These initiatives are driven by the South African National Energy Development Institute (SANEDI) & Department Mineral Resources and Energy (DMRE). This grant funding will also be utilized to ensure compliance to energy performance certificates (EPC's). The EPC have been completed and is registered on the SANEDI website.

- 4.5** The contract for the Stellenbosch Fire Station battery storage system is in construction with a contractual completion date of end November 2024. The Main (Neethling Huis Building) and NPK buildings have been earmarked for Business Continuity Initiatives, which entails the installation of BESS, Hybrid Inverters and PV, investigations are currently underway. An assessment report including estimated costs to establish the feasibility of the implementation of the projects was prepared on the 26 August 2024.

- There were certain recommendations made by the user department which will be submitted to the AEG Committee. The revised report for the NPK building is being reviewed by the user department before submitting to the AEG committee. A meeting with the Department: Electrical Services was held on 17 October to consider the options tabled. The Department must decide which option to implement.

4.6 Provincial Initiatives

4.6.1 Provincial Initiative to Establish a 50MW Solar Plant:

- Feasibility Study for the 50 MW MIPPP item was approved by Council in August 2024.
- The Transactional Advisory (TA) Team met with Stellenbosch Municipality and Eskom to determine the next procurement steps. An Expression of Interest has been advertised on the 7th of September 2024.
- On the 24th of July 2024 the office of the Premier sent a letter to Eskom regarding the MIPPP projects in the province and the Eskom areas of concern. Eskom acknowledged the letter from the Premier's office but did not adequately

address any of the issues, however agreed to an engagement with the Western Cape Government. The TA team met with the Municipality to scrutinize the Eskom response in detail and there was cause for concern regarding the response from Eskom. Very little detailed responses were provided by Eskom, and they (Eskom) suggested that the Municipality cannot be treated as a load curtailment customer. The Premier's letter request was for a clear written response from Eskom.

- At a follow up meeting with the TA team, Provincial Government officials and the Municipality, the different steps (technical, financial and legal) were discussed and considered. A risk assessment was suggested, which includes legal and finance elements to assist in the drafting of the Request for Proposal (RFP). At this meeting the CFO recommended that the formal SCM processes and BSC will be followed. The RFP document is planned to be completed by January 2025.
- Eskom's stance is a concern for the TA team and further engagements with Eskom are planned to unpack wheeling generation capacity. All the risks indicated in the letter from Eskom will be prepared by the TA team which will be served in the next Council's Alternative Energy Generation Programme item.
- An extreme concern is that there are no decisive answers from Eskom. The Council must be informed that the project cannot be supported without clear answers, because the Provincial Government is expending costs on the Transaction Advisor and Project Management firm consultancy fees. Updates on the project are crucial to keep Council informed. The Provincial Government colleagues were requested to intervene with Eskom on behalf of the Municipality as well.

4.6.2 Provincial Project: Municipal Pooled Buying initiative

Following Stellenbosch's and the City of Cape Town's input after reviewing the Pool Buying report, it was indicated by Province that this project has been put on hold until further notice. A further workshop was held with the Finance colleagues regarding the World Bank financing platform for municipalities.

5. RECOMMENDATION

that Council notes the Alternative Energy Generation project updates identified by the AEG Committee and the latest progress with the Alternative Energy Generation projects in implementation at present.

6. DISCUSSION / CONTENTS

6.1 Background

The Constitution did not allow Local Government to enter into the generation of electricity and the Electricity Regulation Act did not allow municipalities to purchase electricity from any company other than Eskom. Through the promulgation of Electricity Regulation Act Regulations, on 16 October 2020, this changed, and municipalities are now allowed to generate electricity and purchase electricity from other electricity providers other than Eskom.

6.2 Discussion

Progress to date on the various initiatives are as follows:

6.2.1 Outcome of Eskom Engagements

The draft application for load curtailment was submitted to Eskom on 07 March 2024 and is due to serve at the Eskom Loadshedding Committee. Eskom's initial indications was that this application would serve at the April 2024 Loadshedding Committee, however confirmation has been received from Eskom that the application has not served yet. At the meeting held on 31 July 2024, further proposals were provided by Eskom for the Municipality to amend the current application so they Eskom's Loadshedding Committee can take it into consideration. A revised application was submitted to Eskom on 22 August 2024. Stellenbosch Municipality's Load Curtailment Application finalization meeting with Eskom was held on 15 October 2024 to finalize the load curtailment application. Eskom will respond in writing to the Municipality's request submitted previously.

6.2.2 Proposed Load Curtailment Strategy

Taking the above into consideration the following load shedding mitigation strategies are being facilitated in Item 6.2.3:

6.2.3 Municipal Initiatives**6.2.3.1 Appointment of Alternative Energy Independent Power Producers (IPP's)**

A tender for the purchase of 20MW of electricity from an Independent Power Producer (IPP), was conditionally approved by the BAC on 16h September 2024. Consultation with the successful bidder to conclude the Power Purchase Agreement (PPA) will commence after the 21-day appeal period. An initial award was subject to appeal which has now lapsed. No appeals were received and the contract is now conditionally awarded to Energy Partners. The 20MW kick-off meeting was held with the winning bidder on 25 October.

Possible second tender: Three sites were identified by Stellenbosch Municipality with the view to establishing the IPP's. The Municipality is continuing to facilitate a possible separate tender process to procure IPP's as follows:

- Erf RE/119 Idas Valley for possible Biomass.
- Erf 181/0 Stellenbosch (below reservoir) for possible photovoltaic site.
- Erf 279/0 Stellenbosch (Droëdyke site opposite the landfill) for a possible photovoltaic site.

As a result of extensive investigations that are still required to be conducted to ensure that the tender specifications adhere to the Municipality's needs and ensure the responsiveness of bidders, this tender will be the second tender to be issued. The Municipality is continuously engaging with other Municipalities who are also following the same process to learn from their experiences, but a decision on this tender will only be taken once the conclusion of the 20 MW IPP tender appointment process has been finalized.

6.2.3.2 Implementation of Supervisory Control and Data Acquisition (SCADA)

The Supervisory Control and Data Acquisition (SCADA) project is on track with the implementation and the fitting of main substations with the additional equipment to enable remote monitoring (Phase 1). Six main substations have been brought online i.e. Main 11 kV, Golf 66 kV & 11 kV, Jan Marais 11 kV, Markotter 66 kV & 11 kV, Suidwal 66 kV & 11 kV, University 11 kV and Cloetesville 66 kV & 11 kV substations.

Franschhoek substation will only come online in 2024-2025 financial year. Main, Markotter and University 66 kV substations' remote viewing are scheduled for completion in the 2024/2025 financial year pending the completion of the 66 kV circuit breaker replacement. The 66kV circuit breaker upgrade project is planned to be completed in March 2025. The primary purpose for the SCADA upgrade was for the safe operation of the electricity network and meeting statutory requirements

6.2.3.3 Municipal Critical Buildings and Plants

All municipal buildings that require alternative energy supplies are being investigated as part of the AEG initiatives. The municipality has successfully applied for grant funding of R5 million from DMRE Energy Efficiency Demand Side Management for 2024/25 financial year. This funding will be utilized for the installation of energy efficient lighting in Municipal offices and buildings, retrofitting of LED streetlights and the installation of two PV installations on critical plant buildings. These initiatives are driven by the South African National Energy Development Institute (SANEDI) & Department Mineral Resources and Energy (DMRE). This grant funding will also be utilized to ensure compliance to energy performance certificates (EPC's). The EPC have been completed and registered on the SANEDI website.

The investigation for the most suitable alternative energy for the key infrastructure (water- and wastewater plants) is underway, to ensure continued service delivery.

The progress on the four municipal buildings identified for business continuity is:

- Fire Station The tender for the Stellenbosch Fire Station battery storage system as awarded and construction work will be completed by 30 June 2025.
- NPK Building – Investigation for the most feasible option is underway.
An assessment report including estimated costs to establish the feasibility of the implementation of the projects was prepared on the 26 August 2024. There were certain recommendations made by the user department which is being added to the proposal before submission to the AEG Committee. The revised report is being reviewed by the user department before submitting it to the AEG committee.
- Main Building (Neethling Huis) – Site visits have been conducted and the Department is in the process of procuring contractors to conduct repairs as well as to ensure compliance with EPC's. Electricity compliancy inspections as well as a fire compliance inspection have been completed. A report with recommendations has been submitted. The municipality has successfully applied for grant funding of R5 million from DMRE Energy Efficiency Demand Side Management for 2024/25 financial year. This funding will be utilized for the installation of energy efficient lighting, retrofitting of LED streetlights and the installation of two PV installations on critical plant buildings. Energy performance certification - Energy specialist company EMVS assigned who

will drive the process. Building registration was done. Building information inspection documentation has been completed and registered on the SANEDI website.

A report with proposals on four Wastewater Treatment Plants and two Water Treatment Plants which will benefit the most from batteries and PV submitted by consultant on 30 of September for consideration.

6.3 Financial Implications

This report has further financial implications to the municipality than what has been mentioned in this report, but the exact impact will only become known once all the investigations have been concluded. R20 million in the 2024/2025 financial year has been budgeted for the implementation of the Alternative Energy initiatives to ensure that upgrades to the electrical network are conducted enabling Alternative Energy initiatives.

6.4 Legal Implications

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

6.5 Staff Implications

A minimum of 4 staff members will be required to operate a Remote Switching control room which is required to enable self loadshedding, should it be required in future.

Further to the above, specialized technical staff would be required to facilitate and implement the loadshedding initiatives. The department has identified vacancies that are required for the implementation of Alternative Energy initiatives and presented the same to Management for consideration and approval.

6.6. Previous / Relevant Council Resolutions

23RD COUNCIL MEETING: 2024-06-14: ITEM 10.6.1

NOTED

The Alternative Energy Generation project updates identified by the AEG Committee and the latest progress with the Alternative Energy Generation projects in implementation at present.

“40TH COUNCIL MEETING: 2021-01-27: ITEM 11.5.1

RESOLVED (nem con)

- (a) that Council approves the investigation into alternate methods of electricity generation and purchases.
- (b) that Council approves the joint investigation to be done by University of Stellenbosch, Council for Scientific and Industrial Research (CSIR), and the Western Cape Government.

- (c) that Council accepts the initiating of the following processes as may be required:
- i. Municipal Systems Act, Section 78(1) processes
 - ii. Municipal Finance Management Act, Section 33 investigation processes
 - iii. Electricity Regulation Act, Section 13; and
- (d) that Council considers the funding of such investigations and implementation of completed investigations within the determination of the 2021/22 budget process.

16TH COUNCIL MEETING: 2023-08-23: ITEM 11.6.3

NOTED

The progress of the Alternate Energy Generation initiatives and studies.

20TH COUNCIL MEETING: 2024-02-21: ITEM 11.6.1

NOTED

The Alternative Energy Generation strategies identified by the AEG Committee and the progress with the Alternative Energy Generation projects initiated.

6.7

Risks / Challenges: Implications and Mitigation:

- With both initiatives (Municipal 20 MW tender and Provincial 50 MW proposed tender) currently underway, Provincial Government has raised concerns about the Municipal 20 MW tender which has been conditionally awarded. The PGWC were requested to submit their concerns in writing to the Municipality.
- Various engagements were held between the Municipal specialist service provider, municipal officials, Provincial Government Transactional Advisory consortium and the Provincial Government's Project Manager to mitigate the possible conflict between the two projects.
- The implementation of the load shedding mitigation strategies is still subject to the approval of the municipality's load curtailment application by Eskom's Load Shedding Committee. Regular follow-up engagements are being held with Eskom and the Municipality's revised application is being interrogated by Eskom at present. Of concern, is Eskom's response to the Premier's letter where it was stated that the Municipality cannot be considered as a Load-Curtailment customer.
- The capital upgrades costs is being implemented by the Department in phases as the upgrades to the electrical network and has budgeted accordingly.
- The identified resources (vacancies and equipped operational control room) will be budgeted for the strategies and initiatives to be realised.

- The existing ICT network infrastructure needs to be upgraded, but it will be a phased in approach over time, so that the existing bandwidth of the ICT network is sufficient to deal with the volume of the SCADA traffic. The ICT Department is investigating solutions to enable a functioning SCADA on the ICT network.
- The preliminary simulations investigation that was conducted by the Municipality revealed that the maximum suitable size for a solar plant without batteries that can be absorbed into the Stellenbosch network is 20MW at the Stellenbosch Main substation.
- The feasibility study revealed that the maximum capacity that the Stellenbosch Electrical network can accommodate is up to 50 MW.

6.8 Comments from Senior Management:

6.8.1 Director: Corporate Services

The ICT department is part of the planning regarding the SCADA monitoring project. Additional staff must be appointed once the project of SCADA installation is completed to monitor the equipment. The organogram will have to be amended for this process.

6.8.2 Municipal Manager

Requested item on agenda.

FOR FURTHER DETAILS CONTACT:

NAME	<i>Nombulelo Zwane / Rendani Makungo</i>
POSITION	<i>Senior Manager: Electrical Services</i>
DIRECTORATE	<i>Infrastructure Services</i>
CONTACT NUMBERS	<i>021 808 8770/ 021 808 8333</i>
E-MAIL ADDRESS	<i>nombulelo.zwane@ Stellenbosch.gov.za / rendani.makungo@ Stellenbosch.gov.za</i>
REPORT DATE	<i>08 November 2024</i>

7.6.2	SAFER PEDESTRIAN ROUTES PROGRAM
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

21 November 2024

1. SUBJECT: SAFER PEDESTRIAN ROUTES PROGRAM**2. PURPOSE**

For Council to note and to support the roll-out of the Safer Pedestrian Routes Program.

3. DELEGATED AUTHORITY

Municipal Council.

4. EXECUTIVE SUMMARY

The municipality's primary strategy is to create a safe environment for all who live, work in and visit Stellenbosch. Other Municipal strategies include the promotion and prioritizing of Non-Motorized Transport (NMT), this is currently being achieved through continuous improvement and expansion of the NMT network.

Instances of crime have escalated and are at extremely high levels, putting the safety of the community at risk, pedestrians and cyclists using NMT routes and roadways are the most vulnerable to crime. The Municipality therefore proposes to commence and roll-out the Safer Pedestrian Routes Program focussed on improving safety for pedestrians and cyclist on the Municipality's pedestrian routes and roadways.

The Municipality has proceeded with the identification of routes used by pedestrians and cyclist travelling to Stellenbosch Central. The Provincial Department has assisted and compiled diagrams highlighting these identified routes. The identified routes will form the basis of the Safer Pedestrian Routes Program. See attached **ANNEXURE A: Diagrams of Safer Routes to Stellenbosch Town Centre (A1 – A10)**.

The Safer Pedestrian Routes Program has the following objectives:

- Creating awareness to road uses
- Grass cutting and vegetation control
- Improve visibility
- Improve safety

To commence the roll-out of the Program, a plan detailing the phased roll-out must be compiled. To further aid implementation of the program, its objectives are to be listed as agenda items on existing engagement platforms such as the:

- Community Safety Forum (CSF)
- NMT Working Group
- Joint Meetings between the University and the Municipality

5. RECOMMENDATIONS

- (a) that Council notes the need for, and roll-out of, the Safer Pedestrian Routes Program;
- (b) that Council supports the Safer Pedestrian Routes Program in principle;
- (c) that a plan detailing the phased roll-out must be compiled and the feasibility of expanding the Program to other areas in the WC024 be investigated;
- (d) that Safer Pedestrian Routes Program be advertised for public comment; and
- (e) that upon the completion of the public participation process, together with any comments/objections, the item be resubmitted to Council for final approval and adoption.

6. DISCUSSION / CONTENTS**6.1 Background**

The municipality's primary strategy is to create a safe environment for all who live, work in and visit Stellenbosch. Other Municipal strategies include the promotion and prioritizing of Non-Motorized Transport (NMT), this is currently being achieved through continuous improvement and expansion of the NMT network.

Instances of crime have escalated and are at extremely high levels, putting the safety of the community at risk, pedestrians and cyclists using NMT routes and roadways are the most vulnerable to crime. A need has arisen to urgently address the safety of pedestrians and cyclist in Stellenbosch.

The Municipality therefore proposes to commence and roll-out the Safer Pedestrian Routes Program focussed on improving safety for pedestrians and cyclist on the Municipality's pedestrian routes and roadways.

The Safer Pedestrian Routes Program will serve as a catalyst for realising safer pedestrian routes in Stellenbosch it is also envisaged that the programme be expanded to the broader Municipal area in future.

6.2 Discussion

Engagements were held, inter-departmentally, with Ward Councillors, Stellenbosch University and Provincial Transport officials.

The Municipality has proceeded with the identification of routes used by pedestrians and cyclist travelling to Stellenbosch Central. The Provincial Department has assisted and compiled diagrams highlighting these identified routes. The identified routes will form the basis of the Safer Pedestrian Routes Program. See attached **ANNEXURE A: Diagrams of Safer Routes to Stellenbosch Town Centre (A1 – A10)**.

The Safer Pedestrian Routes Program has the following objectives:

- **Creating awareness to road uses**
Crime hot spots along pedestrian routes are to be designated with appropriate signage informing pedestrians and other road users of potential dangers.

- **Grass cutting and vegetation control**

Cutting back vegetation to remove obstruction. Vegetation on sidewalks may obstruct drivers' sight distances and impede pedestrian movements, creating potentially unsafe conditions.

- **Improve visibility**

The identification and implementation of appropriate street and sidewalk lighting along pedestrian routes and roadways.

- **Improve safety**

The identification of locations where cameras are needed, and the implementation thereof. Increased presence of Law Enforcement and increase in patrols by SAPS, Campus Security, and Neighbourhood Watch Organizations

To commence the roll-out of the Program, a plan detailing the phased roll-out must be compiled. To further aid implementation of the program, its objectives are to be listed as agenda items on existing engagement platforms such as the:

- Community Safety Forum (CSF)
- NMT Working Group
- Joint Meetings between the University and the Municipality

6.3. **Financial Implications**

To be determined.

6.4 **Legal Implications**

None

6.5 **Staff Implications**

This report has no staff implications to the Municipality.

6.6 **Previous / Relevant Council Resolutions:**

None

6.7 **Risk Implications**

This report has no risk implications for the Municipality.

6.8 **Comments from Senior Management:**

Was not circulated for comment.

6.8.1 **Municipal Manager:**

Agree with the recommendations

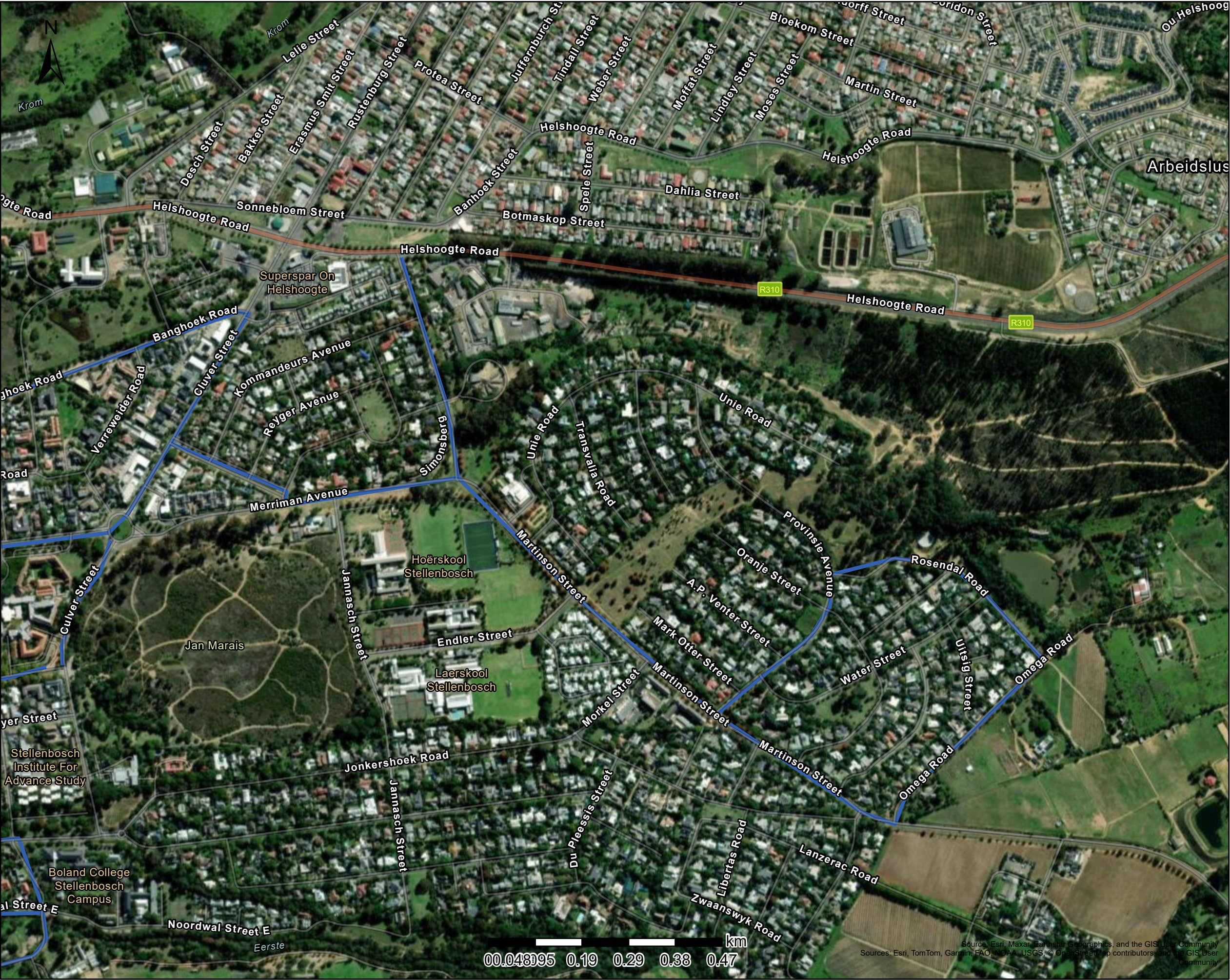
ANNEXURE A DIAGRAMS OF SAFER ROUTES TO STELLENBOSCH TOWN CENTRE**ANNEXURE A1: Ward 7 to Town Centre - Safe Routes****ANNEXURE A2: Ward 8 to Town Centre - Safe Routes****ANNEXURE A3: Ward 9 to Town Centre - Safe Routes****ANNEXURE A4: Ward 10 to Town Centre - Safe Routes****ANNEXURE A5: Ward 11 to Town Centre - Safe Routes****ANNEXURE A6: Ward 22 to Town Centre - Safe Routes****ANNEXURE A7: Ward 23 to Town Centre - Safe Routes****ANNEXURE A8: Kayamandi to Town Centre - Safe Routes****ANNEXURE A9: Idas Valley to Town Centre - Safe Routes****ANNEXURE A10: Cloetesville to Town Centre - Safe Routes****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	13 November 2024

ANNEXURE 1

ANNEXURE A
DIAGRAMS OF SAFER ROUTES
TO STELLENBOSCH TOWN
CENTRE

Ward 7 to town centre safe routes



Map Center: Lon: 18°53'5.5"E
Lat: 33°55'47.5"S

Scale: 1:9,028
Date created: 2024/11/11

Ward 8 to town centre safe routes



Map Center: Lon: 18°52'8.7"E
Lat: 33°56'13.1"S

Scale: 1:4,514
Date created: 2024/11/11



Western Cape
Government
FOR YOU

Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community
Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

Ward 9 to town centre safe routes



Map Center: Lon: 18°51'50.3"E
Lat: 33°56'14.8"S

Scale: 1:4,514
Date created: 2024/11/11



Western Cape
Government
FOR YOU

Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community
Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

This is an aerial map of the Papegaaiberg area in Stellenbosch, South Africa. The map features a north arrow in the top left corner and a scale bar at the bottom, ranging from 0 to 0.47 km. A blue line outlines the Papegaaiberg area, which is a prominent geographical feature. The map shows a dense network of streets, including George Blake Street, Adam Tas Street, and La Colline Road. Key locations labeled include Papegaaiberg, Plankenbrug, La Colline, and Stellenbosch. The map also shows the R44 road, the Railway Station, and the Van Der Stel Tennis Stadium. The map is overlaid with a blue line representing the Papegaaiberg area.



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Government**
FOR YOU

Ward 11 to town centre safe routes



Legend

Map Center: Lon: 18°50'47.3"E
Lat: 33°56'26.5"S

Scale: 1:9,028

Date created: November 11, 2024

Ward 22 to town centre safe routes



Map Center: Lon: 18°51'38.7"E
Lat: 33°56'37.9"S

Scale: 1:9,028
Date created: 2024/11/11



Western Cape
Government
FOR YOU

Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community
Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

Ward 23 to town centre safe routes



Map Center: Lon: 18°51'23.7"E
Lat: 33°55'46.9"S

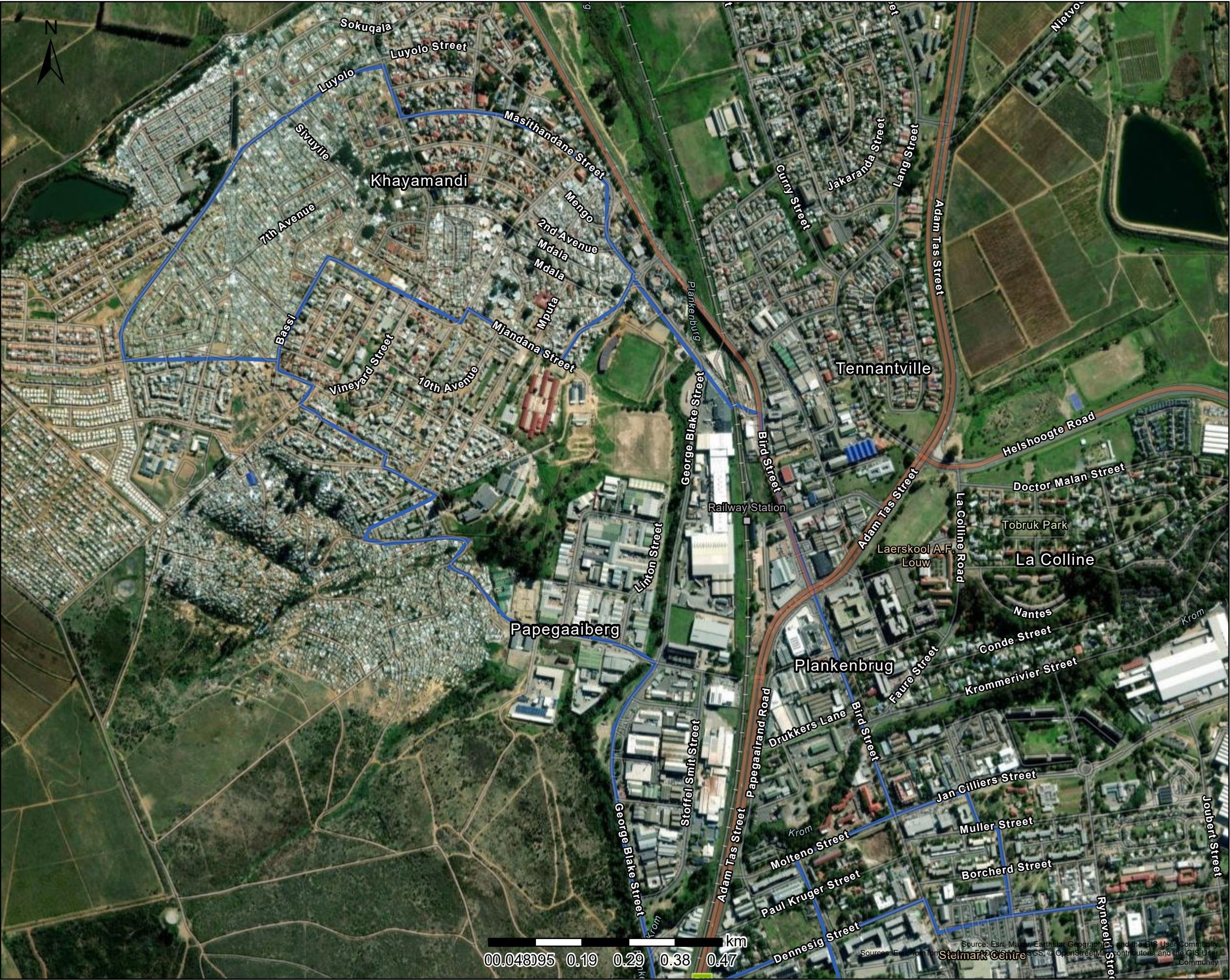
Scale: 1:9,028

Date created: 2024/11/11



**Western Cape
Government**
FOR YOU

Kayamandi to town centre safe routes



Map Center: Lon: 18°51'4.1"E
Lat: 33°55'22.8"S

Scale: 1:9,028
Date created: 2024/11/11



Western Cape
Government
FOR YOU

Idas Valley to town centre safe routes



Map Center: Lon: 18°53'16.1"E
Lat: 33°55'13.9"S

Scale: 1:9,028
Date created: 2024/11/11



Western Cape
Government
FOR YOU

Cloetesville to town centre safe routes



Map Center: Lon: 18°51'32.5"E
Lat: 33°54'40.3"S

Scale: 1:9,028
Date created: 2024/11/11



Western Cape
Government
FOR YOU

Source: Esri, Maxar, Earthstar, GeoGraphics, and the GIS User Community
Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

7.6.3	REQUEST FOR THE CLOSURE OF NAGTEGAAL ROAD, ONDER-PAPEGAAIBERG
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

21 November 2024

1. SUBJECT: REQUEST FOR THE CLOSURE OF NAGTEGAAL ROAD, ONDER-PAPEGAAIBERG

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 had received requests from the public, for the permanent closure of Nagtegaal Road, at its intersection with Devon Valley Road, Onder-Papegaaiberg.

Nagtegaal Road is a narrow access road, 130m long, connecting the Devon Valley Road to Hoepe-Hoep Road. The road provides access to 38 erven but is being used as a “short cut” link between Devon Valley Road and the residential area. Nagtegaal Road has not been designed, and is therefore not suited, to accommodate the cut-through traffic.

In March 2024, the Municipality commissioned a detailed Traffic Impact Study (Annexure A) to confirm the nature and extent of the traffic impacts. The outcomes of the Traffic Impact Study supported the closure of Nagtegaal Road thus the Infrastructure Directorate has no objection to the proposed closure of the road.

Furthermore, the closure of the road would have negligible impact on the mobility of traffic through the area as well as current traffic patterns. Due the nature of proposed closure of the road as well as the impact of the residents in Nagtegaal Road and Hoep Hoep Road, it is proposed that a public participation process be followed first, after which the Item will return to Council for approval.

5. RECOMMENDATIONS

- (a) that the contents of this report, and its **ANNEXURE** be noted;
- (b) that the Proposed Nagtegaal Road Closure be duly advertised for public comment; and
- (c) that upon the completion of the public participation process, together with any comments/objections, the item be resubmitted to Council for final approval and adoption.

6. DISCUSSION / CONTENTS**6.1 Background**

The Municipality had received requests from the public, for the permanent closure of Nagtegaal Road, at its intersection with Devon Valley Road in Onder-Papegaaiberg.

Requests received, dating back to 2020, comprises a report and a signed petition submitted to the Municipality by members of the community. Several submissions through the public participation processes of the Municipality's Integrated Development Plan (IDP) were also received.

6.2 Discussion

Nagtegaal Road is a narrow access road, 130m long connecting Devon Valley Road to Hoepe-Hoep Road. The road provides access to 38 erven but is used as a "short cut" link between Devon Valley Road and the residential area. Nagtegaal Road has not been designed, and is therefore not suited, to accommodate the cut through traffic.

In March 2024 the Municipality commissioned a detailed Traffic Impact Study (**Annexure A**) to confirm the nature and extent of the traffic impacts. The Traffic Impact Study recommended that:

- Nagtegaal Road be closed for the following reasons:
 - o To stop all cut through traffic.
 - o To reduce vehicle operating speeds on Nagtegaal Road.
 - o To improve traffic safety on Nagtegaal Road.

Due to the impact that the closure would have on current traffic patterns as well as residents in Nagtegaal Road and Hoepe-Hoep Road, it is proposed that a public participation process be followed.

It should be noted that the closed off section at the bottom of the road must be able to accommodate a turnaround point for fire truck/emergency and refuse vehicles. Therefore, on final approval, budget must be allocated to design and implement the closure and turnaround point. See Locality Plan below:



Fig 1: Locality Plan

6.3 Financial Implications

If final approval is obtained, an estimated cost for implementation is R500 000.

6.4 Legal Implications

Complies with legislative requirements

6.5 Staff Implications

No additional staff implications

6.6 Previous / Relevant Council Resolutions:

None

6.7 Risk Implications

The road is not designed to receive cross cutting traffic and is therefore unsafe if used in that manner.

6.8 Comments from Senior Management:

Not circulated for comment.

6.8.1 Municipal Manager:

Agree with the recommendations

ANNEXURE A: TRAFFIC IMPACT STUDY**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	13 November 2024

ANNEXURE A



CONTRACT NO.: BSM 50/23-TT.3

NAGTEGAAL ROAD CLOSURE

TRAFFIC IMPACT STUDY
STELLENBOSCH MUNICIPALITY
ELECTRONIC SUBMISSION

R00001176/TP-2/WP-2/00

28/06/2024



“It always seems impossible, until it is done.”

Nelson Mandela

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Report QMS

Revision	Date	Originator	Reviewer	Sign off	Description
Rev 00 – Draft 1	20 June 2024	Zenzile Mhlangu	Nick Platte	Christoff Krogscheepers	For Internal Review
Rev 00 – Final Draft	28 June 2024	Zenzile Mhlangu	Nick Platte	Christoff Krogscheepers	For Client Comments

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ANNEXURE A: TRAFFIC COUNT SHEETS

1 INTRODUCTION

Stellenbosch Municipality commissioned the study to evaluate the closure of Nagtegaal Road as part of the BSM 50/23-TT.3 appointment. Nagtegaal Road is within in a residential area, to the north of Adam Tas Road (R310) and Devon Valley Road and to the south of Onder-Papegaaiberg. Refer to Figure 1 for a locality map.

The study was initiated to respond to requests from the public to close the road into the neighbourhood from Devon Valley Road. Concerns from the residents have been raised regarding high traffic volumes and vehicle speeds along the road.

The site was observed, and traffic volumes were collected to understand the existing situation. These were used to support the recommendations to Council. The findings of the data collection, impact of the closure and recommendations of the assessment are provided herein.



Figure 1: Locality Map

2 ACCESS SPACING

According to the *Stellenbosch Municipality Roads Master Plan Road Infrastructure*, Devon Valley Road is classified as a Class 4 Collector and Nagtegaal Road is a Class 5 Local Street. Refer to Figure 2 for an extract of the road classification.

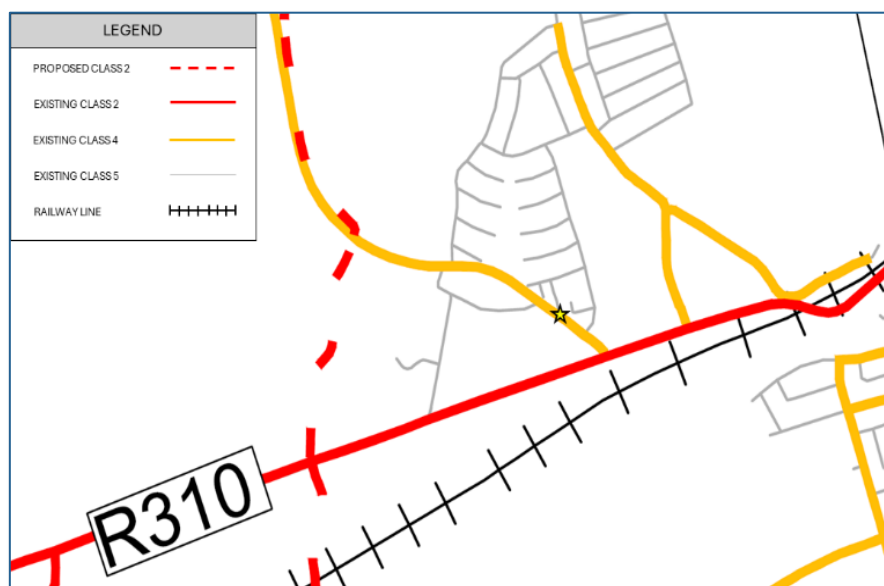


Figure 2: Functional Road Classification

In accordance with the *WCG AMG guidelines Figure 12-13: Class 4 minimum spacing distances*, the spacing requirements between a full unsignalised intersection and a low-volume driveway (Nagtegaal Road) should be a minimum of 115m within the existing roadside development environment of the area (suburban). The Nagtegaal Road intersection is located approximately 30m north of the Winery Road/Tarentaal Road/ Devon Valley Road roundabout. Accordingly, the spacing of the intersections is significantly less than the recommended minimum spacing contained within the latest provincial guidelines.

3 DATA COLLECTION

3.1 EXISTING TRAFFIC VOLUMES

Peak period intersection turning movement counts were done on Friday, 26 April 2024 from 06:30 to 08:30 and 16:00 to 18:00. The surveys were performed at the three nearby intersections of the neighbourhood, namely Devon Valley Road/Nagtegaal Road, Winery Road/Tarentaal Road/ Devon Valley Road and Tarentaal Road/ Hoep-Hoep Road. Refer to Figure 3 and Figure 4 for a summary of the existing turning movement volumes during the weekday AM and PM peak hours at the intersections. Based on the data collected it can be concluded that at most between 15 and 30 vehicles per hour use Nagtegaal Road during the commuter peaks during a typical weekday. Around 80% of the traffic entering and exiting the area use the Nagtegaal Road/Devon Valley Road intersection to access the neighbourhood.

Annexure A contains the detailed traffic count sheets.

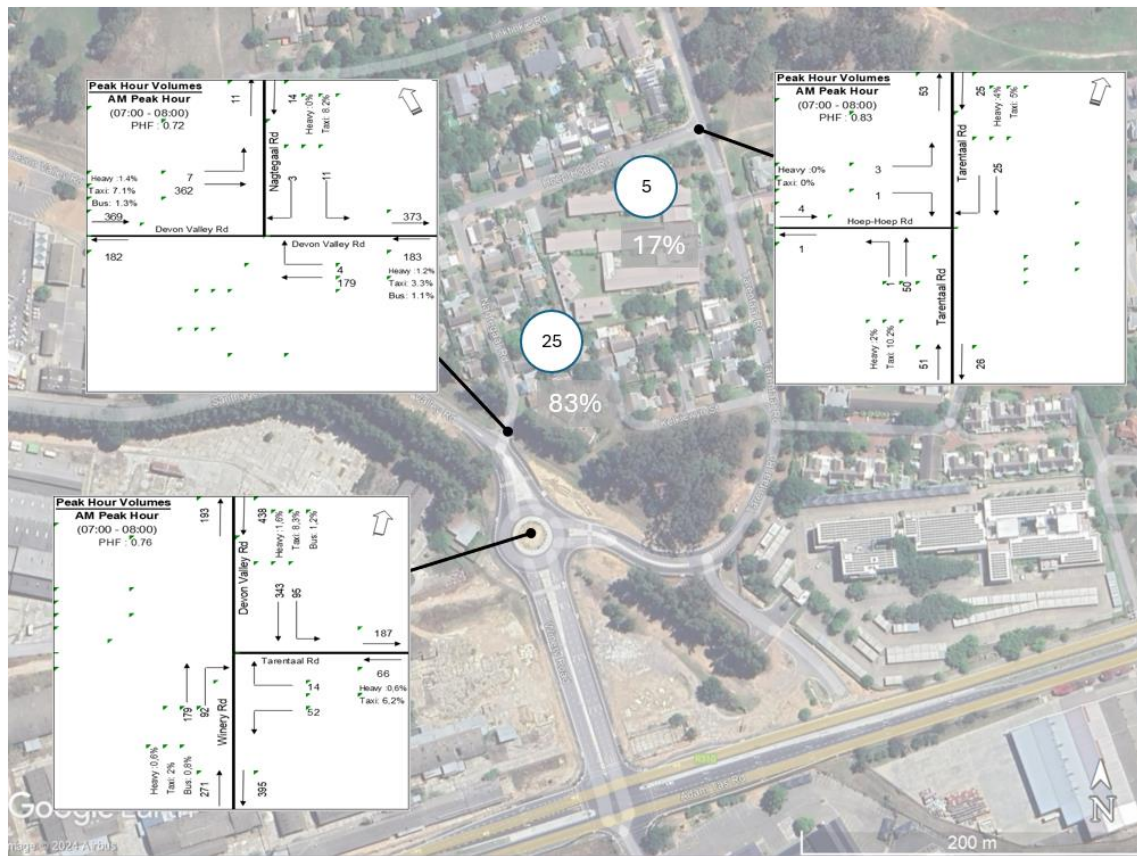


Figure 3: Existing Weekday AM Peak Hour Traffic Counts

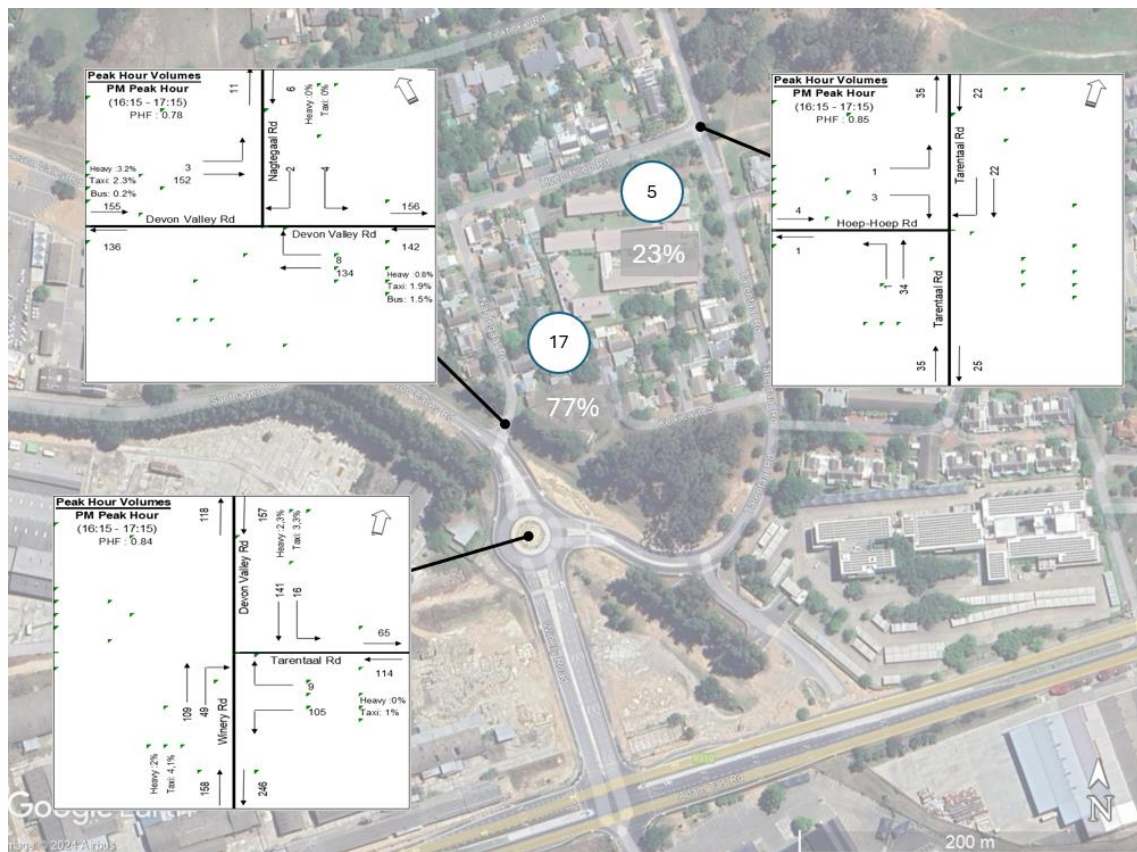


Figure 4: Existing Weekday PM Peak Hour Traffic Counts

3.2 PROBE DATA ASSESSMENT

In addition to the intersection turning movement counts, anonymised vehicle probe data associated with vehicles with tracking devices were assessed to provide additional understanding of the vehicle travel patterns and speed profiles.

3.2.1 Origin-destinations

Origin-destination patterns were evaluated with a representation of the vehicle paths along the network illustrated in Figure 5. Over the course of a full day, the data indicates traffic 15% of the traffic from Devon Vallei Road (to/from the west) use Nagtegaal and Hoep-Hoep roads to access Tarentaal Road. The remaining 85% of the traffic originate and are destined within the neighbourhood. The assessment confirms the shorter route is used by users familiar with the area or potentially directed by navigational applications.

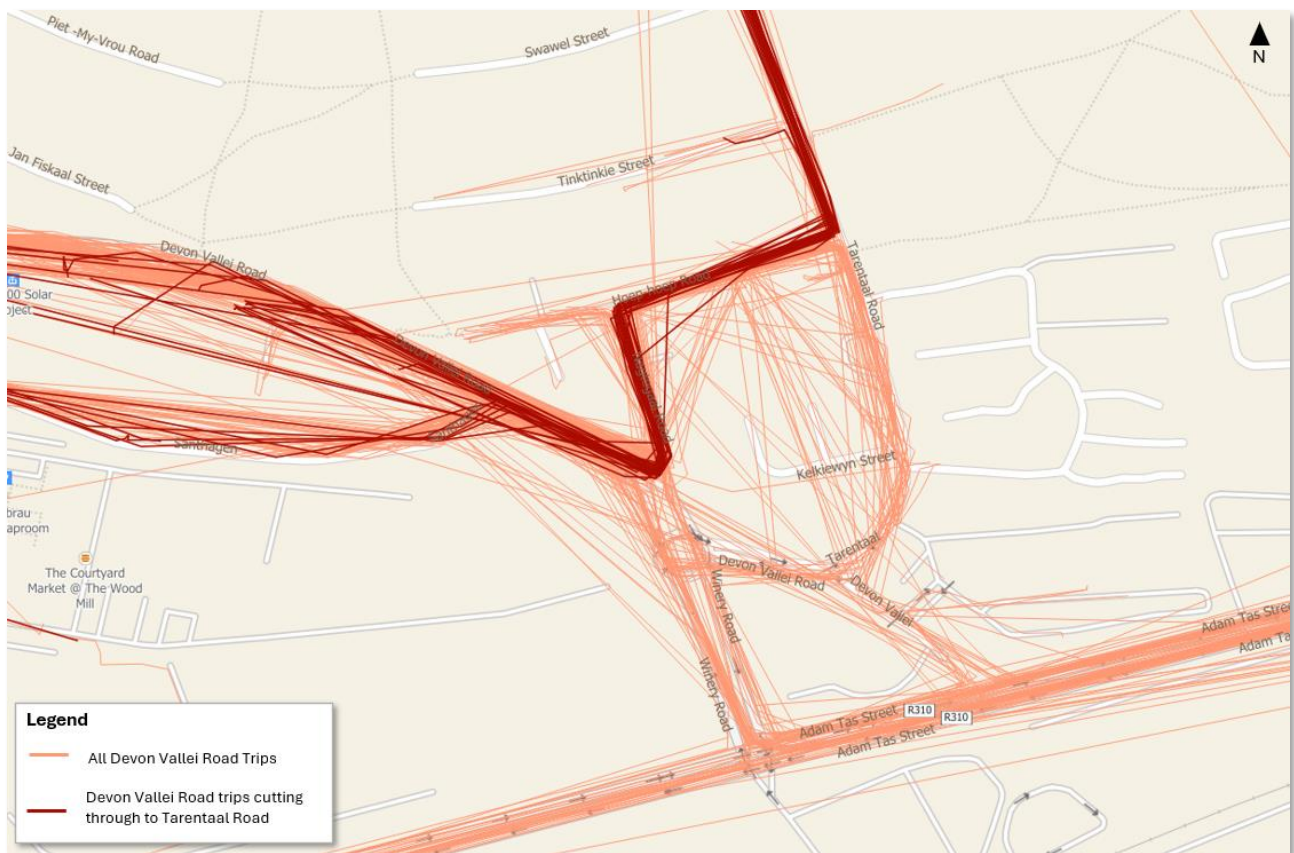


Figure 5: Devon Valley Road - Nagtegaal Cut Through Traffic

3.2.2 Vehicle Speeds

Nagtegaal Road was visited by the authors of the report, and it was determined that vehicle speeds can easily reach 40km/h if intended. The vehicle probe speed data as summarised in Figure 6 confirmed these observations. However, the average speeds of the traffic that forms part of the data set is 20km/h.

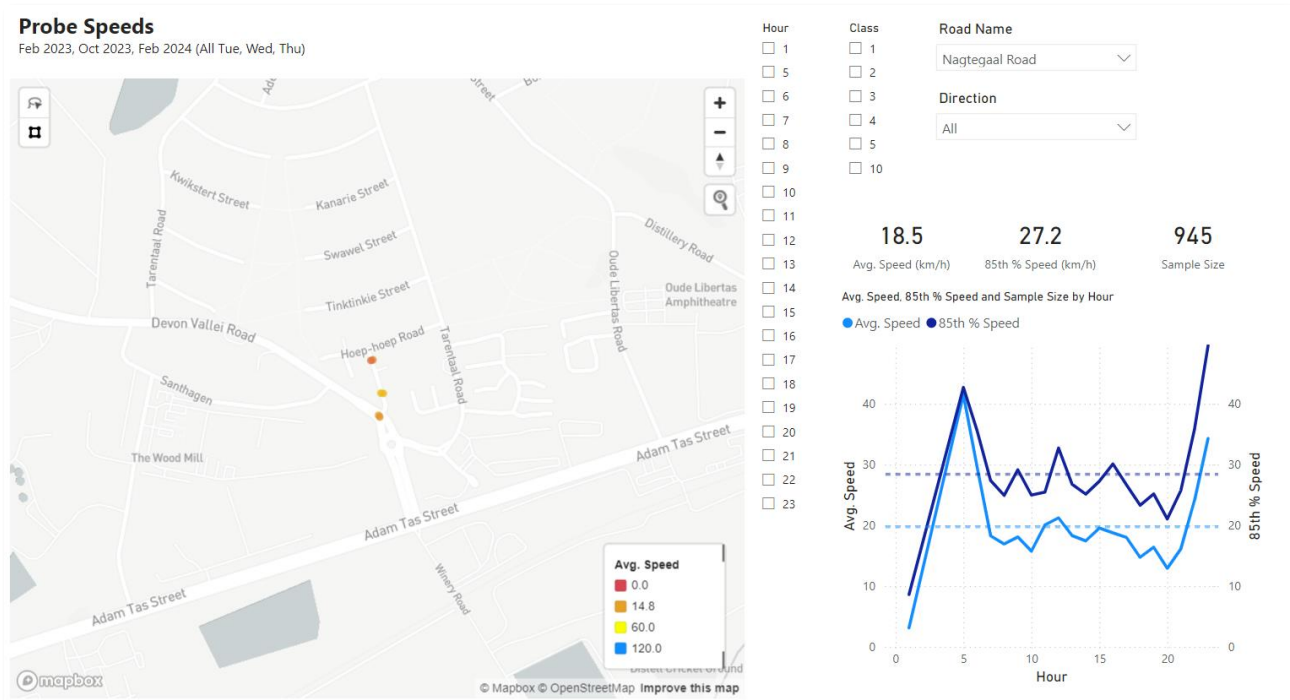


Figure 6: Vehicle Speed Data Summary

4 IMPACT OF CLOSURE

4.1 TRAFFIC VOLUMES AND INTERSECTION OPERATIONS

Based on the survey results, a total traffic volume of 25 and 17 total trips were observed during the weekday AM and PM peak hours respectively at the Devon Valley Road/ Nagtegaal Road intersection. Five (5) trips were observed for both the AM and PM peak hours at Hoep-Hoep Road/Tarentaal Road intersection. Thus, the majority (approximately 80 percent) of the traffic flows through the Nagtegaal Road/ Devon Valley Road intersection in comparison with the Hoep-Hoep Road/ Tarentaal Road intersection. The 25 vehicles per hour are considered low. The closure of the Nagtegaal Road access point to the neighbourhood is therefore expected to have negligible impact on traffic operations at the roundabout and at the Hoep-Hoep Road/ Tarentaal Road intersection based on the rerouting of the existing traffic. On average, residents will be required to travel an additional 500m per direction because of closing the access point from Devon Valley Road.

5 FINDINGS AND RECOMMENDATIONS

5.1 FINDINGS:

Based on the assessment provided herein, the findings are summarised below.

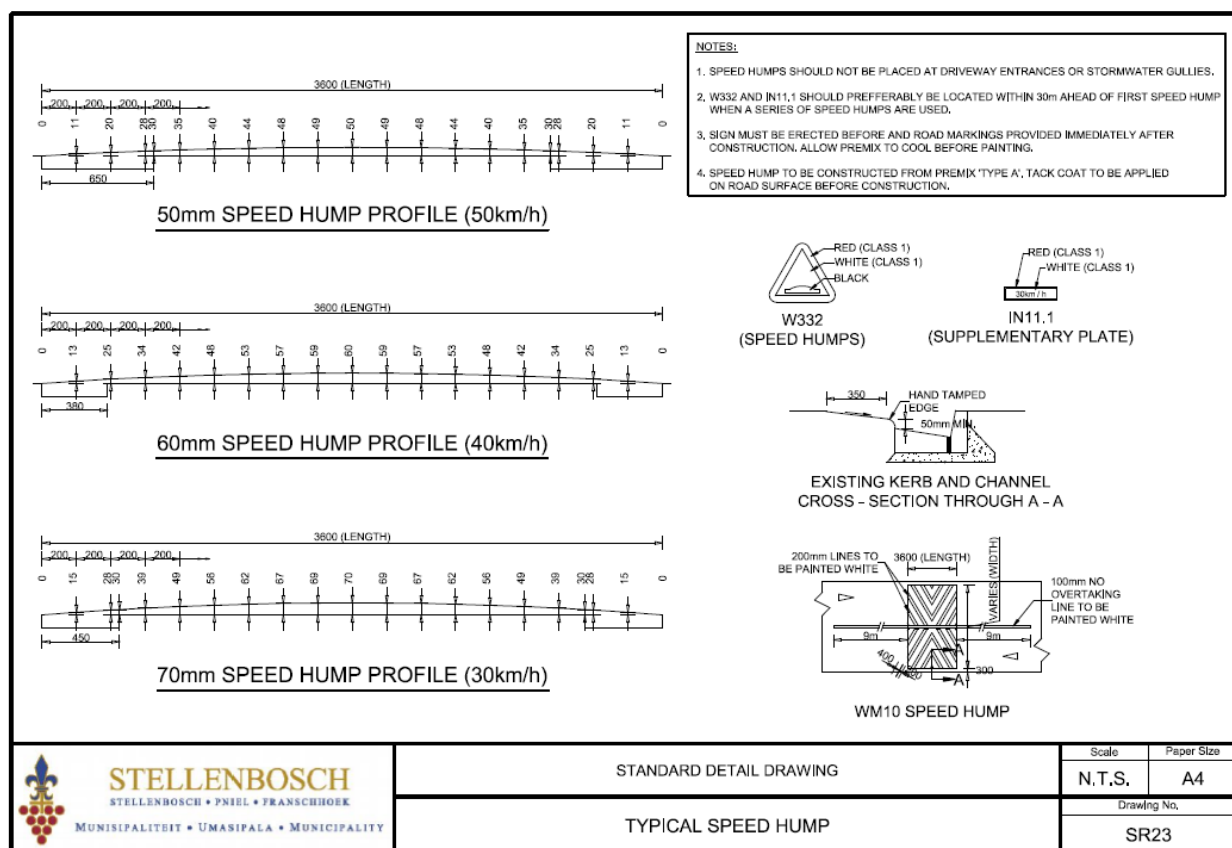
- The current access spacing between the Nagtegaal Road/Devon Valley Road intersection and Winery Road/ Tarentaal Road roundabout is not in accordance with the latest provincial intersection spacing guidelines.
- The existing traffic volumes are low and diverting the trips will have negligible impact on the traffic operations at the Hoep-Hoep Road/ Tarentaal Road intersection and the Winery Road/ Tarentaal Road roundabout.
- Residents that live in Nagtegaal Road and Hope-Hoep Road will have to travel an additional 500 meters to exit the residential area if the Devon Valley Road/Nagtegaal Road is closed.
- Origin-destination data indicates that not all traffic that uses Nagtegaal Road begin or end their trip within the immediate neighbourhood. The Nagtegaal Road access point is therefore used as a cut through road for access between Devon Valley Road and Tarentaal Road.

- Vehicle speeds on average are 20km/h. However, there are cases where speeds exceed 40km/h. Although this is still within the legal speed limit of the residential road, the operating speeds should be limited in the environment.

5.2 RECOMMENDATIONS:

Subject to Municipal approval, it is recommended the Nagtegaal Road be closed to stop all cut through traffic and reduce vehicle operating speeds. The closure will also be beneficial from a safety and security perspective. This closure will need to follow a public participation process, designed and budgeted for. The closed off section at the bottom of the road must be able to accommodate a turnaround point for fire truck/emergency and refuse vehicles.

An alternative is to consider installing a speed hump in accordance with the Municipal standards (30km/h – per detail below). This is considered a short term and interim measure to the perceived problem of unacceptable speeds.



Source: Stellenbosch Municipality, Design Guidelines and Minimum Standards for Civil Engineering Services.

REFERENCES

1. Western Cape Government, Access Management Guidelines, 2020.
2. Stellenbosch Municipality, Stellenbosch Municipality Roads Master Plan 2018 Update, 30 August 2019.
3. Stellenbosch Municipality, Design Guidelines and Minimum Standards for Civil Engineering Services, Revision 0, June 2015.

ANNEXURE A. TRAFFIC COUNT SHEETS

TRAFFIC COUNT

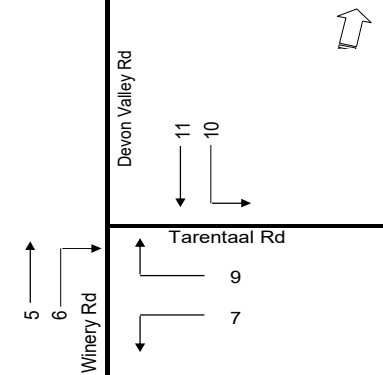
INTERSECTION: /Tarentaal Rd/Devon Valley Rd
 PERIOD: 2 Hrs AM, 2 Hrs PM
 DATE: 26-Apr-24

Intersection ID: 4538

Area: Stellenbosch

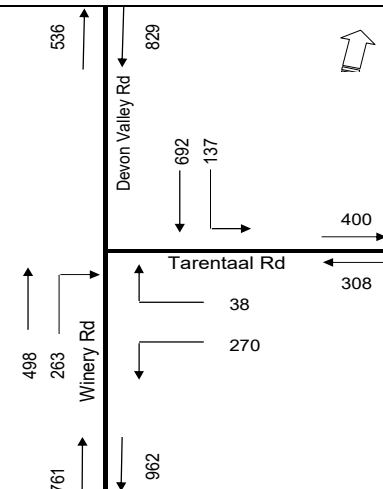
Total Traffic															Hourly
TIME		Traffic Movements												Total	Totals
Start	End	1	2	3	4	5	6	7	8	9	10	11	12		
06:00	06:15														
06:15	06:30														
06:30	06:45					23	20	10		1	1	15		70	
06:45	07:00					34	9	16		2	3	52		116	
07:00	07:15					34	15	16		3	16	105		189	
07:15	07:30					48	11	8		3	43	141		254	629
07:30	07:45					52	28	16		1	24	70		191	750
07:45	08:00					45	38	12		7	12	27		141	775
08:00	08:15					32	32	13		3	14	27		121	707
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17:00	17:15					22	11	43		1	5	45		127	429
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17:45	18:00					21	7	12				8		48	311
18:00	18:15														
18:15	18:30														
18:30	18:45														
18:45	19:00														
TOTAL						498	263	270		38	137	692		1898	
EST. 24 HR						598	316	324		46	164	830		2278	

Key Plan

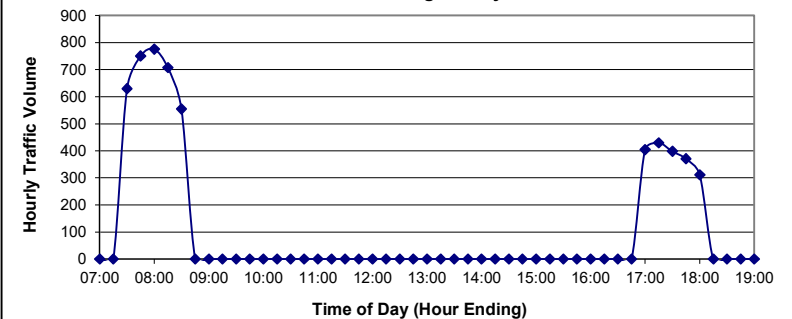


Traffic Volume Survey Period (06:00 - 19:00)

Heavies: 1.3%
 Taxis: 4.1%
 Buses: 0.9%



Traffic Variation during Survey Period



Note: Zero values indicate time periods not counted.

INTERSECTION:

/Tarentaal Rd/Devon Valley Rd

Intersection ID:

4538

PERIOD:

2 Hrs AM, 2 Hrs PM

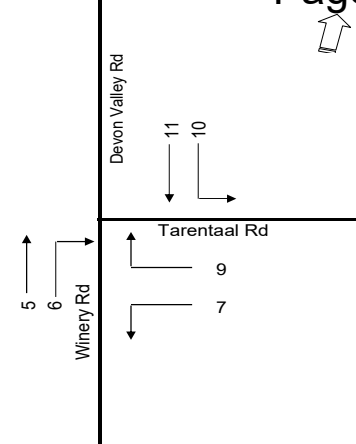
DATE:

26-Apr-24

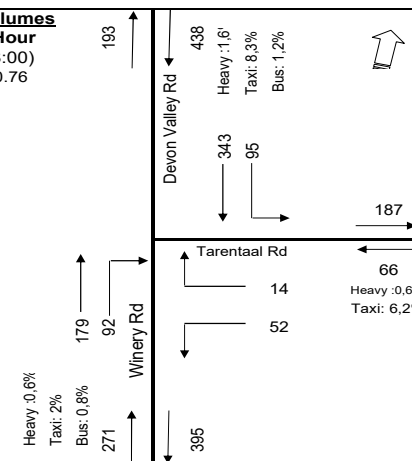
Area: Stellenbosch

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TIME		Traffic Movements												Total	
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06:15	06:30														
06:30	06:45					23	20	10		1	1	15		70	
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07:00	07:15					34	15	16		3	16	105		189	
07:15	07:30					48	11	8		3	43	141		254	
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18:15	18:30														
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18:45	19:00														
TOTAL						498	263	270		38	137	692		1898	
EST. 24 HR															

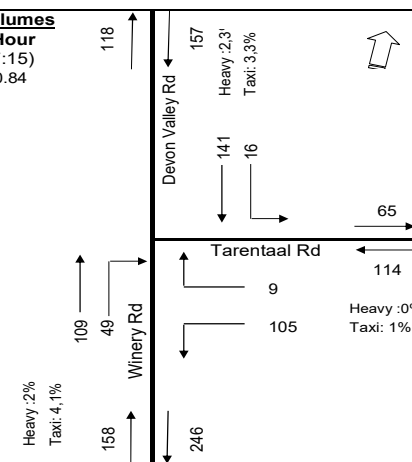
Key Plan



Peak Hour Volumes

AM Peak Hour
(07:00 - 08:00)
PHF : 0.76


Peak Hour Volumes

PM Peak Hour
(16:15 - 17:15)
PHF : 0.84


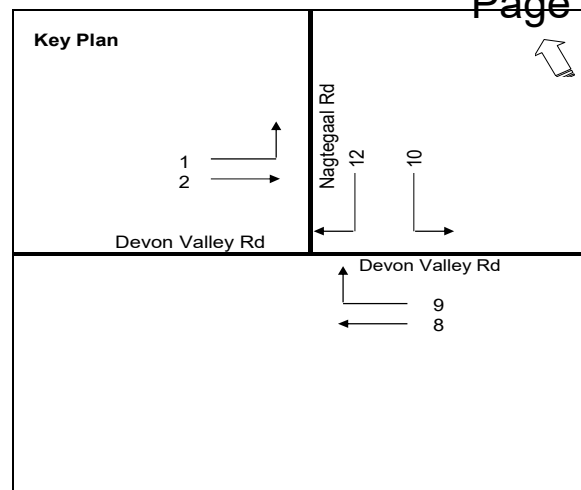
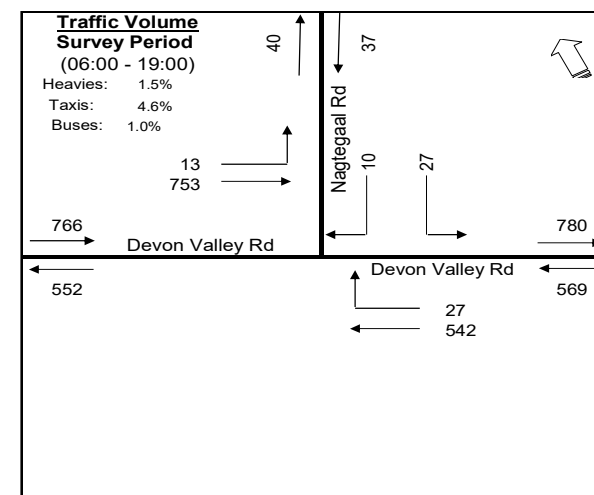
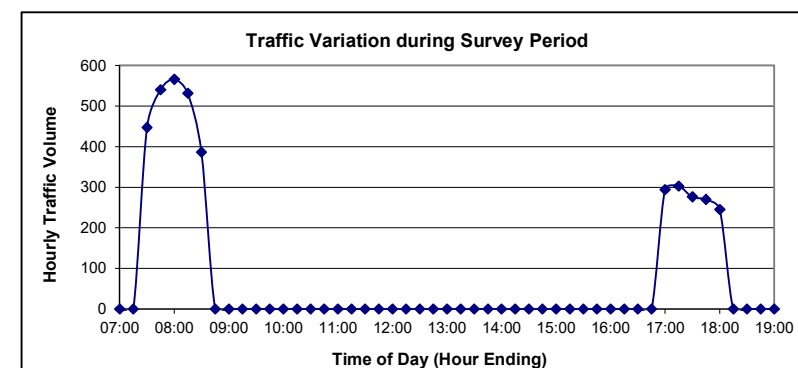
TRAFFIC COUNT

INTERSECTION: **Devon Valley Rd//Nagtegaal Rd**
 PERIOD: **2 Hrs AM, 2Hrs PM**
 DATE: **26-Apr-24**

Intersection ID: **4536**

Area: Stellenbosch

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18:15	18:30														
18:30	18:45														
18:45	19:00														
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EST. 24 HR		16	904						650	32	32		12	1646	



Note: Zero values indicate time periods not counted.

INTERSECTION:

Devon Valley Rd//Nagtegaal Rd

PERIOD:

2 Hrs AM, 2Hrs PM

DATE:

26-Apr-24

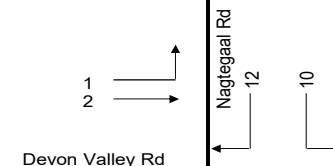
Intersection ID:

4536

Area: Stellenbosch

Total Traffic															Hourly Totals
TIME		Traffic Movements												Total	
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06:15	06:30														
06:30	06:45		13						20		2		2	37	37
06:45	07:00	1	47						38		3		1	90	127
07:00	07:15	1	82						34		5		2	124	251
07:15	07:30	1	153						41		1			196	447
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08:00	08:15		44						42	2	1			89	531
08:15	08:30		24						27					51	386
08:30	08:45														256
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18:45	19:00														
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EST. 24 HR															

Key Plan



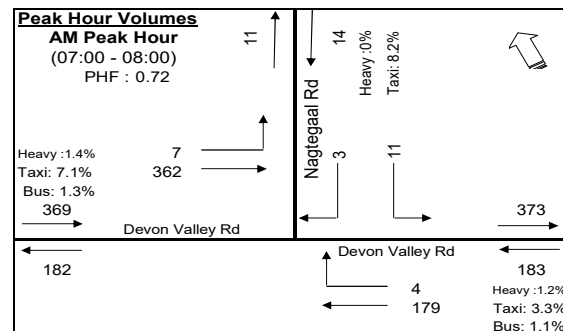
Peak Hour Volumes

AM Peak Hour

(07:00 - 08:00)

PHF : 0.72

Heavy :1.4%
Taxi: 7.1%
Bus: 1.3%



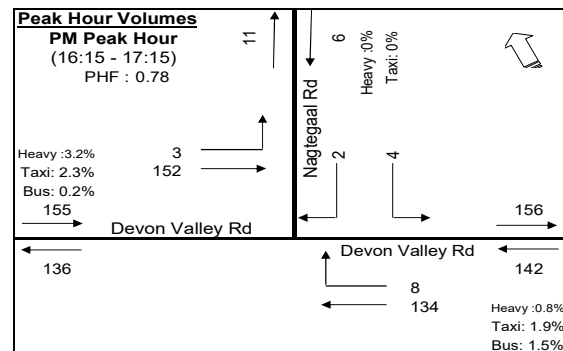
Peak Hour Volumes

PM Peak Hour

(16:15 - 17:15)

PHF : 0.78

Heavy :3.2%
Taxi: 2.3%
Bus: 0.2%

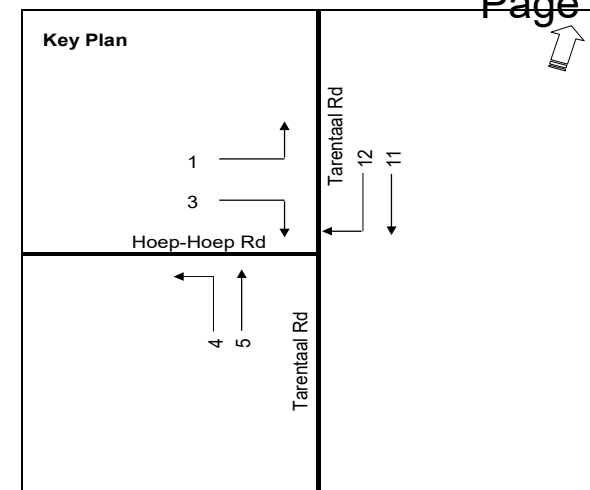
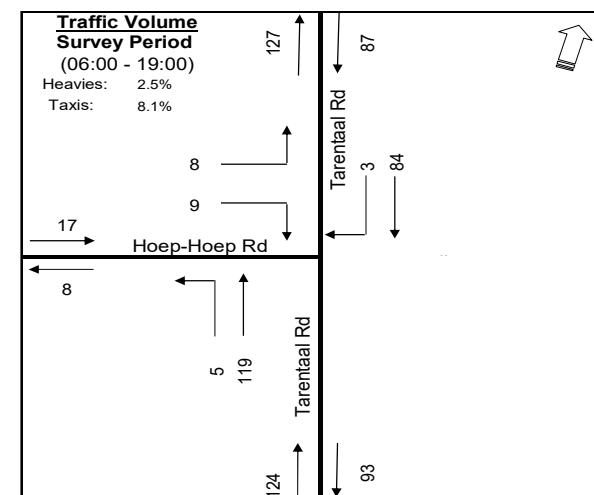
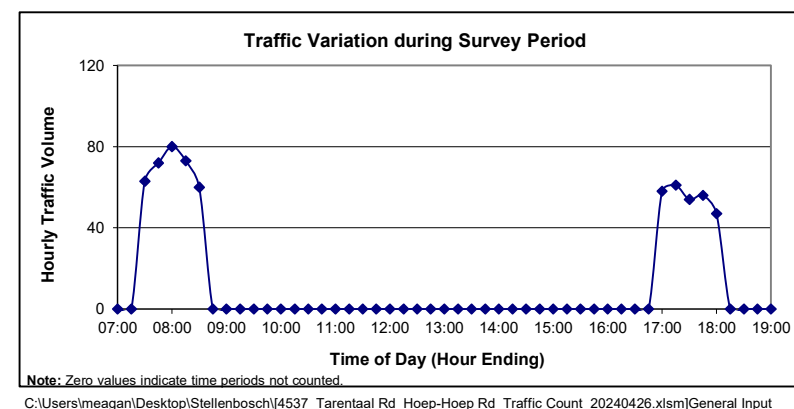


INTERSECTION: **Hoep-Hoep Rd//Tarentaal Rd**
 PERIOD: **2 Hrs Am, 2 Hrs Pm**
 DATE: **26-Apr-24**

Intersection ID: **4537**

Area: **Stellenbosch**

Total Traffic															Hourly Totals
TIME		Traffic Movements												Total	
Start	End	1	2	3	4	5	6	7	8	9	10	11	12		
06:00	06:15														
06:15	06:30														
06:30	06:45											3		3	
06:45	07:00			4		2						7	1	14	
07:00	07:15					16						8		24	
07:15	07:30					15						7		22	63
07:30	07:45			1		8						3		12	72
07:45	08:00	3			1	11						7		22	80
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16:45	17:00					8						5		13	58
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17:15	17:30			1		6						1		8	54
17:30	17:45	3			2	7						5		17	56
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EST. 24 HR		10		11	6	143						101	4	274	



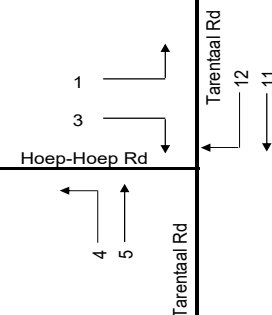
INTERSECTION: **Hoep-Hoep Rd//Tarentaal Rd**
 PERIOD: **2 Hrs Am, 2 Hrs Pm**
 DATE: **26-Apr-24**

Intersection ID: **4537**

Area: Stellenbosch

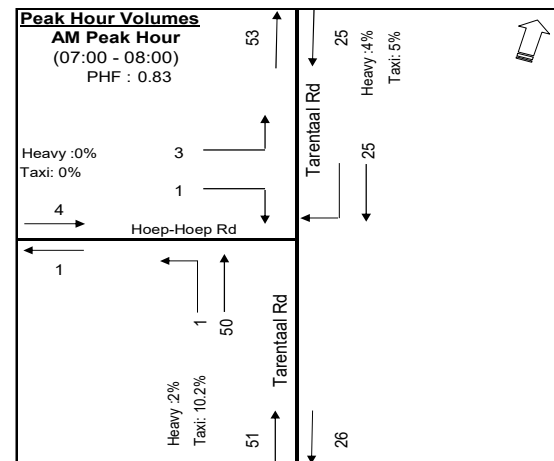
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TIME		Traffic Movements												Total	
Start	End	1	2	3	4	5	6	7	8	9	10	11	12		
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06:15	06:30														
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16:15	16:30			1	1	10						3		15	30
16:30	16:45					7						8		15	45
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17:00	17:15	1		2		9						6		18	61
17:15	17:30			1		6						1		8	54
17:30	17:45	3			2	7						5		17	56
17:45	18:00					3						1		4	47
18:00	18:15														29
18:15	18:30														21
18:30	18:45														4
18:45	19:00														
TOTAL		8		9	5	119						84	3	228	
EST. 24 HR															

Key Plan



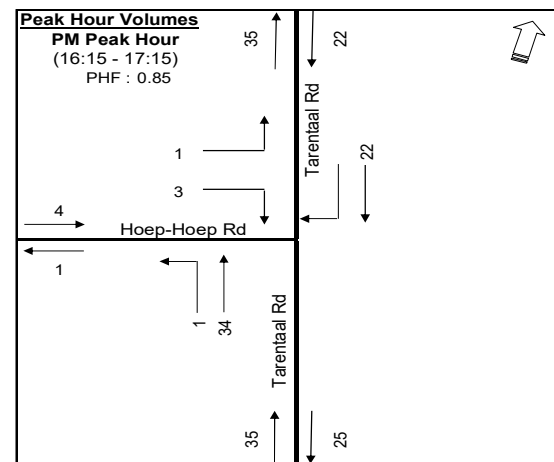
Peak Hour Volumes

AM Peak Hour
 (07:00 - 08:00)
 PHF : 0.83



Peak Hour Volumes

PM Peak Hour
 (16:15 - 17:15)
 PHF : 0.85





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7.6.4**STELLENBOSCH STATION PARKING AREA PROGRESS REPORT**

Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

21 November 2024

1. SUBJECT: STELLENBOSCH STATION PARKING AREA PROGRESS REPORT**2. PURPOSE**

To inform Council of the progress made as per the Council Resolution taken in November 2023 regarding the Stellenbosch Station Parking Area.

3. DELEGATED AUTHORITY

Municipal Council.

4. EXECUTIVE SUMMARY

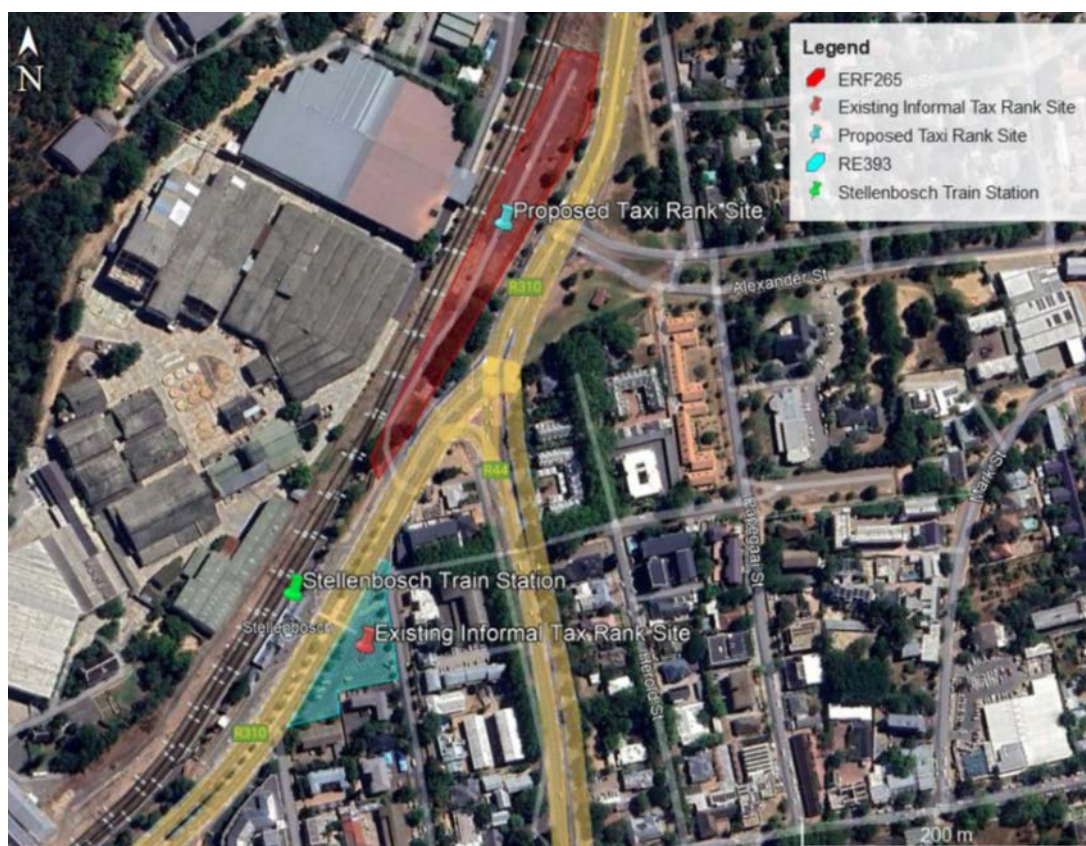
A Council Resolution taken in November 2023 regarding the Stellenbosch Station Parking Area (Erf 393), states that the Municipality must commence and make provision for the relocation of the taxis currently utilizing the parking area. Council also recommended that assessments be undertaken to determine the most appropriate parking management model for the Stellenbosch Station parking area, after the taxi operations would have been relocated.

The Municipality appointed a consultant to identify and analyse alternative taxi rank sites and the following are outcomes of the analysis:

- Bergzicht Taxi Rank was considered not suitable since it will not be able to accommodate the large volumes of taxi operators which need to be relocated.
- The PRASA property next to the railway line (Erf RE265) was considered suitable and pursued further. A Lease Agreement with PRASA is currently in the process of being concluded (see Locality Plan below).

Once the Lease Agreement is finalized, the process to relocate the taxi operators to the new facility will commence.

- The Stellenbosch Station parking area can then be re-established as a parking area.
- It was agreed that the Municipality will manage the parking area.
- The perimeter of the parking area will be secured with fencing and access control will be implemented.



5. RECOMMENDATION

that Council notes the progress made to date and the status of the Stellenbosch Station Parking Area.

6. DISCUSSION / CONTENTS

6.1 Background

A Council Resolution taken in November 2023 regarding the Stellenbosch Station Parking Area, states that the Municipality must commence and make provision for the relocation of the taxis currently utilizing the parking area. Council also recommended that assessments be undertaken to determine the most appropriate parking management model for the Stellenbosch Station parking area once the taxi operations have been relocated.

6.2 Discussion

The Municipality appointed a consultant to identify and analyse alternative taxi rank sites, the following are outcomes of the analysis:

The Bergzicht Taxi Rank, outcomes indicate that Bergzicht taxi rank was not suitable as an alternative site. Despite upgrades currently underway, the Bergzicht Taxi Rank will not be able to accommodate the large volumes of taxi operators that need to be

relocated. It is also preferable for competing taxi associations to operate from separate facilities.

The PRASA property next to the railway line was also previously identified as a feasible option, however the area initially identified could only accommodate a limited number of taxis. Discussions were held with PRASA and the leasing of a larger portion of unused PRASA land was identified and pursued. PRASA has indicated that they have no objection to the leasing of this land for transport purposes, for a period of 10 years.

Processes to conclude the lease agreement have commenced. The Lease Agreement was signed by the Municipal Manager and submitted to PRASA with all the required supporting information. Once the lease agreement is in place, some construction activities will be required to make provision for taxi operations. See Locality Plan below:



Once the Lease Agreement is finalized, the process to relocate the taxi operators to the new facility will commence.

Stellenbosch Station parking area can then be re-established as a parking area. Internal discussions were held, and it was agreed that the Municipality will manage the parking area. It is envisaged that the parking area will function partly as a Park-and-Ride facility when train services resume, therefore provision will be made for commuters who wish to park for the full day. The perimeter of the parking area will be secured with fencing and access control will be implemented.

6.4. Financial Implications

Once the lease agreement has been concluded, an estimated R2.5M over a period of 2 financial years should be budgeted for to make provision for taxi operations at the new location.

6.4 Legal Implications

None

6.5 Staff Implications

This report has no staff implications to the Municipality.

6.6 Previous / Relevant Council Resolutions:

18TH COUNCIL MEETING 2023-11-29: ITEM 11.6.1 STELLENBOSCH STATION PARKING AREA

RECOMMENDATIONS:

- a) That Council makes provision for the implementation of an adequate relocation facility at the Bergzicht Taxi Rank Site.*
- b) That Council makes provision for assessments to determine the most appropriate parking management model for the Stellenbosch Station parking area, and implement the model once the taxi operators have been relocated.*

6.7 Risk Implications

This report has no risk implications for the Municipality.

6.8 Comments from Senior Management:

No comments were requested from directors.

6.8.1 Municipal Manager:

Agree with the recommendations

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	13 November 2024

7.7	PARKS AND OPEN SPACES: (PC: N OLAYI)
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NONE

7.8	PLANNING AND LOCAL ECONOMIC DEVELOPMENT AND TOURISM :(PC: CLLR M SLABBERT)
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7.8.1	APPROVAL TO ADVERTISE THE DRAFT STELLENBOSCH MUNICIPALITY OUTDOOR ADVERTISING & SIGNAGE BY-LAW, 2024 FOR PUBLIC PARTICIPATION
-------	--

Collaborator No: 776709
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 21 November 2024

1. SUBJECT: APPROVAL TO ADVERTISE THE DRAFT STELLENBOSCH MUNICIPALITY OUTDOOR ADVERTISING & SIGNAGE BY-LAW, 2024 FOR PUBLIC PARTICIPATION

2. PURPOSE

To request approval from the Council to advertise the Draft Stellenbosch Municipality Outdoor Advertising and Signage By-law 2024 for public participation.

3. DELEGATED AUTHORITY

MAYCO & Council.

4. EXECUTIVE SUMMARY

Council adopted the Outdoor Advertising and Signage Bylaw on 24 May 2023, promulgated in Provincial Gazette No. 8785 dated 30 June 2023. A high court application was launched against the bylaw by Out of Home Media South Africa NPC based on the previous public participation process in 2018 and 2021. Although the process was correctly followed the advertisement referred to the bylaw as the Draft Poster Bylaw. Although the subject line was rectified during the final decision-making process, which is reflected in the Council decision of 2023 regarding the intention of the by-law, the applicants state that due to the incorrect reference in the advertisement they did not comment on the bylaw.

The legal advice received was that the bylaw must be re-advertised through a new public participation process and Council approved this decision. The draft Outdoor Advertising and Signage Bylaw 2023 (**APPENDIX 1**). was advertised on 2 November 2023 in the Paarl Post and the Eikestadnuus. The closing date was the 4th of December 2023 (**APPENDIX 2**). Six comments were received and were summarized (**APPENDIX 3**) and discussed with the Municipal Legal Department who appointed a legal firm to assist the Municipality with the responses to the comments received. After much email discussion, and a request that the revised Outdoor and Advertising By-law be read in accordance with the latest Zoning Scheme. The Outdoor Advertising By-law 2024 (**APPENDIX 4**) was finalized.

Due to several changes to this document, the Municipal Legal Department advised that it be re-advertised for public participation before it can be approved by the Council and promulgated.

5. RECOMMENDATION

that Council **approves** the request to re-advertise the Draft Stellenbosch Municipality Outdoor Advertising By-law, 2024.

6. DISCUSSION / CONTENTS

6.1 BACKGROUND

At the 17th Council Meeting dated, 25 October 2023, Council resolved that the Final By-law Relating to Outdoor Advertising and Signage By-law be advertised for public comment. The draft by-law was advertised in the local newspapers on 2 November 2023.

Six Comments were received, of these, 5 were received in time and the 6th comment was received late and therefore can't be considered.

Name	From	Date Received	In-time	Appendix
Jinja Outdoor 2	Martin Raubenheimer	04/12/2023	Yes	Appendix 5
Urban IQ	Kestell Serontein	04/12/2023	Yes	Appendix 5
Corpman Media	Piet van der Merwe	01/12/2023	Yes	Appendix 5
Ad-Outpost	Farzana Adam	04/12/2023	Yes	Appendix 5
Gotcha Media	Mark Thomas	04/12/2023	Yes	Appendix 5
Stellenbosch Interest Group	Patricia Botha	08/12/2023	No	Appendix 5

These comments were summarized and discussed with the legal department who appointed a legal firm to assist the Municipality. After much email discussion, and a request that the revised Outdoor and Advertising By-law be read in accordance with the latest Zoning Scheme. The Outdoor Advertising By-law 2024 (**APPENDIX 4**) was finalized.

Due to several changes to this document, the Municipal Legal Department advised that it be re-advertised for public participation before it can be approved by the Council and promulgated.

6.2 DISCUSSION:

After the promulgation of the said by-law, the decision of Council to approve and promulgate the above by-law was taken on review based on the arguments that the advertisement, and specifically the subject of the by-law, as advertised in the local newspapers did not reflect the intent of the by-law or content of the by-law that comment was required. Therefore, the applicant in the review application has indicated that if the subject line was clear, comments would have been provided, but as the subject line was not in line with the Council's decision, it resulted in the applicant not being granted the opportunity to provide comments.

The Municipal Legal Department's advice received was that the bylaw be re-advertised for public comment and that the council re-adopt the new bylaw after consideration of the public comments. The new bylaw will repeal and replace the current promulgated by-law of 30 June 2023. The by-law was re-advertised in November 2023 to allow a new public participation process that permits all interested and affected parties an opportunity to provide comments. These comments were then to be summarised, and departmental comments added. **(APPENDIX 3)**.

Arrangements in respect of Managing and Regulating Signage

Before the commencement of the subject by-law, which came into effect on 30 June 2023, outdoor advertising and signage were dealt with in terms of the Zoning Scheme. Therefore, measures are in place to deal with the function until the by-law can be reconsidered and is promulgated.

6.3 FINANCIAL IMPLICATIONS

There are financial implications with the high court matter that cannot be quantified now and the costs to re-advertise and promulgate.

6.4 LEGAL IMPLICATIONS

The recommendation in this report complies with the legal advice received and with the requirements of the legislation on public participation.

6.5 STAFF IMPLICATIONS

No additional staff implications. Enforcement of Bylaws are dealt with within the approved budgeted posts.

6.6 RISK IMPLICATIONS

The risks are addressed in the content of the item.

APPENDIX

- Appendix 1: Draft Stellenbosch Municipality Outdoor Advertising and Signage Bylaw, 2023
- Appendix 2: Notices placed in the Eikestadnuus dated 02 November 2023
- Appendix 3: Comments received, and the Summary of the responses received.
- Appendix 4: Draft The Outdoor Advertising By-law 2024

FOR FURTHER DETAILS CONTACT:

NAME	Katherine Robinson
POSITION	<i>Senior Heritage Planner</i>
DIRECTORATE	<i>Planning and Economic Development</i>
CONTACT NUMBERS	<i>021 808 8608</i>
E-MAIL ADDRESS	<i>Katherine.Robinson@stellenbosch.gov.za</i>
REPORT DATE	<i>30 October 2024</i>

APPENDIX 1

STELLENBOSCH MUNICIPALITY

OUTDOOR ADVERTISING AND SIGNAGE BYLAW

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 Bylaw, 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 flagstuffs 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 town 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 number of technical details that apply to specific types of signs and their effect on specific places.
- 2.6 To give recognition to the Stellenbosch Municipality's Heritage Guidelines & Policies.
- 2.7 To ensure that the cultural landscapes, heritage and scenic route overlay zones, and the rural areas and nodes aesthetics and scenic landscapes be protected and conserved, and that only signage and advertising as contained in this bylaw be permitted.

CHAPTER 1

3. Submission of applications

- (1) Other than those signs referred to in section 13(3) to 13(10) of this Bylaw, no person may display any advertisement or erect or use any sign for advertising purposes without the Municipality's approval in terms of this Bylaw 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 twenty-one (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 Bylaw 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, or the required approval has been granted.
- (2) In considering an application for the display of an advertisement or the erection of a sign in terms of this Bylaw, 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 Bylaw; 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-, Environmental- or Heritage Impact Assessment
 - (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; 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 Bylaw 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 Bylaw and any successive Bylaw, may remain on display uninterrupted until such time as they do not comply with the provisions of this Bylaw 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 Bylaw, 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 18 of this Bylaw. The Schedules are part of the Bylaw and are not any less important than the content of the Bylaw itself.
- (3) Schedule 1 of this Bylaw indicates the areas of control in which certain specific sign types may be permitted, subject always to approval in terms of this Bylaw and furthermore subject to any additional requirement pertaining to a specific sign type as set out in the remaining schedules.

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- (4) The description of areas or routes in Schedule 1 should be read with the definitions as contained in the Municipality's Zoning Scheme Bylaw.
- (5) The Municipality may grant an exemption from the terms of this Bylaw in respect of sign types or areas of control set out in Schedules 10, 11 and 12 of this Bylaw 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 seven (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 Bylaw 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 wayleaves must be obtained from the Director: Infrastructure 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 powerlines.
- (5) Electricity Power sources may be applied for as per the conditions of the Electricity Services Bylaw.

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 (In the Rural Areas and the Scenic Routes)	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 Bylaw, comply with all other applicable legislation, including any applicable Zoning Scheme Bylaw or condition of approval or any departure from the applicable Zoning Scheme Bylaw.

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 Bylaw 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 Bylaw; 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 bylaw with regard applications must be in writing and within sixty (60) calendar days after a completed application was received, or within sixty (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 twenty-one (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 (10), and any other applicable legislation, or condition imposed by the Municipality, no application for approval is required in terms of this Bylaw in respect of the signs provided for in sub-sections (3) to (10).
- (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 five (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 Bylaw.
- (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 Bylaw.

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 Bylaw 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 Bylaw, 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 Bylaw, 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 (2) months of the date of removal may be disposed of or be sold by the Municipality to defray its removal or storage costs.

19. Serving of notices

- (1) A notice, order or any other document issued by the Municipality in terms of this Bylaw 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 Bylaw 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) Serving 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 Bylaw; 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 decision-making 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 Bylaw, 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 Bylaw; 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 Bylaw, the Municipality may, in written application, exempt any person or class of persons from any or all of the requirements of this Bylaw in considering such exemption it may impose any conditions or requirements it deems appropriate.

24. Repeal of Bylaw

The stipulations of any Bylaw 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 Bylaw 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 Bylaw, which was not done in terms of a provision repealed in this Bylaw and was unlawful, shall in the event of such act or sign still not complying with the provisions of this Bylaw, 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 Bylaw, must in all respects comply with the stipulations in this bylaw within a period of six (6) months from the date of publication. Any sign that fails to comply after the initial six (6) 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 Bylaw. Should the owner neglect to remove the sign and/or within the period of 6 months, after publication of this bylaw, 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 Bylaw then the person responsible for the sign must immediately remove, erase or change the sign to comply to this Bylaw.

26. Short title and commencement

This Bylaw shall be known as the Stellenbosch Municipality Outdoor Advertising and Signage Bylaw.

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 bylaw 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 bylaw 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 bylaw 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 bylaw 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



PUBLIEKE KENNISGEWING: 144/2023

**OPROEP OM OPENBARE KOMMENTAAR OP KONSEP STELLENBOSCH MUNISIPALITEIT
BUITELUGREKLAME EN NAAMBORDVERORDENING, 2023**

Kennis word hiermee gegee dat die Raad van voorneme is om die Konsep Stellenbosch Munisipaliteit Buitelugreklame en Naambordverordening, 2023 aan te neem. Belanghebbende partye word hiermee genooi om hul kommentaar op skrif binne die volgende 30 dae periode in te dien.

U word genooi om skriftelike kommentaar in verband met die Konsep Stellenbosch Munisipaliteit Buitelugreklame en Naambordverordening, 2023 per e-pos aan die Departement: Ontwikkelingsbeplanning by Viola.Anthony@stellenbosch.gov.za voor of op 4 Desember 2023 te stuur. Die konsep Buitelugreklame en Naambordverordening, 2023 vir die Stellenbosch Munisipaliteit is beskikbaar op die webtuiste vir Stellenbosch Munisipaliteit (www.stellenbosch.gov.za) en afskrifte sal beskikbaar wees by plaaslike biblioteke en satelliet kantore gelys hieronder.

Gebied	Plek
Stellenbosch Sentrale Sakekern	Biblioteek, Plein Straat, Stellenbosch PMU Gebou (Mark Straat) Wyk 7: Jan Marais Ekosentrum Wyk 10: Lapland (Munisipale Gebou)
Franschhoek	Wyk Kantoor: Wyk 1 (Mooiwater Gebou) Wyk Kantoor: Wyk 2 (Groendal Gemeenskap Saal)
Kylemore	Kylemore Wyk Kantoor
Pniël	Biblioteek, Hoofstraat, Pniël Pniël Wyk Kantoor
Wemmershoek	Wyk 3: Wemmershoek Wyk Kantoor (Gemeenskap Saal)
Jamestown	Jamestown Biblioteek Jamestown Wyk Kantoor
Cloeteville	Cloeteville Wyk Kantoor (Wyk 16 en 17) Biblioteek, Vredelust Straat, Cloeteville, Stellenbosch
Idas Vallei	Wyk Kantoor: Wyk 5 (Idas Vallei Sport Grond) Wyk Kantoor: Wyk 6 (Biblioteek, Rustenburg Straat) Biblioteek, Sonnebloem Straat, Idas Vallei,
Kayamandi	Kayamandi Wyk Kantoor (Kayamandi Korridor) Biblioteek, Masithandane Straat, Kayamandi, Stellenbosch
Vlottenburg	Vlottenburg Wyk Kantoor (Vlottenburg Laerskool)
Klapmuts	Klapmuts Wyk Kantoor (Klapmuts Veeldoeninge Sentrum)
Wyk 19	De Novo Wyk Kantoor (Laerskool in De Novo)

Navrae en versoeke vir meer inligting oor die proses kan gerig word aan die Afdeling Erfenis Hulpbronnebestuur, te Katherine Robinson Tel: (021) 808-8608 of per Epos: Katherine.Robinson@stellenbosch.gov.za tydens normale kantoor ure.

Ms Geraldine Mettler
Munisipale Bestuurder
Stellenbosch Munisipaliteit

Kennisgewing nr. 144/2023



PUBLIC NOTICE: 144/2023

**CALL FOR PUBLIC COMMENT ON DRAFT STELLENBOSCH MUNICIPALITY OUTDOOR ADVERTISING
AND SIGNAGE BY-LAW, 2023**

Notice is hereby given that Council intends to adopt the Draft Stellenbosch Municipality Outdoor Advertising and Signage By-Law, 2023. Interested and affected parties are hereby invited to submit written comments during the 30 days advertising period.

You are hereby invited to submit written comments in connection with the Draft Stellenbosch Municipality Outdoor Advertising and Signage By-Law, 2023, by electronic mail to the Department Development Planning at Viola.Anthony@stellenbosch.gov.za on or before 4 December 2023. The Draft Stellenbosch Municipality Outdoor Advertising and Signage By-Law, 2023 is available on the Stellenbosch Municipality's website (www.stellenbosch.gov.za) and hard copies will be available at the local libraries and satellite offices as reflected in the table below.

Area	Place
Stellenbosch CBD	Library, Plein Street, Stellenbosch PMU Building (Mark Street) Ward 7: Jan Marais Eco Centre Ward 10: Lapland (Municipal Building)
Franschhoek	Ward Office: Ward 1 (Mooiwater Building) Ward Office: Ward 2 (Groendal Community Hall)
Kylemore	Kylemore Ward Office
Pniël	Library, Main Road, Pniël Pniël Ward Office
Wemmershoek	Ward 3: Wemmershoek Ward Office (Community Hall)
Jamestown	Jamestown Library Jamestown Ward Office
Cloeteville	Cloeteville Ward Offices (Ward 16 and 17) Library, Vredelust Street, Cloeteville, Stellenbosch
Ida's Valley	Ward Office: Ward 5 (Ida's Valley Sport Ground) Ward Office: Ward 6 (Library, Rustenburg Rd.) Library, Sonnebloem Street, Ida's Valley .
Kayamandi	Kayamandi Ward Offices (Kayamandi Corridor) Library, Masithandane Street, Kayamandi, Stellenbosch
Vlottenburg	Vlottenburg Ward Office (Vlottenburg Primary School)
Klapmuts	Klapmuts Ward Office (Klapmuts Multi-Purpose Centre)
Ward 19	De Novo Ward Office (Primary School in De Novo)

Enquiries or requests for more information on the process may be directed to Section: Heritage Resource Management, Katherine Robinson Tel: (021) 808-8608 or E-mail: Katherine.Robinson@stellenbosch.gov.za during normal office hours.

Ms Geraldine Mettler
Municipal Manager
Stellenbosch Municipality

Notice no: 144/2023

APPENDIX 3

Outdoor Advertising and Signage By-law Comments Received.

Name	Summary of Comments Received	Department Responses
Jinja 2 Outdoor - Martin Raubenheimer Appendix 3	The Municipality should not rely on the Building Act, which is constitutionally invalid, but should instead promulgate its own building regulations.	The Municipality rely on the Building Act as the Billboards are structures.
	In terms of Section 2(2) SPLUMA Act, the Municipality is not allowed to prescribe in terms of its New By-law an alternative or parallel mechanism, land use, and land use development in a manner inconsistent with the provisions of the SPLUMA Act.	
	The New By-law contains many provisions which are inconsistent with those of the Constitution, and if promulgated containing these deficiencies will be deemed Constitutionally invalid.	
	Blanket ban on Billboards in Minimum Controlled Areas by limiting areas available for development of billboards to almost a on-event.	Stellenbosch is a Historic Area and the municipality is responsible for this area in terms of the NHRA 1999
	Failing to create Economic Opportunities	
	Discrepancies between the New By-law and the Stellenbosch Spatial Development Framework is a significant cause for concern.	
	If the Municipality imposes an obligation after promulgation of the New By-law under its 'authority' such obligation will be invalid as it is inconsistent with the provisions of section 12(3)(b) of the Systems Act and the Constitution.	
	There are a number of Definitions, such as 'advertising ownership' that do not appear in the New By-law and should be deleted.	Noted
	Section 3(2)(b) and 6(1) - Invalidity of Building Act, the Municipality must develop its own building regulations.	
	Section 3(6), (7) and (9) - Impact Assessments, Public Participation processes and Additional Requirements are vague.	Noted
	Section 4(2) provides the Municipality with too wide of a discretion and is consequently overboard.	Noted
	Section 4(2)(a) - Areas of Control definition as set out in Schedule 1, means that these areas are effectively determined by the Municipality from time to time, in other words that an area is determined by a Municipality by merely taking a decision without it being prescribed by the New Bylaw.	
	Section 5(4) - Certain definitions conflict with these provisions	Noted
	Section 6(2) - Joint Liability of Municipality, means that the Municipality must make sure the necessary internal processes to provide for and cover this liability as the Municipality will be jointly liable for maintenance and annual inspections of all signs erected on municipal property.	The size of the electric signs is as per the By-law
	Section 8(3)(a) and 9(2) and (3) - Electronic signs must be less than 2,1m ²	Noted
	Section 9(5) This provision for Traffic Volumes is too wide, vague, and overboard.	Noted
	Section 9(12) - The spacing of Billboards at a distance of 300m apart is excessive and should be spaced at 250m.	

	Section 10 - Legal Requirements, the Municipality must provide for what happens if there is a conflict between the New By-law and other legislation.	
	Section 11(5) request for additional information is a type of protocol that encourages officials to request additional information to gain more time instead of attending to the application.	The municipal officials can request additional information in order to better apply their minds.
	Section 12 - Appeal (Conflicted position of Appeal Authority)	
	Section 17, 18, 21 and 23 of New By-law conflict with Constitution	
	Section 24 - You cannot repeal something that has not taken effect or has no legal bearing, these provisions are therefore confusing and should be deleted.	Noted
	Section 25 - Transitional Provisions must provide that advertising signs that were lawfully erected prior to the promulgation date in the New By-law are deemed approved in terms of the New By-law.	If the application was lawfully made and approved then there is no conflict
	Schedule 2 - Billboards are being overregulated	
	Schedule 4 Clause 5 of Flat Signs provides that the size restriction may be waived on condition that only graphics designed and created by a suitable qualified consultant be displayed on such sign. This provision is unclear as to what the municipality wishes to achieve with this provision.	Graphics have to be in conjunction to the context
	Restrictive Horizontal Practice - The Municipality must ensure that it complies with the Competition Act	
	Development of Outdoor Advertising Industry in Stellenbosch and Loss of Advertising Revenue	Noted
	OOH vs On-line Advertising All these companies are foreign companies and therefore all the profits are being moved out of the country, this could be slowed down should the New By-law be less restrictive.	
	The 60-day mandatory finalization period for the completion of applications is commendable.	Noted
Urban IQ - Kestell Serfontein Appendix 4	There is a need for a balanced and integrated evaluation	
	Flawed basis to base Area of Control Status on the zoning of properties	
	The spacing standards are over-restrictive.	Noted
	The limitation of size for electronic signs is unrealistic.	Noted
	The danger of arbitrary traffic impact reservations leaves room for arbitrary determinations and unnecessarily limits advertising opportunities without clear and objective criteria.	
	Potential Constitutional invalidity, the By-law seemingly encroaches on the commercial rights of property owners, potentially infringing on their Constitutional rights.	
	substantial constraints on billboard opportunities and appears incongruent to the guidelines outlined by SAMOAC.	
	Schedule 2: The regulatory stance in the By-law concerning billboards are over restrictive.	Noted
	Schedule 4: The By-law imposition of general restriction limiting flat signs to 5sqm is unrealistic and unduly restrictive.	Noted

	Schedule 17: The provision of the By-law for signs to be erected by or for the Benefit of Non-Profit Organisations is commendable however the restrictive size limitations will hinder the financial prospects of these organisations.	Noted
Corpman Media - Piet van der Merwe Appendix 5	Definition of Advertisement	
	The definition of "Gateway Rotes" and their proximity to urban industrial development zones is unclear	
	No provision has been made for reparations on business existing commercial and constitutional rights	
	EIA unnecessary financial burden	
	HIA applied incorrectly and creating financial burden on businesses	If signage is located in the Heritage Overlay Zone then an HIA and Visual Impact Assessment is required.
	Proposed by-law on LED contradicts existing LED screen recently erected in Stellenbosch	Noted
	No provision made for period of transition regularized situation	
	No meaningful public engagement or public participation to give input and assistance in formulating by-law	The By-law was advertised to allow for public participation
	Where is the professional independent oversight committee to application process and outcomes vs opinions by council representative	SMCAC is in place and the members are appointed to provide comments to the applications received.
	The proposed by-law is of poor quality presenting a litany of constitutional issues that hinder development or offer support to SA business	Noted
Ad Outpost - Farzana Adam Appendix 6	Fails to advise which Acts will be used to assess and administer applications.	Noted
	By-law does not state if it conforms to SAMOAC	Noted
	Chapter 3 Page 26 - 18: Enforcement and removal of signs (5)(6)(7) and (8). The municipality may be allowed to enter a property for inspection but for removal they would be required to serve a notice of contravention followed by a Court Order for removal.	Noted
	Chapter 3 Pages 29 - 25: Transitional Arrangements. Signs erected prior to the promulgation of the By-law should be allowed to exist and form part of the Integrated Development plan of Stellenbosch.	If the application was lawfully made and approved then there is no conflict
	Page 31 - Schedule 2: Billboards 1(e) conflicts with NEMA as signs larger than 18sqm are allowed in terms of NEMA.	Noted
Gotcha Media - Mark Thomas Appendix 7	Definition of Advertising in the By-law goes far beyond the ordinary meaning of the word itself and exceeds the Municipality's constitutional mandate.	
	The definition of Advertisement Ownership should be amended to reflect only the owner of the advertising sign.	Noted
	The definition of "Area of Control" means the areas set out in Schedule 1 of the By-law and does not contain maps that indicate the common areas of control.	Noted and maps could be added
	The definition of Central Business District (CBD) means the area in the built environment demarcated as such on the Spatial Development Framework. There is no physical or written demarcation of the area known as the CBD or any of the major urban centres. This needs clarification at the risk of being vague and unsupported by the contents of the definition.	The Stellenbosch CBD is a Historical Area

In terms of the definition of Environmental Impact Assessment (EIA) of this By-law, it is understood that the normal submission of an application in terms of the requirements as specified in the by-law and associated and relevant schedule about the signage type. A further study without parameters is an overreach of the municipality and an unnecessary cost.	
The definition of Heritage Impact Assessment (HIA) means a visual and contextual assessment of the impact that any proposed sign may have on the cultural heritage is even more vague than that of the EIA.	Noted
In terms of the definition of Traffic Assessment (TIA), a professional engineer investigates the impact a proposed sign may have on traffic operation and the safety of vehicles and pedestrians, given the council's overreaching controls and the restrictive size of advertising boards it begs to question how such an extensive study can be required.	Noted
The current definition of Urban Conservation Area in the by-law is misleading and incorrect. There is no mention of an urban conservation area in the MSDF.	
The definition of Visual Impact Assessment (VIA) means the analysis of the potential visual impacts to boundary walls and fences is another vague study.	When a signage application occurs in the Historic Overlay area and along the scenic route a VIA is required.
The 7 points set out in Section 2 Principals of the By-Law do not portray advertising in a positive light. The municipality is setting the bar so high that an advertising sign does not qualify and rather ignores its responsibility to create job opportunities and economic development. The pillars of SPLUMA have been ignored which can be construed as being in opposition to the National Act.	Noted
On submission of applications, the municipality may require a VIA, HIA, and a TIA. Given the Municipality's overreaching controls as well as restrictions on the size of advertising signs, the impact of these signs can hardly be seen as impactful.	Contradiction is noted
Fees and general factors considering approval of applications, amendments, and conditions particularly section (6)(a) places discretion in the hands of the Municipality, the authors of the draft By-law could be regarded as extremely subjective, and following the mentioned of several reports and impact assessments required, the council makes no reference of these studies and sets out to determine an overriding factor in the application based on adjudication of an official, this process can be seen as riddled with predetermined outcomes.	Noted
Factors relating to specific signs, areas of control, and commercially sponsored signs allow the municipality to continue to change the "playing field" this clause (Clause 5(1) should be deleted and clause 5(2) should be relayed on.	Noted
Concerning 8(3)(c) Illumination requirements are considered more detrimental to the environment, consideration should be that the opposite is true. External illumination can often be misdirected, which results spot lighting can result in spillage.	Noted

Clause 9(5) regarding Road Traffic Safety Requirements is another example of the over-regulation by the municipality.	Noted
Legal Requirements that all signs must comply with this By-law and other applicable legislation and the SPLUMA Act, should the By-law not be in line with these acts then the by-law is found to be compromised.	
Section 11(2)(b) allows the municipality to withdraw approval for instance if an advertising structure stands empty or is not in operation for more than 90 days. Billboards are expensive and it makes no sense that the municipality may unilaterally withdraw an approval that the applicant has paid for, this clause must be deleted.	
The new by-law allows for a single employee (Municipal Manager) who is in a close relationship with the municipality to handle internal appeals. In the circumstances, the adjudicatory function of the municipality should be divested to an impartial decision-making body and Appeals should be handled as provided for in SPLUMA.	All appeals go to the Tribunal
The rule of Law is violated by clause 17(b) as it violates the presumption of innocence as protected by section 35(3)(h) of the Constitution.	
Clause 23 requires removal from the draft By-law as it provides the municipality with overbroad powers in terms of adjudicating over its own property and as a potential competitor can create an environment that does not allow for a fair and equitable business arena.	
Contrary to the provisions of 25(2) we contend that the transitional provisions must provide for billboards lawfully erected before the promulgation date of the new By-law to be approved in terms of the new By-law.	
Schedule 1: Areas of Control are extremely restrictive.	Noted
Consideration should be given to the inclusion of various grades of billboard based on the size and in line with the SAMOAC document whereby the categories can be defined and from these categories the area of control can be considered.	
Draft Outdoor Advertising and Signage By-Law conflict with Published Outdoor Advertising and Signage Policy	The Outdoor Signage Bylaw does conflict with the Signage policy.
When dealing with the permissible size of billboards and electronic signs an appeal needs to be made to the Municipality that due cognisance needs to be given the restrictive sizes.	



4th of December 2023

To: Planning and Economic Development Directorate

Stellenbosch Municipality

Attention: Craig Alexander and Viola Anthony

Delivery by Email: Viola.Anthony@ Stellenbosch.gov.za and Craig.alexander@ Stellenbosch.gov.za

In re: Comments to proposed new Stellenbosch Municipality Outdoor Advertising and Signage Bylaw, 2023 ("the New Bylaw")

Introduction

As a point of departure and prior to setting out our comments and recommendations with regard to the proposed New Bylaw, we wish to express our appreciation for being granted an opportunity to do so.

We endeavour by these comments to positively contribute to the public participation process to ensure better quality legislation. A portion of our comments deals with the constitutional validity of clauses contained in the proposed New Bylaw and, in this regard, it is not our intention to nit-pick but rather point out in a constructive manner the short comings of these clauses in an attempt to assist the Municipality to promulgate a New Bylaw, which is constitutionally compliant and which allows an outdoor advertising industry to create economic opportunities in a well-balanced manner, acknowledging the Municipality's unique environment and heritage.

Before however dealing with the provisions of the New Bylaw, it is important to set out the constitutional competencies as determined by the Constitution in respect of *"Billboards and the display of Advertisements in Public Places"*.

A Municipality has the legislative and executive competence to may make and administer a Bylaw for the effective administration of billboards and the display of advertisements in public places. It may exercise any

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power reasonably necessary for, or incidental to, the effective performance of its function to regulate over billboards and the display of advertisements in public places, provided that such Bylaw must not conflict with national or provincial legislation, and if it is in conflict, it will be invalid.¹

The competency bestowed onto a Municipality in respect of billboards and the display of advertisements in public places relates to the display, regulation and control of billboards and the display of advertisements in public places, which includes signs erected on private property but visible from public places.

Other municipal functional areas applicable and relevant to billboards and the display of advertisements in public spaces, as provided for in Parts B of Schedules 4 and 5 of the Constitution, are:

- **Building Regulations**, because billboards qualify to be 'buildings' as defined in the National Building Regulations and Building Standards Act, No. 103 of 1977 (*"Buildings Act"*) and also fall under this functional area;
- **Municipal Planning**, because the New Bylaws impose regulations and require approvals relating to spatial planning and land use management matters applicable to the development of billboards, causing the New Bylaw to fall within the ambit of the Land Use Management Act, No. 16 of 2013 (*"the SPLUMA Act"*) and the Bylaw on Municipal Land Use Planning, 2023 (*"Stellenbosch Planning Bylaw"*); and
- **Public Places**, because the billboards and advertisements displayed must be situated in or visible from public places. We are not aware of specific legislation regulating public places itself within the jurisdictional area of the Municipality.

The following events have taken place within the outdoor advertising landscape in South Africa, which must be addressed and provided for in the New Bylaw, namely:

- the Overbeek Judgement was handed down by the Constitutional Court (*"the CC"*) on the 23rd of June 2023 (*"the Overbeek Judgement"*). A copy of the said judgement will be forwarded to the Municipality together with these comments (if the Municipality is not already in possession thereof). The CC found that section 29(8) of the Buildings Act was applicable to the Municipality of Cape Town's 2001 Outdoor Advertising Bylaws and confirmed the said section to be constitutionally invalid retrospectively from the 4th of February 1997, being the date when the Constitution came into operation, relying on the doctrine of objective constitutional invalidity to justify the retrospectivity. The doctrine of objective constitutional invalidity determines that if a provision is unconstitutional, it is automatically invalid from the date of

¹ Sections 156(1), (2), (3) and (5) of the Constitution of the Republic of South Africa, 1996, read in conjunction with Part B of Sechele 5 thereof

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inception of the particular legislation of which it is part or the 4th of February 1997 (if the applicable legislation was promulgated prior to the Constitution). If one considers that the Buildings Act is riddled with unconstitutional provisions mostly as a result of its old order legislative nature, the Overbeek Judgement causes these unconstitutional provisions to be all invalid in consequence of the doctrine of objective constitutional invalidity with effect as from the 4th of February 1997; and

- the provisions of the promulgated SPLUMA Act.

As you will note below, we believe we are raising meaningful and valid issues in respect of the New Bylaw. As a result, we call upon the Municipality to submit to us an updated and amended draft once the Municipality has taken our comments into consideration and before submitting the new version to the Council for approval. By you providing us with your updated and amended New Bylaw, after considering all the comments you have received from the public and the industry (including our own), you will put us in a position to determine and evaluate to what extent you have taken our comments into consideration. Should you proceed to promulgate the New Bylaw, without providing us first with your amended version and an opportunity to finally comment thereto, you will effectively prevent the public participation process from being concluded properly, rendering it to be flawed.

Engagement is a two-way process and cannot be arbitrarily terminated by the Municipality by proceeding to get it approved by Council, without first informing us what amendments you have made, and granting us an opportunity to consider same and to respond thereto by raising concerns and final comments, should any exist. This level of transparency is especially required, considering that the Municipality is involved in the outdoor advertising industry itself, as a landlord, which places the Municipality in a conflicting and competing position, with the outdoor industry, where the Municipality is acting both as player and referee. In addition, various constitutional issues are raised under this comment, which need to be resolved before the Municipality proceeds to approve and promulgate the New Bylaw. In these circumstances, we believe it is only fair and just that the Municipality provides us with an updated version and allow us an opportunity to provide final comments to the updated version. We have no doubt that the Municipality is desirous to promulgate a New Bylaw which is constitutionally compliant.

The Buildings Act

As pointed out above, the Municipality has original and independent legislative power in respect of 'building regulations'. South African municipalities are therefore directly empowered by the Constitution to make Bylaws



concerning 'building regulations', which powers they may exercise 'fully and effectively'.² The Buildings Act entirely relates to the regulation of buildings situated within the jurisdictional areas of municipalities in South Africa, and falls squarely within the ambit of the functional area of building regulations, hence the reason for the name of the said Act incorporating the words like 'national building regulations and building standards'

The CC has pointed out in the Overbeek Judgement:

"[12] The High Court reasoned that, although Parliament may legislate on "building regulations" because it is a Schedule 4 functional area,³ these powers are limited in nature and cannot be interpreted as concurrent with municipal legislative powers. The national government may only regulate a municipality's executive authority, not its legislative authority. It held that the national government's powers are limited, in relation to municipalities, to a "monitoring, supervising and support function".

The court a quo in the Overbeek matter made the following fundamental constitutional findings in its judgment:

"[16] Similarly, a municipality has the "right to administer" any local-government matter listed in Schedules 4B and 5B. **One of the functional areas in Schedule 4B in respect of which a municipality has original and independent legislative power is in respect of the building regulations.** [our underlining]

[23] This is precisely why constitutionally, national or a provincial government may not compromise or impede a municipality's ability or right to exercise its powers or perform its functions (like building regulations) [our insertion]

[24] This autonomy must inform any and all interpretation of municipal powers. **To stipulate that municipalities are obliged to obtain ministerial approval for Bylaws relating to the erection of buildings which they are empowered to make independently, most certainly compromises and impedes a municipality's ability and right to exercise its powers and perform its functions.**" [Emphasis added]

² Johannesburg Metropolitan Municipality v Gauteng Development Tribunal and Others 2010 (6) SA 182 (CC) ('Gauteng Development Tribunal') para 49. Schedules 4 and 5 of the Constitution must be interpreted purposively and 'in a manner that will allow the spheres of government to exercise their powers "fully and effectively"'

³ Section 44(1)(a)(ii) of the Constitution reads: "The national legislative authority as vested in Parliament confers on the National Assembly the power to pass legislation with regard to any matter, including a matter within a functional area listed in Schedule 4, but excluding, subject to subsection (2), a matter within a functional area listed in Schedule 5".





There is one significant consequence of the finding by the court *a quo* in the Overbeek matter: it is not just that the impugned section of the Buildings Act (section 29(8)) was found to be invalid, but based on the rationale of the finding of the court *a quo*, it must follow that the entire Buildings Act is in fact constitutionally invalid as the Buildings Act, in its entirety, constitutes building regulations which regulates buildings in municipal areas. Based upon the legal rationale confirmed by the CC in the Overbeek matter the entire Buildings Act is constitutionally invalid.

The Buildings Act was assented to on the 22nd of June 1977 and became effective on the 1st of September 1985. It is old order legislation and consequently, it is not surprising that the Minister of Trade, Industry, and Competition has conceded in the Overbeek matter that the Buildings Act is to be replaced soon due to its constitutional insufficiencies. These admissions were made by the Minister's legal representatives during the hearing of the Overbeek matter at the CC on the 3rd of November 2022 which writer has attended in person.

The Buildings Act is national legislation regarding the erection of buildings in municipal areas and is in violation of Part B of Schedule 4 which provides for "FUNCTIONAL AREAS OF CONCURRENT NATIONAL AND PROVINCIAL LEGISLATIVE COMPETENCE" but only to the extent set out in section 155(6)(a) and (7) of the Constitution. "*Building regulations*" fall under Schedule 4 Part B. We submit this because section 155(7) of the Constitution only allows national legislation to legislate the executive authority of municipalities and not its legislative powers.⁴

The structure of the Buildings Act is such that it confers the executive function of the Buildings Act to municipalities, but it has various provisions that are clearly legislative in nature that usurp the legislative power conferred on municipalities in terms of Schedule 4 Part B. As its objective is to set standards, those standards are made in the form of building regulations by the Minister, equally usurping the legislative power of municipalities. The Buildings Act is unconstitutional because it infringes on the legislative autonomy of municipalities, as it impedes a municipality's ability and right to exercise the legislative powers assigned to it in Schedule 4 Part B relating to building regulations.

In summary, Parliament has no authority to make a law about building regulations that concerns anything beyond creating norms and guidelines for the supervision, monitoring, and support of municipalities' executive powers. The Buildings Act unfortunately far exceeds this competence of Parliament and is thus constitutionally invalid. A

⁴ Municipality of Johannesburg Metropolitan Municipality v Chairman of the National Building Regulations Review Board and Others 2018 (5) SA 1 (CC) par 34



regime similarly to that provided by the SPLUMA Act is required to be put in place in respect of building regulations.

A municipality is duty bound to have its own bylaws regulating building regulations and Parliament is only entitled to promulgate framework legislation in respect of building regulations, like the SPLUMA Act is for municipal planning.

It is clear, the entire Buildings Act is riddled with unconstitutional provisions, which is largely caused by its old order legislative nature. This reality though causes the entire Buildings Act to be constitutionally invalid in terms of the doctrine of objective constitutional invalidity with effect as from the date the Constitution came into operation on the 4th of February 1997. The doctrine of objective constitutional invalidity was confirmed in the Overbeek Judgement.

In the circumstances, the Municipality should not rely on the Buildings Act, which is constitutionally invalid, but instead it must promulgate its own building regulations because it has the legislative authority to do so in terms of the Constitution. The Municipality cannot rely on an invalid Act, like the Buildings Act, to govern its affairs. It is against the principle of legality.

The SPLUMA Act

The provisions of the SPLUMA Act must be taken into consideration in relation to the New Bylaw because the activity of '*land development*', which is defined and regulated under the SPLUMA Act, involves the erection of a structure, like a billboard, on land.

The scope and application of the SPLUMA Act are set out under section 2 of the SPLUMA Act, which determines:

"Application of Act

2. (1) *This Act applies to the entire area of the Republic and is legislation enacted in terms of—*

- (a) *section 155(7) of the Constitution insofar as it regulates municipal planning; and*
- (b) *section 44(2) of the Constitution insofar as it regulates provincial planning.*

(2) *Except as provided for in this Act, no legislation not repealed by this Act may prescribe an alternative or parallel mechanism, measure, institution or system on spatial planning, land use,*





land use management and land development in a manner inconsistent with the provisions of this Act.”

“Land development” is defined in the SPLUMA Act to mean the erection of buildings or structures on land, or the change of use of land, including township establishment, the subdivision or consolidation of land or any deviation from the land use or uses permitted in terms of an applicable land use scheme.

In addition, “land use” is defined in the SPLUMA Act to mean the purpose for which land is or may be used lawfully in terms of a land use scheme, existing scheme or in terms of any other authorisation, permit or consent issued by a competent authority, and includes any conditions related to such land use purposes. The permit which the Municipality issues to a landowner to erect a billboard on his, her or its private land fall squarely within the ambit of the definition of “land use”. Furthermore, “land use management system” is defined to mean the system of regulating and managing land use and conferring land use rights through the use of schemes and land development procedures.

In terms of section 2(2) of the SPLUMA Act, the Municipality is not allowed to prescribe in terms of its New Bylaw an alternative or a parallel mechanism, measure, institution or systems on spatial planning, land use, land use management and land development in a manner inconsistent with the provisions of the SPLUMA Act. Any such inconsistencies will be invalid, not only in terms of the provisions of the SPLUMA Act, but also in terms sections 156 and 151(3) of the Constitution. Consequently, the New Bylaw must comply with the provisions of the SPLUMA Act and must not set an alternative or a parallel system which is inconsistent with the provisions of the SPLUMA Act.

The objects of the SPLUMA Act are set out in section 3 thereof, which determines:

“Objects of the Act

3. The objects of this Act are to—

- (a) provide for a uniform, effective and comprehensive system of spatial planning and land use management for the Republic;
- (b) ensure that the system of spatial planning and land use management promotes social and economic inclusion;
- (c) provide for development principles and norms and standards;



- (d) provide for the sustainable and efficient use of land;
- (e) provide for cooperative government and intergovernmental relations amongst the national, provincial and local spheres of government; and
- (f) redress the imbalances of the past and to ensure that there is equity in the application of spatial development planning and land use management systems.”

The purpose of the SPLUMA Act is as follows:

“To provide a framework for spatial planning and land use management in the Republic; to provide for the inclusive, developmental, equitable and efficient spatial planning at the different spheres of government; to promote greater consistency and uniformity in the application procedures and decision-making by authorities responsible for land use decisions and development applications; to provide for the establishment, functions and operations of Municipal Planning Tribunals; to provide for the facilitation and enforcement of land use and development measures; and to provide for matters connected therewith.”

Section 6 of the SPLUMA Act sets out the scope of application of the development principles provided for in the SPLUMA Act:

“Application of development principles

- 6. (1) The general principles set out in this Chapter apply to all organs of state and other authorities responsible for the implementation of legislation regulating the use and development of land, and guide -
 - (a) the preparation, adoption and implementation of any spatial development framework, policy or Bylaw concerning spatial planning and the development or use of land;
 - (b) the compilation, implementation and administration of any land use scheme or other regulatory mechanism for the management of the use of land;
 - (c) the sustainable use and development of land;
 - (d) the consideration by a competent authority of any application that impacts or may impact upon the use and development of land; and





(e) the performance of any function in terms of this Act or any other law regulating spatial planning and land use management.

(2) Notwithstanding the categorisation of principles in this section, all principles contained in this Act apply to all aspects of spatial development planning, land development and land use management."

Pursuant to the provisions of section 6 of the SPLUMA Act, and because the New Bylaw deal with land development and land use, the Municipality must comply with the development principles, set out in section 7 of the SPLUMA Act, read in conjunction with section 6 thereof, in respect of the development of billboards and advertising signs within the jurisdictional area of the Municipality. Section 7 sets out *inter alia* the following development principles to which the Municipality must adhere to:

- > the principle of efficiency, whereby (a) land development optimises the use of existing resources and infrastructure, (b) decision making procedures must be designed to minimise negative financial, social, economic or environmental impacts; and (c) the development application procedures are efficient and streamlined and timeframes are adhered to by all parties;
- > the principle of good administration, whereby (a) all spheres of government ensure an integrated approach to land use and land development that is guided by the spatial planning and land use management systems as embodied in the SPLUMA Act, (b) the requirements of any law relating to land development and land use are met timeously, (c) the preparation and amendment of spatial plans, policies, land use schemes, as well as procedures for development applications, include transparent processes of public participation that afford all parties the opportunity to provide inputs on matters affecting them; and (d) policies, legislation and procedures must be clearly set in order to inform and empower members of the public.

In terms of section 12 of the SPLUMA Act, the Municipality must have a Spatial Development Framework, which *inter alia* interpret and represent the spatial development vision of the Municipality in respect of land development and land use. In addition, the Framework must provide clear and accessible information to the public and private sector and provide direction for investment purposes. This Framework must deal with the spatial development vision of the Municipality in respect of advertising signs situated within its jurisdictional area. The New Bylaw must refer, provide for and deal with this Framework, because the New Bylaw and the Municipality's Spatial Development Framework are integrated with each other and cannot co-exist independently and separately from each other, if they are in fact dependent on each other.



It is important that the Municipality's Spatial Development Framework provides a clear and indicative context with regards to the principles and guidelines applicable to the development, erection and operation of advertising signs situated within its jurisdictional area, because the Municipal Planning Tribunal may not make a decision which is inconsistent with the Municipality's Spatial Development Framework (see section 22 of the SPLUMA Act).

Considering:

- > that no legislation may prescribe an alternative or parallel mechanism, measure, institution or system on spatial planning, land use, land use management and land development in a manner inconsistent with the provisions of the SPLUMA Act (section 2(2)); and
- > the national importance of the SPLUMA Act; and
- > the fact that the New Bylaw falls squarely within the ambit of the provisions of the SPLUMA Act; and
- > considering that the SPLUMA Act has at its core the purpose "*to promote greater consistency and uniformity in the application procedures and decision-making by authorities responsible for land use decisions and development applications*"; and
- > the Municipality must have a Spatial Development Framework, which must deal with issues raised by the Municipality in its New Bylaw and vice versa, the New Bylaw must give effect to the Spatial Development Framework by outlining a supplementary framework of the scope, scale, frequency, impact management and local economic development support in respect of the development of advertising signs within its jurisdictional area it wishes to achieve;
- > the fact that the Municipality is obliged to adhere to the development principles of good administration, as prescribed by the SPLUMA Act, which require *inter alia* from the Municipality to develop and set clear policies, legislation, and procedures in order to inform and empower members of the public,

then it is of paramount importance that the New Bylaw clearly states that the provisions of the SPLUMA Act apply to the New Bylaw and that in the event of a conflict, the provisions of the SPLUMA Act will prevail considering the provisions of section 2(2) of the SPLUMA Act, and sections 156(3) and 151(3) of the Constitution.





The New Bylaw must explain, inform, and alert any member of the public of the application, objects, development principles and other legislative requirements prescribed by the SPLUMA Act, which directly have a material influence on the provisions of the proposed New Bylaw. In addition, the New Bylaw must refer to and be aligned with the Municipality's Spatial Development Framework.

It is important that the New Bylaw provides for and complies with the provisions of the SPLUMA Act, otherwise the New Bylaw will conflict with it, rendering the New Bylaw to be invalid in terms of the provisions of section 156(3) of the Constitution.

Unconstitutional Provisions of the New Bylaw

The New Bylaw contains many provisions which are inconsistent with those of the Constitution. If the New Bylaw is going to be promulgated containing these constitutional deficiencies, those applicable provisions of the New Bylaw or even the entire New Bylaw will be deemed constitutionally invalid in terms of the provisions of the doctrine of objective constitutional invalidity. This latter reality has recently been confirmed by the CC in the Overbeek Judgement.

It is therefore of critical importance that the Municipality makes sure that its New Bylaw does not contain provisions which are unconstitutional.

A Notice in terms of Rule 16A was filed at the High Court of South Africa (Western Cape Division, Cape Town) during about July 2023 in a matter between Out of Home Media South Africa NPC (OHMSA) vs. Stellenbosch Municipality and Others, under case number 11080/2023. The said Notice sets out constitutional issues which OHMSA has raised in respect of the Municipality's Bylaws which was promulgated in the Provincial Gazette dated 30 June 2023. These Bylaws (promulgated) are exactly the same as the New Bylaw which has now been published for public comment. No changes have been made to the latest version of the New Bylaw. A copy of the Rule 16A Notice is attached hereto marked **Annexure "A"**.

We note that the constitutional issues raised by OHMSA, as set out in the Rule 16A notice, has simply been ignored by the Municipality in the New Bylaw. This approach is irresponsible, with all due respect, considering that the Municipality has a duty, especially as the authority bestowed with the duty to regulate over billboards and the display of advertisements in the public places, to make sure that its New Bylaw is not in breach of the Constitution.



In the circumstances, we raise as comments herewith, all the constitutional issues as set out in the Rule 16A Notice, which must be deemed incorporated herein, except for the first issue regarding public participation as raised under paragraphs 4 to 26. It appears as if this issue has been addressed by the Municipality, but please confirm that the Municipality has published its bylaw notification in the Provincial Gazette and at least one national newspaper, as envisaged in paragraph 10 of the Rule 16A Notice. For the sake of the record, we have not managed to find the Municipality's notifications in these publications. The only publication of which we are aware is the one in the Eikestad on the 2nd of November 2023, which targets only the local audience.

Another issue relating to the publication of the New Bylaw for comment, is the fact that we do not find a notification by the Municipality to its residents on its official website that a draft Outdoor Advertising & Signage Bylaw is proposed, which lies available for public comment. The Municipality's failure in this regard, constitutes a breach of the provisions of section 21A(1)(b) of the Local Government: Municipal Systems Act 32 Of 2000 (*"the Systems Act"*), which determines that all documents that must be made public by a municipality, must be conveyed to the local community by displaying the documents on the municipality's official website. This failure on the part of the Municipality places the legitimacy of public participation process in doubt.

Further constitutional issues are raised herein below under various other paragraph headings.

We specifically call upon the Municipality to make sure that it has a full understanding of the constitutional issues, without trying to suggest that it is not the case. We request an opportunity, as part of the public participation process, to facilitate a workshop with the Municipality, including its legal and planning departments, regarding the legal framework, planning and constitutional issues regulating billboards. If the Municipality is amenable to such workshop, we will ensure that legal, constitutional and industry experts make representations to the Municipality, at our cost and expense, as an endeavour from our side to ensure that the Municipality is briefed on the relevant topics in the best possible way. We are of the opinion that such an opportunity will grant the Municipality, and its officials, a chance to positively engage with professional experts, because the legal and constitutional framework governing billboards is vast and complex, and requires a comprehensive understanding, which is a pre-requisite to preparing proper bylaws that are fully compliant. We trust that the Municipality will consider our invitation positively.

Blanket ban on Billboards - Minimum Controlled Areas

The areas allocated for the development of billboards under Schedule 1 (minimum controlled), are almost non-existent, especially if one looks at the underlying legal restrictions pertaining to the areas which are considered to





be minimum controlled. The following areas are deemed to be minimum controlled and available for the development of billboards:

- a) **In Heritage insensitive areas.** This term is not defined and very subjective and vague. It is impossible for the reasonable man to determine which areas situated within the Municipality's jurisdictional area fall under this classification. This area classification needs clarification, definition, guardrails, and detail.
- b) **Designated transportation terminals unless historical conservation area or graded building or site.** These types of terminals are normally owned by an Organ of State and there are only a few transportation terminals within the jurisdictional area of the Municipality. The word 'designated' also implies that the Municipality is going to determine where these terminals are. As a billboard media owner, we have no idea where these designated terminals are, and it appears that it is only going to be determined in the future. With the State as being the landlord, a person will only be able to obtain a billboard lease agreement from the State to operate a billboard via a formal tender process. Consequently, for all practical purposes this type of area is only available when the State decides to issue a tender and if you are successful in the tender. It may never materialise.
- c) **Designated areas within limited use zones unless within a conservation area.** The Stellenbosch Municipality Zoning Scheme Bylaw, 2019, makes provision for Limited Use Zones, but specifically prescribes under section 230(1) thereof as follows:

"The purpose of this zone (limited use) is to make provision for the following:

- (a) *a transitional mechanism to provide an appropriate zone for properties previously zoned 'undetermined' or other abolished zones in previous schemes.*
- (b) *to allow existing nonconforming landuses which do not fit into a zone in this Scheme to continue within the approved parameters, without granting significant other rights which may be inappropriate in the particular area.*
- (c) *for existing lawful land uses to continue, provided that no new land uses (other than the right to build a dwelling house) shall be permitted and properties shall be rezoned to the appropriate use zone in order to permit new land uses."* [our insertion, emphasis and underlining]

This means that a person is not entitled to develop a billboard on land situated within a Limited Use Zone. You are only entitled to build a dwelling house within a Limited Use Zone. Listing areas within



Limited Use Zones as being minimum controlled areas available for the development of a billboard is in contradiction to the Zoning Scheme Bylaw, 2019. For all practical purposes a person is not allowed to erect a billboard in areas within limited use zones. To aggravate matters, limited use zones are also falling under partially controlled areas, which areas do not allow for the development of billboards.

- d) **Specific areas or sites designated as minimum control by way of a map as contained in the zoning scheme bylaw prepared by the Municipality.** No control map was circulated together with the New Bylaws for public comment. Consequently, this provision holds no real legal force and is vague.
- e) **Industrial zones.** Industrial zones are areas allocated for industries, warehouses, abattoir, brickworks, builders' yards, and scrap yards in accordance with the provisions of the Stellenbosch Municipality Zoning Scheme Bylaw.

If one considers the severe extent of the restrictions imposed under the aforesaid area classification, then the following additional restrictions imposed by the Municipality in terms of the New Bylaw, makes it impossible to develop a billboard within the jurisdictional area of the Municipality, namely:

1. Under clause (a) of Schedule 1, the Municipality may unilaterally designate a site where a billboard is to be erected, as a gateway in which case no billboards will be permitted within such gateway. A "gateway route" is defined to mean "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 town planning or development framework plans or By-Law, and which may be geographically depicted by way of maps or listed by the Municipality." The Municipality can arbitrarily designate a prominent route to be a gateway route in which case that road is not available for the development of a billboard.
2. A scenic route is classified to be maximum controlled in terms of Schedule 1, which means that no billboards are permitted to be developed on scenic routes. A "scenic route" is defined to mean "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." The Municipality can once more unilaterally and arbitrarily designate a route to be a scenic route and by doing so, it sterilizes such route for the development of billboards. This amounts to over regulation and implementing a blanket ban on billboards.
3. The Municipality's central business district ("CBD") is classified to be partially controlled, which means that no billboards are allowed within the CBD area; and





4. In terms of section 4(2)(a), the Municipality is entitled to determine in which area a site falls 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. If a billboard situated on a minimum controlled area is visible from a partially controlled area, an official of the Municipality can unilaterally determine which area of control is applicable.
5. Those areas which may be available under the minimum control classification, which is just about nothing (if anything), is lastly further reduced if such areas fall under an urban or rural conservation overlay area.

It is apparent from the aforesaid evaluation, that there are effectively no minimum control areas available in terms of the provisions of the New Bylaw, within the jurisdictional area of the Municipality, for the development of billboards. Schedule 1 introduces a blanket ban against billboards by limiting the areas available for the development of billboards to almost a non-event. The New Bylaw sterilizes the development of billboards. The Municipality will be acting inconsistent with the provisions of the Constitution if it does not amend its areas of control to allow a person to develop a billboard within its jurisdictional area.

Failing to Create Economic Opportunities

One of the main objectives of the Municipality set out in the New Bylaw is 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 side⁵.

The Municipality has extensive portions of land under its direct control which can be used to unlock significant economic opportunities within the outdoor advertising industry. The Municipality can be a substantial contributor as a landlord towards efforts to create jobs and can earn in the process much required revenue (landlord rental), which the Municipality can use to create suitable infrastructure for a fast-growing urban precinct.

These developments can be done in a manner where outdoor advertising can co-exist in a harmonious manner with traffic safety and the unique tourist, environmental and heritage characteristics of the Municipality.

There is no evidence in the New Bylaw that the Municipality is making any attempt to create economic opportunities within the outdoor advertising environment, although many such opportunities exist. The contrary is unfortunately applicable.

⁵ Section 2(3) of the New Bylaw



The restrictions introduced regarding the areas within which billboards may be erected, for instance, are so severe that it constitutes a blanket ban and effectively sterilises the development of billboards within the jurisdictional area of the Municipality of Cape Town. This type of restrictive municipal legislation is in conflict of with provisions of the SPLUMA Act, SAMOAC, the National Development Plan (NDP 2011), the National Spatial Development Framework (NSDF 2023), the Stellenbosch Integrated Development Plan (IDP) and the Stellenbosch Amended Spatial Development Framework (MSDF) approved on the 27th of June 2023.

Stellenbosch Spatial Development Framework

Upon examining the New Bylaw from a spatial perspective, several concerning disparities have emerged in its alignment with Stellenbosch's own spatial policies. This discrepancy between the Bylaw and the approved spatial framework is a significant cause for concern.

Spatial Framework and Decision-making Logic:

The SPLUMA Act outlines a logical framework for spatial policies, emphasising the hierarchy of plans to uphold spatial development principles. In essence, any land-use decision, including billboard development or property rezoning, should harmonise with the Municipality's broader spatial policy.

Discrepancies in Alignment:

The new Stellenbosch Municipal Spatial Development Framework (MSDF) adopted in 2023 operates on Spatial Targeting Directives, prioritising development in specific areas, acknowledging the varying nature of different parts of the Municipality. Notably, the Inner Core Area and its nodes and corridors form the spatial backbone for restructuring towards a more inclusive urban environment.

The primary concern with the New Bylaw lies in its failure to align with this spatial logic. Instead, it clings to the control logic of an arbitrary Area Control Table without consideration for or alignment with the Spatial Targeting Directives.

Contravention of Municipal Planning Bylaw Objectives:

The objectives outlined in the Stellenbosch Municipal Planning Bylaw stress the longer-term spatial depiction and guidelines for land use management, which are:

- (a) provide detailed spatial planning guidelines;





- (b) provide more detail in respect of a proposal provided for in the municipal spatial development framework;
- (c) meet specific land use planning needs;
- (d) provide detailed policy and recommended development parameters for land use planning;
- (e) provide detailed priorities in relation to land use planning and, in so far as they are linked to land use planning, biodiversity and environmental issues; and
- (f) guide decision-making on land use applications.

However, the New Bylaw's disconnect from the MSDF disregards these objectives, hindering spatial coordination and investment planning.

Proposed Considerations:

Decision-making on billboard applications should adhere to spatial targeting directives, allowing for private-sector developments that align with these directives. Refusals or disregard of applications should necessitate concrete reasons based on objective justifications rather than historical discomfort with billboard formats.

Conclusion:

As the New Bylaw currently stands, it fails to implement the Municipality's own spatial policy effectively. A fair and just regulatory framework should begin with spatially identified locations conducive to economic development, in alignment with the Municipality's spatial targeting areas.

Wide Discretionary Powers

The New Bylaw contains various provisions where matters or fees are left to the Municipality to determine within its sole discretion, which have or may have a material effect on the rights of owners of properties or advertising signs. Examples are found in the following definitions and provisions:

- "Areas of control" are defined in the New Bylaw to mean *"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."*

The different areas as set out under Schedule 1 may be modified and amended by the Municipality from time to time in a manner which the Municipality deems appropriate within its sole discretion. No prior consultation with the public or outdoor industry is required. This effectively means that the Municipality



can decide arbitrarily after the promulgation of the New Bylaw, which areas constitute minimum controlled areas, being the only areas of land on which for instance a billboard may be developed.

- "Environmental Impact Assessment" (EIA) is defined to mean *"an assessment carried out in accordance with the Municipality's guidelines for outdoor advertising"*. These guidelines are created and amended as the Municipality may wish from time to time within its sole discretion. The public and outdoor industry can be excluded from participating in these public processes.
- The Municipality determines the application fee within its sole discretion as provided for in section 4(1) of the New Bylaw.

The Municipality must be mindful of the statutory provisions of section 12 of the Local Government: Municipal Systems Act, No. 32 of 2000 (*"the Systems Act"*) and the spirit of consultation and engagement embodied in the Constitution. In terms of the aforesaid provisions, the Municipality cannot introduce provisions to the Bylaw as determined by the Municipality from time to time, without presenting same to the public for comment as a legislative change. Should the Municipality fail to present such changes to the public for comment, the Municipality will be acting in conflict with the provisions of section 12(3)(b) of the Systems Act and the Constitution.

Section 12(3)(b) of the Systems Act dictates:

"12(3) No Bylaw may be passed by a municipal council unless –

- (b) *the proposed Bylaw has been published for public comment in a manner that allows the public an opportunity to make representations with regard to the proposed Bylaw."*

A member of the public simply cannot comment regarding a matter, if such matter was not published for public comment. If the Municipality imposes an obligation after promulgation of the New Bylaw under its 'authority' vested in the words for instance as an example *'as may be determined by the Municipality from time to time'*, such obligation will be invalid, because it will be inconsistent with the provisions of section 12(3)(b) of the Systems Act and the Constitution.

Definitions

Although the New Bylaw provides for the defined term *"advertisement ownership"*, this term does not appear in the New Bylaw. It should in the circumstances be deleted.





It is suggested that the reference to “*in total area*” under the definition of “billboard” is amended to read “*in total face area*”.

The definition of ‘*Central Business District (CBD)*’ refers to an area in the built environment demarcated as such on the Spatial Development Framework for a town. These CBD demarcations cannot be found in the Stellenbosch Amended Spatial Development Framework (MSDF) approved on the 27th of June 2023. This definition appears under Schedule 1 and conflicts with the provisions of section 5(4) of the New Bylaw. The definition of ‘*Central Business District (CBD)*’ is linked to the Spatial Development Framework instead of the Zoning Scheme Bylaw. It needs to be rectified.

The Municipality, as defined, is the authority to consider an application submitted in terms of the provisions of the New Bylaw. The term “municipality” is defined to mean “*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.*”

The aforesaid definition includes various permutations. For the sake of clarity, we are of view that the New Bylaw must clearly explain who will consider and adjudicate applications in terms of the New Bylaw. This clarity is especially necessary considering that the Municipality is a player in the outdoor industry as landlord and also the referee, as regulator. The Municipality is in a conflicted position and consequently, the decision-making authority must be independent, impartial, and a fair decision-making process is of paramount importance. The New Bylaw must impose the required guardrails to prevent a compromise of these basis requirements of natural justice. Matters in terms of the New Bylaw, should in the circumstances, be adjudicated by the Municipal Planning Tribunal, operating under the provisions of the SPLUMA Act.

An “*urban conservation area*” is defined to mean “*an area in the built environment demarcated as such on the Spatial Development Framework for a town*”. No reference to an ‘*urban conservation area*’ can be found for Stellenbosch, Franschhoek or Klapmuts in the Stellenbosch Amended Spatial Development Framework (MSDF) approved on the 27th of June 2023. This definition needs to be rectified because it is also in conflict with section 5(4) of the New Bylaw.

Sections 3(2)(b) and 6(1) – Invalidity of the Buildings Act

Due to the constitutional invalidity of the Buildings Act, references to the said Act should be deleted in these sections. Expecting a person to comply with invalid legislation (the Buildings Act) is contrary to the principles of

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directors: wm raubenheimer (martin) • wjg landman (wilhelm) • ep vorster (edward) • wfc arndt (bubu)



legality. The Municipality must as a local authority develop its own building regulations because it is a function falling under Part B of Schedule 4 of the Constitution (building regulations). Only the Municipality has the legislative power to make building regulations. Parliament is only entitled to promulgate framework legislation.

Section 3(6), (7) and (9) – Impact Assessments, Public Participation processes and Additional Requirements

The submission of these impact studies vests with the exclusive discretion of an official of the Municipality. An application for a small billboard the size of 4.6 square meters, for instance, may require that the applicant must incur the costs of obtaining an Environmental Impact Assessment, a Heritage Impact Assessment, and a Traffic Impact Assessment. This is significant for a simple structure, which a private property owner is entitled to erect on his, her or its property. The fact that it contains third-party advertising makes a huge difference in the regulatory path the applicant must take.

There is no indication of what these impact assessments entail, and there are no guardrails to these requirements set in the Bylaw. It is very vague and amounts to over-regulation. An official is free to interpret an impact assessment as he or she wishes within his or her sole discretion.

Section 3(7) is very vague in as much as the provision does not indicate who is entitled to activate a public participation process. Is it the community, the Municipality or the applicant? A lot of red tape is introduced by the New Bylaw if public participation is required for a simple advertising sign application. These requirements are excessive considering that a private property owner or a billboard media company has the right to conduct a billboard business and have a right to freedom of expression in terms of the Constitution.

Section 3(9) is also vague. The Municipality can effectively impose any additional requirement it wishes to do. This provision has no guardrails and is overbroad.

Section 4(2) – Too wide of a discretion

In terms of section 4(2) of the New Bylaw, is the Municipality not obliged to take into consideration the area of control, for instance, because this provision states that the Municipality “*may have regard to the following factors*”. This provision, once again, provides the Municipality with too wide of a discretion and is consequently overbroad.

Section 4(2)(a) – Areas of Control

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In terms of this provision, areas of control may be considered by the Municipality when adjudicating an application. The description of the areas are directly linked to the definitions contained in the Municipality's Zoning Scheme Bylaw (see section 5(4)). This reality confirms that the New Bylaw must provide for and comply with the provisions of the SPLUMA Act.

As per the definition of 'areas of control', it is those areas set out under Schedule 1, 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. Schedule 1 also refers to those areas as designated by the Municipality by way of a map, contained in the Zoning Scheme Bylaw, as prepared by the Municipality. It means that these areas are effectively determined by the Municipality from time to time. It means that an area is determined by the Municipality by merely taking a decision, without it been prescribed by the New Bylaw, which realities must be taken into consideration. Although some guidance is provided regarding the nature of a specific area, no obligation is imposed upon the Municipality to take such circumstances in consideration when classifying an area. The Municipality can arbitrarily determine which land falls under which classified area and the public has no part to play in this process. This type of regulation is contrary to the provisions of the Systems Act and the Constitution, and consequently, constitutionally invalid.

The notion "area" is generally defined as any particular extent/part of space or surface of a district, precinct, neighborhood, town or Municipality. It is not linked to a specific site or cadastral delineation typically used in the zoning of properties. An "area" from a town planning perspective usually has certain identifiable characteristics and qualities to be recognisable as an "area". "Area" is therefore an interpretative quality that extends across several features. It would therefore be incorrect to unilaterally assume that the character of an "area" is simply based on the decision of the Municipality or zoning of a property.

In order to determine an area of control, various input factors must be considered, for instance the actual land-use patterns, changing land-use trends, as well as future land-use plans should all be used to determine more accurate determinations of the appropriate area of control. Such input factors should be clearly set out in the Municipality's New Bylaw. If the Municipality bases such determination only on the zoning, the Municipality ignores the actual land-uses or changing land-use patterns or eminent land-use patterns. These factors are important, and material as outdoor advertising typically responds to land-use and movement patterns of the Municipality and not to the actual zoning of properties. The 'areas of control' must be determined by the circumstances surrounding the location of an advertising site. It must be a factual issue determined by all the surrounding circumstances, and not a single measurement for instances, the zoning status of a property. The current list of uses outlined under each area of control category is clearly biased on current land use typologies and does not appropriately respond to the intended spatial patterns and planned land uses as outlined in the



Municipal Spatial Development Framework and Regional Spatial Development Frameworks. The New Bylaw Area of Control determinations therefore clearly lack alignment with spatial planning and the fundamental prescript of the SPLUMA Act.

There are also several additional determinants for land-use characteristics that go beyond actual zoning of properties. There are several examples such as quarries that operate under an "undetermined" zoning, where the rights have been granted by means of other legislation for example the mining licences as per the "*Mineral and Petroleum Resources Development Amendment Act 49 of 2008*". The actual land-use and noxious nature of these activities would therefore be much closer to a minimum control classification as opposed to your general assumption that all "undefined zoned properties" are the same as agricultural land.

In cases where rights have also been granted by means of a "Consent Use" or "Special Use" application, a significantly different land-use could result that blurs the narrow definition of the zoning of properties. It is also irregular and legally questionable to consider the "Consent Use" or "Special Use" rights as a "lesser" right that does not override the original zoning of the property. The site development and uses that typically result from "Consent Use" applications should therefore be taken into consideration when determining the appropriate area of control.

The following realities, which are normally associated with busy roads, must be taken into consideration when classifying an area, which are not intended to be exhaustive, namely:

- very high intensity of activities and usage by members of the public;
- excessive and constant noise and gas pollution;
- a lot of vehicle light activities.

Section 5(4) – Certain definitions are in conflict with these provisions

As pointed out above, the definitions of 'central business district' and 'urban conservation area' are in conflict with this provision.

Section 6(2) – Joint Liability of Municipality





This section makes both the applicant to whom approval has been granted and the owner of the property or building to which it is attached, 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.

The Municipality must make sure that it puts in place the necessary internal processes and insurance to provide for and cover this liability because the Municipality will be jointly liable for the maintenance and annual inspections of all signs erected on municipal property.

Sections 8(3)(a) and 9(2) and (3) – Electronic Signs must be less than 2.1 m2

Section 8(3)(a) does not allow electronic signs to be developed which are larger than 2.1 m2. It is a very restrictive provision and is out of touch of national and international tendencies. A sign less than 2.1 m2 will hardly be visible from any road and will increase road safety risks rather than to reduce same. May we request the Municipality to share with us the scientific studies conducted by the Municipality to justify this strict regulation?

With all due respect, it is totally overbroad and effectively imposes a blanket ban on electronic signs. The New Bylaws does also not provide for a waiver of the size of an electronic sign.

The Municipality is the most significant landlord within its jurisdictional area. It can be a major contributor to the outdoor advertising industry as landlord, allowing the industry to compete with international social media companies, who hardly pay any taxes to the South African Government. By not granting outdoor advertising opportunities to local outdoor advertising companies, the Municipality forces local advertisers to spend their advertising budgets on social media belonging to international companies, because of a lack of availability of outdoor advertising signs within the jurisdictional area of the Municipality.

The Municipality is effectively suffocating and undermining the local outdoor advertising industry to benefit international companies, which do not make any real contributions to the local economy of Stellenbosch.

Section 9(2) determines:

"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."

Developing an electronic sign which is less than 2.1 m2, as prescribed by section 8(3)(a), alongside a class 2 or 3 roads, or a gateway or scenic routes, will be a waste of money and will rather contribute adversely to road traffic



safety. There can be no scientific justification for imposing these restrictions. It is with all due respect rather obvious that the Municipality has no experience in the outdoor advertising industry.

In terms of national and provincial legislation the Municipality is duty bound to create job opportunities. Larger electronic signs can easily be developed which operate in harmony with the Municipality's special environment and heritage. By imposing a blanket ban, the Municipality shuts its doors to the outdoor advertising industry. This regulatory result places the Municipality in breach of its constitutional duties.

Section 9(3) disallow advertising on bridges, towers, telecommunication masts, pylons, or street poles. Street poles for instance are structures which can be used by the Municipality to generate substantial additional revenue which can be used to develop much needed infrastructure.

Section 9(5) – Traffic Volume

Section 9(5) determines:

"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."

This provision is too wide, vague and overbroad. The central business district of the Municipality accommodates by far the majority of signs, while it is the area where *"traffic volume, the average following headway, or accident history requires a higher degree of awareness from drivers."* These risks are adequately addressed by speed limits and other traffic control mechanisms, hence the reason why there are many more signs within the CBD than otherwise.

Section 9(12) – Spacing of Billboards

Section 9(12) dictates:

"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."

By setting the size of the sign to be larger than 4.5m2 means that it refers to a billboard. A billboard may only be developed within a minimum controlled area. Reference to *"a railway reserve"* under this provision is out of line.





because a billboard is not allowed to be developed in a railway reserve because these areas are classified to be partially controlled.

The Municipality must not impose long distances between signs, because such action will be contrary to the norms, standards and principles set out under the SPLUMA Act. Healthy competition within the outdoor industry is good and should be encouraged by the Municipality. Overregulating outdoor is not in the interest of an open and competitive free market. A distance of 300 meters away from each other is too far and excessive in our view. The Municipality must limit its intervention into the market to the maximum. A distance of 250m is more appropriate.

Section 10 – Legal Requirements

This provision must clearly state what other legislation is applicable for the sake of legal certainty.

The New Bylaw must explain, inform, and alert any member of the public of the application, objects, development principles and other legislative requirements prescribed by the SPLUMA Act, which directly have a material influence on the provisions of the proposed New Bylaw. In addition, the New Bylaw must refer to and be aligned with the Municipality's Spatial Development Framework.

The New Bylaw must also provide for what happens if there is a conflict between the provisions of the New Bylaw and the Municipality's Zoning Scheme Bylaw and Spatial Development Framework.

Section 11(2)(b) – remains unused for more than 90 consecutive days

Considering that a billboard is a building which cost a lot of money to erect, it is nonsensical that the Municipality would be entitled to arbitrary and unilaterally withdraw an approval. This provision is very harsh, vague and require clear guardrails and amounts to over regulation.

Section 11(5) – Additional Information

In terms of section 11(5) the Municipality is duty bound to decide within certain periods of time, commencing on a date when a completed application was received or after receipt of additional information as required by the Municipality. This type of protocol is inclined to encourage officials to request additional information to gain additional time instead of attending to the application.



Section 12 – Appeal (Conflicted position of Appeal Authority)

A person whose rights are affected by a decision in terms of the New Bylaw is granted the right to appeal the decision to the Municipal Manager in terms of section 62 of the Systems Act.

Considering that the administrative decision under appeal was taken by a staff member of the Municipality, other than the municipal manager, the municipal manager is the appeal authority, pursuant to the provisions of section 62(4)(a) of the Systems Act.

The Municipality is compromised, because it is not only a regulator of billboards, but also a landlord upon which billboards are erected and operated, from which the Municipality benefits financially. Consequently, the Municipality finds itself in a conflicted position, where it is the referee and player.

Granting a person, the right to appeal to the Municipality Manager, in these circumstances, where the Municipality Manager is a player and a referee, will mean that the Municipality considers an appeal of an administrative decision taken by the Municipality itself. Such a situation is unfair, bias and will be prejudicial to an appellant. If one considers the issues raised below, it becomes clear that an independent, impartial, and fair appeal-process is of paramount importance.

Our concerns are confirmed by a dictum made by the Constitutional Court in the matter of the Municipality of Johannesburg Metropolitan Municipality v Chairman of the National Building Regulations Review Board and Others (CCT186/17) [2018] ZACC 15; 2018 (8) BCLR 881 (CC); 2018 (5) SA 1 (CC) (7 June 2018). In the latter matter, section 9 of the Buildings Act was declared unconstitutional, which provided that a person may appeal to the Review Board (which was an authority outside of a municipality), against a decision of a municipality to refuse a building plan application. The appeal-process to the Review Board collapsed because section 9 was declared constitutionally invalid. In the circumstances, the Constitutional Court was considering alternative appeal-processes. The following dictum by the honourable Constitutional Court Judge in the aforesaid matter is on point (paragraph 41):

"However, I do not think that these appeals must be processed in terms of section 62 of the Systems Act. This section is simply not suitable. Decisions to which section 9 of the Act applied are those which were taken by a municipality. Under section 62(4) of the Systems Act, a municipal council is the highest appeal authority. Therefore, if section 62 were to apply, a municipality would sit on appeal against its own decision. This would be an untenable situation."





We fully concur with the concerns expressed by the Constitutional Court above. The Municipality will sit on an appeal against its own decision.

The activity of erecting a structure, like a billboard, on land is defined to mean 'land development' in the SPLUMA Act. The SPLUMA Act governs 'land development', which means that the SPLUMA Act is applicable to the activity of erecting a billboard on land. Many municipalities in South Africa implement this reality. Consequently, the New Bylaw, which regulates the activity of erecting a billboard, must comply with the provisions of the SPLUMA Act. In these circumstances, the appeal authority should not be the Municipal Manager, with all respect, but a Tribunal duly constituted in terms of the SPLUMA Act.

Sections 17, 18, 21 and 23 of the New Bylaw

These provisions are in conflict with those of the Constitution, rendering them to be unconstitutional. See the Rule 16A notice attached hereto in this regard.

Section 24 – Repeal of Bylaw

"The stipulations of any Bylaw previously passed by the Municipality" have no legal consequence. A Bylaw only takes effect, in terms of section 13(b) of the Systems Act, when it is promulgated and published in the Provincial Gazette. You cannot repeal something which has not taken effect, or has no legal bearing or has not come into operation. These provisions are therefore confusing and should be deleted.

Section 25 - Transitional Provisions

The transitional provisions must provide that the advertising signs which were lawfully erected prior to the promulgation date of the New Bylaw are deemed approved in terms of the New Bylaw. The Municipality never had an Outdoor Advertising Bylaw. The New Bylaw will be the first piece of legislation regulating advertising signs within the jurisdictional area of the Municipality. Any attempt by the Municipality to regulate retrospectively by means of the New Bylaw is going to create many unreasonable, unjust and unfair results and consequences.

The Bylaw promulgated by the Municipality on the 30th of June 2023 is invalid and unconstitutional, hence the reason that the High Court of South Africa (Western Cape Division, Cape Town) under case number 11080/23 has ordered the Municipality not to implement same.



If the Municipality wishes to deprive a person from any proprietary rights a person holds in an advertising sign prior to the promulgation of the New Bylaw, in terms of the New Bylaw, then and in such event the Municipality is duty bound to compensate such person because the New Bylaw will amount to expropriation. If the Municipality refuses to pay compensation, it will be in conflict of the provisions of section 25 of the Constitution.

Section 25(1) determines:

"Anything done before the promulgation of this Bylaw, which was not done in terms of a provision repealed in this Bylaw and was unlawful, shall in the event of such act or sign still not complying with the provisions of this Bylaw, be unlawful and the Municipality in such case may take the necessary action in terms of section 19 hereof."

As pointed out the Municipality never had an Outdoor Advertising Bylaw before. Reference to "which was not done in terms of a provision repealed in this Bylaw" is misleading, confusing, and misplaced. In terms of section 24 the Municipality is repealing "(t)he stipulations of any Bylaw previously passed by the Municipality", which have never come into effect, has no legal bearing, or has not come into operation. You cannot repeal something legally which has not legally come into operation. The Municipality must rectify this provision to reflect to true situation.

Section 25(2) states:

"All legal signs that exist at the date of publication of this Bylaw, must in all respects comply with the stipulations in this bylaw within a period of six (6) months from the date of publication. Any sign that fails to comply after the initial six (6) months will be removed."

The reference to "(a)ll legal signs" is confusing and misleading. The Municipality endeavors to create the impression that there was previously a valid Bylaw, which is not the case. If existing signs must be removed because it is not complying with the provisions of the New Bylaw, the Municipality will have to compensate the applicable owner as provided for in section 25 of the Constitution.

This may be a substantial amount of compensation the Municipality will have to pay, hence the reason for suggestion that it may be more appropriate that the New Bylaw determines that all existing signs (old order signs) as on date of promulgation of the New Bylaw must be deemed approved under the New Bylaw, even if they may not be fully compliant under the provisions of the New Bylaw. The New Bylaw should provide for these old order signs which are fully legal.

Section 25(3) dictates:





"The municipality could instruct an owner of a sign to remove it should the sign fail to comply to the regulations of this Bylaw. Should the owner neglect to remove the sign and/or within the period of 6 months, after publication of this bylaw, then the Municipality reserves the right to remove such sign at the expense of the owner."

This entire clause is riddled with provisions which is in direct conflict with the provisions of sections 25 and 34 of the Constitution, rendering same to be invalid. The Municipality allows itself to take the law in its own hands, without following due legal process, which conduct amounts to self-help. These provisions are very alarming considering that there was no prior Bylaw in place and the Municipality acts as a competitor to the industry and as its regulator.

Schedule 2 – Billboards

Clause (d) of Schedule 2 requires that billboards must have a minimum clear height of 2.4m and a sign structure must not exceed a maximum height of 7.5m above natural ground level. These types of requirements amount to over regulation. Each billboard has a unique position in respect of the site and space where it is to be developed. By setting certain predetermined measurements, will cause signs to be developed which is not appropriately positioned in the space it occupies, which can have a detrimental effect on the visual environment. It is proposed that this clause is deleted or otherwise it must provide that it may be waived under consent of the Municipality.

In terms of clause (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. A billboard of this size is hardly visible from class 2 or 3 roads. If a billboard is too small, it increases traffic risks, because a person needs to take extra action and time to see the billboard. An 18 square meter sign is acceptable on roads where the speed limit is 60 km/h. However, on roads with higher speed limits larger sizes must be allowed to become visible, like for instance 81 square meter billboards.

Clause (f) dictates that billboards must be displayed between the angles of 90° and 60° to the direction of oncoming traffic. This provision amounts to over regulation and each site has its unique angle to be visible to oncoming traffic.

Clause (j) prescribes that billboards must have a minimum letter or number height of 285mm. This provision is vague, amounts to over regulation and no scientific study has been conducted to justify this requirement. It is arbitrarily imposed by the Municipality and should be deleted.

Schedule 4 – Flat Signs



Clause 5 provides that the size restriction on a flat sign may be waived on condition that only graphics designed and created by a suitably qualified consultant be displayed on such sign. This provision requires more explanation as it is unclear what the Municipality wishes to achieve with this provision.

Restrictive Horizontal Practice - Competition Act

The arrangement imposed by the Municipality, as a firm as envisaged in the Competition Act, No. 89 of 1998 (*"the Competition Act"*), in terms of the provisions of its New By-Laws, upon the outdoor advertising industry operating within the jurisdictional area of the Municipality, constitutes a prohibited restrictive horizontal practice in terms of section 4 of the Competition Act.

By means of the New By-Laws, the Municipality is imposing the following arrangement upon the outdoor advertising industry, namely:

1. the Municipality exclusively regulates outdoor advertising and signage within the Municipality's jurisdictional area;
2. nobody is entitled to erect or develop an advertising sign without the Municipality's approval, except for the Municipality itself;
3. the Municipality itself is not obliged to obtain approval if it elects to erect or develop an advertising sign on its own land. The Municipality is free to develop advertising signs as it wishes;
4. the Municipality is by far the largest owner of land upon which advertising signs can be developed within the jurisdictional area of the Municipality. The Municipality holds a dominant position, as a landlord, when it competes with private landlords within its jurisdictional area;
5. once the Municipality erects or develops an advertising sign on its land, it absorbs a portion of the advertising spend available within the jurisdictional area of the Municipality. The more advertising signs are erected on the Municipality's land, the more revenue the Municipality generates as landlord, the less advertising spend is available to the outdoor advertising industry itself, and the less landlord rental private owners earns, with whom the Municipality competes;
6. the Municipality does not impose any guardrails within which its officials, who works for the Municipality, must exercise their wide discretion;
7. the enforcement of the New By-Laws is also left to the Municipality, who police itself, as well private landlords;
8. should a private landowner wishes to appeal the decision taken by an official of the Municipality, the appeal is considered by another official i.e. the Municipal Manager.





The aforesaid complaints are not necessarily exhaustive, but it is clear that the aforesaid arrangement, which the Municipality intends to put in place by means of its New By-Laws, in respect of outdoor advertising within its jurisdictional area, will have the effect of substantially preventing or lessening competition in the outdoor advertising market. Such conduct on the part of the Municipality constitutes a restrictive horizontal practice, which is prohibited in terms of the Competition Act. The Municipality must ensure that it complies with the Competition Act.

Development of the Outdoor Advertising Industry in Stellenbosch and Loss of Advertising Revenue

An Outdoor Advertising By-Law can only be successfully implemented and enforced by a local authority if it partners with the outdoor industry. A Bylaw must not become an instrument to implement an almost total ban on outdoor advertising. If the Municipality is going to enforce an outdoor advertising bylaw which is not aligned with the realities on the ground, as experienced by all South Africans, such bylaw will not be sustainable. Outdoor advertising is an essential medium to create jobs, generate economic growth, activate business activities, and to facilitate economic empowerment. These goals can be achieved without compromising heritage or the environment. These components can co-exist harmoniously.

The Stellenbosch Municipality is not utilizing their available infrastructure to generate additional revenue for its residents, as it is obliged to do. The Municipality's restrictive approach towards outdoor advertising means that the Municipality is not acting in the interest of its residents.

This approach by the Stellenbosch Municipality affects media owners, persons that want to advertise, landlords, production houses, creative agencies, lighting crews, electricians, engineers, steel contractors, banking institutions, insurers, and many more. A whole industry, acknowledged by the Constitution, will be undermined unnecessarily if the New Bylaw is approved and promulgated.

OOH vs On-line Advertising

A PWC study showed that online advertising revenues rose from R 452 m to R 566 m and search internet advertising revenues hit R 865 m in 2014, according to the Interactive Advertising Bureau (IAB) South Africa Internet Advertising Revenue Report. Since 2014 it has grown exponentially. As an example, Google billed R 1 bn in advertising sales generated in South Africa in 2019.

Internet companies are more and more threatened with their income as impacts (the actual number of times an advertisement is seen) becomes the currency in which audience numbers are measured. Impacts converts into



revenue. As a result of the aforesaid, large international companies have embarked on a spree of buying OOH media companies.

The simple truth is that all these big on-line companies are foreign companies. All profits made by them in South Africa are moved out of South Africa. Within the Stellenbosch scenario this outflow of currency could be slowed should the Stellenbosch's New Bylaw be less restrictive. This is the type of conduct expected from South African local authorities, standing up to protect local companies and communities.

Conclusion

It is apparent from the comments set out above, which is not intended to be exhaustive (and we reserve our rights to amplify or extend these comments, if necessary), that the New Bylaw, if promulgated, will fail in many instances to comply with the principals of legality and other legal requirements.

We trust that you will consider our comments favourably to ensure that the Municipality provides a clear regulatory framework which is constitutionally compliant, indicating with reasonable certainty to those who are bound by it what is required of them so that they may regulate their conduct accordingly.⁶

As requested above, please provide us with the updated version of the New Bylaw after considering all public comments in order to put us in a position to provide final comments to the Municipality's updated version.

We are keen to make further investments within the jurisdictional area of the Municipality in order to develop outdoor advertising in co-operation with the Municipality in a manner where outdoor advertising can co-exist within a balanced environment.

In the circumstances, we await to hear from you and let us know, should there be any queries or uncertainties.

Yours faithfully

⁶ This constitutional principle was entrenched into our Law in the matter of *Affordable Medicines Trust and Others v Minister of Health and Another* (CCT27/04) [2005] ZACC 3; 2006 (3) SA 247 (CC); 2005 (6) BCLR 529 (CC) (11 March 2005)





Martin Raubenheimer
Per: Managing Director



Annexure "A"

Rule 16A Notice

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IN THE HIGH COURT OF SOUTH AFRICA
WESTERN CAPE DIVISION, CAPE TOWN

CASE NO: 11080/23

In the matter between:

OUT OF HOME MEDIA SOUTH AFRICA NPC ("OHMSA") Applicant

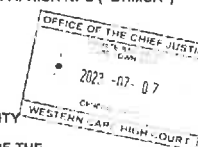
and

STELLENBOSCH MUNICIPALITY First Respondent

THE MUNICIPAL MANAGER OF THE
STELLENBOSCH MUNICIPALITY Second Respondent

THE MINISTER OF CO-OPERATIVE GOVERNANCE
AND TRADITIONAL AFFAIRS Third Respondent

THE MEC FOR THE DEPARTMENT
OF LOCAL GOVERNMENT, WESTERN CAPE Fourth Respondent



APPLICANT'S NOTICE IN TERMS OF RULE 16A

1. TAKE NOTICE that the abovenamed Applicant intends raising constitutional issues in the application under the above case number and herewith gives notice thereof to the Registrar.
2. For the sake of convenience, the Applicants adopts the same nomenclature as set out in the founding affidavit.





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3. This matter pertains to the Stellenbosch Municipality: Outdoor Advertising and Signage By-law 2023 adopted on 24 May 2023 by the First Respondent ("the Municipality") and published in the Provincial Gazette Extraordinary 8785 on 30 June 2023 ("the Outdoor Advertising By-law").

VIOLATION OF THE RULE OF LAW (SECTION 1(c) OF THE CONSTITUTION) AND SECTIONS 152(1)(a) AND (e) AND 160(4)(b) OF THE CONSTITUTION

4. Section 152(1) of the Constitution of the Republic of South Africa, 1996 ("the Constitution") provides, inter alia, that the objects of local government are to provide democratic and accountable government for local communities. Subsection (e) specifically provides that the object of local government is 'to encourage the involvement of communities and community organisations in the matters of local government'.
5. These provisions inform the nature of public participation and provide the context and purpose for the provisions of the Local Government: Municipal Structures Act 117 of 1998 ("the Structures Act") and Local Government: Municipal Systems Act 32 of 2000 ("the Systems Act").
6. Section 156(2) of the Constitution affords a Municipality the power to make and administer By-Laws for the effective administration of the matters which it has the right to administer.
7. In terms of Section 156(1), a Municipality has a right to administer the local government matters listed in Part B of Schedule 5. Billboards and the display of advertisements in public places are matter so listed in Part B.



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8. In terms of section 160(4) of the Constitution, no By-Law may be passed by a municipal council unless the proposed By-Law has been published for public comment.
9. In terms of section 12(3) of the Systems Act no By-Law may be passed by a municipal council unless the proposed By-Law has been published for public comment in a manner that allows the public an opportunity to make representations with regard to the proposed By-Law.
10. Although section 12 does not set out a specific regime nor time periods that must be followed, it is respectfully submitted that at the very least, having regard to section 13 of the Systems Act, notice should be published in the Provincial Gazette affecting companies and entities doing business, to the knowledge of the Municipality, not just in Stellenbosch, but throughout the country, also in at least one national newspaper in addition to a local newspaper.
11. The publication should also correctly and accurately describe the nature of the By-Law in respect of which public comment is required.
12. In accordance with section 5 of the Systems Act, members of the local community are afforded certain rights and duties including to –
 - 12.1. contribute to the decision-making processes of the Municipality;
 - 12.2. make written and oral recommendations, representations and complaints to the municipal council or to another political structure or a political office bearer or the administration of the Municipality;



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- 12.3. receive prompt responses to their written or oral communications, including complaints, to the municipal council or to another political structure or a political office bearer or the administration of the Municipality;
- 12.4. be informed of decisions of the municipal council, or another political structure or any political office bearer of the Municipality, affecting their rights, property and reasonable expectations;
- 12.5. to demand that the proceedings of the municipal council and those of its committees must be *"open to the public", "conducted impartially and without prejudice"* and *"untainted by personal self-interest"*.
13. To give effect to these rights, it is imperative that the Municipality adheres to the procedures for the implementation of By-Laws as stipulated in section 12 to 21B of the Systems Act.
14. Chapter 4 of the Systems Act provides in detail for community participation. The obligations set out in sections 16 and 17 thereof are extensive.
15. The Municipal Council is also, in terms of section 18 of the Systems Act, obliged to communicate information concerning the available mechanisms, processes and procedures to encourage and facilitate community participation.
16. As is indicated by section 17 of the Systems Act, participation of the local community must occur through the political structures.
17. Section 17(2)(b) for instance provides that a Municipality must establish appropriate mechanisms, processes and procedures to enable the local community to participate in the affairs of the Municipality, and must for this



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- purpose provide for notification and public comment procedures, when appropriate.
18. In terms of section 21(1) of the Systems Act, when anything must be notified by a Municipality through the media to the local community in terms of the Systems Act, or any other applicable legislation, it must be done
 - 18.1. in the local newspaper or newspapers of the area;
 - 18.2. in a newspaper or newspapers circulating in its area and determined by the Council as a newspaper of record; or
 - 18.3. by means of radio broadcasts covering the area of the Municipality.
19. In terms of section 21(3) of the Systems Act, a copy of every notice that must be published in the Provincial Gazette or the media in terms of the Structures Act or any other applicable legislation, must be displayed at the municipal offices.
20. In terms of section 21A(1) of the Systems Act, all documents that must be made public by a Municipality in terms of a requirement of the Systems Act, the Municipal Finance Management Act or other applicable legislation, must be conveyed to the local community-
 - 20.1. by displaying the documents at the Municipality's head and satellite offices and libraries;
 - 20.2. by displaying the documents on the Municipality's official website, if the Municipality has a website as envisaged by section 21B; and



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- 20.3. by notifying the local community, in accordance with section 21, of the place, including the website address, where detailed particulars concerning the documents can be obtained.
21. In terms of section 21A(2) of the Systems Act, if appropriate, any notification in terms of subsection (1)(c) must invite the local community to submit written comments or representations to the Municipality in respect of the relevant documents.
22. In terms of section 21B of the Systems Act:
 - 22.1. The Municipality is obliged to establish its own official website (since it is affordable);
 - 22.2. place on that official website information required to be made public in terms of the Systems Act and the Municipal Finance Management Act;
 - 22.3. the Municipal Manager must maintain and regularly update the Municipality's official website.
23. Public participation in the case of promulgating outdoor advertising by-laws for the first time must involve a duty to consult in circumstances where it would be irrational to take a decision without such consultation, because of the special knowledge of the person or organisation to be consulted. OHMSA is such an entity.
24. Persons or entities that are likely to be directly affected by a new By-Law, especially where breach of that By-Law may result in offences or penalties, and when such persons have a legitimate expectation that the rights that they have



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- exercised over many years will not be unlawfully infringed, form part of the same group of people who should be consulted.
25. In this particular case we are dealing with a situation where outdoor advertising has never previously been regulated and advertisers, outdoor advertising companies who erect structures and the persons on whose property such structures are erected and advertising performed all have legitimate expectations of their activities being able to continue lawfully. They should be consulted at the very least in regard to transitional provisions and the manner in which the new bylaws will affect them and their interests that have been vested over many years.
 26. The Municipal Council in adopting the Outdoor Advertising By-law on 24 May 2023 and publishing it in the Provincial Gazette Extraordinary 8785 on 30 June 2023 did not give effect to such fair public participation process and the Municipality is accordingly a breach of the aforesaid provisions and the rule of law.
 27. The Outdoor Advertising Bylaw falls to be reviewed and set aside alternatively declared unconstitutional.
 28. The Applicant seeks relief in terms of Part A and Part B of its Notice of Motion accordingly.

VIOLATION OF THE RULE OF LAW – RETROSPECTIVITY

29. There was, prior to 30 June 2023, never any outdoor advertising by law in existence within the jurisdiction of the First Respondent.



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30. The Outdoor Advertising By-law operates retrospectively to impose burdens and punitive consequences on all advertisers, owners of advertising structures and property owners where such advertisements are displayed or advertising structures erected for conduct that occurred prior to the commencement of the Outdoor Advertising By-law, which was not unlawful at the time that the conduct was committed.
31. The retroactive effect can be described as 'strong retrospectivity' since it changes the law from what it was at a date in the past. It is a generally accepted principle of the rule of law that people should be able to regularize their affairs secure in the knowledge that they are at liberty to perform any action that has not been proscribed by law. Retrospective legislation is inconsistent with the rule of law because it makes it impossible for citizens to regularise their affairs in this manner.
32. The penalties for a contravention of any provision of the Outdoor Advertising By-law is potentially severe as indicated by section 21. These punitive aspects are inconsistent with s 35(3)(l) of the Constitution, which provides that an "accused person is not to be convicted for an act or omission that was not an offence under either national or international law at the time it was committed or omitted".
33. In opening the door to retrospective application, the Outdoor Advertising By-law falls foul of the rule of law because:
 - 33.1. of the severe penal consequences provided for in section 21 of the Outdoor Advertising By-law;



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- 33.2. no provision is made to allow advertisers, outdoor advertising companies or entities and private property owners sufficient time to regularise their affairs before they are criminalized.
34. The following provisions of the Outdoor Advertising By-law are implicated by the foregoing considerations making them unlawful and invalid:
 - 34.1. section 3(1);
 - 34.2. section 11(2);
 - 34.3. section 17;
 - 34.4. section 18;
 - 34.5. section 19;
 - 34.6. section 21; and
 - 34.7. section 25.

PROMULGATION OF BY-LAW WITHOUT MAP IS PREMATURE

35. The Bylaw purports to regulate advertising in accordance with different "areas of control". Indeed, the "areas of control" forms the backbone of the entire regulatory regime – and such are to be determined with reference to a "map prepared by the Municipality".
36. These maps have not yet been compiled, or if they have been compiled, they have not yet been published – and certainly did not form part of the public participation process.



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37. The absence of a map prepared by the municipality under the Bylaw impacts significantly on the constitutionality of the new by-laws, for the following reasons.
- 37.1. One of the peremptory factors which the Municipality must take into account when considering an application for an approval is the area of control and accompanying schedule of conditions. If one considers the other factors to be taken into account in the absence of the map, they are vague and meaningless.
- 37.2. This is largely because the map are an important factor on the list in section 9(13) of the Bylaw which pertains to the *spacing* of the sign. The other factors relate to the type of sign, the effect of the sign and other consents required etc. The Municipality would be unable lawfully to consider an application under the Bylaw without considering the *areas of control and the spacing* of the signage in question, which is determined to a large extent with reference to the maps.
- 37.3. In addition, in the absence of the map, the official who is charged with the approval or rejection of an application for an approval is left without any guidance as to how to exercise his wide discretion and what factors should be taken into account when evaluating the application.
38. The premature promulgation of the Bylaw without properly adopted map was accordingly contrary to the rule of law and unconstitutional.



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VIOLATION OF S 16(1) OF THE CONSTITUTION

39. Section 3(1) of the Outdoor Advertising By-law outlaws display any advertisement or erect or use any sign for advertising purposes without the Municipality's approval in terms of the Outdoor Advertising By-law.
40. An "advertisement" is defined extremely broadly as including "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".
41. This means that each individual advertisement is subject to the prior approval of the Municipality. This amounts to censorship.
42. Section 3(2) of the Outdoor Advertising By-law prohibits not only new signs but also the alterations or additions to existing approved signs.
43. The following sections have similar prohibitions but in more specific terms relating is to specific circumstances:
- 43.1. section 4(1);
- 43.2. section 9(2);
- 43.3. section 9(7);
- 43.4. section 11(2);
- 43.5. section 11(4).
44. The prohibitions in general but the one in section 3(1) of the Outdoor Advertising By-law in particular, acts as a form of prior restraint and is an infringement of



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the right to freedom of expression, more particularly commercial free speech. Billboard advertising is part of the right to free speech and is accordingly protected by s 16(1) of the Constitution.

45. The approach of the Outdoor Advertising By-law, as set out in section 3(1) and its related provisions is to place a near total and blanket prohibition on commercial free speech, unless authorised in the discretion of the Municipality's officials.
46. Not only is the right taken away, but the exercising of it is criminalised.
47. The blanket prohibition in s 3(1) of the Outdoor Advertising By-law on advertising signage without the prior written approval of the Municipality is overbroad in the light of the definitions of "advertisement", "display" and "sign".
48. The exceptions in respect of signs falling under sections 13(3) to 13(10) of the Outdoor Advertising By-law only cover very limited circumstances and serve to specifically exclude the bulk of third-party advertising from the exceptions.
49. It is plain to see that the general prohibition on advertising is overbroad since it reaches well beyond the intended competence of advertising regulation as provided for in Schedule 5 of the Constitution.
50. The Municipality in formulating the Outdoor Advertising By-law has singularly failed or refused to consider whether the all-embracing restrictions are actually necessary or no greater than needed.



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51. In acting disproportionately, the Outdoor Advertising By-law fails to strike an appropriate balance between respecting free speech and promoting legitimate governmental objectives, such as traffic and environmental considerations.
52. The ban is overbroad since it makes few, if any, exceptions for third party advertisements that would not otherwise implicate any legitimate public concern. The Bylaw chills third party advertising because it outlaws all such advertising, even where such advertisements do not remotely implicate any of the legislative concerns of the Municipality.
53. Advertisers face considerable sanction unless they go to the substantial time and expense of preparing applications and paying high application fees to have their applications considered. Many small businesses cannot afford the expense and fees.
54. The Outdoor Advertising By-law in compelling virtually all third-party advertisers to apply for permission to advertise and pay high fees, even where it is clear that the adverts in question do not implicate a legitimate public concern, discloses an attempt on the part of the Municipality to limit third party advertising and to generate considerable fees from the applications, which constitute a form of unjustified (and in fact illegal) enrichment. I make this assertion because in such circumstances the unnecessary application and payment of fees is immoral and I would argue contrary to public policy or interest.
55. The overbroad prohibition on commercial free speech renders the Outdoor Advertising By-law unconstitutional because it regulates substantially more



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speech than is permissible under s 16(1) and it is submitted that such invalidity is not saved by section 36 of the Constitution. In particular:

- 55.1. the nature of the right to freedom of is of fundamental importance in an open and democratic society based on human dignity, equality and freedom;
- 55.2. no legitimate purpose can be served in such extreme limitation, certainly it is not apparent that any other fundamental right is being protected insofar as the purpose of the limitation appears to be primarily aesthetics;
- 55.3. the nature and extent of the limitation is an absolute one, subject solely to the discretion of the Municipality and its officials;
- 55.4. the relationship between the extent of the limitation and its purpose is completely disproportionate; and
- 55.5. there are clearly less restrictive means to achieve the same purpose.
- 56. In the circumstances the following provisions of the Outdoor Advertising By-law are unconstitutional and invalid:
- 57. The following provisions of the Outdoor Advertising By-law are implicated by the foregoing considerations making them unlawful and invalid:
 - 57.1. section 3(1);
 - 57.2. section 3(2);
 - 57.3. section 4(1);
 - 57.4. section 9(2);



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- 57.5. section 9(7);
- 57.6. section 11(2);
- 57.7. section 11(4).

PRESUMPTIONS IN SECTION 17 OF THE OUTDOOR ADVERTISING BY-LAW ARE A VIOLATION OF S 35(3) OF THE CONSTITUTION AND THE RULE OF LAW

58. Section 17 of the Outdoor Advertising By-law provides as follows:

"Any person charged with an offence in terms of this Bylaw 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."*

59. The rule of law is violated by these presumptions as they all violate the presumption of innocence as protected by s35(3)(h) of the Constitution. The



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presumption of innocence is an established principle of South African law which places the burden of proof squarely on the prosecution.

60. Section 17(a) holds organisers of events to be liable for the unlawful display of signs even if they had nothing to do with the legality and unless they are able to demonstrate their innocence.
61. Section 17(b) holds advertisers liable for alleged illegalities of the advertising sign owners and vice versa.
62. Section 17(c) provides that whatever contravention is committed by the advertising sign owner or presumably advertiser is similarly or automatically committed by the private property owner, thereby holding the latter liable for the offences of the former.
63. This is even in circumstances where the property owner may be entirely oblivious of the transgression and has no connection with the offence, aside from the fact that it may have taken place on his or her property.
64. Similarly, an advertiser may be entirely oblivious to the fact that the sign on which its advertisement is displayed contravenes the Outdoor Advertising By-law.
65. Further even though the advertisement may be contrary to the provisions of the Outdoor Advertising By-law, this does not mean that the advertising sign owner should be held responsible.
66. These presumptions are offensive to the rule of law.
67. A property owner who rents space to the owner of an advertising sign is in a position analogous to a landlord and tenant. Similarly, an advertising sign owner



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who rents out space on his signed to an advertiser is in the position akin to that of a landlord. A landlord may not be held liable for criminal offences committed by tenants on his or her property, merely because the offence was committed on his or her property. Unless the landlord is directly implicated in the offence, or is a co-conspirator or an accessory after the fact, he or she has no connection or relationship to the offence.

68. Similarly an advertiser which concludes a contract in respect of the advertising of his advertisements on signs will not have any ability to control the legality of the signs on which its adverts are displayed. It cannot be held liable unless it is directly implicated in the offence, or is a co-conspirator or an accessory after the fact, he or she has no connection or relationship to the offence.
69. All exercise of public power must comply with the Constitution and the principle of legality, which is part of the rule of law. Accordingly, the conduct of the Municipality, in creating presumptions that hold innocent parties responsible for the transgressions of others, must be rationally related to the purpose sought to be achieved by the exercise of it. If there is no rational basis then such conduct is arbitrary and falls to be set aside as a violation of the principle of legality.
70. The presumptions are not rationally related to the purpose of the Outdoor Advertising By-law, namely the administration of outdoor advertising in public places. The practice of penalising one party for the errancy of another is a most extraordinary step to take in a constitutional democracy. Such a practice is entirely inconsistent with the normative standards of our Constitution.
71. The presumptions will again have a chilling effect on commerce and freedom of expression, including commercial free speech.



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72. The rule of law does not countenance such irrationality, nor does it permit the imposing of a penalty or punishment on such a basis. In short, penalizing or burdening the a person for the wrongs committed by others cannot be rationally related to the objective of the Outdoor Advertising By-law.
73. The Bylaw is accordingly a violation of the rule of law and is unconstitutional.
74. It follows that any action taken against any person on the basis of these presumptions will also be in violation of the rule of law.

ULTRA VIRES PART B OF SCHEDULE 5 OF THE CONSTITUTION

75. In terms of s 156(1)(a), read with Part B of Schedule 5 of the Constitution, the Municipality may only regulate billboards and advertisements in "public places".
76. The definitions of "advertisement", "public place" and "sign" in section 1 of the Outdoor Advertising By-law, is so wide that it even includes any and all privately-owned spaces, both outdoors and indoors, to which the public has access, or simply is able to view.
77. Virtually all commercial properties, such as shopping centres, big and small, are implicated since the public generally has access to such properties. This would cover any walkway, corridor and space, both indoors and outdoors on private property to which the public has access and in respect of which any advertising is displayed.
78. As mentioned above in my challenge under s 16(1) of the Constitution the Outdoor Advertising By-law engages in overreach on a grand scale to prohibit virtually all third-party advertising. This forces such advertisers, including small



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- businesses, to engage in the lengthy and expensive process of securing prior approvals; even where the signs do not implicate any legitimate governmental concern. Such overbreadth is likely to encourage mass defiance of the Outdoor Advertising By-law.
79. The overbroad prohibition on commercial free speech renders the Outdoor Advertising By-law unconstitutional because it regulates substantially more speech than is authorised by Part B of Schedule 5 of the Constitution. It is submitted that it could never have been within the contemplation of the framers of the said Schedule to introduce '*nanny state*' type control over every private property to which the public has sight or access; and which does not impact on traffic and the environment.
80. In so doing, the Municipality has stepped well outside the bounds of Part B of Schedule 5 of the Constitution and acted *ultra vires* its powers as granted by the Constitution.

UNDULY WIDE COERCIVE POWERS AND SELF-HELP WHICH INFRINGE *INTER ALIA* SS 25, 33 AND 34 OF THE CONSTITUTION

81. Section 18 of the Outdoor Advertising By-law affords the Municipality wide coercive powers to:
- 81.1. in terms of section 18 (1), if any sign displayed as alleged by the municipality to be in contravention of the Outdoor Advertising By-law, 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



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such alteration thereto or do such work as may be specified in such request or notice, within a time frame specified therein - and if the party receiving such notice does not act accordingly such party will be guilty of an offence in terms of section 21(1) of the Outdoor Advertising By-law;

- 81.2. in terms of section 18(3) if such notice is not adhere to, enter into an private property and remove or alter the sign or do such work as may be specified in such notice without a court order;
- 81.3. in terms of section 18(5) remove a sign without notice or court order If in the opinion of an official the sign is unsafe;
- 81.4. in terms of section 18(7) purports to create a lien in favour of the Municipality for costs incurred by it in removing any sign and for payment of the costs incurred in respect of the storage of any sign;
- 81.5. in terms of section 18(8) purports to provide for *parate executie*.
- 82. The powers set out above amount to the taking of intrusive and coercive steps, even on private property, which constitute self-help. Such powers violate:
 - 82.1. section 34 of the Constitution which guarantees the right to have a dispute decided in a fair public hearing before a court or independent and impartial tribunal or forum; and
 - 82.2. section 33 of the Constitution which guarantees the right to administrative action that is lawful, reasonable and procedurally fair; and
 - 82.3. section 25 of the Constitution in that the exercise of such powers will interfere with the use and enjoyment of property, which in the



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abovementioned circumstances will constitute an arbitrary deprivation of property.

- 83. It is a fundamental principle of our law that a person may not take the law into his own hands and a statute should be so interpreted that it interferes as little as possible with this principle.
- 84. Persons are not entitled to take the law into their own hands to enforce their rights. There is a legal process by which the enforcement of rights is carried out. Normally speaking, it is carried out as a result of an order of Court being put into effect through the proper officers of the law such as the Sheriff, deputy sheriff, messenger of the magistrate's Court or his deputies, reinforced if necessary, by the aid of the police or some such authority; in most civilised countries there exists the same principle that no person enforces his legal rights himself. If any person, including a Municipality wants to enforce a right it must get the officers of the law to assist it in the attainment of its rights.
- 85. This principle is consistent with the rule of law and the doctrine of separation of powers.
- 86. In effect, the impugned provisions of the Outdoor Advertising By-laws purport to allow the Municipality' officials to make determinations with far reaching impact, without the input of the affected parties and then execute the chosen penalty.
- 87. The broad reach of these powers is further exacerbated by the definition of "public place" which includes:



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- 87.1. national and provincial roads, which means that City officials can execute the Outdoor Advertising By-law to public places over which they have no jurisdiction; and
- 87.2. enclosed spaces where the public has a right of access, even if it is private property.
88. Such authority deprives the public of the necessary checks and balances to restrain the abuse of coercive public power.
89. Section 18 of the Outdoor Advertising By-law is accordingly unconstitutional and unlawful and falls to be set aside.

RIGHT TO FREEDOM OF TRADE, OCCUPATION & PROFESSION UNDER S 22 OF THE CONSTITUTION

90. The cumulative effect of the violations mentioned above, together with failure to adhere to constitutional standards, has very serious implications for the OHMSA's members, their employees and those they represent as well as for advertisers and private property owners.
91. The Outdoor Advertising By-law will have a deleterious impact on the businesses of owners of signs located on private property, as well as on the private property owners themselves.
92. The Municipality, as the State at local government level, has an obligation to refrain from interfering with both the civil and political rights, as well as the social and economic rights of citizens.



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93. The right to freedom of trade enshrined in s 22 of the Constitution protects the right to choose a trade, occupation or profession freely. The Outdoor Advertising By-law infringes upon those rights and such infringement is not saved in terms of section 36 of the Constitution for all the reasons already addressed.
94. S 22 of our Constitution applies to both natural and juristic persons. This is the case when read with s 8(4) which entitles juristic persons to the rights in the Bill of Rights to the extent required.
95. In the circumstances, the Outdoor Advertising By-law violates the rights of OHMSA's members, private property owners as well those of working people in the advertising industry in respect of freedom of trade, occupation and profession.

VIOLATION OF THE RIGHT TO PROPERTY UNDER SECTION 25 OF THE CONSTITUTION

96. The cumulative effect referred to above also impacts on the rights of the public to private property.
97. The overbroad reach of the Outdoor Advertising By-law which in effect unduly prohibits, without Municipal approval, all third-party advertising signs on private property to which the public have access or which can be seen by the public, regardless of their impact on any legitimate governmental considerations. This forces such advertisers to spend significant time and money to seek approvals. In some cases such costs are prohibitive.



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98. Additional factors include the intrusive and wide discretionary and punitive powers the Outdoor Advertising By-law affords the Municipality's officials, as described above.
99. The Bylaw accordingly interferes with the use and enjoyment of property or private property owners. Such interferences constitute deprivations of property.
100. I submit that such deprivations are egregious since they impact directly on the personal autonomy and livelihoods of private property owners. There is no rational basis for the Municipality's scheme. The means employed are not rationally connected to any legitimate government purpose, which contributes to the arbitrariness of the deprivation.
101. A lawful deprivation is one that is properly authorised and fairly imposed on the use, enjoyment, exploitation or disposal of property. In this matter, since Part B of Schedule 5 of the Constitution does not contemplate such regulatory overreach, as described above, the deprivations are not authorised by law nor are they fairly imposed.
102. The approach of the Outdoor Advertising By-law impairs livelihoods and the full enjoyment of property of private property owners who wish to flight third party advertising on their property. Private property owners are accordingly expected to bear an undue burden for the benefit of the Municipality. Such a policy or approach is disproportionate because it imposes an unequal and unfair burden on such property owners.
103. In the circumstances such deprivations are arbitrary for purpose of s 25(1) of the Constitution.



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EXEMPTION – REFEREE AND PLAYER

104. Section 23 of the by-laws provides for an exemption from the provisions of the by-laws to be granted by the municipality. The concept that members of the public can be exempted from law by executive decision is contrary to the principle fo the rule of law.
105. The Municipality's intention to compete in the outdoor advertising space and profit from the outdoor advertising industry is evident from the provisions of Section 9(7) which authorizes the Municipality the approve advertising signs on their own property.
106. The fact that the Municipality has commercial interests in the outdoor advertising industry while retaining an adjudicatory role to approve or reject applications creates a conflict of interest and the risk of bias and abuse: it is both judge and jury in its own cause.
107. The Bylaw is also marred by a problematic employee-employer relationship and lacks adequate mechanisms to combat the influence that the Municipalityas employer would have on its employees tasked with assessing and approving applications. The power dynamics of the employee-employer relationship, coupled with the failure to diffuse the power over a larger group of decision-makers creates a clear vulnerability to bias and fails to adequately address the Municipality's conflict of interest in acting both as regulator and as market participant.
108. The by-laws therefore cannot eb regarded an constitutional.



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DATED at Cape Town on this the 7 day of July 2023.

SMIT SEWGOOLAM INCORPORATED

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Ref: OCJ/DR/MAT45825

c/o MACGREGOR STANFORD KRUGER INC

12th Floor
One Thibault
17 Hans Strijdom Avenue
Cape Town
Ref: Ms Karien Peens

TO:
THE REGISTRAR OF THE ABOVE
HONOURABLE COURT, CAPE TOWN

AND TO:
THE STELLENBOSCH MUNICIPALITY
First Respondent
Ground and First Floor, Townhouse Complex,
17 Plein Street
Stellenbosch

BY EMAIL AND SERVICE BY SHERIFF

AND TO:
THE MUNICIPAL MANAGER OF THE STELLENBOSCH MUNICIPALITY
Second Respondent
Ground and First Floor, Townhouse Complex,
17 Plein Street
Stellenbosch

BY EMAIL AND SERVICE BY SHERIFF

AND TO:



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THE MINISTER OF CO-OPERATIVE GOVERNANCE
AND TRADITIONAL AFFAIRS

Third Respondent
87 Hamilton Street
Arcadia
Pretoria

AND

Care of the State Attorney
4th Floor
22 Long Street
Cape Town
8001

BY EMAIL AND SERVICE BY SHERIFF

AND TO:

THE MEC FOR THE DEPARTMENT OF LOCAL GOVERNMENT, WESTERN
CAPE

Fourth Respondent
8th Floor, Waldorf Building
80 St Georges Mall
Cape Town

AND

Care of the State Attorney
4th Floor
22 Long Street
Cape Town
8001

BY EMAIL AND SERVICE BY SHERIFF

4 December 2023

**STELLENBOSCH MUNICIPALITY
DEVELOPMENT PLANNING**

Attention: Viola Anthony

PER EMAIL: viola.anthony@ Stellenbosch.gov.za

**RE: SUBMISSION OF COMMENTS – DRAFT OUTDOOR ADVERTISING BYLAW-
STELLENBOSCH MUNICIPALITY – Public Notice 144 - 2023**

We refer to the request for comments to the draft outdoor advertising bylaw for Stellenbosch closing on 4 December 2023.

The draft makes mention of all spheres of Government in terms of the Constitution and its Right to administer and approve as a Municipality (Section 156(2)(5), Section 155(6)(a)(7), but it fails to advise which necessary Acts will be used to assess and administer applications (eg. National Buildings Regulations and Building Standards Act, National Environmental Management Act, National Road Traffic Act, Municipals Systems Act), National Heritage Resources Act .

Also, the bylaw does not state if it conforms with SAMOAC in which a guideline referring to size in terms of the Environmental Management Requirements is mentioned. Does the bylaw conform with the Department of forestry, fisheries and environment for the Republic of South Africa?

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We wish to further submit the following comments:

Chapter 3 - Page 26 – 18 - Enforcement and removal of signs (5) (6) (7) and (8)

- (5) Notwithstanding any other clause in the Bylaw, if a sign is, or is reasonable considered to be an imminent danger noncompliance of such notice"
- (6) Any costs incurred by the Municipality in carrying out or arranging for the removal of any sign.....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....."
- (8) Any unlawful signs removed by the Municipality and not reclaimed within two (2) months.....

Our Comments:

Municipality may be allowed to enter the premises of private property for inspection where reasonably necessary, but for removal Municipality would be required to serve a notice of contravention later followed by a Court Order for the removal.

Chapter 3 – Page 29 – 25 – Transitional arrangements (3) – The Municipality could instruct an owner of a sign to remove it should the sign fail to comply to the regulations of the bylaw. Should the owner neglect to remove the sign and/or within the period of 6 months, after publication of this bylaw, then the Municipality reserves the right to remove such sign at the expense of the owner.

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Our Comments:

We are of the impression that any sign erected prior to the promulgation of a Bylaw should be allowed to exist and form part of the Integrated Development Plan for Stellenbosch. It must also be noted that the Municipality may be allowed to enter the premises of private property for inspection where reasonably necessary, but a Notice of contravention needs to be served for the sign, later followed with a Court Order for the removal.

Page 31 - Schedule 2: Billboards 1(e) – Billboards must not exceed a maximum total size of 6x3m (18sqm) provided that on any V-shaped structure, two such panels may be permitted.

Our Comments: **(larger than 18sqm is allowed in terms of Nema)**

In terms of the National Environmental Management Act:

For an application for environmental authorization submitted for an activity(ies) listed under a previous listing notice(s) (either the ECA or NEMA) but not yet finalized, of which a component of the same activity was not listed under the previous NEMA Notices, but is now listed, the competent authority may authorize a new listed activity (GNRs 544, 545 and / or 546) on condition that all impacts of the newly listed activity and the requirements of the new regulations have been considered and adequately assessed by the applicant.

1(v) The construction of facilities or infrastructure, including associated structures or infrastructure, for advertisements as defined in classes 1(a), 1(b), 1(c), 3(a), 3(b), 3(l) of the South African Manual for Outdoor Advertising Control. Activity 1 of GNR 546 (specified geographical areas only) The construction of billboards exceeding 18 square meters in size outside urban or mining areas or outside industrial complexes. –

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An application may be submitted for Environmental Authorization should the size of sign exceed 18 square meters. Part of the Defined classes above are: 1(a) Super billboards 1(b) Custom-made billboards 1(c) Large billboards.

We reserve our right to further comment.

Yours sincerely,



Farzana Adam

Procurement and Development Manager

0794935192

4 November 2023

The Municipal Manager
Stellenbosch Local Municipality
PO Box 17
Stellenbosch
7599

FOR ATTENTION: City Manager: Ms. Geraldine Mettler

**RE: COMMENTS ON THE DRAFT STELLENBOSCH
MUNICIPALITY OUTDOOR ADVERTISING AND SIGNAGE BY-
LAW, 2023**



➤ 1. Introduction

The newly introduced Stellenbosch Municipality Outdoor Advertising and Signage By-law 2023 appears, on the surface, to be a mere replication of its predecessor without any substantive amendments. This lack of revision implies a missed opportunity by the administration to update and enhance the regulatory framework, leading to the same set of rules being republished without due consideration for potential advancements or changes needed in the outdoor advertising landscape.

One of the primary shortcomings of this By-law lies in its creation devoid of industry consultation. The Out of Home Media (OOH) industry in South Africa serves a critical role in responding directly to settlement and transportation patterns, acting as an integral part of the local economy. Moreover, this sector has evolved significantly with the integration of digital technologies, fostering more innovative and sustainable advertising practices.

Internationally, the OOH sector has demonstrated its capacity for creative advertising that, with thoughtful design, minimises visual impact while engaging diverse localities. This more progressive capability to allow for innovative and thoughtful design to mitigate impacts seems to be doubted by the evident regulatory approach visible in the By-law that by default opts to restrict outdoor media options to the absolute minimum or smallest size possible.

Surprisingly, the progression of this By-law seems to have occurred without meaningful consideration of the industry's needs, requirements, and interests. The absence of real industry consultation raises concerns about whether the regulations adequately reflect the dynamic nature of outdoor advertising and its technological advancements.

Assessing this new By-law is approached from the perspective of offering constructive commentary, drawing from 33 years of experience in metropolitan planning and as an industry Planning professional with a broad understanding of the Out of Home regulations across various municipal jurisdictions in South Africa. It's imperative that regulatory frameworks acknowledge the dynamic aspects of media formats, designs, and technologies to ensure that legislation remains relevant, adaptable, and supportive.

In the subsequent sections, this evaluation will delve deeper into specific elements of the By-law, offering recommendations aimed at fostering a more inclusive, responsive, and effective regulatory framework for outdoor advertising in Stellenbosch.

2. General Comments

Mandatory Finalisation - The inclusion of a 60-day mandatory finalisation period of complete applications is commendable and would greatly assist the general efficiency and predictability of investment decisions around Outdoor Advertising in Stellenbosch. The provision for the establishment of liaison forums (par 20 of the new By-law) is a positive mechanism to deepen representation and allow for a variety of interests to be considered. However, it is unclear how wide the representation of affected and interested parties would extend and if the interests of Out-of-Home Media sector would indeed be included in the constitution of such a liaison forum.

Need for more balanced and integrated evaluation - Furthermore, the By-law's emphasis on control and regulation leans heavily towards preserving character and visual aspects, potentially overshadowing the necessity for advertising in sustaining local economies. Even in areas like Stellenbosch, with a distinct local identity and natural surroundings, a balanced consideration remains crucial. The Spatial Development Principles articulated in the Spatial Planning Land Use Management Act (SPLUMA) underscore the need for comprehensive consideration of all aspects, including economic imperatives, in the regulatory process.

Moreover, the by-law seems detached from broader spatial policy directives, portraying itself as a standalone legislation rather than an integral component of the city's policy framework. This disconnection raises concerns about its alignment with the city's economic growth objectives and the realisation of inclusive and transformative goals.

Flawed basis to base Area Control Status on the zoning of properties - The By-law's simplification, as outlined in Paragraph 5.(4), regarding the interpretation of "areas" or routes referenced in Schedules 1, as per the definitions in the Municipality's Zoning Scheme Bylaw, overlooks the nuanced nature of what constitutes an "area" in town planning contexts.

An "area," from a town planning perspective, encompasses a more extensive expanse, characterised by identifiable qualities and distinct characteristics that collectively define its essence. It's an interpretative quality that transcends a single property's zoning, extending across various spatial delineations within a broader context.

Arbitrarily reducing the characterisation of an "area" solely to the zoning of individual properties would be inaccurate. To accurately determine an area of control, a comprehensive assessment must consider multiple factors. This includes for example the purposeful consideration of the existing land-use patterns, evolving land-use trends, and future land-use plans. Such concerns are crucial in arriving at more precise and fitting determinations of the appropriate area of control.

A more comprehensive evaluation considering these multifaceted aspects of an "area" would facilitate a more accurate and contextually appropriate definition for the purposes of the By-law. This would ensure that the regulatory framework aligns more cohesively with the dynamic and multifaceted nature of areas and development.

Over-restrictive spacing standards - The general spacing requirements outlined in Table 1 under Road Traffic Safety requirements present a challenge as they are at least 200-300% more restrictive compared to those found in other cities in South Africa. While these seems to follow the very restrictive Cape Town By-law standards, the lack of clear and objective justification raises concerns about the potential hindrance to economic objectives. The substantial increase in spacing requirements, although potentially waivable, prompts consideration of adopting a more universally accepted logic, aligning rather with standards observed in other Advertising By-laws in South Africa. Striking a balance between ensuring orderly urban aesthetics and fostering economic vibrancy is crucial.

Unwarranted standards that exceed what is deemed reasonable in other comparable cities risk imposing excessive restraints to the local economy.

Considering a more aligned approach with industry norms not only streamlines the regulatory framework but also mitigates the need for additional traffic impact assessments triggered solely by unusually stringent standards. This adjustment would contribute to a more efficient and cost-effective application process, encouraging economic activities while maintaining responsible urban aesthetics and traffic safety protocols.

Unrealistic size limitation for electronic signs - The By-law's restriction of electronic signs to a maximum size of 2.1sqm appears out of sync with the evolving landscape of the out-of-home media sector, especially within a city that champions technological progress, entrepreneurial endeavours, and innovation, epitomised by the presence of a vibrant Technopark. In today's context, digital media represents not just a modern advertising medium but a catalyst for economic growth and development.

The limitations imposed by the By-law fail to acknowledge the transformative potential of digital media in bolstering sustainability principles and accommodating dynamic advertising modalities. The growing trend in the out-of-home media industry leans heavily towards digitalisation, allowing for more interactive, engaging, and adaptable advertising practices that resonate effectively with modern audiences.



Moreover, these restrictions may inadvertently hinder the city's ambition to foster economic growth through innovative mediums. Digital media offers unparalleled flexibility, allowing for real-time content updates, targeted messaging, and enhanced engagement with consumers, contributing significantly to the local economy.

Danger of arbitrary traffic impact reservations - The By-law's general stipulation that signs cannot be erected in areas with potentially higher traffic volumes, shorter average following headway, or significant accident history ostensibly aims to ensure driver safety and awareness. However, the current formulation of this restriction, as detailed in Paragraph 9(5), appears overly broad and speculative. It leaves room for arbitrary determinations and unnecessarily limits advertising opportunities without clear and objective criteria.

A more effective approach would be to refine these provisions, allowing for a more objective assessment through professional traffic impact studies. These should preferably be extended to allow for a possible waiver of the blanket 80-meter spacing limitation of electronic signs to signalised intersections as outlined in Par 9(9). Objective measurements and impact assessments should be the cornerstone for determining advertising restrictions in specific traffic-prone zones. Where speculative reservations fail to translate into tangible risks or demonstrable safety hazards, they should not unjustly curtail advertising prospects.

The need for a more measured and evidence-based approach to traffic reservations is paramount. A balanced assessment, considering both safety concerns and the need for effective advertising opportunities, will ensure a more equitable and pragmatic application of restrictions in the interest of both road safety and advertising opportunities.

Potential Constitutional invalidity - Further complicating matters, the by-law seemingly encroaches on the commercial rights of property owners, potentially infringing on constitutional rights such as freedom of expression and media. This raises legitimate questions about the constitutional validity of the by-law, particularly in the context of the progressive role outlined for the city in the Stellenbosch Integrated Development Plan as well as the particular role and function evident in the broader Spatial Frameworks such as the Provincial Spatial Development Framework and the National Spatial Development Framework. Local legislation should rather harmonise with national and provincial economic-spatial policies to avoid disharmony and protect broader interests.

3. Detail Comments (Schedules)

The following detail comments can be made on various Schedules that has a particular bearing on third-party advertising.

Schedule 1: Area of Control

The Area Control matrix, reminiscent of the approach adopted in Cape Town, imposes substantial constraints on billboard opportunities. While the regulatory intent behind these limitations may be comprehensible to some extent, the designation of concentrated economic zones such as central business districts, commercial development nodes, and activity corridors as partial control areas raises notable concerns.

This categorisation appears incongruent with the guidance initially outlined in the South African Manual for Outdoor Advertising Control (SAMOAC) that indicates these rather as Minimum Control Areas. By restricting advertising opportunities within zones identified as commercial, mixed-use, or business areas—clearly visible in the Spatial Development Framework—the By-law seems to contradict the city's broader spatial policy framework. This mismatch may inadvertently stifle economic prospects in areas strategically identified for robust development initiatives.

Harmonising the By-law with the city's overarching spatial policy framework is crucial to avoid inadvertently impeding economic growth in zones earmarked for comprehensive development. A more inclusive and adaptive approach to the Area of Control matrix would ensure alignment with the city's strategic vision for spatial development while fostering an environment conducive to economic vitality and growth.



Schedule 2: Billboards

The regulatory stance in the By-law concerning freestanding signs reflects an overly restrictive approach, seemingly prioritising visual aesthetics over necessary and suitable regulation. Notably, it confines billboard development primarily to transportation and industrial zones, categorically prohibiting such development in crucial commercial hubs like shopping centres or mixed-use areas. While curtailing the proliferation of billboards might have merit in a city like Stellenbosch, the complete restriction on small billboards, up to 18 sqm, within these concentrated retail zones seems unnecessarily prohibitive.

Commercial areas, especially shopping centres, serve as pivotal localities where prominent brands require representation. However, the By-law's stringent regulations make this economic necessity impractical. A more balanced approach could permit smaller billboards, up to 18 sqm, in Partial Control areas within these commercial hubs, ensuring the city's economic vitality without compromising visual integrity.

Furthermore, the imposition of a maximum size limitation of 18 sqm across the board appears excessively stringent for a medium-sized city like Stellenbosch. In designated industrial or transportation zones, larger sizes, up to 36 sqm, might be viable without adversely impacting the city's visual landscape. A more nuanced strategy is warranted, allowing for smaller billboards in Partial Control areas and larger formats in Minimum Control Areas, contingent upon rigorous assessments for visual, heritage, and traffic impacts.

Moreover, Stellenbosch presents an opportunity to incentivise innovation and thoughtful design in billboards. These structures can serve multiple purposes or aesthetically integrate with and enhance their surroundings. It would be prudent for the regulatory framework to accommodate such design innovations by potentially waiving size, height, and spacing requirements if such considerate design approaches are adopted.

In conclusion, a more flexible and contextually sensitive approach to billboard regulations would not only support the city's economic vibrancy but also encourage innovative and visually harmonious advertising structures in line with Stellenbosch's distinctive identity.

Schedule 4: Flat Signs

The By-law's imposition of a general restriction limiting Flat signs to 5 sqm appears unrealistic and unduly restrictive. While there's provision for waivers to surpass this size constraint, this limitation significantly impedes the activation of economically viable advertising opportunities within the parameters set. In contrast to many other municipal By-laws in South Africa that do not impose such strict size limitations, the Stellenbosch By-law appears to restrict creative expression and customisation on façade areas.

Consideration for larger sizes, subject to customisation and integration with building facades, could better serve thoughtful and sensitive design objectives. Well-designed and larger Flat signs possess the potential to transform visually dull and uninspiring blank facades into engaging and aesthetically pleasing elements within the urban landscape. Such opportunities should not be stifled by unreasonably stringent standards.

By facilitating larger Flat sign sizes while ensuring adherence to design guidelines and integration with building aesthetics, the regulatory framework can encourage innovative and visually enhancing advertising structures. This approach aligns with the city's identity and fosters a more vibrant and visually appealing urban environment.

Schedule 17: Signs erected by or for the Benefit of Non-Profit Organisations

The provision within the By-law that permits Billboards for the benefit of non-profit entities like schools, sports clubs, or community organisations is a commendable initiative aimed at extending financial assistance to these groups. Drawing from a similar schedule in Cape Town, the inclusion of this provision in Stellenbosch's By-law offers a starting point for implementation in this region. However, the application of fixed size limitations of 18sqm, akin to those found in the Cape Town schedule, might inadvertently hinder the financial prospects of these organisations.

Past experiences have shown that rigid size limitations can unduly restrict the capacity of these organisations to derive financial benefits from advertising efforts. In certain low-risk environments, larger sign sizes could be considered desirable, especially when surrounded by vast open spaces where the visual impact can be effectively mitigated.



It's advisable for the By-law to demonstrate flexibility and compassion by offering maximum support to organisations that often struggle with financial resources. Maximising advertising income through potentially larger sign sizes could have a catalytic impact on these organisations' programs, enabling them to fulfil their community-oriented objectives more effectively.

4. Conclusion

The Stellenbosch Municipality's Outdoor Advertising and Signage By-law 2023 introduces various provisions aimed at regulating outdoor advertising within the region. However, a critical analysis of this By-law reveals a series of limitations and areas for improvement.

The By-law, while attempting to balance visual aesthetics with advertising regulations, demonstrates a degree of inflexibility in its size limitations for various sign types. It imposes overly restrictive constraints that hinder economic opportunities and creative expression, particularly in commercial hubs and areas designated for non-profit organisation advertisements. While acknowledging the By-law's efforts to support non-profits, the fixed size limitations may inadvertently impede their financial viability.

Furthermore, the By-law's zoning regulations and area control matrix, drawn largely from existing frameworks, exhibit a lack of alignment with the city's broader spatial policies. This disconnect may inhibit economic growth and development in strategic zones earmarked for commercial activity and spatial transformation.

Moving forward, it's imperative for the Municipality to re-evaluate and amend certain aspects of the By-law. Embracing a more nuanced and flexible approach that aligns with the city's spatial policies while fostering innovation and economic vitality in outdoor advertising will be crucial. Engaging industry stakeholders, considering technological advancements, and enabling creative expression within reasonable guidelines can ensure a harmonious balance between visual aesthetics and economic opportunity in the region's outdoor advertising landscape.

By revisiting and amending specific provisions, fostering collaboration between stakeholders, and embracing a forward-thinking approach, the Municipality can create a regulatory framework that not only regulates outdoor advertising but also catalyses economic growth and reflects the unique identity of Stellenbosch.

YOURS SINCERELY

KESTELL SERFONTEIN Pr. PIn A/1095/1999
MANAGING HEAD: URBAN IQ

✓



92A Fourth Road
Brentwood Park Agricultural Holdings
Kempton Park
1619
Registration No: 2013/170738/07
VAT No: 4490285113

4 December 2023

Stellenbosch Municipality
Department of Development Planning
Attention: Viola Anthony
By email: Viola.Anthony@stellenbosch.gov.za

To Whom It May Concern:

THE DRAFT STELLENBOSCH MUNICIPALITY OUTDOOR ADVERTISING & SIGNAGE BY-LAW, 2023 FOR PUBLIC COMMENT

Please find attached my comments with regard to the Stellenbosch Municipality Draft Outdoor Advertising and Signage Bylaw, 2023 published for comment in the Eikestad Newspaper under public notice 144/2023.

I trust that due consideration will be given to the comments contained herein and that the Municipality will give the industry the necessary opportunity to engage with the Council in a meaningful and open manner that will result in a workable bylaw that will still live up to the objectives of the SPLUMA Act, adopt a more nationally accepted outdoor advertising standard, with particular reference to advertising sign sizes and responsible and justifiable placement and also, promote the Municipality's own goals of ensuring a set of regulations that protect the Heritage and natural environment of Stellenbosch.

Section 1: Definitions:

"**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;

An "Advertisement" is defined in most dictionaries as well as per a search on the internet as: "An advertisement, otherwise known as an advert or ad, is generally considered a public communication that promotes a product, service, brand or event. To some the definition can be even broader than that, extending to any paid communication designed to inform or influence."

The definition of the word "*advertisement*" in the New By-Laws goes far beyond the ordinary meaning of the word itself.

As per the definition of an "*advertisement*" in the New By-Laws, the following will *inter alia* be considered as 'advertising', if promulgated (this list is not intended to be exhaustive):

1. a post box containing the word 'Post', or the mere red post box can be considered an object to qualify as an advertisement;
2. a sign identifying a property's street number (this type of 'advertising' is specifically exempted from the New By-Laws in terms of section 3(8)). A street number is acknowledged to be an advertisement, but is exempted. With all respect, a street number has nothing to do with advertising. It does not intend to persuade someone to purchase a product or service;
3. a street lamp displaying a pole number;
4. plastic dustbins displaying a name and/or numbers;
5. street names (this type of 'advertising' is specifically exempted from the New By-Laws in terms of section 3(8))
6. registration numbers of vehicles, etc.

The aforesaid words, numbers, objects, messages, with due respect, are simply not advertising.

In as much as 'advertising' is the specific activity, which the City wishes to regulate in terms of the New By-Laws, is it important that the definition of advertising is in fact correct, relevant and reasonable. It is one of the cornerstones of the New By-Laws. The present definition of 'advertising' is completely too wide, vague and totally exceeds the City's constitutional mandate.

The definition of 'advertising' is totally overbroad in a constitutional context. To determine whether a law is overbroad, a court must consider the means used, (that is, the law itself, properly interpreted), in relation to its constitutionally legitimate underlying objectives. If the impact of the law is not proportionate with such objectives, that law must be deemed overbroad¹¹.

The City's constitutional function is to administer billboards and the display of advertisements in public places. The definition of 'advertising', which constitutes the crux of the New By-Laws, extends the City's power to regulate over many other structures, like post boxes, dust bins, etc., which goes beyond its functional area. Many things which do not constitute an

advertisement are included under the definition of 'advertisement'. The City does not have the authority to regulate over all these things in terms of its Outdoor Advertising By-laws. The scope of the New By-Laws stretches far beyond the activity of outdoor advertising, and its impact is not proportionate to its objectives. Similarly, it infringes and unduly curtails the implied rights in respect of the deprivation test/clause under Section 25(1) of the constitution as well as the rights to *"freedom of press and other media"*; *"the rights to freedom of artistic creativity"* as protected under Section 16 of the Constitution. It is clearly overbroad and an overreach in law.

A person would also expect that the definition of the word 'advertising' to be limited to public places, which is not the case.

"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 whose 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.

It is our submission that this definition be amended to reflect only the owner of the advertising sign. It is an overreach of the Municipality to include the advertiser as an owner of the advertising sign.

"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;

This comment does not attempt to deal with all the discrepancies that have been identified with regard to the "areas of control", but more so to highlight within the definition the specific reference to "maps as prepared by the Municipality" from "time to time". It should be noted that any map prepared by the Municipality in this regard needs to be compliant with sections 12 and 13 of the Municipal Systems Act which requirements include the publication of any overlay or control map for public comment and the publication of such overlay or control map in the Provincial Government Gazette to give it effect. It is also our belief that any maps depicting the areas of control, with specific reference to the defined common areas of "minimum", "partial", and "maximum" control should be included in this document for public comment given that it is these maps that form the very basis of the bylaw.

We note with concern that there are no maps attached to this document.

"Central Business District (CBD)" means an area in the build environment demarcated as such on the Spatial Development Framework for a town;

After extensive searches, and with particular attention to the most recently published Municipal Spatial Development Framework, published in the Western Cape Provincial Gazette on the 14th July 2023, there is no physical or written demarcation of the area known as the CBD of any of the major urban centres of the municipality being Stellenbosch, Franshoek or Klapmuts. This needs clarification at the risk of being vague and unsupported by the contents of the definition.

"Environmental Impact Assessment" (EIA) means an assessment carried out in accordance with the Municipality's guidelines for outdoor advertising;

In terms of the above definition of an EIA, it is our understanding that this is the normal submission of an application in terms of the requirements as specified in the bylaw and associated and relevant schedule pertaining to the signage type. A further study, without applicable parameters is an overreach of these regulations by the Municipality and an unnecessary cost in making an application to erect an advertising sign within the borders of the Stellenbosch Municipality. If an EIA is required, specific or more defined guidelines need to be set out.

"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;

As per the comment made with regard to an EIA, an HIA seems to be even more vague in the description of what is required to be contained in an HIA, thus there is a need to include a list of requirements or set procedure in conducting an HIA, and a clear indication of when an HIA is required.

It should also be noted that we have been unsuccessful in our attempts to extract a Heritage overlay zoning from the zoning scheme bylaw, thus once again it is at the Municipality's discretion as to when such a study should be conducted.

"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;

The following comment relates to the studies listed above, namely:

- Environmental Impacts Assessment
- Heritage Impacts Assessment
- Traffic Impact Assessment

Given the Council's extremely overreaching controls, as well as restrictions on the sizes of advertising signs- a billboard with a maximum size of 3mx6m, or a digital screen measuring 2.1sqm, which is not much bigger than a television screen found in most homes in the Stellenbosch area, it begs the question as to how the need for such expensive studies can be required. The impact from signs of this restrictive size could hardly be called "impactful" or be seen as having a detrimental impact on the environment in which they are located. In terms of schedule 1 of the Draft bylaw on Outdoor Advertising, which in itself is extremely restrictive almost to the point of ensuring a blanket ban on billboards throughout the Municipality, an area of "minimum" control would not feel the impact of the proposed sizes of sign as contained in the Draft Bylaw, thus the need for these studies is questionable and extremely restrictive if one considers the Broad Based Empowerment initiatives and the entry into a Constitutionally recognised industry by individuals with limited resources.

"Urban conservation area" means an area in the build environment demarcated as such on the Spatial Development Framework for a town;

This definition is misleading and incorrect. There is no mention of an "urban conservation area" within the MSDP of the Municipality. Corrections need to be affected to this definition in order for it to be regarded as being accurate.

"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.

Another vague study. The impact of an advertising sign on a boundary wall and fence. This is an extreme example of overreach on behalf of the Municipality.

Section 2: Principles:

In the 7 points that make up Section 2, Principles of the bylaw, there is not a single positive comment made about outdoor advertising, and it is presented

in a manner as if outdoor advertising wishes to intrude upon every sensitive, protected or unique area. It is as if the City exaggerates the aspects of outdoor advertising in order to create the atmosphere that although outdoor advertising is bad, the City will accommodate same at very limited places, provided it is most compatible with the surrounding locality and does not impact at all on visual corridors or scenic drives. This makes it impossible to qualify, because the purpose of advertising is to have an impact. It is as if the City is deliberately setting the bar so high, to ensure that an advertising sign does not qualify; with all respect, the true objectives of the City is clear - to impose a new bylaw, which rather than focus on limiting and declining applications, instead of encouraging and approving same, earn good fees and revenue from the application process, operate as competitor of the industry by acting as referee and player, and ignore your responsibility as local authority to create job opportunities and economic development. The pillars of SPLUMA have been totally ignored, and which can be construed as being in opposition to a National Act and the intentions of this act to bring about the efficient and different lawful uses of land.

Chapter 1

3. Submission of Applications:

- (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.

We refer back to our previous comments relating to these impact assessments.

Given the Council's extremely overreaching controls, as well as restrictions on the sizes of advertising signs- a billboard with a maximum size of 3mx6m, or a digital screen measuring 2.1sqm, which is not much bigger than a television screen found in most homes in the Stellenbosch area, it begs the question as to how the need for such expensive studies can be required. The impact from signs of this restrictive size could hardly be called "impactful" or be seen as having a detrimental impact on the environment in which they are located. In terms of schedule 1 of the Draft bylaw on Outdoor Advertising, which in itself is extremely restrictive almost to the point of ensuring a blanket ban on billboards throughout the Municipality, an area of "minimum" control would not

feel the impact of the proposed sizes of sign as contained in the Draft Bylaw, thus the need for these studies is questionable and extremely restrictive if one considers the Broad Based Empowerment initiatives and the entry into a Constitutionally recognised industry by individuals with limited resources.

4. Fees and General factors in considering approval of applications, amendments and conditions

- (6) In considering an application for the display of an advertisement or the erection of a sign in terms of this Bylaw, 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 Bylaw; 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;

The above clause places the discretion in the hands of the Municipality, the authors of the Draft Bylaw, which intention is to prevent the erection of any advertising signs within its jurisdiction. This could be regarded as an extremely subjective matter and following the mention of numerous reports and Impact assessment and their requirement, the Council now makes no reference to these studies and sets out to determine an overriding factor in the application based on the adjudication of an official. This process can be seen as riddled with predetermined outcomes.

- (6) (f) that no sign or advertisement may be designed or displayed that-
 - (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 be detrimental or otherwise negatively impact on the environment, whether artificial or natural.

The municipality seems to be repeating the same point in (iii) and (v) and driving home the message that outdoor advertising is an unacceptable practice. This repetition is worrisome in that the ideas of the Municipality are exposed prior to the submission of an application.

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 Bylaw, 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.

This clause allows the Municipality to continue to change the "playing fields", it is open ended and requires parameters or guardrails to ensure that it does not become a further overreach by the officials. Delete this clause and rely on 5 (2), being:

- (2) The specific standards and criteria are set out in schedules 1 to 18 of this Bylaw. The Schedules are part of the Bylaw and are not any less important than the content of the Bylaw itself.

8. Illumination Requirements

- (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.
 - (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.

The restrictive condition relating to the size of an electronic sign is excessive to say the least. A digital screen measuring 2.1sqm is, for clarity and as an example, 2mx1m- there are television screens of a far greater size located in the majority of the homesteads within the Stellenbosch Municipality. This screen size equates to the size of the digital screens on display in most forecourts at Filling stations and can hardly be relevant to shopfront windows, let alone for location next to public roads.

It is suggested that the Municipality perhaps explore in more detail the size variants that exist in order to familiarise themselves with the various sizes in an open environment and establish what would be of a better fit alongside roads and in public places. It would be suggested that a starting point be in

the region of the 3mx6m sign referenced by the Municipality in Schedule 2 of the draft bylaw.

With regard to 8 (3)(c), as opposed to the idea that internal and electronic illumination is more detrimental to the environment, consideration should be given to the opposite being true. Both internal and electronic illumination are more controlled and result in less light spillage and the ability to control the strength of the illuminating elements. External illumination can often be misdirected, with the result that spot lighting can result in spillage.

4. Requirements for external illumination:
- (c) approved wayleaves must be obtained from the Director: Infrastructure 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 powerlines.

This must be applicable to work conducted on land vested in the Municipality and is not applicable to private property. Please amend accordingly.

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.

Reference has been made to the SA Road Traffic Signs Manual. These guidelines need to be elaborated on within the draft bylaw, given that 1.9.1. of the said manual opens by stating that Outdoor Advertising does not fall within the scope of this manual and cannot offer in depth guidance on the management of Outdoor Advertising. Reliance on this manual is then questionable. It also tends to suggest that the determination of the criteria for the decision of what amounts to a position as described in (1) rests with the Municipality given the non-existence of guardrails.

We should also mention that the bylaw has referenced on numerous occasion the implementation of a Traffic Impact Assessment. This option does not exist with specific reference to (1) and therefore, contradictory to other sections of this bylaw dealing with the implementation of a TIA.

- (3) Advertising on bridges, towers, telecommunication masts, pylons or street poles shall not be permitted.

It has become an acceptable norm for advertising panels to be attached to road and rail bridges in various large metro's across the country and due

consideration should be given to this form of advertising as it allows a number of State Owned Enterprises to exploit their assets and generate much needed revenue.

- (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.

By the very nature of outdoor advertising, signage requires traffic in order to make the sign viable and saleable to advertisers and the majority of major freeways and busy arterials throughout the developed world have signs placed alongside these routes. It can also be expected that atleast two times daily a road may be perceived as having high traffic volumes. This clause is another example of over regulation by the Municipality and the reliance on traffic safety issues, which may not be as a result of the existence of signage, to create a general ban within the jurisdiction of Stellenbosch.

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 Bylaw, comply with all other applicable legislation, including any applicable Zoning Scheme Bylaw or condition of approval or any departure from the applicable Zoning Scheme Bylaw.

This is an acceptable clause and the compliance with the SPLUMA Act (16 of 2013) needs to be considered in depth. Should the bylaw not be inline with the contents and objectives of these acts, the bylaw could be found to be compromised.

11. Approval

- (2) The Municipality may, at any time, withdraw an approval granted in terms of this Bylaw or its predecessor or amend any condition or impose a further condition in respect of such approval, if a sign or advertising structure:
- (b) remains unused for more than 90 consecutive days:

Section 11(2)(b) allows for the City to withdraw an approval for instance if an advertising structure stands empty or is not in operation for more than 90 consecutive days. A billboard is expensive to erect and it makes no sense that

the City may unilaterally withdraw an approval which the applicant has paid for. Many factors may be applicable why the billboard stands empty. This clause must be deleted.

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 twenty-one (21) days of the date of the notification of the decision.

Internal appeals process lacks impartiality

The New By-Laws allows for a single employee (the City Manager), who is in a close relationship with the City (and who wants to protect the interests of the City), to handle internal appeals.

In the SAPOA matter the High Court has found that *"the COJ generates advertising income from its own property, and property under its control. To be a regulator in one's own business interest is a clear conflict of interest and has the potential of causing a conflict of interest which will inevitably create potential for bias. It is vital that the 2018 by-laws acknowledge and address this risk. In the case of Glencore Operations South Africa Proprietary Limited Coal Division v Minister of Mineral Resources and Others [2016] JOL 35181 (LC) the learned Venter AJ at paragraph [85] stated that:*

"The requirement that administrative action must be free from bias is part of the common-law rule against bias, namely, nemo iudex in sua causa." ("no one may be a judge of his or her own cause"). Impartiality is an essential requirement of an officer tasked with exercising a power entrusted to them to make decisions which would affect the rights of others".

In the circumstances, the adjudicatory function of the City in terms of the New By-Laws in respect of applications and appeals should be divested to an impartial decision-making body and not to any particular City official. Appeals must be handled as provided for in SPLUMA.

17. Presumptions

Any person charged with an offence in terms of this Bylaw who is-

- (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;

The rule of Law is violated by these presumptions as they all violate the presumption of innocence as protected by section 35(3)(h) of the Constitution. The presumption of innocence is an established principle of South African law which places the burden of proof squarely on the prosecution.

An advertiser which concludes a contract in respect of the advertising of his or her advertisements on signs will not have any ability to control the legality of the signs on which its adverts are displayed. It cannot be held liable unless it is directly implicated in the offence, or is a co-conspirator or an accessory after the fact, he or she has no connection or relationship to the offence.

All exercise of public power must comply with the Constitution and the principle of legality, which is part of the rule of Law. Accordingly, the conduct of the City, in creating presumptions that hold innocent parties responsible for the transgressions of others, must be rationally related to the purpose sought to be achieved by the exercise of it. If there is no rational basis, then such conduct is arbitrary and falls to be set aside as a violation of the principle of legality.

23. Exemptions

Notwithstanding the provisions of this Bylaw, the Municipality may, in written application, exempt any person or class of persons from any or all of the requirements of this Bylaw in considering such exemption it may impose any conditions or requirements it deems appropriate.

This clause requires removal from the draft bylaw given that the clause provides the Municipality with overbroad powers in terms of adjudicating over its own property and as a potential competitor within the outdoor arena, can create an environment that does not allow for the creation of a fair and equitable business arena. The draft bylaw looks to create an extreme platform in which to conduct business and it would be highly questionable for any party to be exempt from the provision of these regulations for whatever reason.

25. Transitional Arrangements

- (1) Anything done before the promulgation of this Bylaw, which was not done in terms of a provision repealed in this Bylaw and was unlawful, shall in the event of such act or sign still not complying with the provisions of this Bylaw, be unlawful and the Municipality in such case may take the necessary action in terms of section 19 hereof.

The Bylaw's transitional provisions are not aligned with the reality that the City did. Not have bylaws before. These provisions must be amended to reflect to the correct status quo.

Contrary to the provisions of 25 (2), "All legal signs that exist at the date of publication of this Bylaw, must in all respects comply with the stipulations in this bylaw within a period of six (6) months from the date of publication. Any sign that fails to comply after the initial six (6) months will be removed." We contend that the transitional provisions must provide for billboards lawfully erected prior to the promulgation date of the New By-Laws, but not in terms of the existing bylaws, to be approved in terms of the New By-Laws.

Schedule 1: Areas of Control

To begin with a general statement on the schedule as being extremely restrictive, especially in light of the fact that the maximum size of a billboard in terms of this draft bylaw is 3mx6m, the smallest example of a "commercial" billboard available on the market in South Africa at the moment, which may only be considered for approval in an area of minimum control, the opportunities for which are almost non-existent.

Given a more detailed perspective of the schedule and the following comments can be made:

1. Almost every defined area has the words "unless in a conservation area" attached, creating an even further limitation on opportunities for advertising signs within the Stellenbosch Municipality.
2. A review of the "Urban Conservation areas" as depicted on a map in the zoning scheme bylaw has resulted in, what could be determined, as a blanket ban on advertising within the CBD areas of the Greater Stellenbosch Municipality.
3. The definitions as contained of the specific opportunities are too broadly defined- the "Urban Conservation area" has been designated in a way that does not reflect the actual conditions that may exist on the ground and within the "Urban Conservation Area". For example, Bird street is included within the "Urban Conservation area" and it is a fact that not the entire Bird street has historical or heritage components that require over protection. Each case should be studied with specific reference to the immediate environment in which it is positioned and not rely on a general overview of an area. The urban environment is dynamic and should be treated as such, without rendering a blanket ban on opportunities for advertising.

4. There is specific reference made to the determination of an area of "minimum", "partial" and "maximum" control as designated on a map contained within the zoning scheme bylaw prepared by the Municipality- this map does not appear to exist in the current zoning scheme bylaw that is available for perusal on the Stellenbosch Municipal website. It is misleading and procedurally flawed to omit these maps, they are the basis upon which the industry is able to function within the Municipal boundaries and should be an important inclusion in this bylaw, and at the very least, should exist. It should be noted that the drafting of any map prepared by the Municipality in this regard needs to be compliant with sections 12 and 13 of the Municipal Systems Act which requirements include the publication of any overlay or control map for public comment and the publication of such overlay or control map in the Provincial Government Gazette to give it effect.

Schedule 2: Billboards

Given the contents of schedule 1 in the draft bylaw, it is evident that the Municipality are making every effort to restrict the erection of billboards completely within the Stellenbosch Municipality.

The fact that a billboard may not exceed a maximum size of 3mx6m and still have extremely restrictive designated areas of control within which to attempt to operate supports the notion that the Stellenbosch Municipality are not prepared to permit advertising signs within their borders.

Consideration needs to be made, in line with further study of the industry by the Municipality, in establishing a more uniform set of bylaws that take into account the general standards of the outdoor industry in Municipalities across the country. It was the intention of the SPLUMA Act to standardise land use management procedures and as such, given the reliance of this draft bylaw on the MSDF and other zoning mechanisms, it is clearly within the ambit of the SPLUMA Act that the Municipality should function.

Consideration should be given to the inclusion of various grades of billboard based on size and inline with the SAMOAC document, whereby the categories can be defined as:

- Super billboards, area greater than 40sqm;
- Large billboards, area greater than 18sqm;
- Small billboards, area less than 18sqm.

And from these categories the area of control can be considered, whereby:

- Super billboards and large billboards are restricted to areas of minimum control;

- Small billboards are restricted to areas of partial and minimum control.

In order to put the size limitations in perspective and with particular reference to electronic signs, in terms of the SAMOAC document, which can now be considered as outdated, an electronic sign measuring just 2.1sqm falls within the category of a “poster and general sign” which is negligible and permissible in all areas of control.

It is strongly recommended that the Municipality give due consideration of the sizes of billboards and breakdown the categories as suggested above.

Specific comments:

(f) Billboards must be displayed between the angles of 90° and 60° to the direction of oncoming traffic;

A billboard face may only be displayed between the angles of 90° and 60° to the direction of oncoming traffic. These regulatory requirements constitutes an overreach by the City of its authority, because this requirement exceeds established limits. The angles of the billboard vis-à-vis the road next to which it stands are matters which will be unique to every billboard location. These are technical matters which must be addressed in the building plans, prepared by qualified professionals. This provision is overbroad;

(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;

This non-sensical requirement means that visible signs on the opposite side of a route essentially replaces opportunities on the same side of the route, which in combination with the spacing standards in Table 1 of the By-laws greatly reduces the realisable options for billboards along routes. In other Cities (E.g. In Johannesburg billboards on the opposite side of a road is not taken into consideration in spacing compliance measurements). This is viewed as logical as B-side advertising spaces are considered less visible and hence distractive to traffic.

DRAFT OUTDOOR ADVERTISING AND SIGNAGE BYLAW IN CONFLICT WITH PUBLISHED OUTDOOR ADVERTISING AND SIGNAGE POLICY

Without creating an exhaustive list of glaring discrepancies and differences that exist between the Outdoor Advertising and Signage Policy and the draft bylaw, the following should be noted.

The policy as it stands and although outdated already seems to be far more proactive and inline with a more modern thinking concept of the built environment, as opposed to the proposed draft bylaw which intention appears to create a complete ban on any form of advertising, in particular billboards within the jurisdiction of the Municipality.

With particular reference, and as mentioned above, within the policy, billboards are dealt with:

2. BILLBOARDS

- Every person who wishes to erect or cause to erect a billboard advertisement shall submit to the Council a written application on the prescribed form and pay the prescribed fee. Such application shall, at Council's discretion, be accompanied by an Environmental Impact Assessment in the case of billboards in excess of 36m² and/or for smaller billboards at the Council's discretion.
- Billboards may be permitted only in urban areas of minimum control and in urban areas of partial control at Council's discretion, subject to specific consent and assessment of their environmental impact as required which shall include the visual, social and traffic safety aspects.

The difference between the policy and draft bylaw are very clear and set out below:

The policy makes reference to a billboard in excess of 36sqm requiring an EIA for consideration, and that a billboard may be erected in an area of minimum control, and with the discretion of the Council, in an area of partial control.

However, in a complete “u-turn”, the draft bylaw allows for a billboard of a maximum size of 18sqm and only in an area of minimum control and this needs to be accompanied by an EIA, HIA and TIA!

Given the “areas of control” as proposed in the draft bylaw, read in conjunction with the Urban Conservation Overlay, as well as the “scenic drive”

overlay, there are very few, if any, commercially viable positions for a billboard measuring 3mx6m.

SIZE OF STRUCTURES

En light of the above, dealing with a "billboard", and also taking into account the permissible size of an "electronic sign" as proposed in the draft bylaw, an appeal needs to be made to the Municipality and the responsible officials in that due cognisance needs to be given to the restrictive specified sizes being: a maximum of a 3mx6m billboard and 2.1sqm electronic sign.

These sizes are massively understated for the urban environment, with the global norm being that signs along side major arterial routes, measure anything between 3mx12m (36sqm) and 4.5mx18m (81sqm) and a common size for a freestanding sign in an area of partial control, be it static or electronic, measure a standardised 3mx6m (18sqm). These sizes, are in themselves the very least that one would expect in the designated areas, bearing in mind that urban areas represent the built environment with existing structures/ buildings generally many times larger than the billboards we are referencing.

This concludes our response and comments to the Draft Outdoor Advertising and Signage Bylaw, 2023.

It is hoped that the Municipality will give due consideration to the above comments, which will allow for the formulation of a Bylaw that will not be seen as overly restrictive and which will accommodate responsible and compliant outdoor advertising practices.

Yours sincerely,

Mark Thomas

082 497 5750

From: Piet van der Merwe <piet@corpman.co.za>
Sent on: Friday, December 1, 2023 1:11:51 PM
To: Viola Anthony <Viola.Anthony@stellenbosch.gov.za>
Subject: [EX] STELLENBOSCH NEWLY PROPOSED BY-LAWS OUTDOOR ADVERTISING 2023

To City Manager
 Department of Development Planning
 Stellenbosch Municipality

1 December 2023

Dear Sir/Madam

RE: CALL FOR PUBLIC COMMENT ON STELLENBOSCH OUTDOOR ADVERTISING DRAFT BYLAW 2023

We hereby submit our comment and observations to date as requested by your notice posted electronically.

1. The definition of advertisement together with the sleuth of draconian list of inappropriate by-laws is broad, perverse and counter productive to apply in a modern day democracy and business environment.
2. The classification of class 2 and 3 roads the definition of " gateway routes" and their proximity to urban & industrial development zones is unclear. They are written in such a manner which obfuscates the clear and concise understanding, demarcations, definitions & interpretation when applying various criteria resulting in a incomplete unsatisfactory bylaw.
3. No provision has been made for reparations for impinging on business existing commercial & constitutional rights.
- 4.E.I.A is a unnecessary financial burden placed on business.
- 5.H.I.A is a extraneous process being applied incorrectly and unnecessarily to business in this context repeatedly creating an exceptional, unrelated financial burden on business.
- 6.The proposed by-law on LED screens contradicts the existing LED screen recently erected and approved through council currently in Stellenbosch CBD.
- 7.No provision is made for a period of transition to regularize situation.
8. There has been no meaningful public engagement and participation by industry, landlords and effected role players to give valuable input and assistance in formulating a better quality bylaw.
9. Where? is the professional independant oversight committe to render valid application processes and outcomes vs parochial ,subjective opinions by a council representative.
- 10.The proposed bylaw presented is of poor quality presenting a litany of constitutional issues that hinders economic development. Nor do they offer support and practicality to business South Africa.

It is suggested that the municipality approach OHMSA & SAPOA both recognized and respected organizations who's members have vested interests and take heed in formulating a world class set of bylaws.

Kind regards
 Piet Van der Merwe

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Piet van der Merwe

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Cape Town | Johannesburg



Belangegroep Stellenbosch Interest Group

HM/CB/0815/32

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08.12.2023

The Stellenbosch Municipality
Viola.Anthony@Stellenbosch.gov.za

Commentary on Draft Outdoor Advertising and Signage By-law.

The Stellenbosch Interest Group wishes to point out a serious omission in the Draft Outdoor Advertising and Signage By-law

SCHEDULE 4: SIGNS ATTACHED TO WALLS OF BUILDINGS: FLAT AND PROJECTING SIGNS: requires as a first condition the addition of the following:

(1) No signs may be attached to Historical Buildings.

This condition appears in SCHEDULE 7 but must also be applied to schedule 4

Schedule 8 also requires the addition of the following condition.

No signs may be attached to historical boundary walls and fences.

Kind regards,

Patricia Botha
Chairperson

APPENDIX 4

STELLENBOSCH MUNICIPALITY

OUTDOOR ADVERTISING AND SIGNAGE BYLAW

To provide for the control, management and regulation of outdoor advertising and signage on Municipal and private property, to provide measures to ensure the health and safety of the public and to protect the environment, to create offences and penalties, to provide for the repeal of laws and savings and to provide mechanisms, guidelines and policies for the control, regulation and management thereof and for all matters connected therewith.

PREAMBLE

WHEREAS Section 156(1)(a) of the Constitution of the Republic of South Africa, 1996 ('The Constitution') provides that Municipalities have the executive authority in respect of and the right to administer local government matters listed in Part B of Schedule 5 of the Constitution;

AND WHEREAS Section 156(2) and 156(5) of the Constitution provides that Municipalities may make and administer By-laws for the effective administration of the matters which it has the right to administer and the right 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 of the Constitution lists Billboards and the display of advertisements in public places as matters of local government competence;

AND WHEREAS the Stellenbosch Municipality recognises the need to facilitate the involvement of the community and public participation in planning processes and developments;

AND WHEREAS the Stellenbosch Municipality seeks to manage, control and regulate outdoor advertising and signage and any matters connected therewith;

NOW THEREFORE the Stellenbosch Municipal Council, acting in terms of Section 156 read together with Part B of Schedule 5 of the Constitution and read together with Section 11 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) hereby promulgates the following By-Law: -

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1. DEFINITIONS

In this Bylaw, unless inconsistent with the context-

“Advertisement” means any:

(a) visible or audible representation of a-

- i. Word or any abbreviation thereof;
- ii. Name or any abbreviation thereof;
- iii. Letter;
- iv. Figure; or
- v. Object

(b) sign or symbol; or

(c) light which is not solely used as a warning against danger,

which is visible from any public place and which is intended to promote any news headlines, business, product, service, brand, person, function, meeting, election or candidate in an election, event or activity.

“Advertising” shall have a similar meaning;

“Advertising Structure” means any physical structure whether of a permanent or temporary nature, designed to host an advertisement, which structure is greater than 4.5 m² in overall size;

“Aerial Advertisement” means an advertisement that is displayed or performed in the air, including but not limited to balloons and blimps that can be viewed from within the Stellenbosch Municipality’s area of jurisdiction;

“Approval” means approval by the Stellenbosch Municipality and “approve” has a corresponding meaning;

“Area Of Control” refers to the degree of advertising control to be applied in a specific area (i.e. Maximum, Partial or Minimum Control) in accordance with the visual sensitivity of the area and traffic conditions, which areas are set out in Schedule 1 of

this By-Law; and which may be modified or amended by the Stellenbosch Municipality in accordance with the requirements as set out in Section 12(3)(b) of the Municipal Systems Act, 2000 (Act 32 of 2000), which amendments and modifications will be in accordance with the Stellenbosch Municipality's Zoning Scheme By-Law and shall be graphically depicted in the Urban and Rural Conservation Overlay Zone and the Scenic Routes Overlay Zone as prepared and promulgated by the Stellenbosch Municipality; [MB1]

“Official” an employee of the Stellenbosch Municipality or any other person who is appointed or authorised 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.

“Banner” means any material upon which an advertisement is displayed in such a manner as to be fully legible in windless conditions, attached to one or more ropes, poles or flagstaff's 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 sign, screen, board, hoarding, fence, wall or free-standing structure used or intended to be used for the purpose of displaying an advertisement which is larger than 4.5m² in total surface area;

“Central Business District (CBD)” means the commercial and business centre of a particular area, which is designated as such in the Stellenbosch Municipality's Zoning Scheme By-Law and geographically depicted in the Urban and Rural Conservation Overlay Zone and the Scenic Routes Overlay Zone as prepared and promulgated by the Stellenbosch Municipality;

“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 an advertisement, means the vertical distance between the lowest edge of the advertisement and the natural level of the surrounding ground, footway or roadway immediately below the advertisement;

“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;

[MB2]**“Common Boundary Facade”** means any façade of a building which is built abutting a rear or side boundary of property and which façade is blank, that is, having no architectural features, which includes windows;

“Composite Advertisement” means a single freestanding advertising structure for the display of more than one advertisement;

“Consultant” means a suitably qualified independent person or company that acts on behalf of, or as an agent of, an applicant for approval of an advertisement 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 advertisement, 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 an advertisement 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 Architectural Profession Act, 2000 (Act No. 44 of 2000) or any other applicable law;

“Display” means to erect or exhibit an advertisement visible to the public view by any method whatsoever, and “displayed” has a corresponding meaning;

“Electronic Advertisement” means an advertisement which has an electronically controlled, illuminated display surface which allows all, or a portion, of the advertisement to be changed or illuminated in different ways;

“Environmental Impact Assessment” (EIA) means an assessment of the impact that an advertisement may have on the environmental aspects of the receiving environment, which assessment must be carried out in accordance with the provisions of the National Environmental Management Act, 1998 (Act No 107 of 1998) by a registered professional environmental assessment practitioner;

“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 Advertisement” means any advertisement previously approved by the Stellenbosch Municipality;

“Flat Advertisement” means an advertisement 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 Advertisement” means any advertisement or group of advertisements 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 Stellenbosch Municipality's jurisdiction, consisting of man-made or natural features and which creates a strong sense of arrival or departure and which is consistent with town planning or development framework plans or By-Law, and which may be designated as such in the Stellenbosch Municipality's Zoning Scheme By-Law and geographically depicted as such in the Urban and Rural Conservation Overlay Zone and the Scenic Routes Overlay Zone as prepared and promulgated by the Stellenbosch Municipality;

“Graphic” includes but is not limited to any component which contributes to the visual appearance or aesthetics of an advertisement, including its background;

“Headline Poster” means a temporary poster advertising the contents of a daily or weekly newspaper;

“Height of an Advertisement” is calculated by measuring the vertical distance between the uppermost and lowest parts of the advertising panel or any supporting structure, from the natural ground level;

“Heritage Impact Assessment” (HIA) means a visual and contextual assessment of the impact that any proposed advertisement may have on the cultural heritage, whether built or recognized at the locality where the proposed advertisement will be displayed and which assessment must be carried out in accordance with the National Heritage Resources Act, 1999 (No. 25 of 1999) by professionally registered environmental assessment practitioner, professionally registered architect or other suitably qualified and experience professional;

“Internally Illuminated Advertisement” 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 advertisement 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 advertisement displayed on a specific property, premises or building and may include such an advertisement on municipal owned land, adjacent to, abutting on or within 5 meters of the aforementioned property boundary, premises or building, which advertisement refers to an activity, product, service or attraction, located, rendered or provided on or from that property, premises or building;

“Loose Portable Advertisement” means a freestanding locality bound notice or advertising board placed or erected in the road reserve or in a public place;

“Movable Advertisement” means an advertisement not permanently fixed and not intended to remain fixed in one position, but does not include any moving part on a fixed permanent advertisement;

“Municipality” means the Municipality of Stellenbosch established by Establishment Notice No. 479 in Provincial Gazette of 22 December 2000 issued in terms of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998), and where the context so requires, includes—

- (a) the Council;
- (b) another political structure or a political office bearer of the Municipality, authorised or delegated to perform a function or exercise a power in terms of this By-law;
- (c) the Municipal Planning Tribunal, authorised or delegated to perform a function or exercise a power in terms of this By-law;
- (d) the Municipal Manager; and
- (e) any employee of the Municipality acting in terms of delegated or sub-delegated authority of the Municipality;

“New Advertisement” means any advertisement 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;

“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 natural or juristic person;
- (b) any organ of state;

“Poster” means temporary advertisement 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 advertisements advertising markets, exhibitions or events which are held on a regular basis;

“Projected Advertisement” means any advertisement projected by a laser projector, video projector, or other apparatus;

“Projecting Advertisement” means an advertisement 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 Stellenbosch Municipality Zoning Scheme Bylaw ;

“Public Notice” means the notification of an advertising application by publication of a notice in the local newspaper, the display of a site notice, and service of a notice on adjoining owners, the ward councillor, organ of state and where applicable affected owners for the purposes of public participation in terms of this By-law

“Public Road” means public road as defined in the National Road Traffic Act, 1996 (Act 93 of 1996);

“Road Reserve” means the designated area of land that contains a public street or private road (including the road and associated verge) and that may be defined by cadastral boundaries;

“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 Advertisement” means an advertisement affixed to a roof of a building where the top edge of any point of that advertisement 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 the Scenic Routes Overlay Zone, from which landscapes or features of aesthetic or cultural significance can be seen or viewed as designated by the Municipality;

“Scenic Routes Overlay Zone” shall have the same meaning as defined in the Stellenbosch Municipality's Zoning Scheme By-Law.

“Security Advertisement” means an outdoor advertisement for neighbourhood watch and similar schemes, and an advertisement 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 advertisement is displayed;

“Service Station Facility Advertisement” means freestanding advertisements at petrol filling stations, roadside rest and service areas and includes service station pylon advertisements;

“Shop” means a building used for retail trade or services;

“Signalized Traffic Intersection” means an intersection controlled by traffic signals;

“Sky Advertisement” means an advertisement where the top edge of any point of that advertisement exceeds the height of the roof plane to which it is affixed;

“Sponsored Advertisement” means an advertisement, 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 Advertisements” means pole-mounted, double-sided, internally illuminated or un-illuminated advertisements 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 sign, traffic signals, street lights or any other road-related structures;

“Teardrop Banner” means any material in a teardrop shape with or without a printed advertisement which is fully legible in windless conditions and held taught by a spring tension and supported by a single flexible pole;

“Temporary Advertisements” means advertisements 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 advertisement, means the width of such advertisement measured parallel to the plane of the main wall to which such advertisement 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 advertisement or advertisement advertising those goods or services is fixed or placed, and includes advertising which is not locality bound;

“Three Dimensional Advertisement” means an advertisement containing more than 2 dimensions, including product replicas;

“Total Surface Area” refers to the cumulative measurement encompassing all exposed external surfaces of an advertisement, excluding its supporting structure.

“Traffic Impact Assessment” (TIA) means an assessment of the impact a proposed advertisement 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 and which assessment must be carried out by a professionally registered traffic engineer;

“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 advertisement 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 designed railway stations, official taxi terminals and bus terminals;

“Urban Areas” means an area within the urban edge of a town;

“Urban Conservation Area” means an area in the built environment which is designated as such in terms of the Stellenbosch Municipality’s Zoning Scheme By-Law and geographically depicted in the Urban and Rural Conservation Overlay Zone as prepared and promulgated by the Municipality;

“Urban and Rural Conservation Overlay Zone” shall have the same meaning as defined in the Stellenbosch Municipality’s Zoning Scheme By-Law;

“Urban Edge” means an area in the built environment which is designated as such in the Stellenbosch Municipality’s Zoning Scheme By-Law and geographically depicted in the Urban and Rural Conservation Overlay Zone as prepared and promulgated by the Municipality;

“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;

“Veranda” includes a cantilever canopy and sunblind;

“Visual Impact Assessment (or VIA)” means an assessment of the potential visual impacts of a proposed advertisement on the receiving environment, which assessment must be prepared by registered professional architect;

“Window Advertisements” means advertisements which are temporarily or permanently painted on, or attached to the window-glass of a building;

“Zone” / “Zoning” refers to a land use zone as set out in the Stellenbosch Municipality's Zoning Scheme By-Law, which includes base zoning, overlay zoning, and the components defined in Section 1 of the Spatial Planning and Land Use Management Act. This definition is subject to amendments by the municipality in accordance with the requirements of Section 12(3)(b) of the Municipal Systems Act (Act 32 of 2000).

2. OBJECTS OF BY-LAW

2.1 The objects of this By-law are to regulate advertising and the use of advertisements in a manner which-

- (a) Promotes the protection and conservation of environmental, cultural, heritage and aesthetic sensitivities of areas within the Municipality's jurisdiction;
- (b) Promotes freedom of responsible commercial speech by striking a balance between advertising opportunities and economic development on the one hand, and the conservation of the visual, tourism, environmental and heritage characteristics and traffic safety on the other hand;
- (c) Promotes the responsible use of the Municipality's natural, cultural and heritage environment;
- (d) Promotes a safe and healthy environment;
- (e) Provides recognition to the substantial number of technical details that apply to specific types of advertisements and their effect on specific places;
- (g) Ensures that only advertisements and advertising which are compliant with the provisions of this bylaw be allowed;

3. Application of By-law

The provisions of this By-law shall apply to all areas which fall within the jurisdiction of the Stellenbosch Municipality.

CHAPTER 1**4. Submission of applications**

- (1) Other than those advertisements referred to in section 13(3) to 13(10) of this Bylaw, no person may display any advertisement or erect or use any advertisement for advertising purposes without the Municipality's approval in terms of this Bylaw and any other applicable legislation.
- (2) Every person intending to display a new advertisement or to alter or to add to an existing approved advertisement 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 advertisement is to be erected or displayed;
 - (ii) the position of the advertisement and the building, if any, to which it is to be attached;
 - (iii) every building and the existing advertisements on the site;
 - (iv) existing and proposed landscaping, traffic signals and road traffic signs; and
 - (v) the positions, with dimensions, of the advertisement 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 is of sufficient detail to enable the Municipality to consider the appearance of the advertisement and all relevant construction detail, including the dimensions of the proposed advertisement and its supporting structure (if any), a description of the materials of which the advertisement is to be constructed, the colours of the advertisement, and whether or not the advertisement is to be illuminated; In the latter event, the plan must indicate whether or not the advertisement is an electronic advertisement and, if so, full details must be furnished;

- (3) The drawing referred to in sub-section (2)(b) must have detailed drawings of such advertisement to a scale of not less than 1:20 and a site plan indicating the position of the advertisement on the site to a scale of not less than 1:50;
- (4) If an advertisement 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 advertisement; and
 - (iii) the details and the position of every existing advertisement 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 advertisement 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 advertisement will be erected, he or she must obtain the consent of the registered owner of the land or building on which the advertisement is proposed to be 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;
 - (b) a Heritage Impact Assessment;
 - (c) a Visual Impact Assessment; and
 - (d) a Traffic Impact Assessment.
- (7) Where the erection of a proposed advertisement may pose potentially detrimental effect/s to a community or a portion thereof of any particular person, the municipality may in its sole discretion require the applicant, at the applicant's own cost, to notify interested and affected persons of the details of the application and invite any comments on the application to be submitted to the municipality and the applicant within a period of twenty-one (21) business days from the date of publication of such public notice. Such Public Notice must include the following information:
 - (a) Full names of the applicant;

- (b) Capacity in which the applicant is acting if he or she is not the owner of the land concerned;
 - (c) Full property description, location or other means of identifying the property at which the proposed advertisement is proposed to be erected;
 - (d) Brief summary of the application in particular the type of advertisement that is being applied for;
 - (e) Name of the person and address where written objections must be lodged;
 - (f) That written objections must be lodged with the Municipality within twenty-one (21) days of-
 - i. Delivery of the notice;
 - ii. Publication of the public notice in the newspaper; or
 - iii. Display of the site notice;
 - (g) Place and time where the full particulars of the application may be inspected;
 - (h) Any other additional information which the Municipality may require to be included in the notice.
- (8) Publication of the Public Notice shall include any one, or a combination of the following:
- (a) Proof of service of a public notice on adjoining owners, affected person/s and the ward councillor: Provided that where an adjoining owner or affected person/s is a member of a Body Corporate or Home Owners Association, service on the registered address of the Body Corporate or Home Owners Association is deemed to be service on all the owners of the Body Corporate or Home Owners Association;
 - (b) Erection of the public notice on all road frontages at the property where the advertisement is proposed to be erected, which site notice must be A3 in size and in accordance with the manner and form prescribed by the Municipality in respect of the content and location of the notice;
 - (c) Publication of the public notice at least once in two local newspapers circulating the area where the proposed advertisement is proposed to be erected: Provided that the Public Notice must be published in the language of the newspapers concerned and that where the dates of

publication differ, the date of the last publication is deemed to be the date of publication;

- (d) simultaneously using other means, which may be required by the municipality, which may include publication on the municipal website where a copy of the application will be made available for inspection, publication on community notice boards or communication through email or social media.
- (9) The Municipality may require a signage master plan in respect of any development where the erection of numerous advertisements is proposed, or the rationalization of previously approved advertisements is required so as to allow it to consider a consistent design master plan prior to assessment of any individual advertisement.
- (10) Within twenty-one (21) business days from the date of submission of the original application or payment of the application fee, whichever is later, the Municipality must notify the applicant of any additional requirements or request any additional information that it requires in order to determine the application.
- (11) The Municipality must retain a copy of each document that formed part of an application.
- (12) The Municipality may require a written notice from the applicant or person to confirm that an approved advertisement was erected.

5. 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 Bylaw must, on making application, pay to the Municipality an application fee as determined by the Municipality and no advertisement may be erected until such time as the required approval has been granted and any application fees have been paid in full.
- (2) In considering an application for the display of an advertisement or the erection of an advertisement in terms of this Bylaw, or an amendment or condition attaching or to be attached to an approval, the Municipality must have regard to the following factors:
 - (a) The area of control in which the proposed advertisement is to be erected or displayed as set out in Schedule 1 of this Bylaw; provided that if an advertisement 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;

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- (b) the locality or landscape and the advertising opportunities pertaining to that area of control; the number of advertisements already displayed or proposed to be displayed on the property and in the area surrounding the property concerned;
 - (c) the findings of any Traffic Impact Assessment, Environmental Impact Assessment, Visual Impact Assessment or Heritage Impact Assessment.
 - (d) Any comments received in response to the public participation processes conducted;
 - (e) locality bound advertisements must relate to the lawful use of a property provided that no such advertisement may be affixed to or placed on residential premises or portions thereof other than as is permitted by or for home industries and legal temporary uses; and
 - (f) that no advertisement 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 road traffic signs or other advertisements approved in terms of this Bylaw or which will pose a road traffic safety risk; 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 advertisements approved under this Bylaw and any successive Bylaw, may remain on display uninterrupted until such time as they do not comply with the provisions of this Bylaw or any other applicable legislation.

6. Factors relating to areas of control, specific advertisements and commercial sponsored advertisements

- (1) For the purposes of this By-law, the following areas of control exist:
 - (a) Areas of Maximum Control;
 - (b) Areas of Partial Control; and
 - (c) Areas of Minimum Control.
- (2) The areas of control in which advertisements can be displayed are reflected in schedule 1 hereto.
- (3) The Stellenbosch Municipality's Urban and Rural Conservation Overlay Zone and the Scenic Routes Overlay Zone must indicate: -
 - (a) Boundaries of areas of Maximum, Partial and Minimum control within its area of jurisdiction;
 - (b) Types of signs which are prohibited within the areas contemplated in paragraph (a) above; and
 - (c) Types of signs which are permitted within the areas contemplated in paragraph (a) above, and any conditions to which they may be subject to.
- (4) The Stellenbosch Municipality's Urban and Rural Conservation Overlay Zone and the Scenic Routes Overlay Zone must comply with the provisions of this By-Law and with any other applicable law.

- (5) The Stellenbosch Municipality's Urban and Rural Conservation Overlay Zone and the Scenic Routes Overlay Zone must be subject to Public Participation by publishing them for public comment in terms of the provisions of Section 12(3)(b) of the Municipal Systems Act, 2000 (Act 32 of 2000) before it may be adopted by Municipal Council. Such Public Participation will involve the following procedure:
- (a) The Municipality will compile and publish its Urban and Rural Conservation Overlay Zone and the Scenic Routes Overlay Zone; and
 - (b) Publish a notice in the prescribed manner and form.
- (6) The notice contemplated in subsection (5)(b) must-
- (a) Contain a summary of the key aspects of the Urban and Rural Conservation Overlay Zone and the Scenic Routes Overlay Zone;
 - (b) Inform the public that the Urban and Rural Conservation Overlay Zone and the Scenic Routes Overlay Zone are available for inspection at a specified location and between specified hours; and
 - (c) Invite comments and objections from the public, to be received by the Municipality by a specified date not less than 30 (thirty) days after the publication of the notice.
 - (d) Be published in two local newspapers that circulate the area, or if there is a community newspaper which is free to the public and is circulated in the area, it may be published in the community newspaper and one daily local newspaper.
- (7) The Municipality may in addition to the above, also call for a public meeting to be held and the public meeting must be held not less than 7 (seven) days or more than 60 (sixty) days after the date of publication of the notice referred to in subsection (5) above.
- (8) At the public meeting contemplated in subsection (7) above, the Municipality must-
- (a) Present and explain the Urban and Rural Conservation Overlay Zone and the Scenic Routes Overlay Zone;
 - (b) Respond to any queries related to the Urban and Rural Conservation Overlay Zone and the Scenic Routes Overlay Zone;

- (c) Give interested and affected persons, business people and residents an opportunity to make comments and lodge objections; and
 - (d) Take minutes of the meeting;

- (9) After having considered the comments and objections, the Municipality may within a reasonable period from the commencement of the public participation process-
 - (a) Adopt the Urban and Rural Conservation Overlay Zone and the Scenic Routes Overlay Zone;
 - (b) Amend and adopt the Urban and Rural Conservation Overlay Zone and the Scenic Routes Overlay Zone; or
 - (c) Reject the Urban and Rural Conservation Overlay Zone and the Scenic Routes Overlay Zone;

- (10) Notwithstanding the provisions of section 59 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) the Municipal Council may not delegate the decision-making powers referred to in subsection (9) above.

- (11) In the event that the Municipal Council adopts the Urban and Rural Conservation Overlay Zone and the Scenic Routes Overlay Zone, a notice must be published in the manner contemplated in subsections (5) and (6) above, as well as the Provincial Gazette –
 - (a) Confirming that the Urban and Rural Conservation Overlay Zone and the Scenic Routes Overlay Zone have been adopted;
 - (b) Giving notice of the commencement date of the Urban and Rural Conservation Overlay Zone and the Scenic Routes Overlay Zone;
 - (c) Summarising the key aspects of Urban and Rural Conservation Overlay Zone and the Scenic Routes Overlay Zone; and
 - (d) Confirming that the Urban and Rural Conservation Overlay Zone and the Scenic Routes Overlay Zone are available for inspection at a specified location and between specified hours.

- (12) The Municipal Council –
 - (a) May amend or revoke the adopted Urban and Rural Conservation Overlay Zone and the Scenic Routes Overlay Zone subject to the provisions of the Promotion of

- Administrative Justice Act, 2000 (Act No. 3 of 2000): Provided that the Council must follow the public participation process as set out in section 6; and
- (b) Must review the adopted Urban and Rural Conservation Overlay Zone and the Scenic Routes Overlay Zone whenever the Council deems it necessary to do so.
- (13) The Municipality may, in addition to the factors set out in section 5 of this Bylaw, apply the specific standards set out in schedules 1 to 18 of this By-law to certain specific advertisement types and proposed localities when an application for approval is made in respect thereof and will apply the specified criteria set out in this By-law to applications for the erection of advertisements by non-profit bodies.
- (14) Schedule 1 of this Bylaw indicates the areas of control in which certain specific advertisement types may be permitted, subject always to approval in terms of this Bylaw and furthermore subject to any additional requirement pertaining to a specific advertisement type as set out in the remaining schedules.
- (15) The description of areas or routes in Schedule 1 should be read with the definitions as contained in the Municipality's Zoning Scheme Bylaw.
- (16) The Municipality may grant an exemption from the terms of this Bylaw in respect of advertisement types or areas of control set out in the schedules of this Bylaw having regard to—
- (a) the area of control where it is proposed to display the advertisements;
 - (b) nature of the event;
 - (c) duration of the erection or display of the advertisement;
 - (d) size of the proposed advertisement;
 - (e) any traffic, environmental, visual or heritage impact assessment;
 - (f) site specific circumstances that may justify such exemption; and
 - (g) Any comments received in response to any public participation processes conducted.

CHAPTER 2

7. Standard conditions for approval

- (1) All advertisements must be properly erected and constructed of the requisite strength and must be secure and must comply with any other requirements provided for in any other applicable law.
- (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 advertisement 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 or the owner of the fixture or property which or to which an advertisement is attached, must within seven (7) business days of receiving a notice in writing from the Municipality requiring it to attend to such repairs, carry out such repairs.
- (4) All advertisements and their support structures must be constructed of incombustible, durable materials suited to the function, nature and permanence of the advertisement.
- (5) All glass used in an advertisement, other than glass used in illumination, must be safety glass of at least 3mm thick.
- (6) Glass panels used in an advertisement must not exceed 0.9m² in area, each panel being securely fixed in the body of the advertisement, structure or device independently of all other panels.
- (7) Every advertisement and its support structure must be kept in a state of good repair.
- (8) No advertisement 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, 1993 (Act 85 of 1993).

8. Electrical requirements

- (1) All advertisements needing an electrical connection must preferably be supplied from the existing electrical supply on the property 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 advertisement in connection with which electricity is used, must be provided with suitable capacitors to prevent interference with radio and television reception.

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- (3) Each power cable and conduit containing electrical conductors in respect of an advertisement 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, 1993 (85 of 1993).

9. Illumination requirements

- (1) The Municipality may approve an illuminated advertisement, provided that the provisions of this Bylaw are complied with and that such illumination does not constitute a road safety hazard or cause undue light spillage.
- (2) Advertisements may not be illuminated if no advertisement content is displayed.
- (3) All internal illumination or electronic advertisements must conform to the following requirements—
 - (a) only be displayed in areas of partial and minimum control and must be less than 2.1m².
 - (b) electronic advertisements may not have subliminal flashes; and
 - (c) prior to the erection of an advertisement, the Municipality may require a Traffic Impact Assessment, Environmental Impact Assessment, Visual Impact Assessment and Heritage Impact Assessment to be conducted, the results of which must indicate that no detrimental impact on traffic, the environment, visual aesthetics or heritage resources, is envisaged. In addition, the Municipality may require subsequent traffic monitoring of any internally illuminated or electronic advertisement.
- (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 advertisement; and
 - (c) in respect of Municipal owned property, approved wayleaves must be obtained from the Director: Infrastructure Services or his/her nominee prior to any

excavations for the installation of advertisements. This also applies for advertisements to be erected in the vicinity of overhead powerlines.

- (5) Electricity Power sources may be applied for as per the conditions of the Electricity Services Bylaw.

10. Road traffic safety requirements

- (1) Advertisements may not be erected in an area where they would pose a road traffic safety concern.
- (2) Electronic advertisements may not be permitted if they are visible from class 2 or 3 roads, a 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, unless expressly approved in writing by the Municipality.
- (4) The graphic content of advertisements 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) Advertisements 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 applicable legislation.
- (6) Advertisements may not be erected within the road reserve of any public road unless expressly approved by the Municipality.
- (7) When located at signalized traffic intersections, advertisements may not have the colours red or yellow or green as the predominant colours and may not obscure or interfere with any road traffic sign or traffic signal.
- (8) Electronic advertisements shall not be permitted within 80 meters of the perimeter of a signalised traffic intersection.

- (9) 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 advertisements will not be permitted within Historical Areas or upon roads with high traffic flow at night.
- (10) Static display, simple transition advertisements 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.
- (11) All advertisements 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 away from any other lawful advertisement 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 ADVERTISEMENTS

Instance	Spacing required when visible for traffic on road with a speed of:		
	≤ 60 km/h (In the Rural Areas and the Scenic Routes)	61 – 80km/h	≥80km/h
Where an advertisement follows a road sign	120m	200m	300m
Where an advertisement follows another advertisement	250m	250m	300m
Where an advertisement 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 advertisement 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.

11. Legal requirements

All advertisements to be erected or displayed within the area of jurisdiction of the Municipality must, in addition to complying with this Bylaw, comply with all other applicable legislation, including but not limited to the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) and any applicable By-law promulgated thereunder, the Stellenbosch Municipality Zoning Scheme Bylaw or condition of approval or any departure from the Stellenbosch Municipality Zoning Scheme Bylaw adopted by the Municipality.

12. Approval

- (1) The Municipality may refuse any application or grant its approval subject to conditions relating to the erection or use of the advertisement and including a condition that the owner of any advertisement 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 advertisement.
- (2) The Municipality may, at any time, withdraw an approval granted in terms of this Bylaw or its predecessor or amend any condition or impose a further condition in respect of such approval, if a advertisement or advertising structure:
 - (a) is in a state of disrepair and/or dilapidation;
 - (b) remains unused for more than 90 consecutive days, unless written permission is granted by the Municipality to extend this period, which permission must be applied for before the expiry of the initial 90 days, fully motivating the reasons as to why the advertisement is unused;
 - (c) becomes redundant or obsolete;
 - (d) no longer complies with any provision of this Bylaw; or
 - (e) is substantially altered from the original approved application by way of either structure or graphic content.
- (3) Should an approved advertisement 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.

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- (4) In the event that the structure supporting such advertisement is intentionally demolished before the expiry of the approval period; the approval shall lapse and no further advertisement 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 bylaw with regard applications must be in writing and within sixty (60) calendar days after a completed application was received, or within sixty (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 13.

CHAPTER 3: GENERAL PROVISIONS**13. 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, 2000 (Act 32 of 2000) to the Municipal Manager within twenty-one (21) days of the date of the notification of the decision.[MB3]

14. Advertisements for which Municipality's approval not required

- (1) Should any advertisement not comply with the conditions relative to each advertisement type listed below an application in terms of section 4 will be required.
- (2) Subject to compliance with the conditions relative to each advertisement provided for in sub-sections (3) to (10), and any other applicable legislation, or condition imposed by the Municipality, no application for approval is required in terms of this Bylaw in respect of the advertisements provided for in sub-sections (3) to (10).
- (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 advertisement relates has ceased.
 - (b) The Municipality may order the removal of any such advertisement 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 advertisements may thereupon be forthwith removed but no later than five (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 surface 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 surface area;

- (e) If the advertisement, whether on freestanding boards, or flexible building covering material, include any other form of third-party advertising, such advertisement must then comply with the provisions of Schedule 8 hereto and approval for the display thereof must first be obtained in terms of this Bylaw.

(4) To Let/For Sale Advertisements

- (a) These include any advertisement not exceeding (400mm x 500mm) (0.2m²) in total surface 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 advertisement must be removed within 2 weeks from date of issue of the occupation certificate or conclusion of a contract.

(5) On Premises Business Advertisements

These include any advertisement not illuminated, not projecting over a public road and not exceeding 0.2m² in total surface 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 advertisement per occupant may be displayed.

(6) Window Advertisements

These include any locality bound advertisements 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 advertisement 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 advertisement may exceed 4m² in an area of maximum control. (Not more than 50% of window and not more than total surface area or 4m²)

(7) Advertisements incorporated in the face of a building

Any advertisement forming an integral part of the fabric of a building (but excluding a painted advertisement or an advertisement affixed in any manner onto the building), on condition that no such advertisement may exceed 0.2m² in total surface area.

(8) Security Advertisements

Any security advertisement not projecting over a public road and not exceeding 0.2m² in total surface 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 advertisement is displayed, on condition that—

- (a) only one such advertisement is displayed on any public road or each street frontage of such premises; and
- (b) the said advertisement displays only the name, logo, address and telephone number of a security company contracted to protect the premises on which the advertisement is displayed.

(9) Sponsored, Commercial and Non-Profit Body Advertisements: less than 4.5m².

- (a) Any such advertisement whether erected by or in connection with a non-profit body or not; not exceeding 4.5m² in total surface area on condition that no more than 5% of the total surface area of the advertisement is used for third party advertising; and the advertisement is not illuminated, and furthermore provided that only one such advertisement may be permitted per property.
- (b) Advertisements 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 advertisement has been agreed.
- (c) All other sponsored advertisements are dealt with in Schedule 16 and 17.

(10) Advertising on Vehicles

Advertisements painted or affixed directly onto the body of a motorised vehicle unless transit advertising.

15. 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 an advertisement or the writing or painting of any advertisement, symbol, letters or numerals. Furthermore, no person may disfigure any advertisement legally displayed in terms of this Bylaw.

16. Damage to Municipal property

No person may, in the course of erecting or removing any advertisement, or banner, cause damage to any tree, electric standard or service or other Municipal installation or property and street furniture.

17. Entry and inspections

The Municipality shall be entitled, through its authorised 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.

18. Presumptions

Any person charged with an offence in terms of this Bylaw who is—

- (a) alone or jointly with any other person responsible for organising, or in control of any meeting, function or event, to which an advertisement or poster relates, shall be deemed, until the contrary is proved, to have knowingly displayed every unlawful advertisement 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 advertisement or whose product or services are advertised on such advertisement, shall be deemed, until the contrary is proved, to have displayed such advertisement, or to have caused or allowed it to be displayed;
- (c) the owner of any land or building on which any unlawful advertisement was or is displayed, shall be deemed, until the contrary is proved, to have knowingly displayed such advertisement, or caused or allowed it to be displayed.[MB4]

19. Enforcement and removal of advertisements

- (1) If any advertisement is displayed in contravention of this Bylaw, the Municipality may without prejudice to or in addition to the right to take legal steps or prosecute, serve a notice on the owner of the property on whose land the advertisement is erected or displayed or the owner of the advertisement, calling upon such person to demolish or remove such unauthorised advertisement or carry out such alteration thereto, or to rehabilitate the land to its original form or to 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) Notwithstanding the provisions of subsection (1) above, in the event of an advertisement:
 - (a) Constitutes an imminent or irreversible threat or danger or emergency to the environment or the health, safety or well-being of any person, property or the public; or
 - (b) is so displayed on Municipal property and has not been approved by the Municipality;

The Municipality may immediately take such steps to remove, rectify or cover the advertisement.^[MB5]

- (4) Any costs incurred by the Municipality in removing any advertisement, or in carrying out any necessary alterations or other works required in terms of a notice, may be recovered from the person on whom the notice was served.
- (5) Any costs incurred by the Municipality in carrying out or arranging for the removal of any advertisement may be recovered from the owner or lessee of the advertisement, or the landowner on whose land the advertisement was erected.
- (6) Unlawful or dangerous advertisements 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 advertisement, as well as payment of the costs incurred in the storage of such advertisement.
- (7) Any unlawful advertisements removed by the Municipality and not reclaimed within two (2) months from the date of removal may be disposed of or be sold by the Municipality to defray its removal or storage costs.
- (8) The remedies provided for in this By-law are in addition to any other statutory, common law, criminal or civil remedies that a Municipality may have at its disposal.
- (9) The Municipality may implement a property rates adjustment in accordance with the use of the property where it has confirmed contravention of this By-law.

20. Serving of notices

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- (1) A notice, order or any other document issued by the Municipality in terms of this Bylaw 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 Bylaw 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) Serving 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.

21. Liaison forums in community

- (1) The Municipality may establish liaison forums in the community for the purposes of—
 - (a) ensuring local community participation in the implementation and execution of this Bylaw; 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 decision-making powers.

22. 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 Bylaw, commits an offence and shall upon conviction be liable to—
 - (a) a 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 Bylaw; or
 - (b) impersonates an employee or contractor of the Municipality;

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- (c) fails to comply with any notice issued by the Municipality in terms of this By-law.

23. 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.

24. Exemptions

Notwithstanding the provisions of this Bylaw, the Municipality may, on written application, exempt any person or class of persons from any or all of the requirements of this Bylaw, provided that such exemption is fully motivated and supported by expert studies which confirm that such exemption will not have any detrimental consequences to any environmental, visual, heritage or traffic considerations. In considering such exemption the Municipality may impose any reasonable conditions or requirements it deems necessary in order to promote the objectives of this By-law or any other applicable legislation.

25. Repeal of Bylaw

All prior bylaws of the municipality, including those of any abolished municipality now part of the present municipality, are hereby repealed to the extent that they cover matters specifically provided for in this bylaw. This repeal is in accordance with the authorization granted under Section 84(3) of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998).

26. Transitional arrangements

- (1) Within 60 (sixty) days of the promulgation of this By-Law and the Urban and Rural Conservation Overlay Zone and the Scenic Routes Overlay Zone, whichever occurs later, the Municipality must publish a notice in two local newspapers circulating within its area of jurisdiction, calling for compliance with the provisions of this By-law.
- (2) Where an advertisement has been erected or displayed before the date of commencement of this By-law, which advertisement was previously approved by the Municipality or other competent authority, then the owner of the property on which the advertisement has been erected must apply to the Municipality, for approval of the advertisement in terms of this By-law, within 180 (one-hundred and eighty) days from the date of commencement of this By-law, failing which the previous authorisation shall lapse and the advertisement will be regarded as unlawful and must be removed immediately.
- (4) Every person, on whose property an advertisement had been erected prior to the promulgation of this By-law, which advertisement is prohibited by this By-Law and which advertisement had not been approved by the Municipality or other competent authority, will be regarded as unlawful and must be removed within 90 (ninety) days of the commencement of this By-law.
- (5) If an advertisement no longer complies with the provisions of this By-law due for any reason whatsoever, the owner of the property on which the advertisement has been erected must promptly act to rectify such non-compliance. This may involve removal, alteration, or replacement of the advertisement to ensure adherence to the By-law.

27. Short title and commencement

This Bylaw shall be known as the Stellenbosch Municipality Outdoor Advertising and Signage Bylaw, and takes effect on the date of promulgation in the Provincial Gazette or as otherwise indicated in the publication notice.

SCHEDULE 1: AREAS OF CONTROL

Area Type Control Strength	Natural Area Maximum	Rural Area Maximum	Urban Area Maximum	Urban Area Partial	Urban Area 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 the Urban and Rural Conservation Overlay Zone and the Scenic Routes Overlay Zone as contained in the Stellenbosch Municipality Zoning Scheme Bylaw 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 the Urban and Rural Conservation Overlay Zone and the Scenic Routes Overlay Zone as contained in the Stellenbosch Municipality Zoning Scheme Bylaw 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 an urban conservation area Commercial ribbon development and activity corridors, unless within an urban conservation area Commercial and business districts and adjacent streets and rail reserves, unless within an urban conservation area Entertainment district or complexes with commercial zones, unless within an urban conservation area Educational institutions, Sports fields and stadiums, unless within an urban conservation area Limited zones (including railway reserves, transport use zones) Specific areas or sites designated as partial control by way of the Urban and Rural Conservation Overlay Zone and the Scenic Routes Overlay Zone as contained in the Stellenbosch Municipality Zoning Scheme Bylaw 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 Designed areas within limited use zones unless within an urban conservation area Specific areas or sites designated as minimum control by way of the Urban and Rural Conservation Overlay Zone and the Scenic Routes Overlay Zone as contained in the Stellenbosch Municipality Zoning Scheme Bylaw prepared by the Municipality Industrial zones

SCHEDULE 2: BILLBOARDS[MB6]

Subject to approval in terms of this By-Law, the erection or display of a Billboard, whether custom made or of standard design, is permitted only in areas of minimum control and subject to a Traffic Impact Assessment and Visual Impact Assessment. In addition:

- (1) If a billboard is visible from a class 2 or class 3 road, the billboard may not be placed less than 5 meters from the boundary line of the property on which it is proposed to be erected;
- (2) No billboard will be permitted on a designated Gateway Route;
- (3) A Billboard must comply with the standard conditions of approval set out in this By-Law;
- (4) A Billboard must not encroach over the boundary line of the property on which it is erected, whether such encroachment is aerial or on ground level;
- (5) A Billboard must have a minimum clear height of 2.4m and a structure which does not exceed a maximum height of 7.5m above natural ground level;
- (6) The total surface area of a Billboard must not exceed 18m² provided that on any V-shaped structure, two such billboards may be permitted;
- (7) A Billboard must be displayed between the angles of 90° and 60° to the direction of oncoming traffic;
- (8) A Billboard must be spaced the minimum distance apart as specified in section 10 of this By-Law;
- (9) A Billboard may not be erected or displayed within 50 meters of the perimeter of a signalised intersection if un-illuminated; and within 80 meters of the perimeter of the signalised intersection if illuminated;
- (10) 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, then such billboard shall be deemed to have replaced the advertising opportunity that existed on the left-hand side of the road;
- (11) A Billboard must have a minimum letter or number height of 285mm.

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- (12) If site specific circumstances justify a departure from any of the above requirements, the Municipality may elect to waive compliance and grant such consent subject to any conditions it determines as necessary.
- (13) The application number as well as the name of the advertising company or owner of the advertisement, must be displayed in a visible area on the advertisement.

SCHEDULE 3: LOCALITY BOUND FREESTANDING AND COMPOSITE ADVERTISEMENTS

- (1) Subject to approval in terms of this By-Law and subsection 5, the erection or display of locality Bound freestanding and composite advertisements are permitted only in urban areas of maximum, partial and minimum control and subject to a Traffic Impact Assessment and Visual Impact Assessment. In addition:
 - (a) Locality bound freestanding advertisements may only be permitted in the following instances:
 - (i) where business premises are set back 15 meters or more from the road reserve boundary; or
 - (ii) where it is not reasonably possible to affix appropriate advertisements to a building; or
 - (iii) where such an advertisement is necessary to allow the public to locate the entrance to business premises; or
 - (iv) where the existence of a freestanding composite advertisement may prevent the proliferation of advertisements.
- (2) Locality bound freestanding composite advertisements may not exceed 4,5 meters in height and in addition may not exceed 4.5m² in total surface area. This provision may be waived, after having regard to the following factors:
 - (a) if such increase reduces the number of individual advertisements 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 advertisement;
 - (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 advertisements 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 an advertisement is directed and only one Service Station freestanding facility advertisement per street boundary may be permitted.
- (4) Service station freestanding pylon advertisements may not exceed 7,5 meters in height and may not consist of more than eight advertising panels of 4.5m² each in

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total surface 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 advertisements shall be allowed as prescribed in Schedule 18.

SCHEDULE 4: ADVERTISEMENTS ATTACHED TO WALLS OF BUILDINGS: FLAT AND PROJECTING ADVERTISEMENTS

Subject to approval in terms of this By-Law, the erection or display of flat and projecting advertisements are permitted in all areas of maximum, partial or minimum control. In addition, flat and projecting advertisements may:

- (1) not be allowed within 1 meter of the edge of a roadway nor may it extend to within 1 meter of the edge of a roadway;
- (2) not project in front of a wall more than 1,5 meters in the case of an advertisement 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 250 millimetres over a footway unless such advertisement has more than 2.4 meters in height;
- (4) not obstruct the view from any window or any other external opening of any building and no portion of any such advertisement may obstruct the opening or closing of any window, door or any other openings.
- (5) not exceed 5m² in total surface 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 Impact Assessment be submitted to the Municipality indicating no detrimental environmental impact is envisaged; and
 - (b) a Heritage Impact Assessment be submitted to the Municipality indicating no detrimental heritage impact is envisaged; and
 - (c) A Visual Impact Assessment be submitted to the Municipality indicating that no detrimental visual impact is envisaged; and
 - (d) A Traffic Impact Assessment be submitted to the Municipality indicating that no detrimental traffic impact is envisaged;
- (6) may be considered for approval on blank common boundary facades of non-residential buildings.
- (7) if the advertisement appears on public facades of any building—
 - (a) be so designed as to become an integral part of the building design; and

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- (b) when a third-party advertisement, only be permitted if custom-made and subject to the requirements of 5(a) to (c) above.
- (8) No advertisements may be attached to walls or fences of residential buildings.
- (9) The application number as well as the name of the advertising company or owner of the advertisement, must be displayed in a visible area on the advertisement.

SCHEDULE 5: SKY ADVERTISEMENTS

- (1) Subject to approval in terms of this By-Law, the erection or display of sky advertisements whether custom made or of standard design, is permitted in areas of minimum control only.
- (2) In addition, sky advertisements must:
 - (a) be limited to a maximum total surface area of 4.5m² and subject to Traffic Impact Assessment, Environmental Impact Assessment, Heritage Impact Assessment and a Visual Impact Assessment indicating no detrimental traffic, environmental, visual or heritage impacts are envisaged; and
 - (b) not obstruct the view of or affect the amenity of any other building;
 - (c) be securely and properly anchored to the building where it will be erected, ensuring that all structural loads are safely distributed to the building's structural members without the need for additional guys, stays, or restraining devices;
 - (d) be constructed entirely from non-combustible materials approved by the Municipality. If illuminated, it cannot be positioned on or over the roof of any buildings unless both the advertisement and the entire roof construction are made of non-combustible materials as specified by the Municipality;
 - (e) be accompanied by an engineer's certificate, which certificate must be submitted to the Municipality within five (5) days of its completion;
 - (f) be positioned to avoid obstructing the run-off of rainwater from the building's roof and to prevent interference with any building feature, element, or component that requires direct exposure to solar radiation for proper functioning.
- (3) Sky advertisements along the top edge of the roof of cultural, historic or architecturally significant buildings will not be allowed.
- (4) The application number as well as the name of the advertising company or owner of the advertisement, must be displayed in a visible area on the advertisement.

SCHEDULE 6: ROOF ADVERTISEMENTS

Subject to approval in terms of this By-Law, the erection or display of roof advertisements are permitted only in areas of minimum control and must comply with the following:

- (1) The total surface area of any roof advertisement 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.
- (2) When attached to the bottom edge of a roof or vertically midway on the roof of a building, such advertisement may not exceed 500mm in height and its total surface area may not exceed 25% of the roof area to which it is affixed.
- (3) not obstruct the view of or affect the amenity of any other building.
- (4) be securely and properly anchored to the building where it will be erected, ensuring that all structural loads are safely distributed to the building's structural members without the need for additional guys, stays, or restraining devices.
- (5) be constructed entirely from non-combustible materials approved by the Municipality and where roof advertisement is illuminated, it cannot be positioned on the roof of any buildings unless both the advertisement and the entire roof construction are made of non-combustible materials as specified by the Municipality.
- (6) be positioned to avoid obstructing the run-off of rainwater from the building's roof and to prevent interference with any building feature, element, or component that requires direct exposure to solar radiation for proper functioning.
- (7) It shall be permissible to affix a roof advertisement along the edge of a roof of a building, if such advertisement 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 surface area; with a maximum height of 500mm.
- (8) The application number as well as the name of the advertising company or owner of the advertisement, must be displayed in a visible area on the advertisement.

SCHEDULE 7: ADVERTISEMENTS 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 advertisements on a veranda, balcony, canopy, supporting columns, pillars and posts may only be permitted in areas of partial and minimum control on the condition that they also comply with the following:

- (1) No advertisements may be attached to Historical Buildings.
- (2) No such advertisements will be allowed on or over architectural features of buildings.
- (3) Such advertisements 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 advertisement 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 advertisements may be affixed flat onto or painted on supporting columns, pillars and posts. In this regard, no advertisement 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. Advertisements affixed flat onto non-rectangular supporting structures must be curved to fit the form of such structure.
- (6) Only one advertisement per column, pillar or post will be allowed.
- (7) Such advertisements 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 advertisement must be at right angles to the building line.
- (9) No advertisements suspended under a canopy may extend beyond the external edge of the canopy or veranda to which it is attached.
- (10) All suspended advertisements must have a clear height of at least 2,4 meters.
- (11) Such advertisements 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.

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- (12) No such advertisement shall be allowed in a conservation area within a single residential zone unless a Heritage Impact Assessment is submitted which confirms that no negative impact would be made on any heritage resources.
- (13) The application number as well as the name of the advertising company or owner of the advertisement, must be displayed in a visible area on the advertisement.

SCHEDULE 8: ADVERTISEMENTS ON BOUNDARY WALLS AND FENCES AND ON CONSTRUCTION SITE HOARDINGS

Subject to approval in terms of this By-Law, the erection or display of advertisements on boundary walls and fences is permitted only for locality bound advertisements 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 advertisement against a boundary wall only if the advertisement 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 surface 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 advertisement 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 advertisement with a maximum size of 0.5m² onto the permanent fence of property.
- (3) Third party and locality bound advertising on construction site hoardings and fences must comply with the following conditions:
 - (a) any one advertisement may not exceed a vertical dimension of 3 meters and total surface area of 18m² and in the case of construction site cladding, the graphic must comply with the requirements of the Advertising Standards Authority of South Africa.
 - (b) any such advertisement 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.
- (4) The application number as well as the name of the advertising company or owner of the advertisement, must be displayed in a visible area on the advertisement.

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 of control 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 sign 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 of control, 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 in any manner which may interfere with or constitute a danger to passing pedestrians or vehicular traffic.
- (3) Flags or banner-type displays exceeding 5m² are prohibited, with individual flags not to exceed 2m². Additionally, flagpoles must adhere to property zoning height restrictions, with a maximum allowable height of 8 meters above natural ground level, measured vertically from the base of the pole to its highest point.
- (4) No poster, banner, tear-drop banner, flag, or balloon may be displayed within 30 meters of any road traffic signs or traffic signal. Permission may be granted by the Municipality to relax this requirement, but this is subject to a Traffic Impact Assessment and Visual Impact Assessment confirming that this will not cause any adverse road traffic safety risk.
- (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 features, 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 advertisements.
- (7) Only one banner per premises will be permitted unless the Municipality's written permission is obtained for more than one.
- (8) A maximum of five flagpoles bearing national flags may be erected on the premises of an accommodation facility on a single residential property.

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- (9) Subject to the conditions laid down in paragraph 4 of this schedule, 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.
- (10) Posters, banners, tear-drop banners, flags, and balloons must be maintained in a clean and undamaged condition while displayed. If notified in writing by the Municipality, any materials found to be in disrepair or unclean, must be promptly removed from display.
- (11) The application number as well as the name of the advertising company or owner of the advertisement, must be displayed in a visible area on the advertisement.

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 official.
- (5) Posters, banners, tear-drop banners and flags may be displayed for a maximum period of 14 (fourteen) days prior to the event and must be removed within 2 (two) 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 alongside 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.^[MB7]
- (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 (two) meters measured from natural ground level.

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- (10) No posters, banners, tear-drop banners or flags may be affixed to trees, traffic signs, traffic signals, central ridges, existing advertising advertisements or any municipal buildings or over hydrant identification advertisements.
- (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.
- (20) The application number as well as the name of the advertising company or owner of the advertisement, must be displayed in a visible area on the advertisement.

SCHEDULE 12: ESTATE AGENT ADVERTISEMENTS

Subject to approval in terms of this By-Law, the erection or display of estate agent advertisements is permitted in all areas of control except natural areas of maximum control. Only estate agents registered and licenced with the Property Practitioners Regulatory Authority will be allowed to erect show houses advertisements. Proof of registration must accompany the application. In addition:

- (1) Estate Agencies must apply annually for permission to display advertisements 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 advertisement 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 advertisement 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 advertisement not being removed, photographic evidence of the unlawful advertisement may be obtained by the Municipality prior to levying the said charge.
- (4) "For sale", "Sold" and "To let" advertisements shall be fixed flat to the surface of the boundary fence or wall of the property.
- (5) "Sold" advertisements 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 advertisement may be erected in such a way that any part of it is closer than 1.5m from a road verge.
- (7) No advertisement may be erected on centre islands.
- (8) No advertisement may obscure a road traffic signs or traffic signal.
- (9) No advertisements may be erected on any tarred area of pavements.
- (10) Estate agent advertisements may not exceed 0.3m² in total surface area.
- (11) "Show House" advertisements may be displayed only from 12h00 on Fridays to 20h00 on Sundays.
- (12) Show house advertisements 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 advertisement, 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 advertisements may be displayed on stakes making use of a design approved by the Municipality. Estate Agent advertisements 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 agents directional advertisements 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 advertisement will include the display of two advertisement boards only when such boards are sandwiched back to back around an electric light pole.
 - (16) Show houses advertisements may not be displayed along Scenic Routes or on any bridge, public park or public open space.
 - (17) Directional advertisements may be displayed along main routes only, being the shortest route from a main road to the property.
 - (18) Only one directional advertisement 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 ADVERTISEMENTS

Subject to approval in terms of this By-Law, the erection or display of loose portable advertisements 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 advertisements may not be placed in a road reserve, on municipal property or in public open spaces without the written permission of the Municipality.
- (2) The Municipality may remove and impound loose portable advertisements placed without permission in a road reserve, on Municipal property or in public open spaces. Owners can recover their advertisements 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 public safety hazard;
 - (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 advertisement 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 advertisement 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 advertisements. The said advertisements must be removed outside normal trading hours and stored away from public view.

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- (5) The Municipality may levy tariffs for displaying the loose portable advertisements, 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 advertisements within the road reserve or on municipal property.
- (7) Notwithstanding the above, the Municipality may cause the removal or impoundment of the advertisement or advertisements should the applicant contravene any of the above conditions.

SCHEDULE 14: AERIAL ADVERTISEMENTS

Subject to approval in terms of this By-Law, the erection or display of aerial advertisements is permitted only in urban areas of minimum control. In addition:

- (1) No aerial advertisements affixed to any building or structure may be flown at a height of more than 45 (forty-five) meters from the surface measured from ground level;
- (2) Aerial advertisements may not be flown above a public road;
- (3) Any written application for the display of an aerial advertisement must be accompanied by the following, where applicable:
 - (a) An engineer certificate confirming that the structure and tethering is suitable for display of the aerial advertisement;
 - (b) all details regarding the content and dimensions of the aerial advertisement that will be used for display.;
 - (c) particulars of the materials used and method of construction and anchorage;
 - (d) particulars of the intended location with a description of the property, premises or structure to which the aerial advertisement will be anchored or tethered and details of electricity and telephone poles and cables and any other structures within 30m from the point of anchorage of the aerial advertisement or the length of tether, whichever is the greater;
 - (e) the name and address of the person/s or contractor/s displaying the aerial advertisement and the name and address of the approved competent person in attendance of the aerial advertisement and its owner/s;
 - (f) the period and times of intended display of the aerial advertisement;
 - (g) Where the applicant is not the owner of the property to which the aerial advertisement is to be anchored or tethered, written consent from the property owner must be obtained for anchoring purposes;
 - (h) proof of the provision of an automatic deflation device;
 - (i) public liability insurance cover to the Municipality's satisfaction;
 - (j) approval by the national Civil Aviation Authority for the display of the aerial advertisement;

The Outdoor Advertising By-law 2024

- (4) The application number as well as the name of the advertising company or owner of the advertisement, must be displayed at the anchor or tethering point of the aerial advertisement.

SCHEDULE 15: TRANSIT ADVERTISING

Subject to approval in terms of this By-Law, the erection or display of transit advertisements is permitted only in urban areas of minimum control. In addition:

- (1) The parking of a transit advertisement 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 advertisements 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 have a total surface area exceeding 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 advertisements 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 advertisements must be properly fixed to the ground at the parking location.
- (7) The application number as well as the name of the advertising company or owner of the advertisement, must be displayed in a visible area on the advertisement

SCHEDULE 16: ADVERTISEMENTS ON MUNICIPAL LAND OR BUILDINGS

- (1) No advertisement 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 advertisements mentioned in items (a) to (c) below:

- (a) Commercial advertisements other than those in section 14 (10).

Notwithstanding the area of control within which it is proposed to erect a commercial advertisement on Municipal land or buildings, and subject to compliance with all other provisions of this By-Law, the Municipality may consider a commercial advertisement 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 commercial advertisements, 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 advertisement 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 an advertisement in respect of a specific site;
- (vii) Once accepted, any advertisement 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 advertisement.

(b) Sponsored advertisements

Notwithstanding the area of control within which it is proposed to erect such an advertisement on Municipal owned land or buildings and subject to compliance with all other provisions of this By-Law, the Municipality may consider a sponsored advertisement 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 advertisement;
- (ii) advertisements with a political content will not be permitted;
- (iii) no more than 5% of the total surface area of the advertisement is used for third party advertising;
- (iv) the maximum size of any such advertisement will be 6m x 3m; provided in the event of a V-shaped advertisement 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 advertisement erected in terms of this clause be located within 5 meters of a property's boundary line.

(c) Non-profit body advertisements

Notwithstanding the area of control within which it is proposed to erect a advertisement, and subject to compliance with all other provisions of this By-

Law, the Municipality may consider the erection of an advertisement by or for the benefit of a non-profit body subject to compliance to a Visual Impact Assessment and with the requirements set out in Schedule 17.

SCHEDULE 17: ADVERTISEMENTS ERECTED BY OR FOR THE BENEFIT OF NON-PROFIT ORGANISATIONS

Notwithstanding the area of control within which it is proposed to erect an advertisement 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 an advertisement for approval subject to the following:

- (1) 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 advertisement must be delivered to the Municipality together with the other information set out in Section 4 of this By-Law;
- (2) the extent of involvement of previously disadvantaged communities, small businesses, job creation and empowerment will be considered in any proposal;
- (3) any proposal will be evaluated on the following factors;
 - (a) the adherence to the principles or provisions of this By-Law;
 - (b) the design contribution;
 - (c) the best community benefit offered;
 - (d) the creativity and public safety; and;
 - (e) the permanence of the contribution to the community goals or needs as opposed to the largest advertising opportunity or financial gain.
- (4) in the event of it being proposed that the said advertisement will be erected on municipal property:
 - (a) the Municipality must evaluate the proposal;
 - (b) the Municipality as landowner reserves the right not to proceed with any proposal prior to final approval thereof; and
 - (c) if accepted, a written agreement between the Municipality, the person responsible for the erection of the advertisement and the non-profit body must be entered into.
- (5) In addition, the following conditions will apply:
 - (a) advertisements with a political content will not be permitted;

The Outdoor Advertising By-law 2024

- (b) the maximum size of any such advertisement is 6m x 3m; provided in the event of a V-shaped advertisement being proposed, its maximum size will not exceed two panels of 6m x 3m each;
- (c) applications for billboards to be erected in terms of this section must comply with the requirements as set out in Schedule 2;
- (d) no advertisement erected in terms of this clause may be located within 5 meters of a property's boundary line;
- (e) the name of the non-profit body must be displayed on the advertisement with a maximum 300mm lettering height;
- (f) all parties that may be affected by the erection or display of such advertisement must be given opportunity for their input;
- (g) the Municipality may require submission of impact assessment studies; and
- (h) no more than two advertisements of 6m x 3m each may be permitted, or alternatively one V-shaped advertisement with a maximum of two panels of 6m x 3m each on any one property. In addition, only one advertisement per street frontage will be permitted.

SCHEDULE 18: STANDARD FREE STANDING AND COMPOSITE ADVERTISEMENTS IN CONSERVATION AREAS

Subject to approval and in accordance with this By-Law, the erection and display of standard free standing and composite advertisements will be the primary way of advertising in conservation areas and in areas of single residential zoning. In addition:

- (1) Only one standard advertisement, designed according to Municipal requirements, will be allowed on a property.
- (2) A composite advertisement of a maximum of two advertisements and size not exceeding a total surface area of 1.8 m² per advertisement, showing only the name of the business and its main product, will be allowed.
- (3) In the case of a business centre, more than one advertisement per advertising structure will be allowed in which case the business centre's name and the names of the businesses in the centre may be displayed.
- (4) The advertisements shall:
 - (a) Comply to the design standards and requirements of the Municipality.
 - (b) Not be displayed in the road reserve.

7.8.2	PERMISSION TO ALLOW FOR AN EXTENSION OF MOBILE UNITS TO TRADE AT PRE-DETERMINED SITES WITHIN THE WC024 AREA
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

21 November 2024

1. SUBJECT: PERMISSION TO ALLOW FOR AN EXTENSION OF MOBILE UNITS TO TRADE AT PRE-DETERMINED SITES WITHIN THE WC024 AREA

2. PURPOSE

Is to request approval for the extension of the pilot for mobile trucks / kiosks, e.g. food trucks & coffee carts, etc. for a period of one (1) year.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

Mobile traders, often referred to as street vendors or food trucks, offer several benefits in cities. These mobile businesses have become increasingly popular and have a significant impact on urban areas. Some of the benefits are accessibility to the community, promotion of entrepreneurship. It acts as stimulus for local economic development and growth. Council approved a pilot for one year in pre-determined areas, the department would like to extend this period

5. RECOMMENDATION

that Council approve the extension of the Mobile Trading Pilot for another year.

6. DISCUSSION / CONTENTS

6.1 Background

Mobile traders, often referred to as street vendors or food trucks, offer several benefits in cities. These mobile businesses have become increasingly popular and have a significant impact on urban areas. Some of the benefits as listed below are:

- **Accessibility:** Mobile traders bring goods and services closer to residents, making it more convenient for people to access a variety of products and services without having to travel far from their homes or workplaces.
- **Entrepreneurship:** Mobile trading provides opportunities for entrepreneurs to start small businesses with relatively low initial capital compared to traditional brick-and-mortar stores. This encourages economic growth and job creation.
- **Revitalisation of Public Spaces:** Mobile traders can revitalise underutilised or neglected public spaces by attracting foot traffic and creating a more vibrant urban environment.

- Increased Tourism: In many cities, mobile traders contribute to the appeal of tourist destinations, drawing visitors and enhancing the overall tourism experience.

As a Municipality, we commend innovative ways of doing business that stimulates our economy. The emerging trend of mobile businesses offering services from vehicles and trailers is an example of such innovation as they can move to where there is demand.

However, it is important to note that mobile trading also raises regulatory and urban planning challenges related to issues such as health and safety regulations, parking and congestion, competition with traditional businesses, and ensuring equitable access to these opportunities for all entrepreneurs.

The Section Economic Development & Tourism, who is tasked to enable economic activity to have also issued 7 temporary permits within informal trading areas, which have significantly assisted with granting residents the opportunity to trade, to generate much needed income.

One of the key reasons for the extension of the pilot study is the initial slow uptake of the opportunity. Further hereto, the extension is needed to obtain the required key data for the determination of the primary outcome and project feasibility.

6.2 Financial Implications

There are no financial applications that relate to the operations of the pilot mobile trading, should the recommendations as set out in the report be accepted.

6.3 Legal Implications

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

6.4 Staff Implications

The department will need to put the necessary mechanisms in place for the continuous monitoring of these permits to ensure adherence to the terms and conditions.

6.5 Previous / Relevant Council Resolutions:

The 17th Council meeting: 2014-01-16: Item 7.7 resolved

a) that Council support the initiative to amend the by-laws for the Supervision and Control of the Carrying on of Business of Street Vendor, Pedlar or Hawker;

b) that the decision to amend the above-mentioned By-law be advertised for public comment (internally and externally) before the final decision is made by Council.

On the 9th Council Meeting dated 2022-11-23: ITEM 11.9.1 Council resolved as follows:

- a) that Council approves the request of the Directorate: Planning & Economic Development for the pilot period of one (1) year in order to issue permits to informal traders using mobile units to trade within pre-determined areas in accordance with the terms and conditions;
- b) that Council approve that such mobile informal trading also be allowed on the premises of the Stellenbosch Municipality's Traffic Department (Stellenbosch), Jan Marais Park, or any other identified municipal property, with approval from the user Department of such property; and
- c) that the Section: Economic Development & Tourism in consultation with the Director: Community & Safety Services and Directorate: Infrastructure Services allocate such trading bays and areas within the premises of the Traffic Department (Stellenbosch) or on any other pre-determined areas.

18TH COUNCIL MEETING: 2023-11-29: ITEM 11.8.6

RESOLVED (nem con)

That Council approves the extension of the Mobile Trading Pilot as approved in Council on 23 November 2022 for another year.

6.6 Risk Implications

The risk relates to the weak monitoring of these permits to ensure adherence to the terms and conditions applicable for these types of permits.

6.7 Comments from Senior Management:

6.7.1 Director: Planning and Economic Development

Agree with the recommendations

FOR FURTHER DETAILS CONTACT:

NAME	Carmen Saville
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DIRECTORATE	Planning & Economic Development
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REPORT DATE	04 November 2024

7.8.3	REQUEST TO UNDERTAKE PUBLIC PARTICIPATION PROCESS (“PPP”) IN RESPECT TO AMEND THE STELLENBOSCH MUNICIPALITY EVENTS BY-LAW, 2024
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

21 November 2024

1. SUBJECT: REQUEST TO UNDERTAKE PUBLIC PARTICIPATION PROCESS (“PPP”) IN RESPECT TO AMEND THE STELLENBOSCH MUNICIPALITY EVENTS BY-LAW, 2024

2. PURPOSE

To provide Council with the pertinent facts in order to approve that the Amended Stellenbosch Municipality Events By-Law, 2024 be advertised for a period of thirty (30) days to obtain public comments in respect of the subject By-Law.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

Stellenbosch Municipality updated the 2016 Events By-Law due to a number of concerns that were raised by Local Tourism Organisations and stakeholders within the tourism fraternity regarding the outdated bylaw and the tedious land use application processes. The aim of the Stellenbosch Municipality Events By-Law is to create a framework that facilitates the organisation of events whilst contributing in a sustainable manner toward growth in job creation, investments, and social inclusivity.

The 2024 Stellenbosch Municipality Events By-Law was approved by Council on 24 April 2024 and has been promulgated for implementation.

5. RECOMMENDATIONS

- (a) that Council **take note** of the amendments to the Stellenbosch Municipality Events By-Law promulgated on 24 June 2024, attached as **APPENDIX 1** to this report;
- (b) that Council **approves** that the Amended Stellenbosch Municipality Events By-Law, be advertised for public comment for a period of thirty (30) days; and
- (c) that the Item return to Council after the public participation process for consideration.

6. DISCUSSION / CONTENTS

6.1 Background

The Stellenbosch Municipal Area is known for hosting of major local, national and international events. Stellenbosch Municipality plays an important role in regulating events, events organisation and the facilitation and provision of services at events.

The updated Events By-Law was approved by Council during the 22nd Council Meeting on 24 April 2024. Following the approval of the By-Law, the Community and Protection Services Directorate was confronted by many challenges which resulted from the misinterpretation of the Events By-Law.

6.2 Discussion

Events are established occurrences within the Cape Winelands and contributes significantly to the appeal of the Municipal Area as a tourist destination. Hosting of events in the Stellenbosch Municipality boosts the local economy by attracting visitors who spend money on accommodation, dining, transportation, shopping and entertainment. This influx of spending benefits local businesses and contribute to the overall economic growth of the host community.

Subsequent to the approval of the 2024 Stellenbosch Municipality Events By-Law, the Directorate for Community and Protection Services approached the Directorate Planning and Economic Development to raise their concerns regarding the misinterpretation of the By-Law by the general public.

A follow-up meeting took place on 27 May 2024 between the relevant departments to further review the Events By-Law and provide clarity on the items that are misunderstood by the public. During the meeting the following amendments were proposed to the approved Events By-Law:

Amendment	Reason for amendment
<u>Pg 3 Clause 1: Definitions</u> 1. Clause 1(e): - remove <u>negative</u> 2. Clause 1 (e): - include: <i>For filming related applications refer to the Stellenbosch Municipality Filming By-Law</i>	The Events Office is not able to determine what type of impact the filming activity will have on the traffic. Timeframes for application processing will differ (weather permitting) from Events applications.
<u>Pg 5-6 Clause 2: Application of this By-Law</u> 1. include as clause 2 (a): - <i>Applications for all types of events must be submitted to the Events Office for consideration</i> 2. New clause 2 (c)(i): will be amended as follows: events less than 200 persons in attendance where there is no amplified sound, no temporary	The Events office has the right to determine whether an application (of an event less than 200 persons) requires a permit. When the preparation and selling of food takes place at an event, a health certificate is required.

structures (greater than 100m ² in size per structure) to be used, no <i>preparation and or selling of food and does not have an impact on vehicular traffic.</i>	If an event of fewer than 200 persons should have an impact on the traffic, the relevant department must be consulted.
3. remove: clause 2 (c) <i>from (ii) – (ix)</i>	Additions will be removed to avoid confusion and misinterpretation of the application of the By-Law.
4. New clause 2 (d) (i) – (ii) Replace Law Enforcement Officer with Authorised Officer	
5. New clause 2 e(ii): Rephrase as follows – <i>owners or managers of purpose-built venues must submit their programme of events to the Events Office prior to events taking place.</i>	This will ensure that the event office is always informed of events taking place at purpose-built venues. Owners and managers of purpose-built venues do not have to apply but simply notify the events office.
6. Include 2 (e)(vi): - there is no temporary structure erected	
7. Include as 2 (f) - The Events office has the right to classify an application as an event and implement the necessary processes to be adhered to.	To ensure that events are compliant at all times.

During the Informal Mayoral Committee meeting which took place on 8 October 2024, Councillors raised their concerns regarding the excessive red tape associated with the reviewed Events By-Law.

In light of the above, it was concluded that administration must conduct a comparison of Event By-Laws implemented by other Local Municipalities located in the Western Cape Province (please find comparison of Events By-Laws attached as **APPENDIX 2**).

6.3 **Financial Implications**

None. The bylaw has been drafted using the resources within the Municipality.

6.4 **Legal Implications**

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

6.5 **Staff Implications**

This report has no additional staff implications to the Municipality.

6.6 Previous / Relevant Council Resolutions:**18TH COUNCIL MEETING: 2023-11-29: ITEM 11.8.2****RESOLVED** (majority vote)

- (a) that Council takes note of the draft Stellenbosch Municipality Events By-Law, 2023, attached as **APPENDIX 1** to this report, and
- (b) that Council approves that the draft Stellenbosch Municipality Events By-Law, 2023, be advertised for public comment for a period of thirty (30) days, whereafter same be resubmitted to Council for final consideration and subsequent approval in terms of the Local Government Municipal Systems Act No.32 of 2000.

22ND COUNCIL MEETING: 2024-04-25: ITEM 11.8.2**RESOLVED** (majority vote with 1 abstention)

- (a) that Council take note of the final Draft Stellenbosch Municipality Events By-Law which was advertised for a period of thirty (30) days and that copies of the proposed By-Law were placed at the venues as indicated in the advertisement, copy attached as **APPENDIX 2** to this report,
- (b) that Council **approve and adopts** the final Draft Events By-Law, attached as **APPENDIX 1**, and
- (c) that Council **approves** that the final Draft Events By-Law be promulgated.

6.7 Risk Implications

The risks are addressed through the content of the report.

APPENDICES

Appendix 1: Amended Stellenbosch Municipality Events By-Law, 2024.

Appendix 2: Comparison of By-Laws.

FOR FURTHER DETAILS CONTACT:

NAME	Joh-ne Jansen
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DIRECTORATE	Planning and Economic Development
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REPORT DATE	11 November 2024

APPENDIX 1

STELLENBOSCH
MUNICIPALITY

EVENTS BY-LAW, 2024

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STELLENBOSCH MUNICIPALITY: EVENTS BY-LAW

PURPOSE AND OBJECTIVES

To provide for the management and regulation of events within the jurisdiction of the Stellenbosch Municipality; to provide for the enforcement of this By-Law; and to provide for matter incidental thereto.

PREAMBLE

WHEREAS the Stellenbosch Municipality recognizes that the hosting of events is a significant part of its competitive strategy and acknowledges that events have an important role to enhance cultural and social cohesion in communities, support urban rejuvenation and economic growth.

WHEREAS the Stellenbosch Municipality aims to regulate holding of events in a manner that ensures proper management thereof;

WHEREAS the Stellenbosch Municipality wishes to support the co-ordination and collaboration between all role-players, to promote partnerships and to enhance the impact of events in the municipality;

WHEREAS the Stellenbosch Municipality wants to ensure that events happen safely and securely in a coordinated manner in its jurisdiction;

AND WHEREAS the Stellenbosch Municipality wants to ensure that events take place safely and securely in a coordinated manner through a clear collaboration between Law Enforcement, Fire Services, the South African Police Services, Disaster Management, District Municipality, Traffic Services and other related emergency and safety organisations;

AND NOW THEREFORE, BE IT ENACTED by the Stellenbosch Municipality, as follows:—

CHAPTER 1

DEFINITIONS AND APPLICATIONS

1. Definitions

In this By-Law, unless the context otherwise indicates-

“authorised municipal official” means the Municipal Event Officer, a member of the Municipal Event Committee, a municipal law enforcement officer, and any other person who is delegated as contemplated in section 41 of the South African Constitution to execute a power, function or duty related to the provisions of this By-Law

“Council” means the council of the Stellenbosch Municipality or any political structure, political office, councillor or any staff member acting under the council’s delegated or sub-delegated authority

“event” means-

- (a) any sporting, recreational, entertainment, including live entertainment or event acts;
- (b) any educational, cultural or religious event;
- (c) any business event including marketing, public relations and promotional events, or exhibition events;
- (d) any charitable event, including any conference, organizational event or community event;
- (e) any filming which is of such a nature that it may have a negative impact on vehicular or pedestrian traffic or may attract crowds (please refer to the Stellenbosch Municipality Filming By-Law for filming related applications);
- (f) any similar event or activity hosted at a stadium, public place, venue or along a route or within its precinct.

“event organizer” means a person who submits an application to hold an event in terms of this By-Law whether he or she submits the application for himself or herself or on behalf of another person, body or organization;

“events committee” a committee represented by officials from affected municipal department who meet on an ad hoc basis to consider event applications and make recommendations to the Event Organizer;

“events policy” means the Events Policy of the Stellenbosch Municipality;

“Event Permit Officer” means the head of Stellenbosch Municipality events permit office or any other official delegated by him or her;

“Law Enforcement Officers” officials of the Municipality involved in law enforcement;

“Municipal Manager” means the person appointed as Municipal Manager in terms of section 82 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998)

“permit” means a permit issued by the Events Coordinator for the holding of events;

“public place” means -

- (a) any public land, square, public swimming, bath, public resort, public recreation site, zoological, botanical or other public garden, park or hiking trail, including any portion thereof and any facility or apparatus therein or thereon, as well as any public open space, public road, road reserve, reserve street, lake, dam, or river;
- (b) any public building, structure, hall, room or office including any part thereof and any facility or apparatus therein, which is the property of, or possessed, controlled or leased by Stellenbosch Municipality and to which the general public has access, whether on payment of admission fees or not;
- (c) any nature conservation area including – nature reserves, protected natural areas, nature conservation worthy areas, natural open spaces.

“public land” means all property owned by government;

“purpose-built venue” means a building, structure, or premises, specifically built, zoned and suitable for the holding of specific events;

“stakeholder” includes any person, organization, entity or body who is affected or has a role to play in the management or holding of an event;

“safety officer” means a person appointed in terms of Regulation 6 of the (Occupational Health and Safety Act 85 of 1993) to assist with the oversight of the safety and security risk management of the event.

“this By-Law” includes the Schedules hereto;

“venue” means any open space, enclosed or semi-enclosed temporary structure or permanent structure, whether a private dwelling or not–

- (a) within which a temporary or permanent structure may be erected, where an event is to be hosted; and
- (b) which, for the purposes of any categorization, designation and certification of an event may consist of —

- (i) seating for spectators, attendees or an audience; or
- (ii) a field of play or a permanent or temporary podium or other area within a venue, reserved for the purposes of hosting an event;
- (iii) purpose built venue correctly zoned, built and suitable for the holding of specific events;

“venue owner” means any person or legal entity that, now or in the future, will directly or indirectly own, lease, rent, acquire or exercise the powers of an owner or occupier of a venue used for events.

“ward committee” means the ward committee as established by Stellenbosch Municipality from time to time and chaired by the respective appointed ward councillors

2. Application of this By-Law

(a) Applications for all types of events must be submitted to the Event Office for consideration.

(b) This By-Law applies to any event held within the area of jurisdiction of Stellenbosch Municipality, including events held on both private land and public land, provided that where an event is held on private land, subject to any other applicable legislation, it has an impact on the resources of the Municipality and the surrounding community.

~~(b)~~(c) This By-Law does not apply to –

- (i) events less than 200 persons in attendance where there is no amplified sound, no or temporary structures (greater than 100m² in size per structure) to be used, no preparation and or selling of food and does not have an impact on vehicular traffic;
- (ii) actions falling under the provisions of the Regulation of Gatherings Act (Act 205 of 1993) as amended, for which a system of approval is already in place;
- (iii) public participation or meetings held by ward councillor;
- (iv) small events such as family and community events held on private property or purpose built venues, subject to any other legislation;
- (v) funeral and funeral processions, events held at a purpose built venue or the grounds of any school, playground, place of worship, hotel and/or any other conference facility, athletic field, arena, auditorium or similar;
- (vi) permanent place of assembly when used for events normally held in or at such venues; provided that this exclusion does not apply to events or parts of events held outside the venue or building, or which by their nature, size or impact are considered outside the normal use parameters for the venue;
- (vii) sport fixtures and events regulated by the Safety at Sports and Recreational Events Act No.2 of 2010;
- (viii) Weddings held at wedding venues established for purposes of weddings or at a community hall or similar entertainment facility, and wedding processions;

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~~which fall outside the boundaries of an environmentally protected area;~~

~~(ix) Cultural rituals held by cultural groups and families in the community.~~

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~~(e)(d)~~ Notwithstanding subsection (2), the Events Permit Officer or a Law Enforcement Officer may —

(i) when the Events Permit Officer or an ~~Law Enforcement Officer~~ Authorised Officer finds that this By-Law is, or likely to be, contravened by an event organizer; or

(ii) when a stakeholder affected by the impact and risk attached to an event files a complaint with the Event Permit Officer or an ~~Authorised Officer~~ Law Enforcement Officer, issue a compliance notice to the Event Organiser in terms of section 8 and act in terms of this By-Law.

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~~(e)(e)~~ Purpose-built venues are excluded from this By-Law in respect of events normally held in such venue, provided that —

(i) this exclusion does not apply to events or parts of events held outside the venue or building or which by their nature, size or impact are considered outside the normal use parameters for the venue;

(ii) owners or managers of purpose-built venues must submit ~~their programme of events an application~~ to the Events Permit Office ~~prior to the events taking place; for approval of their events programmes which shall be valid for one year;~~

(iii) the Events Permit Officer may, from time to time, issue directives regarding specific or special application process for any specific or special event which may vary in respect of the criteria referred to in section 6;

(iv) in the event of a conflict between this By-Law and any other By-Law of the Municipality this By-Law shall prevail regarding the management and holding of events;

(v) this By-Law does not apply to the holding of public gatherings and demonstrations as provided for in terms of the Regulation of Gatherings Act, 1993 (Act No. 205 of 1993).

~~(vi) There is no temporary structure erected.~~

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~~(f) The Events Office has the right to classify an application as an event and implement the necessary processes to be adhered to.~~

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CHAPTER 2

APPLICATION PROCESS, REQUIREMENTS, DECISIONS AND ENFORCEMENT

3. Submission of applications for approval to hold or stage events

- (a) A formal application to stage an event must be made by the event organizer to the Events Permit Officer and submitted –
 - (i) by a person who is at least 18 years old;
 - (ii) in a form and or manner as prescribed by the Events Permit Officer;
 - (iii) within the time frames as prescribed in Schedule 2 of this By-Law;
 - (iv) by a person or on behalf of a person who possesses the necessary capacity and resources.
- (b) The application must include all information required as indicated in the prescribed form and any additional information as may be requested by the Stellenbosch Municipality.
- (c) All applications must be accompanied by proof of payment of the applicable fees and deposit payable for the event.
- (d) In the event of failure to submit the information referred to in subsection 3(b) and proof of payment in terms of subsection 3(c) an application will not be considered in terms of this By-Law.

4. Requirements and conditions

- (a) No person may hold or stage any event without obtaining a permit referred to in section 5(c).
- (b) An application for an event must comply with the provisions of this By-Law and contain such information as indicated in the prescribed application form as set out in the Schedule 3.
- (c) The Event Organiser may not advertise/market or sell tickets for the planned event before an application is submitted to the Municipality and the Event Permit Officer has informed the Event Organiser in writing that the application has been approved in terms of section 5(a).
- (d) The Event Organiser is required to apply separately and within the required timeframe to the National Commissioner of the South Africa Police Services for a risk categorisation as contemplated in the Safety at Sports and Recreational Events Act, 2010 (Act No.2 of 2010).

- (e) Payment of an administration fee and or applicable tariffs determined by the Municipality must be required from the Event Organiser ahead of approval of an application for an event.
- (f) The Events Permit Officer must ensure that consultation with relevant stakeholders identified by the Municipality is undertaken by the event organizer.
- (g) The Event Permit Officer must, in terms of the Event Policy and depending on the nature of the event, ensure that consultation takes place with the Events Committee, which will include an official form the municipality's environmental services department; and with any other relevant stakeholder, including the relevant ward councillor.
- (h) The Events Permit Officer must satisfy him /or herself by written documentation that the relevant zoning scheme, environmental legislation and all health and safety regulations are complied with; that adequate public liability insurance cover, and that appropriate indemnity cover is obtained for an event by the Event Organiser. Similarly, where an activity which may put the public at risk will be triggered, proof of appropriate specialized risk insurance, blanket liability or work cover must be provided to the Events Permit Officer by the Event Organiser.
- (i) The Council must, as part of its budgeting process in terms of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003), determine tariffs and deposits payable for events.
- (j) The Municipality shall not, in respect of any planning for an event, application, approval or permit issued for an event in terms of this By-Law, be held liable for any-
 - (i) damage to or loss of any property of the Event Organizer; or
 - (ii) costs incurred by an Event Organizer or any third party;
- (k) The event organizer, or the venue owner shall be liable for the cost of any service provided by the municipality for or in respect of an event.

Safety Officer

The Event Organiser must appoint a safety officer for the event.

- (a) The responsibility for the safety of all present at the event lies primarily with the Event Organiser;
- (b) The safety officer is tasked with monitoring and maintaining a safe environment for the duration of the event, including the set-up and breakdown of stages of the event;
- (c) The areas of responsibility of the safety officer include operational safety, occupational health and safety compliance and hygiene management;

- (d) The safety officer maintains the right to halt any event should he/she identify a significant risk threatening the safety of any individual present at the event;
- (e) The mandate of the safety officer includes the event venue as well as all associated facilities;
- (f) The safety officer is required to be on-site for the entire duration of the event, including the set-up and breakdown stages of an event;
- (g) The safety officer is to reasonably identify any risks or dangers and recommend suitable mitigation and management measures to the Event Organiser;
- (h) The safety officer is responsible for ensuring that the event-specific written safety and security plan is adhered to.

5. Decisions on events

- (a) The Events Permit Officer must approve or decline an application for an event within a reasonable time in terms of this By-Law.
- (b) Once a decision has been taken in terms of subsection 5(a) the applicant must be informed thereof in writing.
- (c) Where an application for an event has been approved, the Events Permit Officer must issue a permit specifying the conditions applicable to the event.
- (d) The Event Organizer must make sure that the permit is available at the venue for inspection at all stages and at all times of the event, and that any additional licences, including liquor licences can be clearly displayed in public.
- (e) Where an application for an event has been declined, reasons for the decision must be communicated to the applicant in writing, and the applicant must be informed of his/her right to appeal the decision in terms of section 62 of the Municipal Systems Act.
- (f) The Event Permit Officer may decline an application for an event permit where–
 - (i) an event application is received outside of the prescribed timeframes;
 - (ii) the event clashes with another event;
 - (iii) the event safety and security plan is deemed insufficient by the Municipality's services;
 - (iv) the event is not approved by the South African Police Services;
 - (v) the event is non-compliant with applicable legislation; or
 - (vi) any other factor which, in the opinion of the Event Permit Officer, may negatively impact on the –

- safe conclusion of an event; or
- human or other resources of Stellenbosch Municipality.

6. Evaluation Criteria

- (a) The Events Permit Officer must ensure that applications for staging an event are considered in accordance with the following criteria, where applicable:
- (i) the type and size of an event;
 - (ii) the impact of the event in terms of the strategic fit to the Events Policy;
 - (iii) the impact of the event on municipal services including services relating to noise control, traffic, parking, local amenities, public places, health and all incidental services affected by the holding of the event, logistical aspects, as well as marketing, economic, social and environmental objectives;
 - (iv) whether the proposed use of the land complies with the applicable zoning scheme and any conditions applicable thereunder;
 - (v) the safety and security risk management of the event in respect of the event plan, logistics, location, site design and other activities taking place near or at the event venue and other threats to the event. The risk assessment will include, but not limited to, obtaining details of the evacuation routes, emergency plans, site plans of access, and the inference of public open space;
 - (vi) that the event complies with all applicable legislation;
 - (vii) the impact of the event on the environment;
 - (viii) Previous offences
- (b) The criteria referred to in subsection 6(a) must be considered in respect of-
- (i) the review and assessment of events;
 - (ii) the decision processes for event applications;
 - (iii) prioritisation of events;
 - (iv) the type and level of support to be provided by the Municipality for events; and
 - (v) the services to be provided by the Municipality to events.
- (c) The Events Permit Officer may impose reasonable conditions to the permit to protect the environment and the health, safety and welfare of the public pertaining to:
- (i) Location and hours during which the event may be held;
 - (ii) Sanitation, ablution facilities and availability of water;
 - (iii) Security and crowd management;
 - (iv) Parking and traffic issues;
 - (v) Emergency and medical services;
 - (vi) Clean-up of premises and surrounding area and waste disposal;

- (vii) Insurance;
- (viii) Lighting;
- (ix) Fire services and safety;
- (x) Temporary construction, barricades and fencing;
- (xi) Removal of advertising and promotional materials after the event;
- (xii) Noise levels.
- (xiii) Any other conditions pertaining to the Event
- (xv) The environmental impact.

7. Holding of an event

- (a) An Event Organizer whose applications have been approved in terms of this By-Law are responsible for the event and must ensure that —
 - (i) the event is held in compliance with the provisions of this By-Law, the conditions imposed by the Events Permit Officer and does not contravene any other law;
 - (ii) the conduct of persons attending an event and the activities undertaken or carried out at the event do not negatively impact on affected communities and the environment during such an event;
 - (iii) any compliance notice issued by the Events Permit Officer in terms of section 8 is complied with.

8. Compliance notice

- (a) When the Events Permit Officer or a Law Enforcement Officer finds that a provision of this By-Law is being or has been contravened by an Event Organizer or that a condition has arisen that has the potential to lead to a contravention of this By-Law or any other law, he or she —
 - (i) may issue a compliance notice to the Event Organizer; or
 - (ii) may, on receipt of information from an authorized official relating to the contravention of this By-Law or any other law in respect of the holding or staging of an event, issue a compliance notice to the Event Organiser.
- (b) A notice issued in terms of subsection 8(a) must state —
 - (i) the provision of the By-Law; that is being contravened or will be contravened if the condition is allowed to continue;
 - (ii) the measures that must be taken to rectify the condition; and
 - (iii) the time period in which the notice must be complied with.
- (c) If an Events Organiser on whom notice was served in terms of subsection 8(a), fails to comply with the requirements of the notice, the Event Permit Officer, a Law Enforcement Officer or an authorized official may, for the purposes of this By-Law, take

such steps as may be necessary to rectify the condition at the cost of the Event Organizer.

- (d) A person who fails to comply with a compliance notice issued in terms of subsection 8(a) commits an offence.
- (e) The municipality shall, in respect of a person who fails to comply with a compliance notice in respect of one or more events –
 - (i) keep a record of non-compliance and consider any appropriate action as may be required;
 - (ii) require an increased deposit from the person for future events to be held or staged by such person; and
 - (iii) require proof of measures in place to ensure compliance of this By-Law where the party defaulted at a former event.

9. Inspections and right of access

- (a) The Events Permit Officer, an authorized official or a law enforcement officer may conduct inspections of a venue after the submission of an application as well as during and after the staging or holding of an event to determine compliance with this Bylaw and the conditions made;
- (b) The Events Permit Officer or a law enforcement officer has a right of access to or over any venue for the purposes of —
 - (i) performing all necessary acts or required to be done by the municipality under this By-Law,
 - (ii) ascertaining whether there is or has been a contravention of the provisions of this By-Law; and the conditions made subject to the approval of the event application
 - (iii) enforcing compliance with the provisions of this By-Law.
- (c) An Events Permit Officer, an authorized official, or a law enforcement officer may require such owner or occupier to provide, at any reasonable date and time access to such property to a person and for a purpose referred to in subsection 9(b).

10. Suspension and revocation of permit

- (a) The Event Permit Officer, may, where the Event Organizer fails to comply with a compliance notice issued in terms of section 8, by notice in writing to the Event Organiser —
 - (i) suspend the permit immediately until the Event Organiser has complied with the compliance notice;

- (ii) revoke the permit and take such steps as may be necessary in terms of this By-Law, for which costs incurred by the Municipality, the Event Organiser shall be liable; or
 - (iii) on receipt of information from a Law Enforcement Officer or an authorised official relating to failure to comply with a compliance notice, suspend or revoke the permit of an Event Organizer.
- (b) The Municipality may, where the Events Permit Officer has acted in terms of subsection 10(a), withhold the deposit paid by the Event Organizer for an event as security for the payment of such costs.

CHAPTER 3

GENERAL PROVISIONS

11. Agreements and Partnerships

- (a) The Municipality may enter into such agreements and partnerships with Event Organizers as may be necessary for the holding and management of events in terms of this By-Law.
- (b) The Municipality may, under an agreement or partnership contemplated in subsection 11(a), provide support either logistically, financially or both to specific events which are aligned to the strategic objectives of the Municipality.
- (c) The agreements and partnerships contemplated in subsection 11(a) must provide for service levels which must be met by the parties in order to ensure compliance with this By-Law and the Municipal Finance Management Act, 2003 (Act No. 56 of 2003).
- (d) Notwithstanding the provisions of this By-Law relating to offences and penalties, an agreement concluded in terms of this section may provide for penalties for which an Event Organizer shall be liable in the event of non-compliance therewith.

12. Delegations

- (a) The Events Permit Officer may delegate any of the powers conferred on him or her either in whole or in part under this By-Law to any other competent official of the Municipality.
- (b) The Municipal Manager may appoint competent officials in the employment of the Municipality as authorised officials to enforce the provisions of this By-Law.

13. Right of Appeal

- (a) Parties to a dispute arising from a conflict in terms of this By-Law must attempt to resolve such conflict before exercising the right of appeal contemplated in subsection (b) through consultation with each other.
- (b) The Events Permit Officer have the right to decline an application, if the application is incomplete and does not meet the timeframes as set out in Schedule 3.
- (c) The Event Organizer may appeal against a decision where his or her application to hold an event has been declined.
- (d) The Appeal Committee will attend to appeals prior to the submission of such appeals in writing to the Municipal Manager within a period as indicated in Schedule 2 in relation to the type of event concerned.
- (e) The application which is a subject of appeal must be decided in terms of section 5 before the appellant may lodge an appeal within the applicable timeframes set out in Schedule 2.
- (f) An appeal lodged in terms of this section must be considered and decided within such time as indicated in Schedule 2 in relation to the type of event concerned.
- (g) The Municipal Manager may delegate any official of the Municipality to consider and decide on appeals referred to in subsection 13(b).

14. Indemnity

- (a) The Event Organiser must provide –
 - (i) evidence, to the satisfaction of the Event Permit Officer, of appropriate indemnity cover; and
 - (ii) where an activity which may put the public at risk will be involved, evidence to the satisfaction of the Events Permit Officer of appropriate specialised risk insurance, public liability insurance or work cover must be provided.
- (b) The Municipality shall not be liable for any costs, including any damage or loss incurred or suffered as a result of an event held without an approval in terms of this By-Law.
- (c) Event owners shall be held liable for any damages to the municipality's property resulting from the holding of an event.

15. Offences and Penalties

- (a) Any person who-
- (i) holds an event without a permit in contravention of section 4(a);
 - (ii) is an Event Organiser and whose application to hold an event has been approved, fails to comply with any provision of this By-Law, any condition made subject to the approval of the event application; or contravenes a provision of any other law for which the municipality is responsible for implementation and enforcement, in contravention of section 7(a)(i);
 - (iii) fails to ensure that the conduct of persons attending an event and the activities undertaken or carried out at an event do not disturb the neighbouring community, residents, or the environment in contravention of section 7(a)(i);
 - (iv) fails to comply with the compliance notice issued by the Events Permit Officer or a Law Enforcement Officer in terms of section 8(a)(i) or (ii), in contravention of section 7(a)(iii), shall be guilty of an offence.
- (b) A person who commits an offence in terms of this By-Law shall, on conviction, be liable –
- (i) in the case of an offence referred to in subsection 15(a)(i) or (ii). To a fine as the court may deem fit to impose or to imprisonment for a period not exceeding twelve months, or to both such fine and such imprisonment;
 - (ii) in the case of an offence referred to in subsection 15(a)(iii), to such fine as the court may deem fit to impose or to imprisonment for a period not exceeding five years, or to both such fine and such imprisonment;
 - (iii) in the case of an offence referred to in subsection 15(a)(iv), to such fine as the court may deem fit to impose or to imprisonment for a period not exceeding 10 years, or to both such fine and imprisonment.

16. Short title

This By-Law is called Stellenbosch Municipality: Events By-Law,2024.

APPENDIX 2

COMPARISON OF EVENT BY-LAWS

Stellenbosch (2024)	City of Cape Town (2016)	Swartland (2016)	Overstrand (2018)	Theewaterskloof (2017)	Mosselbay (2024)	SASRIA Act (2010)
<p>2. Application of this By-Law</p> <p>a) all types of Events 200+ persons</p> <p>c) Exclusions</p> <p>i) less than 200 persons in attendance, no amplified sound, no temporary structures (greater than 100m², no preparation and or selling of food and does not have impact on vehicular traffic;</p> <p>ii) actions falling under the provisions of the Regulation of Gatherings Act;</p> <p>iii) public participation or meetings held by ward councillor;</p> <p>iv) small events e.g. family and community events held at purpose-built venues</p> <p>v) funeral & funeral processions, events held at purpose-built venue/school grounds/playgrounds/ place of worship/ hotel and conference facility, athletic field, arena, auditorium or similar</p> <p>vi) place of assembly – this exclusion does not apply to events or parts of events held outside the venue or which by nature, size or impact are considered outside the normal use parameters</p> <p>vii) sport fixtures and events regulated by the SSREA Act</p> <p>viii) Weddings at wedding venues/ community hall or similar entertainment facility & wedding processions which fall outside an environmentally protected area;</p> <p>ix) Cultural rituals held by cultural groups and families in the community</p>	<p>2. Application of this By-Law</p> <p>(1) all event of 200+ persons</p> <p>(2) Exclusions</p> <p>a) less than 200 persons where there is no amplified sound or no temporary structures; and</p> <p>b) small events such as family and community events held on private property or purpose-built venues.</p> <p>this exclusion does not apply to events or parts of events held outside the venue, or by their nature, size or impact are considered outside the normal use parameters for the venue</p>	<p>2. Application of this By-Law</p> <p>(1) Any event 50+ persons</p> <p>11. Exclusions</p> <p>a) Funerals;</p> <p>b) events held at purpose-built venue/school grounds/playgrounds/ place of worship/ hotel, conference centre, stadium, sport fields, arena, auditorium or similar;</p> <p>c) events regulated by the SSREA Act or the Regulation of Gatherings ACT;</p> <p>d) where land use rights have been granted in terms of the Municipality's scheme regulations</p> <p>this exclusion does not apply to events or parts of events held outside the venue, by their nature, size or impact fall outside the normal use parameters for the venue or where the erection of additional temporary structures for the event would require permission in terms of the National Building Regulations</p>	<p>2. Application of this By-Law</p> <p>(1) Any event 50+ persons</p> <p>(b) Exclusions</p> <p>i) less than 50 persons in attendance, no amplified sound or temporary structures</p> <p>ii) actions falling under the provisions of the Regulation of Gatherings Act, for which a system of approval is already in place, funerals and funeral processions</p> <p>iv) private events e.g. family and community events held at private property or purpose-built venues</p> <p>v) events held at purpose-built venue/school grounds/playgrounds/ places of worship/ hotels conference centres. stadiums, athletic fields, arenas, auditoriums or similar</p> <p>vi) Funeral & funeral processions</p> <p>vii) events regulated by the SSREA Act</p> <p>viii) Weddings at wedding venues/ community halls or similar entertainment facility & wedding processions which fall outside an environmentally protected area;</p> <p>ix) Cultural rituals held by cultural groups and families in the community</p>	<p>2. Application of this By-Law</p> <p>(1) All events 30+ persons</p> <p>12.) Exclusions</p> <p>a) Funeral & funeral processions</p> <p>b) Weddings at wedding venues/ community hall or similar entertainment facilities & wedding processions</p> <p>c) events held at purpose-built venue/school grounds/ places of worship/ hotel, conference centre or any other conference or reception or entertainment facility, sport stadium, athletic field, auditorium, or any similar permanent place of assembly, this exclusion does not apply to events or parts of events held outside the venue or premises concerned, or events which by nature, size or impact are considered outside the normal parameters of use</p> <p>d) Cultural events held by various cultural groups of the community</p> <p>e) events regulated by the SSREA Act</p>	<p>2. Application of the By-Law</p> <p>(1) Any event (does not specify number of attendees)</p> <p>(b) Exclusions</p> <p>2)a) event that is held on private property, which does not contravene any legislation or By-Law and has no negative impact on the resources of the Municipality and/ or the surrounding community; or</p> <p>b) event held on a purpose build venue with the appropriate zoning, which is being utilised for the purpose that it was built for e.g. sports field</p>	<p>6.(1) An event organiser must, at least six months before the start of</p> <p>(a) a calendar year for a specific sport, recreational, religious, cultural, organisational or similar activity or</p> <p>(b) a season, in case of a seasonal sport, recreational, religious, cultural, organisational or similar activity</p> <p>Submit an annual schedule of events to the National Commissioner</p>
<p>2 e) Purpose-built venues:</p> <p>ii) Managers of purpose-built venues-submit programme of events prior to events taking place</p>	<p>2 (4) Purpose-built venues:</p> <p>(b) Owners or managers must submit an application for approval of their event</p>	<p>Not included</p>	<p>2 (d) Purpose-built venues:</p> <p>ii) Owners or managers of purpose-built venues submit their applications</p>	<p>12(c) Purpose-built venues:</p> <p>ii) Owners or managers of purpose-built venues must submit an application to the</p>	<p>Not Included</p>	<p>10. Where a stadium or venue owner wishes to alter or extend-</p> <p>(a) an existing stadium or venue</p>

<p>vi) Excluded from By-Law if event does not have any temporary structure</p> <p>f) Events Office has the right to classify an application as an event and implement necessary processes</p>	<p>programme valid for one</p>	<p>(b) the design of a planned stadium or venue or</p> <p>(c) a stadium or venue under construction</p> <p>The stadium/ venue owner must, before commencement of the proposed alteration or extension, apply to a local authority within whose jurisdiction the stadium of venue is situated</p>
<p>14. Indemnity</p> <p>a) i) Evidence of appropriate indemnity cover</p> <p>ii) Event involves activity which may put public at risk = evidence of appropriate special risk insurance, public liability insurance/ work cover</p> <p>b) Municipality shall not be liable for any costs, damage or loss incurred as a result of an event held without approval</p> <p>c) Event owners are liable for any damages to municipality's property resulting from holding an event</p>	<p>14. Indemnity of Liability</p> <p>Municipality is not liable for damages or loss of indemnity or of :</p> <p>(1) Evidence of Where an a put the pub involved = p insurance under this By-Law</p> <p>(2) Event owne to exercise any damages to perform any function resulting from good faith under this</p> <p>(3) No person v written app ty of the event drive pegs i or any third party, where the c n the planning for, voltage cab ng of an event, the networks o n of an application for the prov t licence, refusal, vocation or n of an event.</p> <p>(4) Event organ appropriate satisfactor minimise d property</p>	<p>25(1) A controlling body, event organiser or stadium/venue owner must ensure that public liability insurance, as prescribed, is in place for an event</p>
<p>To be included:</p> <p>Security Ratio</p> <p>1: 100 (no alcohol)</p> <p>1: 75 (with alcohol)</p>	<p>Not included</p>	<p>Not included</p>

7.8.4	TO PROVIDE FEEDBACK ON THE PUBLIC PARTICIPATION PROCESS FOR THE OUTSOURCING OF THE MANAGEMENT OF THE INFORMAL TRADING HUBS (CLOETESVILLE, IDA'S VALLEY AND KLAPMUTS)
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

21 November 2024

1. SUBJECT: TO PROVIDE FEEDBACK ON THE PUBLIC PARTICIPATION PROCESS FOR THE OUTSOURCING OF THE MANAGEMENT OF THE INFORMAL TRADING HUBS (CLOETESVILLE, IDA'S VALLEY AND KLAPMUTS)

2. PURPOSE

To provide feedback on the proposals received for the outsourcing of the management of the Informal Trading Business Hubs (Cloetesville, Ida's Valley and Klapmuts).

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

The item deals with the outcomes of the 'Call for Proposals' process that was followed in terms of Chapter 4 of the Asset Transfer Regulations with the intention of following an appropriate process for the outsourcing of the management and operations of the following Informal Trading Hubs:

a) Cloetesville, Ida's Valley and Klapmuts Informal Trading Hubs:

Ida's Valley:

- Two (2) proposals were received for Ida's Valley, of which one met the qualifying criteria and the other not;

Cloetesville:

- one (1) proposal was received for Cloetesville, which did not meet the qualifying criteria.

Klapmuts:

- no proposals were received

The three Informal Trading Hubs listed above continues to be underutilised. It is of critical importance that the Municipality adopts the correct strategy and operational model for the Informal Trading Hubs in order to bring benefit to the community.

5. RECOMMENDATIONS

- (a) that Council approve the Ida's Valley Community Trails NPC proposal for the use of the Idas Valley Informal Trading Hub for a period of 12 months with an option to renewal;
- (b) that the Municipality continues to issue trading permits for the Klappmuts and Cloetesville Informal Trading Hubs and manage the facility with prospective vendors whilst also considering alternative uses of vacant trading spaces for purposes such as Early Childhood Development (ECD) uses; and
- (c) that Council mandate the Municipal Manager to conclude the contracts or agreements on any alternative proposals such as ECD uses should such proposals be submitted and be found to be feasible.

6. DISCUSSION / CONTENTS**6.1 Background**

The informal trading hubs (Idas Valley, and Klappmuts) were built with the intention to be a civic and economic hub that would serve not only the needs of the local community. Despite having good potential, these facilities have never fully delivered on its original intention and promise.

The facility has never attracted a critical mass of vendors. Whilst still functional, if not in use these buildings are open to vandalism, which in turn require constant repairs, and as a consequence becomes steadily less attractive as a civic space.

6.2 Discussion

To ensure optimal transformation of these facilities and sustainable growth ensuring economic stability within local communities the Informal Trading Hubs need to be managed as economic assets to ensure their attraction as business spaces / economic platforms. This will create additional opportunities for economic transformation.

6.3 Financial Implications

There are no financial implications should the recommendations as set out in the report be accepted.

6.4 Legal Implications

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

6.5 Staff Implications

This report has no staff implications to the Municipality.

6.6 Previous / Relevant Council Resolutions:**MAYCO MEETING: 2024 – 03 – 20: ITEM 7.8.5****Cloetesville, Ida's Valley and Klapmuts Informal Trading Hubs**

With reference to recommendations dated 20 March 2024:

- (c) that Council approve the Ida's Valley Community Trails NPC proposal for the use of the Idas Valley Informal Trading Hub for a period of 12 months with an option to renewal;
- (d) that the Municipality continues to issue trading permits for the Klapmuts and Cloetesville Informal Trading Hubs and manage the facility with prospective vendors whilst also considering alternative uses of vacant trading spaces for purposes such as Early Childhood Development (ECD) uses;
- (c) that Council mandate the Municipal Manager to conclude the contracts or agreements on any alternative proposals such as ECD uses should such proposals be submitted and be found to be feasible.

16TH COUNCIL MEETING: 2023-08-23: ITEM 11.8.1**RESOLVED (majority vote)**

- (a) that Council authorises the Municipal Manager to start the Public Participation Process as per Chapter 4 of the Asset Transfer Regulations with the intention of following an appropriate process for the outsourcing and management of the Cloetesville, Ida's Valley and Klapmuts Informal Trading Hubs;
- (b) that the item will return to Council after the public participation process for a final decision; and
- (c) that the Municipal Manager be authorised to conclude the contract or agreement after (b) above is finalised in terms of the applicable Act / Regulation.

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

Cllrs M Danana; N Mananga-Gugushe; E Masimini; RS Nalumango; M Nkopane; N Ntsunguzi; M Rataza and A Tomose.

6.7 Risk Implications

This report has no risk implications for the Municipality.

APPENDICES

Appendix 1: EikestadNuus – Call for Proposal Advertisement – Informal Trading Hub

Appendix 2: Applications Collection/ Submission Register – Informal Trading Hubs

<i>NAME</i>	Lesley van Gensen
<i>POSITION</i>	<i>Local Economic Development Officer</i>
<i>DIRECTORATE</i>	<i>Planning and Economic Division</i>
<i>CONTACT NUMBERS</i>	021 808 8179
<i>E-MAIL ADDRESS</i>	Lesley.vangensen@ Stellenbosch.gov.za
<i>REPORT DATE</i>	11 November 2024

APPENDIX 1



Notice Number 133/2023
CALL FOR PROPOSAL: INFORMAL ECONOMIC TRADING HUBS

1. PURPOSE

The purpose of this advertisement is to solicit submissions / proposals from interested Parties, such as accredited NGO's or individuals to conclude a Lease Agreement with the Stellenbosch Municipality for the management and improvement of the activity levels at the Informal Economic Trading Hubs in Stellenbosch. The Informal Economic Hubs were established with the intention to be an open production space which would serve as a trading space for local entrepreneurs as well as to encourage and promote local activities.

The hubs are as follows:

	Name of Informal Trading Hub	Erf Number	Size (m ²)
1	Ida's Valley	11202	970
2	Cloetesville	7269	600
3	Klapmuts	342	400

1. SUBMISSION OF PROPOSALS

Interested parties / individuals who wishes to submit proposals, must do so in writing and their proposals must include, the following information:

- Name of applicant;
- Legal status of Applicant, i.e. individual, company, NGO, etc;
- Written proof of registration (where applicable);
- Competent in running a facility of similar nature and size with contact details of references.
- Competence of the Team that is going to run the facility (attach CV's)
- Proof of current Business – or Residential address, accompanied by their latest municipal account;
- Full detail of the proposal including monthly rental offered (Please note that the successful bidder will be responsible for all services consumed, over and above the rental payable), proposed rental period (not longer than 9 years and 11 months); and improvements planned plus a business plan*. The municipality may consider a below market value rental.

*For the purpose hereof, the Applicant must submit a proposed budget, showing the anticipated income and expenditure, including an indication of the income streams that will fund the business plan. All applications that is received will be assessed and Council will resolve on who to lease the property to, the period involved and the rental based on the business plan and proposal.

2. CLOSING DATE

The closing date for submission of proposals in __13__ October 2023 at 12:00

Written submissions / proposals must be sent or delivered to the Economic Development Officer for Tourism to 2nd floor of the NPK Building (corner of Plein and Ryneveld streets, Stellenbosch) or can be emailed to carmen.saville@stellenbosch.gov.za before the closing date and time.

Kennisgewing Nommer 133/2023
AANSOEK OM VOORSTEL: INFORMELE EKONOMIESE HANDELSENTRUMS

1. DOEL

Die doel van hierdie advertensie is om voorleggings/voorstelle van belanghebbende partye, soos geakkrediteerde NRO's of individue, aan te vra om 'n Huurooreenkoms met die Stellenbosch Munisipaliteit te sluit vir die bestuur en verbetering van die aktiwiteitsvlakke by die Informele Ekonomiese Handelsentrums in Stellenbosch. Die Informele Ekonomiese Handelsentrums is gestig met die bedoeling om 'n oop produksieruimte te wees wat sal dien as 'n handelsruimte vir plaaslike entrepreneurs asook om plaaslike aktiwiteite aan te moedig en te bevorder.

Die hubs is soos volg:

	Naam van informele handelsentrum	Erfnommer	Grootte (m ²)
1	Ida's Vallei	11202	970
2	Cloetesville	7269	600
3	Klapmuts	342	400

2. INDIENING VAN VOORSTELLE

Belangstellendes/Individue wat voorstelle wil indien, moet dit skriftelik doen en hul voorstelle moet die volgende inligting insluit:

- Naam van aansoeker;
- Regstatus van Aansoeker, dit wilsê individu, maatskappy, NRO, ens;
- Skriftelike bewys van registrasie (waarvan toepassing);
- Bevoeg in die bestuur van 'n fasiliteit van soortgelyke aard en grootte met kontakbesonderhede van verwysings.
- Bevoegdheid van die span wat die fasiliteit gaan bestuur (heg CV's aan)
- Bewys van huidige besigheid – of woonadres, vergesel van hul jongste munisipale rekening;
- Volledige besonderhede van die voorstel insluitend maandelikse huur aangebied (Neem asseblief kennis dat die suksesvolle bieder verantwoordelik sal wees vir alle dienste wat verbruik word, bo en behalwe die huur betaalbaar), voorgestelde huurperiode (nie langer as 9 jaar en 11 maande nie); en verbeterings beplan plus 'n sakeplan*. Die munisipaliteit kan 'n huur onder markwaarde oorweeg.

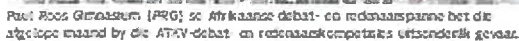
*Vir die doel hiervan moet die Aansoeker 'n voorgestelde begroting indien, wat die verwagte inkomste en uitgawes toon, insluitend 'n aanduiding van die inkomstestrome wat die besigheidsplan sal finansier. Alle aansoeke wat ontvang word, sal beoordeel word en die Raad sal op grond van die sakeplan en voorstel besluit aan wie die eiendom verhuur moet word, die betrokke tydperk en die huur.

3. SLUITINGS DATUM

Die sluitingsdatum vir indiening van voorstelle is __13__ Oktober 2023 om 12:00.

Skriftelike voorleggings/voorstelle moet gestuur of afgelewer word by die Ekonomiese Ontwikkelingsbeampte vir Toerisme tot op die 2de vloer van die NPK-gebou (hoek van Plein en Ryneveldstraat, Stellenbosch) of kan voor die sluiting per e-pos aan carmen.saville@stellenbosch.gov.za gestuur word) datum en tyd.

E. Kestevenus
2nd Floor 14/9/2023



Vanjaar se spanne se ken-
nis van aktiewe sake en hul dekla-
rening het ons opnuut be-
druk. Debatteerling is 'n waardig
heid waardig enkele lewer-
ling. Ons is bly dat die aantal
deelnemers toeneem en sien uit
na die res van die jaar se
kunsfees. "de Bailey

 <p>STELLENBOSCH STEILENBOESCH • PNIK • FRANSCHOEK MUNICIPALITEIT • UMASIPALA • MUNICIPALITY</p> <p>NOTICE #0/J/2023</p> <h2 style="text-align: center;">CALL FOR PROPOSAL; KAYAMANDI CORRIDOR</h2> <hr/> <p>3. PURPOSE The purpose of this advertisement is to solicit submissions / proposals from interested parties, such as registered NGOs or individuals to conclude a Lease Agreement with the Stellenbosch Municipality for the management of Kayamandi Corridor with its improvements.</p> <p>The Lettor will have to agree to continue to run the Corridor and well as monthly rental.</p> <p>4. BACKGROUND The Kayamandi Economic Tourism Centre was established in 2008, the corridor has various administrative functions and NGOs. The facility recently underwent renovations which were completed in October 2022. There are currently vacancies occupying office space on short term leases.</p> <p>5. SUBMISSION OF PROPOSALS Interested parties / Individuals who wishes to submit proposals, must do so in writing and their proposal must include, the following information: a) Name of applicant; b) Legal status of Applicant, i.e. individual, company, NGO etc; c) Written proof of registration (where applicable); d) Competent running a variety of similar nature and view with contact details of references; e) Competence of the Team that is going to run the Facility (attach CV's) f) Proof of current business or residential address, accompanied by their latest municipal account; g) Full detail of the proposal including monthly rental offered (Please note that the successful Bidder will be responsible for all services consumed, over and above the rental payable), proposed rental period (not longer than 3 years and 11 months), and improvements planned plus a business plan*. The municipality may consider a below market value rent!</p> <p>*For the purposes hereof, the Applicant must submit a proposed budget, showing the anticipated income and expenditure, illustrating indication of the income streams that will fund the business plan. All applications that is received will be assessed and Council will resolve on how to award the property, the points awarded and the overall based on the business plan and proposal.</p> <p>6. PROPERTY DESCRIPTION 6.1 LOCATION AND CONTEXT The Kayamandi Economic Tourism Centre is a tourism related business centre centrally located at the main entrance to Kayamandi and is visible to the R304, which is the road linking Stellenbosch with the surrounding municipalities and the N2. It comprises of conference room, municipal treasury office, 29 retail formal houses and 1 Informal marketplace, restaurant and amphitheatre.</p> <p>6.2 OWNERSHIP Ownership of the property belongs to the Stellenbosch Municipality.</p> <p>6.3 SIZE OF PROPERTY The site approx. mutule 5442m² in extent, while the building structures are approximately 1457m² in extent.</p> <p>6. CLOSING DATE The closing date for submission of proposals is 29 June 2023 at 12.00.</p> <p>Written submissions / proposals must be sent or delivered in the Economic Development Officer for Tourism to the 2nd floor of the NPW Building (corner of Palm and Riverside streets, Stellenbosch) can also be emailed to tourism@stn.gov.za. Submissions close before the envisaged deadline.</p>	<p style="text-align: right;">KAZISO KHAKHACHEMI</p> <h2 style="text-align: center;">BIZELA ISIPHAKAMISO: IKHORIDO YAKAYAMNDI</h2> <hr/> <p>3. INJONGO Injongo yazi sibhekisa kubantu abasemadolobeni eMantla amandle, efana neNGO xa ngokwenza izenzo ezininzi ngomoya ukugqibezela kwayimiseko zokuDlala kunye nokufakale waseStellenbosch solwimi weKayamandi Corridor, kunyepapulo akayi imigqwaba eyahlukeneyo azime ulungiswe emkhosi okanye kokawazi kukuhlamba enel'vuyanga.</p> <p>4. IMVELATHI IKhayamandi Economic Tourism Corridor yakusuka ngumaka ka 2008, ikhorido yanabeka utshintsho wokusebenzisa eyahlukileyo kwakunge nombozo oengcaleniweyo. Ikhorido landula ukuhlungiswa nazo zonke izinto ziyavonga jowarha kuNtso 2022. Okwangoku kukho ubomi obushushane kwindawo yeOfisi langaphandle ekhi khuthene.</p> <p>5. UKUNGQINISWA KWENZIPHAKAMISO Amabelani anomdi / ibanti, angagcinwa ukungenza izintlobo, kuhlekia basemphepo bangadibanya kwiNgqongamele zabucala bakutixo, olubona ikoridolo. a) Igama lomntshi sithini; b) Ubume bomthetho bam/faki-selo, bayaquka umma namampoti I-NGO, njenge c) Ulingano nabuninzi babazambizali baUmasipala lango; d) Ukuba usikholisa izifundo zakubo buluma nobekho kunye noxanduva zemphuhliso lezifo ze-referensi; e) Uyafika becala eliza esuzulu ehambeleni (attach CV's) f) Umagama balivimbilayo koridolo – ukuya phantsi pakuwo yokuhlini, ebanda nakhawathi yezo omnye oko kamkhalo; g) Inkolelo ya engcwelayo ezinzulu e kubandakanywa irenu yonyangetse nemoyozo (Neeta upapirile inkqubo umma - amakhono ephezulileyo ayi kusa nenzululi banzi kunye Inbanzi chutyontsiweyo, egcina ukusebenzisela yonke imihlahlanje, besiba okanye wayo lokuxela igumbi eligqibazelwe kwinkqubo yabo kunye nezinye izinto ezine-12), kunyepapulo oluvangeliweyo kunye nesixhaso losishushino. UMasipala unceda/bathatha ingcaciso yenel'ngqongamele komatshenisiweyo.</p> <p>*Ngomonzo yazo, uMantla-selo kufuneka angabe shibilola bakhenkceba lukhetsethu yo, elubekiwe ngomoya kuthe ngezikhondo elindakileyo, kubandakanya ukahlonisiswa okanye silila kuphila ngomoya lwanguqhagambelelo olu dibaniselwe emnyakeni, elya kuvangekayo kwaye ihunga lya khensel'iqoke malunga naloo nto edibenisa kwanzi nepropriety, lesindle bazikal'ingalo kunye nenini ngokusabela kwayiwangela komatshenisiweyo ngendzakozizi.</p> <p>INKCAZULO YESAHLAWO 6. INDAWO KUWO NOMKHULU IKayamandi Economic Tourism Centre, iyindawo yakusemntshini aluhluleniweyo wenza ngozi, ewudwebwe esthlabateni ukungenza IKhayamandi kulwazi la kPhili, itasa ga xa ukungqoka u-R304, ngumgaqo odibanisa izimbongi kwinqubo nyohlayo malinganingi emnyakeni abanzi nangaphandle kwinkqubo yabo kunye nezinye izinto ezine-12 ngokwendize sesikweni Indawo yonyangetse kwakunge ngqinga lenidiyo.</p> <p>6.2 UNXANI Ummandle belingelelo lobomi-we-mMusipala walindelenteishi</p> <p>6.3 USUKHULO BESAHLUYO Isixa simlingesi 5442m² ngosicimpangciso, ngelizitrathevo bezahlawo zimlat, ego 1457m² ngokwenyani.</p> <p>5. UMHLA WOKUSILA Abasemadolobeni labanjalo olubonakalisa mazibonzela ukuya ziiveki kuPalm Woodhouse wakungqinelwa kwezinhlelo kunyangathe wo 2 wesahluwo seNPW (solwima yesitalato IPalm Riverside, eStellenbosch, okanye emnyakeni kwinqubo nyohlayo kunyanzeviyo @stellenbosch.municipality.gov.za phambi kexesha loxesha lukaJulai 29 lulandela 2023 ngo 12.00.</p>
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APPENDIX 2



STELLENBOSCH
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MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

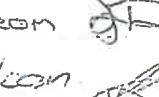
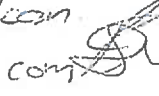
CALL FOR PROPOSAL REGISTER – INFORMAL TRADING HUBS

CLOSING DATE: 13 OCTOBER 2024 @12H00

	NAME & SURNAME	SUBMISSION DATE AND TIME	NATURE OF SUBMISSION
1	TCT – TRANSFORM CLOETESVILLE TOGETHER	13 OCTOBER 2023 @10H45	DELIVERED BY HAND
3	IDAS VALLEY COMMUNITY TRAILS NPC	13 OCTOBER 2024 @11H17	SUBMITTED VIA EMAIL
4	LEGAL STING	13 OCTOBER 2024 @11H35	SUBMITTED VIA EMAIL
5			
6			
7			
8			
9			
10			

CALL FOR PROPOSAL - KAYAMANDI CORRIDOR

ORGANISATION	TIME	CLOSING DATE	LOCATION
STELLENBOSCH MUNICIPALITY (DPT LED)	12h00	29 JUNE 2023	KAYAMANDI CORRIDOR

NO	DATE	NAME AND SURNAME & COMPANY/ORGANISATION	CONTACT NUMBER	EMAIL	SIGNATURE
1	2/6/23	Gloria Mpingo	0837515853	mympingo@gmail.com	
2	6/6/23	J. Weyman	068 162 0881	zokimw.weyman@justice.gov.za	
3		Zamile Myataza	073778 7945	zumyataza@gmail.com	
4		R. Dlanga mandla	083725377	r.dlangamandla@ejele.com	
5		S. Ngcobo	073777484	SABELUSISILE@GMAIL.COM	
6		P. Mkhukwana	0759504674	phikukukwana@gmail.com	
7	22/06/23	C Sephula - KBDF	076 497 4265	sephulamankio@gmail.com	
8					
9					
10					
11					
12					
13					

7.9	COMMUNITY SERVICES:(PC: CLLR X KALIPA)
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7.9.1	GRANT IN AID POLICY REVIEW
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Collaborator No: 776174
 IDP KPA Ref No: Dignified Living
 Meeting Date: 21 November 2024

1. SUBJECT: GRANT IN AID POLICY REVIEW

2. PURPOSE

To obtain council approval for the reviewed Grant in Aid Policy.

3. DELEGATED AUTHORITY

For approval by Council.

4. EXECUTIVE SUMMARY

The Grant in Aid Policy aims to provide a framework for Grant-in-Aid to non-governmental organisations (NGOs), community-based organisations (CBOs), non-profit organisations (NPOs) or non-profit companies (NPC), Public Benefit Organisations (PBO's) in so far as to alleviate the burden on municipal cemeteries and bodies that are used by government as an agency to serve the poor, marginalised or otherwise vulnerable as envisaged by Sections 17 and 67 of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003).

MFMA and audit requirements are strict in terms of mechanisms to ensure sound governance and financial practices are applied when donating public funds. Only 30 organisations complied with the requirements and the Department reviewed the policy to determine where changes can make it easier for organisations to comply whilst staying within the margins provided by the MFMA.

The revised Grant in Aid Policy attached as **ANNEXURE A** served at the Section 80 Committee meeting for Community Services where the following was resolved in the draft minutes **ANNEXURE B**:

COMMUNITY DEVELOPMENT COMMITTEE MEETING: 2024-10-03: ITEM 5.2.5

RESOLVED

that the Grant in Aid Policy Review is supported to serve to Mayco before going to Council meeting.

5. RECOMMENDATIONS

- (a) that MayCo support the revised Grant in Aid Policy for submission to Council;
- (b) that the revised Grant in Aid Policy be approved in principle for public comment; and
- (c) that the policy be brought back to council for consideration after the public participation process.

6. DISCUSSION / CONTENTS

6.1 Background

The Grant in Aid policy is reviewed annually as part of the suite of policies with financial implications. The intention of this review is to:

- assist more organisations to participate and comply with policy requirements, by relaxing some of the requirements;
- to align the content of the policy document to that of the appendixes to the policy;
- address budgetary risks resulting from unforeseen expenses linked to damages incurred during disasters;
- to make provision for Neighbourhood Watches to apply for funding;
- to make provision for Sport Councils to apply for funding;
- to refer to correct wording as it appears in the IDP;
- to correct grammatical errors; and
- to clarify the requirement to apply for and report on the impact of the initiatives as it relates to WCO24 citizens and the different reporting requirements for Cat A vs B applications.

6.2 Discussion

The proposed changes constituting this review of the policy are contained in track changes in **ANNEXURE A** to this item and include the following:

Reference	Change	Reason
Page 3, paragraph 10 under Definitions	Reference two additional appendixes (B and C) covering the Grant in Aid Feedback Report template and the Grant in Aid Memorandum of Agreement.	To ensure all appendices are listed
Page 6, paragraph 5.1.4	Remove the requirement to RSVP in order to attend the compulsory clarification meeting.	Makes it easier for prospective applicants to participate in the programme.
Page 6, paragraph 5.1.5	Changes the content of the Grant in Aid's Call for Proposals to one where it is compulsory to indicate the right of Council not to make an award.	To protect council in situations where it is required to re-allocate budget to make provision for unexpected expenditure that might result from unforeseen events such as disasters.
Page 6, paragraph 5.2	Add sentence: "Incomplete applications will not be considered" to align with same stipulation on the application form.	The application form is designed to make provision for all information required by the MFMA. Incomplete applications makes the application non-compliant with the MFMA. This provision serve to remind applicants of the requirement to provide all information requested.
Page 7, paragraph 6.1.4 (viii)	Reiterates circumstances under which application will not be considered under general guidelines to align with same	The application form is designed to make provision for all information required by the MFMA. Incomplete applications

	stipulation on the application form by adding the words "are incomplete and/or".	makes the application non-compliant with the MFMA. This provision serve to remind applicants of the requirement to provide all information requested.
Page 9, paragraph 6.2.4 (xiii)	Add programmes which promote the general safety of communities.	To make provision for Neighbourhood Watches to apply for Grant in Aid funding.
Page 11, paragraph 6.2.7	Changes made to the wording of Stellenbosch Municipalities' strategic pillars.	To align wording with that which is reflected in the current IDP.
Page 11 paragraph 6.2.8	Add additional category to Cat B applications to include Sport Development through Sport Associations	To make provision for the development of local sport structures and active participation in local sport development.
Page 12, paragraph 7.3	Addition of "or" to the requirement of founding documents to include either a constitution or a certificate of incorporation.	The change correctly differentiate between the different ways of registration available to organisations which influence the type of founding document available to it.
Page 12, paragraph 7.13	Include the words "is made" with reference to budgetary provision	Corrected sentence structure
Page 13, paragraph 8.2	Differentiate between the reporting requirements for Cat A and B donations and indicate the requirement to report on beneficiaries from WC024.	Clarifies the reporting requirements for the different types of applications, making it easier for smaller organisations to comply.
Page 13, paragraph 9.3	Add the words "automatically lead to receiving a grant again, even if the applicant complies with all application requirements.	To lessen expectations with organisations thus preventing reliance on council for funding by clearly indicating the right of the municipality to not repeat a donation to a previous recipient .
APP A, Page 1 Heading	Add "and/or late" to align with the content of the policy.	The application form is designed to make provision for all information required by the MFMA. Incomplete applications makes the application non-compliant with the MFMA. This provision serve to remind applicants of the requirement to provide all information requested.
APP A, Page 5, Section J	Changes made to the wording of Stellenbosch Municipalities' strategic pillars.	To align the wording with what is reflected in the current IDP.
APP A, Page 5, Section K3	Include "from WC024"	To clarify the requirement to benefit local people through the Grant in Aid funding received.
APP A, Page 5, Section 4	Remove the requirement to submit a signed and stamped creditor control form as confirmation of bank details.	Some financial institutions do not want to complete the creditor control form of the municipality.

APP B, Page 1	Add "WC024" to the description of GiA beneficiaries.	Clarifies the feedback requirement for organisations serving across Stellenbosch Municipality boundaries.
APP C, Page 1 paragraph (a)(iii)	Add "Cat B" descriptive to the requirement for monthly reporting.	To clarify the different reporting requirement for a Cat A vs Cat B applications.
APP C, page 3, paragraph 2.3	Add "Cat B" descriptive to the requirement for monthly reporting.	To clarify the different reporting requirement for a Cat A vs a Cat B application.

6.3. Financial Implications

Financial implications as per approved budget.

6.4. Legal Implications

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

6.5. Staff Implications

This report has no additional staff implications to the Municipality.

6.6. Previous / Relevant Council Resolutions:

SPECIAL COUNCIL MEETING: 2024-05-31: ITEM 7.2 RESOLVED (majority vote)

- (a) that the Draft High Level Budget Summary, as set out in **APPENDIX 1 – PART 1 – SECTION C**; be approved;
- (b) that the Annual Budget Tables as prescribed by the Budgeting and Reporting Regulations, as set out in **APPENDIX 1 – PART 1 – SECTION D**, be approved;
- (c) that the Grants-In-Aid allocations as set out in **APPENDIX 1 – PART 2 – SECTION J**, be approved;
- (d) that the three-year Capital Budget for 2024/2025, 2025/2026 and 2026/2027, as set out in **APPENDIX 1 – PART 2 – SECTION N**, be approved;
- (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;
- (f) that the proposed amendments to existing budget related policies and other policies as set out in APPENDICES 4 - 34, be approved;
- (g) that Council specifically note and consider the need to take up an external loan, needed for investment in income generating infrastructure to the amount of R600 million of which R200 million will be required in year one, R200 million in year two and R200 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;
- (i) that Council takes note of MFMA circulars 126 and 128 that was published to guide the MTREF for 2024/2025 to 2026/2027 as set out in **APPENDICES 35 – 36**;
- (j) that Council takes note of the Long-Term Financial Plan that contains the financial management principles for sound financial management that was considered with the compilation of the final budget as set out in **APPENDIX 37**;
- (k) that Council takes note of the Capital Investment Plan as set out in **APPENDIX 38**; and
- (l) that Council takes note that the public comments and submissions were considered with the compilation of the final budget.

6.7 **Risk Implications**

Risks are addressed through the content of the report.

6.8 **Comments from Senior Management:**

6.8.1 **Director Community and Protection Services:**

Support the item.

6.8.2 **Chief Financial Officer:**

Support the item.

6.8.3 **Director Corporate Services:**

- a. Changes made to the wording of the recommendations as reflected in this item.
- b. Recommend that the RSVP requirement remains in the policy but has been removed to make the application process more accessible.
- c. Recommend that the Creditor Control form not be removed from the policy requirement. The control for beneficiary bank details is still part of the policy through an electronically produced confirmation of bank details as accepted by the Creditors Department of Stellenbosch Municipality.

6.8.3 **Municipal Manager:**

Support the item.

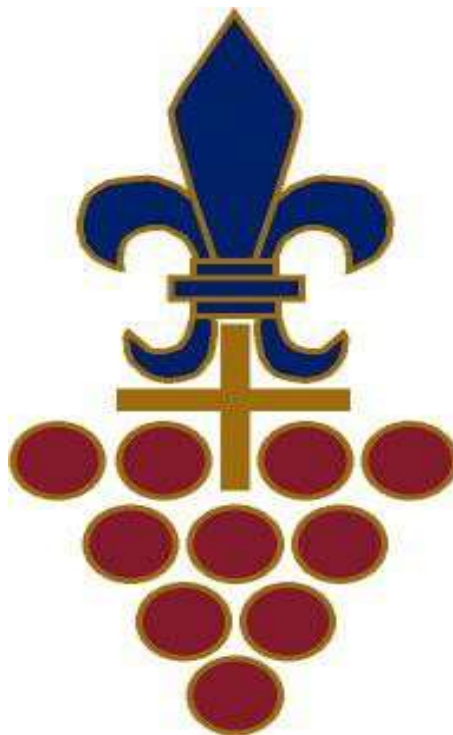
ANNEXURES

Annexure A: Grant in Aid Policy Review

Annexure B: Community Services Portfolio Committee 2024-10-03 draft minutes

ANNEXURE A

STELLENBOSCH MUNICIPALITY



GRANT-IN-AID POLICY

2024/2025



STELLENBOSCH MUNICIPALITY

GRANT-IN-AID POLICY

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1. DEFINITIONS

“Appendix A” means the application form for Grant-in-Aid, detailed more fully below, and provided for in clause 5.2.

“Appendix B” refers to the template for feedback reporting, and provided for in clause 8.2.

“Appendix C” refers to the memorandum of agreement (MOA), detailed more fully below, and provided for in clause 10.

“Capacity building” Capacity building refers to a process which enables human beings to realize their potential, build self-confidence and lead lives of dignity and fulfillment.

“Community Based Organization (CBO)” are nonprofit groups that work at a local level to improve life for residents. The focus is to build equality across society in all streams including, but not limited to – health care, environment, quality of education, access to technology, access to spaces and information.

“Early Childhood Development (“ECD”) Facility” means any place, building or premises, including a private residence, maintained or used partly or exclusively, for the reception, protection and temporary or partial care of more than six children that shall be registered, managed and maintained in terms of the Children’s Amendment Act, 38 of 2005.

“Emerging Organisations” are organisations which have been established within the past five years of the application in question.

“Grant-in-aid” means a grant-in-aid or allocation, as referred to in Section 12, 17 (3) (j) (iv) of the MFMA, made by the municipality to any organisation or body referred to in Section 67(1) and to be utilised to assist the municipality in fulfilling the Constitutional mandates including social developmental and arts and culture programmes as set out therein.

“Local Agenda 21” means the international program, adopted by South Africa to put sustainable development into practice.

“Memorandum of agreement (MOA)” means the agreement entered into between the municipality and any organisation or body which receives a Grant-in-Aid in terms of this Policy and **Appendix A, B and C**.

“Non-governmental organisation (NGO)” means a non-governmental organisation (NGO) that is a legally constituted non-profit organisation that operates independently from any form of government.

“Non-profit company (NPC)” means a company whose Memorandum of Incorporation must set out at least one object of the company and each such object must be either a public benefit object or object relating to one or more cultural or social activities, or communal or group interests as required by Item 1(1) of Schedule 1 of the Companies Act, 71 of 2008.

“Non-profit organisation (NPO)” means a non-profit organisation registered in terms of Section 13 of the NPO Act, 71 of 1997, established for public purpose and which income and

property thereof is not distributable to its members or office-bearers, except as reasonable compensation for services rendered.

“Public Benefit Organisations (PBO’s)” refers to organisations approved in terms of section 30 of the Income Tax Act, 28 of 1997 and established as

- a non-profit company which has a memorandum of incorporation as a founding document
- a trust which has a trust deed as a founding document or
- an association of persons which has a constitution as a founding document.

“Stellenbosch Environmental Management Framework (SEMF)” means legal and moral obligations of Stellenbosch Municipality as it relates to the environment, and provides a dynamic vision, goals and objectives, and spatial and strategic directives towards giving effect to such obligations.

“Seriousness of discrepancies” means that the following not exclusive matters will be taken into consideration when council exercise their prerogative to determine the level of sanction:

- The level of perceived misguidance and misrepresentation
- The level of perceived premeditation linked to the discrepancy
- The discrepancy is criminal in nature

2. PURPOSE, AIMS AND OBJECTIVES

- 2.1. This policy aims to provide a framework for Grant-in-Aid to non-governmental organisations (NGOs), community-based organisations (CBOs), non-profit organisations (NPOs) or non-profit companies (NPC), Public Benefit Organisations (PBO’s) in so far as to alleviate the burden on municipal cemeteries and bodies that are used by government as an agency to serve the poor, marginalised or otherwise vulnerable as envisaged by Sections 12, 17 and 67 of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003).
- 2.2. The purpose of the Grant-in-Aid Policy is to complement the goals, objectives, programmes and actions of the Stellenbosch Municipality’s Integrated Development Plan (IDP), in order to create a sustainable, credible and caring municipality by empowering and building communities and enhancing growth and sharing through partnerships. Priority ward needs as identified through Council’s IDP MUST be the guiding factor in developing these partnerships.
- 2.3. Grant-in-Aid should not duplicate services already provided for by Council or which falls within the geographical jurisdiction in which Council operates, being WC024.
- 2.4. Grant-in-Aid should improve the opportunity for Council to elicit the support of external organisations to deliver those services to communities which fall within the Council’s area of responsibility in a way that allows the Stellenbosch community and town to create an enabling environment for community development.

3. LEGAL FRAMEWORK

All transfers of funds in terms of this policy shall comply with the: Constitution of the Republic of South Africa, 1996 as amended (Constitution); Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) as amended (MSA); Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003) (MFMA); and any other applicable legislation, regulations and policies that may govern the transfer of municipal funds and that are not in contradiction to the above.

4. RESTRICTIONS

- 4.1. The Policy applies to all transfers of grants made by the Municipality towards support of services for the poor, marginalized or otherwise vulnerable people. Individuals may not apply for Grant-in-Aid and no payment may be made under this policy to individuals. Council may however set aside a specific amount from which the Municipal Manager, after consultation with the Executive Mayor, may, at his/her discretion, make donations to support individual, meritorious cases in order to assist and/or recognise individual excellence in whichever field. Bursaries to individuals are treated according to the Council's Bursary Policy.
- 4.2. The total expenditure on grants may not exceed 1% of the operational budget of the Municipality.
- 4.3. Grants will only be made for services rendered in the WCO24.
- 4.4. Transfers made to categories A and B
 - 4.4.1. Transfers provided for those listed in Category A below may be made to a maximum of R40 000-00 per organisation or body per annum.
 - 4.4.2. Transfers in Category B may exceed this amount where funding relates to services for homeless persons or addresses specific ward priorities identified and specified through the ward priorities in the IDP and upon proper motivation contained in a business plan to address said issue. Consideration for grants larger than R 40 000, 00 requires audited financial statements, schedule of annual costs linked to a business plan as provided for in 6.2. The decision to grant an amount more than R 40 000,00 is solely at the discretion of council and subject to available funds.
- 4.5. Grant-in-Aid transfers/payments shall be restricted to deserving organisations and bodies serving, especially those working with the poor/aged/youth/disabled/women/children, as per the eligible categories in 6.2, provided that such organisations or bodies:
 - 4.5.1. Operate as a separate legal entity and are recognised as such by South African legislation;
 - 4.5.2. Are governed by their constitutions, have regular meetings with their membership and subscribe to sound accounting practices; and

- 4.5.3. Serve communities and individuals who are most in need within the jurisdiction of the Municipality.
- 4.6. No Grant-in-Aid may be made to any political body, rate payers association or for any religious purposes.
- 4.7. No grant will be allocated, under this policy, to organisations or bodies in cases where a member of Council, an official of Stellenbosch Municipality or close relatives of said individuals receive any financial or other gain.
- 4.8. Funds may only be transferred to an organisation or body if provision has been made for the expenditure on the budget or appropriations budget.
- 4.9. An organisation or body is only entitled to one allocation per financial year, but disbursements can be made more often.

5. PUBLIC ADVERTISEMENT

- 5.1. The advertisements must meet the following requirements:
 - 5.1.1. The Municipal Manager must, place a public advert in local newspapers distributed in the Stellenbosch Municipal area, calling for proposals.
 - 5.1.2. This advert must be placed in time to complete all relevant processes prior to the approval of the annual draft budget or any adjustment budget in order to invite public comment on the proposed donations prior to the approval of the final or adjustment budget.
 - 5.1.3. Advertisements should clearly specify the categories for which proposals are called, the closing date for applications, who the proposal should be addressed to, and where and how to obtain the relevant documentation pertaining to such applications/proposals, including the prescribed forms.
 - 5.1.4. Advertisements must clearly specify the dates, times and venues of the compulsory briefing sessions as well as the RSVP dates for these sessions. ~~Only organisations who responded to the advertisement by confirming their interest to attend will be accommodated in the compulsory sessions.~~
 - 5.1.5. Advertisements ~~must~~should also clearly reflect the Municipality's right not to make an award, as well as the fact that awards will not be made to organisations that have received funds in the previous year but have not submitted a final report on the projects or previous expenditure.
 - 5.1.6. The advertisement should also clearly state that final approval is reliant on the approval of the budget and that **no late submissions will be considered.**
- 5.2. Only applications made on the prescribed form, being **Appendix A**, may be considered. Incomplete application forms will not be considered.

- 5.3. Funds may not be transferred to any organisation or body that has not submitted a proposal in response to a public advertisement and after the attendance of a compulsory briefing session and that have not signed a Memorandum of Agreement with the Municipality.

6. GENERAL GUIDELINES AND CATEGORIES

6.1. General Guidelines

Funding of applications shall proceed on the basis listed below in response to an advertisement issued after the expiry of the relevant period associated with the specific category and after a compulsory workshop explaining the policy, application process and the required documentation has been attended by the applicants. Subject to the MOA provided for in clause 10, all funding is unrequited, provided there is compliance with said MOA. Funding of application in –

6.1.1. Category A will be considered on an annual basis ; and

6.1.2. Category B shall be considered on a three year basis subject to a monthly review at the discretion of the Municipality which may result in early termination for unsatisfactory and reckless expenditure. Note that although a Category B application is approved for a period of three years, the application MUST be renewed through repeated annual applications to ensure provision is made in the budget of subsequent financial years.

6.1.3. Council in 6.1.1 and 6.1.2 reserve the right not to fund an organisation for two periods in succession and to cancel said funding in accordance with the MOA concluded.

6.1.4. Funding applications however will not be considered in the following instances:

- (i) Where a project or organisation is already receiving funds from Council in terms of Council's functions. Applicants are required to disclose other sources of funding;
- (ii) Where in Council's opinion, an organisation receives sufficient funds from other sources to sustain its activities or the project applied for. For this purpose, organisations must submit financial statements and a budget for the ensuing financial year;
- (iii) Where only an individual will benefit;
- (iv) For political or ratepayers organisations/groupings or religious purposes;
- (v) Projects outside the boundaries of the Municipality;
- (vi) Where expenses have already been incurred,
- (vii) Where an applicant did not attend the compulsory clarification session as advertised, and
- (viii) Where applications are incomplete and/or were received after the due date and time for submissions.

6.1.5. Funding of projects and to organisations shall exclude travel costs, subsistence, accommodation, food or entertainment expenses of any kind, staff salaries, bursaries, payments in lieu of rates or other municipal charges

except for where the transport and nutrition is intended for beneficiaries/participants in the projects in question. The Municipality may also exercise their discretion to allow funding to extend to the above costs on a needs basis for the organisation or body clearly motivated for in the application.

- 6.1.6. Subsequent requests from applicants to cover overspending on projects will not be considered.

6.2. Categories Eligible for Grant-in-Aid

The following categories currently apply. Cognisance should be taken that these categories are not exhaustive. Other than the general guidelines and conditions set out above, categories now indicated may require specific criteria applicable to its projects/programmes:

Category A

6.2.1. Health

Projects/programmes include the following but are not limited to:

- (i) Public Health interventions inclusive of TB, STDs and HIV/Aids;
- (ii) Preventable lifestyle diseases e.g. drug/alcohol abuse, tobacco related illnesses; and
- (iii) Promotive and preventative services to infants, children and women.
- (iv) Counseling for mental health issues experienced in poorer communities and/or schools.

6.2.2. Environment

Purpose: To stimulate the development of sustainable leisure, aesthetic and environmental projects within the municipal area; to increase the awareness of the environment by promoting “Greening of the City”; to promote swimming skills and water safety.

Projects/programmes include the following but are not limited to:

- (i) Voluntary rescue organisations;
- (ii) Facilities created to alleviate the burden on municipal cemeteries
- (iii) Lifesaving clubs and swimming organisations;
- (iv) Environmental groups/organisations; and
- (v) Organisations promoting community involvement as a means of sustaining leisure, aesthetic or environmental projects.
- (vi) Projects which further the Council’s aims and the strategies of SEMF (Strategic Environmental Management Framework) and including but not limited to the sustainable management of:
 - Riverine corridors;
 - Biodiversity;
 - Natural and built environment;
 - Heritage resources;
 - Quality urban spaces;
 - Ecological conservation areas;

- Urban agricultural complexes;
- Bioregional planning;
- Nature area management;
- Wetlands;
- Local Agenda 21 projects

6.2.3. **Solid Waste (Cleansing)**

Purpose: Waste Reduction and awareness. Projects/programmes include the following but are not limited to:

- (i) Waste reduction and awareness;
- (ii) Educational programmes/projects addressing litter and waste handling; and
- (iii) Waste minimisation solutions.

6.2.4. **Social Development**

Purpose: The promotion of projects/programmes which stimulates the Stellenbosch Municipality's Integrated Development Plan (IDP) focusing especially on the needs of the most marginalised sectors in the greater Stellenbosch as identified in the ward priorities.

Projects/programmes include the following but are not limited to:

- (i) Poverty alleviation;
- (ii) Urban renewal;
- (iii) Capacity building of communities;
- (iv) Youth development;
- (v) Women and gender development;
- (vi) Early childhood development where an organization is registered with the Department of Social Development ~~of~~ Education as a functional ECD facility;
- (vii) Early childhood development where an organization is registered as an NPO, but **not registered with the Department of Social Development or Education** then only regarding application content that will contribute towards compliance with registration requirements. In these cases, also up to a maximum of three years by when said organization must be able to illustrate successful registration;
- (viii) Street people programmes;
- (ix) Arts and culture programmes
- (x) Facilitation of public participation processes; arts and culture programmes
- (xi) Development of disabled persons, and
- ~~(xii)~~ Development of elderly people
- ~~(xii)(xiii)~~ Programmes that promote the general safety of communities

6.2.5. **Sports and Recreation**

Purpose: To stimulate the development of sustainable Sport and Recreation infrastructure and programmes within the municipal area especially targeting disadvantaged communities; encourage creativity and self-reliance on the part of grassroots sport and recreation bodies or groups; to increase participation in sport and recreation programmes and activities.

Projects/programmes include the following but are not limited to:

- (i) Local sport and recreation clubs;
- (ii) School sport teams
- (iii) Local sport and recreation councils or associations
- (iv) Informal sport and recreation groups; and
- (v) Community and non-government organisations.

Category B

6.2.6. Services for persons living on the street

Purpose: Provision of shelter and other services for vulnerable individuals living on the street, without homes, in the need of assistance. The Municipality aims to reduce the number of people living on the streets of Stellenbosch and as such the organisation or body's goals should align with this vision. Further the Municipality aims to reduce the socio-economic effects of poverty on the community of Stellenbosch. The organisation or body must therefore present to Council a clear business plan with a comprehensive response to the prevention, reduction, outreach and stabilisation of street people. Organisations or bodies that provide a continuum of services and that collaborate with businesses, government departments and other organisations are preferred.

Projects/programmes must include the following but are not limited to:

- (i) Provision of basic services (overnight facility, shower, morning and evening meals
- (ii) Provision of social work services inclusive of referrals
- (iii) Provision of social relief and healthy living, trauma, mental and substance support, job rehabilitation, skills development, job creation, readiness and placement services specifically for persons on the streets
- (iv) Family re-integration services
- (v) Social support
- (vi) Community work programmes
- (vii) Facility maintenance (Infrastructure and operational equipment)

6.2.7. Projects aligned to the strategic objectives of the municipality as described through the ward priorities in the IDP

Purpose: The promotion of projects/programmes which stimulates the Stellenbosch Municipality's Integrated Development Plan (IDP) focusing on the strategic objectives of the Municipality and identified ward priorities. The organisation must therefore present to Council not only a clear business plan detailing how they intend to address the specific issue but how they intend to partner with other organisations to achieve a unified approach to that particular challenge. Organisations or bodies that provide a continuum of services and that collaborate with businesses, government departments and other organisations are preferred.

Projects/programmes include the following strategic objectives but are not limited to:

Those listed in Category A that address specific ward priorities identified and specified in the IDP and upon proper motivation contained in a potential plan to address said issue.

- (i) Valley of Opportunities and Possibilities
- (ii) Green and Sustainable Valley
- (iii) Dignified Living
- (iv) Safety and Security-Valley
- (v) Good Governance and Compliance

6.2.8 Municipal approved sport associations

Purpose: To assist the municipality to capacitate and enable local municipal approved sporting associations that have signed a valid Memorandum of Understanding with the municipality to focus on community participation in sport and recreation through existing sporting structures operating on municipal sport facilities.

Active sport structures contribute to ensure the following:

- (i) Youth sport development;
- (ii) Leadership development to ensure youth participation in future sport development and management;
- (iii) To promote participation in sport and recreation by initiating and implementing targeted campaigns;
- (iv) To develop and capacitate sport structures to implement sound governance and financial management strategies to ensure sustainable local sport development;
- (v) To improve the health and well-being of communities;
- (vi) To ensure that sport and recreation is supported by adequate and well-maintained municipal facilities;
- (vii) That sport structures and or associations are capacitated to assist in ensuring that municipal sport facilities are optimally used for sporting activities.
- (viii) To ensure that all sport councils/ structures receive training in applying for available funding sources.
- (ix) To procure any secretarial tools, needs and material needed for functioning purposes.
- (x) Community sporting programmes;
- (xi) Capacity building of communities and community-based clubs;
- (xii) Urban renewal;
- (xiii) Assisting local sport and recreation sport councils and clubs to function effectively;

7. APPLICATION PROCEDURE

Applications and proposals for Grant-in-Aid must be on the prescribed form stated in 5.2 above, a copy of which is attached hereto as **Appendix A for Category A and B**. Applications must be accompanied by a covering letter on the letterhead of the organisation or body, signed by the head of the organisation or body and must include the following information.

- 7.1. The applicant's legal name and a brief description of the applicant organisation's or body's business;
- 7.2. if the applicant claims to be a non-profit organisation, the registration number and the certificate;
- 7.3. the date of establishment, details of the applicant's member founding documents, including constitution and/or certificates of incorporation;
- 7.4. a contact name, full street address, telephone number and an e-mail address;
- 7.5. if funding is required for a specific project, a brief description of the project what it aims to achieve, as well as the detailed budget for and duration of the project;
- 7.6. a description on how the project aligns with the needs identified in the community through the IDP process and which ward priorities will be addressed through the project;
- 7.7. if the request is for general support, the organisation's or body's overall budget must be included;
- 7.8. references, independent of the applicant and its executive;
- 7.9. most recent audited financial statements (subject to MFMA, section 67(4)) statements; or at least statements signed off by the treasurer and chairperson of the organization in the case of emerging organizations;
- 7.10. a summary of past achievements;
- 7.11. a declaration by the head of the organization to the satisfaction of the Municipal Manager, that the organisation or body implements effective, efficient and transparent financial management and internal control mechanisms to guard against fraud, theft and financial mismanagement and has in the past complied with requirements for similar transfers of funds; and
- 7.12. Applications for Category B must include a schedule of annual costs for a three year period, a three year business plan and audited financial statements. Note that although a Category B application is approved for a period of three years, the application **MUST** be renewed through repeated annual applications to ensure provision is made in the budget of subsequent financial years.
- 7.13. notwithstanding the application requirements, the CFO after considering the merits of an application not complying with the minimum application criteria and after consulting the Municipal Manager, may for the purpose of this policy approve a deviation from the norm;

8. OBLIGATIONS OF THE APPLICANT

- 8.1. The head of the organisation or body must acknowledge in writing to the Municipal Manager that the money was received in its bank account and that the amount is/will be utilised to the benefit and in accordance with the role of the organisation or body in society. The funds must be used as outlined in the application form.
- 8.2. The organisation or body shall report, monthly (Cat B)~~if and when required~~ but at least once a year (Cat A), to the Municipal Manager regarding the activities conducted, the ward within which activities are conducted, as well as the number of people from WC024 benefiting from the activities on the prescribed template **(Appendix B)**.
- 8.3. The applicant must attend a compulsory workshop on the Grant-in-Aid policy and application procedure prior to submission of the application.
- 8.4. The applicant is responsible to confirm the outcome of the application after the approval of the draft budget and lodge an appeal prior to the closing date for comments on the budget if they are of the opinion that the municipality has made a mistake with the assessment of the application. Applicants cannot lodge appeals based on their own mistakes during the application process.
- 8.5. If successful with the application, the applicant must spend funds according to the approved Grant-in-Aid funding request. Should the need change over the funding period, written consent needs to be obtained from the municipality prior to spending the funds on alternative needs. Failure to spend funding on approved projects will result in the applicant being required to return the funding and/or (at the discretion of the municipality depending on the nature and seriousness of the discrepancy) the applicant being excluded from future applications for a period of up to 5 (five) years.

9. RIGHTS OF THE MUNICIPALITY

- 9.1. The Municipality shall be entitled, from time-to-time, to verify and inspect the existence and activities of the organisation or body. The municipality will therefore have the right to physically visit the premises where the organisation, or the funded project, is based; to peruse the budgets and any progress reports related to the project (in contract).
- 9.2. The Municipality shall manage contracts entered into with organisations or bodies by receiving reports and doing the necessary site visits and inspections to ensure that this policy and contract are being complied with.
- 9.3. The Municipality has the right not to give a Grant-in-Aid to any or all organisations applying for grants. Having been awarded a grant previously does not automatically lead to give an applicant the right to receive~~ing~~ a grant again, even if the applicant complies with all application requirements.

- 9.4. The Municipality will run proposed donations through a public participation process before final awards are made.

10. AGREEMENT

Before any funds are transferred to an organisation an agreement (**Appendix C**) must be concluded by the Municipal Manager with the beneficiary to protect the interest of the Municipality.

11. DEVIATION

This policy constitutes the entire framework for Grant-in-Aid and no deviation will be entertained.

12. COMMENCEMENT

This Policy takes effect on the date on which it is adopted by the Council of Stellenbosch Municipality.

**APPLICATION FOR GRANT-IN-AID: 2025/26**

NOTE: ATTENDANCE OF THE GRANT-IN-AID WORKSHOP IS COMPULSORY

PLEASE COMPLETE THE FOLLOWING (Incomplete <u>and/or late</u> applications <u>forms</u> will not be considered.)			
A	REGISTERED NAME OF ORGANISATION		
B	DATE AND YEAR IN WHICH THE ORGANISATION WAS FOUNDED: (include a brief description of the business or activities of the organization)		
C	ADDRESS OF REGISTERED ORGANISATION		
	PHYSICAL ADDRESS	POSTAL ADDRESS	
	CODE:		CODE:
D	CONTACT DETAILS (Details of the person to contact regarding this GIA application)		
	NAME & SURNAME:		
	POSITION:		
	TEL:	()	
	MOBILE:		ALTERNATIVE:
	EMAIL ADDRESS:		

E REGISTRATION:				
	Is the organization registered as a NP/NG Organisation / NPC / PBO?		YES	NO
	If YES, please provide the Registration Number: (Attach a copy of the registration certificate or proof of other affiliation where applicable)			
F BOARD/COMMITTEE MEMBERS OF THE ORGANISATION: (List ALL Board/Committee Members of the Organisation) Insert a separate page if the space is not enough).				
1	NAME & SURNAME:			
	POSITION:			
	ADDRESS:			
	CONTACT NUMBER:			
2	NAME & SURNAME:			
	POSITION:			
	ADDRESS:			
	CONTACT NUMBER:			
3	NAME & SURNAME:			
	POSITION:			
	ADDRESS:			
	CONTACT NUMBER:			
4	NAME & SURNAME:			
	POSITION:			
	ADDRESS:			
	CONTACT NUMBER:			

5	NAME & SURNAME:		
	POSITION:		
	ADDRESS:		
	CONTACT NUMBER:		
6	NAME & SURNAME:		
	POSITION:		
	ADDRESS:		
	CONTACT NUMBER:		
7	NAME & SURNAME:		
	POSITION:		
	ADDRESS:		
	CONTACT NUMBER:		
8	NAME & SURNAME:		
	POSITION:		
	ADDRESS:		
	CONTACT NUMBER:		
9	NAME & SURNAME:		
	POSITION:		
	ADDRESS:		
	CONTACT NUMBER:		

10	NAME & SURNAME:						
	POSITION:						
	ADDRESS:						
	CONTACT NUMBER:						
G PREVIOUS FUNDING:							
	Have you successfully applied and received Stellenbosch Municipal Grant-In-Aid funding previously?						
	If yes for which financial year?						
	What amount was received?						
	Did you submit Financial Reports for the funds received?						
	Do you receive any other sources of funding? (If YES please provide details)						
H CATEGORY A:							
For more information refer to the Grant-In-Aid Policy for general guidelines and categories (Please categorize your application by marking the appropriate category with X)							
	HEALTH						
	ENVIRONMENT						
	SOLID WASTE						
	SOCIAL DEVELOPMENT						
	SPORTS & RECREATION						
	CATEGORY B:						
	For more information refer to the Grant-In-Aid Policy for general guidelines and categories (Please categorize your application by marking the appropriate category with X)						
	STREET PEOPLE SERVICES						
	PROJECTS RELATED TO WARD PRIORITIES IN THE IDP (Please specify)						
I REQUEST FOR FUNDING:							
	Is funding required for the ensuing year?			YES		NO	
	Is funding required for a specific project? (If YES attach details separately)			YES		NO	
	Is funding required for general support? (If YES, attach a copy of the Organisation's Overall Budget)			YES		NO	
	Budgeted amount requested						
	Duration of project?						

If Category B Application						
Total amount requested for 3 year period						
Annual amounts requested:	Year 1		Year 2		Year 3	
J	SERVICE FOCUS					
	Ward number/s in which services are delivered:					
	Which Ward Priority/ies are addressed through the service: (Please provide details below)					
	Describe the services for which funds are requested:					
	Which Municipal Strategic Goal/s is linked to the services: (Please mark with a X)					
	Valley of <u>Opportunities and Possibilities</u>					
	Safety and Security-Valley					
	Dignified Living					
	Good Governance and Compliance					
	Green and Sustainable Valley					
K	THE FOLLOWING MUST BE ATTACHED TO THIS APPLICATION: (Category A and B applications) (Please use this form as a check-list, to ensure that you comply to the specified requirements)					
1	AUDITED FINANCIAL STATEMENTS (A copy of the latest audited financial statements. Should the organization be classified as an emerging organization, the financial statements MUST be dated and signed by the Treasurer and Chairperson and MUST include a monthly income and expense statement for the months that the organization has been in existence or for the last 12 months)					
2	ORGANISATIONAL CONSTITUTION (A signed and dated copy of the Organisation's Constitution, as well as a signed copy of the Minutes of the AGM/Special Meeting , to verify the acceptance of the Constitution.)					
3	PROJECT PROGRAMME/BUSINESS PLAN (A copy of the project/program description and/or a business plan for the ensuing financial year. Please ensure that the following is included in the project/program and or business plan, by using the below mentioned bullet points as a guide). ❖ Full details of the proposal/project/business plan including objectives; ❖ The number of people <u>from WC024</u> who will benefit and how the project/program will contribute or enhance the strategic objectives of Stellenbosch Municipality; ❖ The project/program commencement and completion dates; ❖ Information on the total costs of the project/program budget; ❖ A breakdown of costs and an outline of any contributions by fundraising and / or own contributions; ❖ A list of all other sources of funding together with the assessments; ❖ A summary of past achievements; ❖ Reference independent of the applicant and its executive/board or committee members.					
4	<u>SIGNED AND STAMPED CREDITOR CONTROL FORM</u>CONFIRMATION OF BANK DETAILS (An original signed copy of a correctly completed Creditors Control form of the Stellenbosch Municipality or aAn electronic generated confirmation of bank details created through online banking)					
5	ACCOUNT ON EXPENDITURE FOR PRECEDING FUNDING (If you have received funding from Stellenbosch Municipality previously, expenditure of the funds received needs to be accounted for with this new application). Please refer to Section M for the format.					
6	PROOF OF REGISTRATION/AFFILIATION (Attach a copy of the organisation's Registration Certificate of Affiliation)					

L REQUIREMENTS CATEGORY B APPLICATIONS (Please note that Category B applications MUST adhere to the following requirements and those listed under section K, except where indicated otherwise.)		
1	AUDITED FINANCIAL STATEMENTS A copy of the latest audited financial statements must be included in the application. Category B applications MUST submit their latest audited financial statements. Statements signed off by the treasurer, chairperson or other delegated party will not be accepted.	
2	THREE YEAR BUSINESS PLAN See the requirements for the business plan as listed under section K as guideline. NOTE: Category B applications MUST provide a clear proposal for a period of three years. Each year must be indicated separately and be costed per annum indicating all expenditure against the projected measurable outcomes. Outcomes must be listed to how they will be reported on and measured on a monthly basis.	
M FORMAT FOR FEEDBACK REPORT		
1	Narrative report on the project including numbers reached, outcomes reached, evaluation of the project indicating successes and failures/lessons learned.	
2	Pictures of the project/program.	
3	Financial report on expenditure regarding previous donation separate from the annual financial statements. (Attach proof of expenditure).	
N THE FOLLOWING SHALL APPLY:		
1	The allocation of Grant-In-Aid will only be considered if the application document has been fully completed and signed and is accompanied by the required and supporting documentation referred to therein.	
2	An applicant who has been registered as a NPC, NGO, NPO or PBO with the necessary proof thereof, submitted together with this application.	
3	Applicants must in their submission clearly indicate/specify and motivate what the funds will be utilized for.	
4	The Grant-In-Aid must be exclusively utilized for the purpose defined and the successful applicant must submit the necessary undertaking to this effect.	
5	Applicants must in their submission satisfy the Council of their ability to execute the project successfully.	
6	Organisations who have already received financial or other assistance from the Council during the previous financial year MUST specify same in their application.	
7	No funding will be considered for political groupings, ratepayers organisations or for religious purposes..	
8	No funding will be considered where only an individual will benefit or where a member of Council or an official of Stellenbosch Municipality will receive any financial or other gain.	
9	Projects outside the boundaries of the Council will not be considered.	
10	Expenditure that will not be funded includes: travel costs (unless it is for the transport of beneficiaries), subsistence, accommodation, food (unless intended for the beneficiaries) or entertainment expenses of any kind, staff salaries including bonuses, bursaries and payments in lieu of rates or other municipal charges.	
11	Subsequent requests from the applicants to cover overspending on projects will not be considered.	
12	Successful applicants must at all times comply with the provisions of Section 67(1) of the Municipal Finance Management Act no. 56 of 2003 which inter alia stipulates that the organization or body has to:-	
	❖ Enter into and comply with a Memorandum of Agreement with the Municipality as well as with all reporting financial management and auditing requirements as may be contained in such an agreement. This memorandum of agreement will bind the successful applicant to deliver on what the application speaks to, but also to commit to become involved with municipal programs of the community where it functions. The Memorandum of Agreement will be made available to successful applicants for completion.	
	❖ Report at least once a year on the actual expenditure of the amount allocated to it. Should monthly allocations be made, monthly reports will be required.	
13	The Council reserves the right not to give a Grant-In-Aid to any organization applying for grants. Having been awarded a grant previously does not give an applicant the right to receive a grant again.	
14	Funding will not be considered where a project or organization is already receiving funds from Council in terms of Council's functions. Applicants are required to disclose other sources of funding, failing which such applicant will be disqualified.	
15	Funding will not be considered where in Council's opinion, an organization received sufficient funds from other sources to sustain its activities or the project applied for. For this purpose, organisations must submit financial statements and budget for the ensuing financial year.	
16	Organisations having received funding from Stellenbosch Municipality during the previous financial year, are required to attach to any new application, a copy of the financial statements relating to the year in which the funding was received from Council, as required in terms of Section 17 of the Non-profit Organisation Act, 1997 and Section 67(1) of the Municipal Finance Management Act, 2003 (MFMA).	
17	Funding will not be considered where expenses have already been incurred on a project by the applicant. (The Council's Grant-In-Aid Policy must be consulted for the sake of completeness).	

O DECLARATION OF INTEREST:	
The beneficiary declares that the following municipal employees and/or councillors have a vested interest in the business of the beneficiary. However, they do not benefit directly from this donation and were not part of the decision making process in the allocation of the donations:	
Name & Surname:	
Designation:	
Name & Surname:	
Designation:	
P UNDERTAKING:	
	<p>I/We hereby verify that the information provided in this application is true and correct and that the conditions applicable to the allocation of a Grant-in-Aid as set out above and in the GIA Policy have been read and is understood and will be complied with.</p> <p>I/We also declare that the organization implements effective, efficient and transparent financial management and internal control mechanisms to guard against fraud, theft and financial mismanagement and has in the past complied with requirements for similar transfer(s) of funds.</p> <p>Thus completed and signed at Stellenbosch on this ____ day of _____ 20 ____ .</p> <p>_____ Chairperson/Authorised Representative Secretary/Duly Authorised Signatory</p>
Q PLEASE TAKE NOTE: (Completed application forms, together with all the required supporting documentation must be posted to):	
	<p>The Director: Community and Protection Services P O Box 17 Stellenbosch 7599</p> <p>Or hand delivered to:</p> <p>The Manager: Community Development 21 Simonsberg Road Stellenbosch 7600</p> <p>The submission of applications closes at 13H00 on the closing date as per the advertisement.</p>



STELLENBOSCH MUNICIPALITY GRANT IN AID FEEDBACK REPORT

FOR FUNDING RECEIVED FOR THE PERIOD:

20____ / 20____

ORGANISATION NAME _____

TOTAL AMOUNT AWARDED

R

DATE OF RECEIPT

WAS THE MONEY USED FOR THE REASON STATED IN APPLICATION

YES

NO

please tick box

If NO please provide the reasons below and attach proof of permission to deviate:

Please describe how the Grant funding was used by your organisation AND indicate the number of WC024 beneficiaries and the benefit gained by the community/beneficiaries.

[illegible]

PROOF OF EXPENDITURE LIST

[illegible]

TOTAL EXPENSES**R**

	PRINT NAME	SIGNATURE	DATE
COMPILED BY TREASURER			
APPROVED BY CHAIRPERSON			

- ATTACH COPIES OF PROOF OF ALL EXPENDITURE LISTED ABOVE
- ATTACH COPIES OF PICTURES DEPICTING THE ITEMS/ACTIVITIES FOR WHICH FUNDING WAS USED



STELLENBOSCH

STELLEN BOSCH • PN I E L • FR ANSC HHOE K

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

MEMORANDUM OF AGREEMENT

Entered into and between

STELLENBOSCH MUNICIPALITY

(hereafter called the "**MUNICIPALITY**")

Herein represented by **Geraldine Mettler**, in her capacity as **Municipal Manager**, being duly authorised

and

(hereafter called the "**BENEFICIARY**")

Herein represented by _____ in his/her capacity as _____, being duly authorised.

WHEREAS Section 67(1) of the Local Government: Municipal Finance Management Act, Act 56 of 2003 (MFMA) oblige the Accounting Officer of a **MUNICIPALITY** to satisfy himself that, before transferring funds of the **MUNICIPALITY** to an organisation or body outside any sphere of government otherwise than in compliance with a commercial or other business transaction, that such organisation or body:-

- (a) has the capacity and has agreed-
 - (i) to comply with any agreement with the **MUNICIPALITY**;
 - (ii) for the period of the agreement to comply with all reporting, financial management and auditing requirements as may be stipulated in the agreement;
 - (iii) to report at least monthly (Cat B) to the Accounting Officer on actual expenditure against such transfer (~~where~~should transfers ~~beare~~ done on a monthly basis); and

- (b) implements effective, efficient and transparent financial management and internal control systems to guard against fraud, theft and financial mismanagement; and
- (c) has in respect of previous similar transfers complied with all the requirements as set out above; and
- (d) give permission to site visits done by the **MUNICIPALITY**.

WHEREAS the **MUNICIPALITY** has approved a Grants-in-Aid Policy, in terms whereof applications are considered;

WHEREAS the **BENEFICIARY** has applied for a grant-in-aid as per the official grant-in-aid application form; and

WHEREAS the **MUNICIPALITY** has approved such application, subject to certain conditions;

NOW THEREFORE THE PARTIES AGREE AS FOLLOWS:

1. TRANSFER OF FUNDS

1.1 The **MUNICIPALITY** hereby undertakes to transfer an all-inclusive amount of

R..... (.....), being a donation for the period **01 July 20...** to **30 June 20...** to the **BENEFICIARY**.

1.2 Bank Account details: (The following are confirmed through a correctly completed Creditors Control Form.)

Account number	:	_____
Name of financial institution	:	_____
Name of account holder	:	_____
Branch code	:	_____
Type of account	:	_____

1.3 The all-inclusive amount will be transferred in equal amounts on the following dates (if applicable):

2. OBLIGATIONS OF BENEFICIARY

- 2.1 The **BENEFICIARY** must acknowledge in writing to the Municipal Manager that the amount(s) was(were) received in its bank account.
- 2.2 The **BENEFICIARY** hereby certifies that the money will be utilised in accordance with the role of the organisation or society, to the benefit of the community and in accordance with the project(s) / programme(s) as indicated in the application form.
- 2.3 The **BENEFICIARY** undertakes to regularly report on a monthly basis (Cat B) to the Municipal Manager regarding the activities conducted, actual expenditure against such transferred funds, as well as the number of people benefiting from the activities should monthly payments be made. If not, an annual report compliant with the reporting requirements will be submitted.

3. SPECIFIC CONDITIONS

- 3.1 The parties specifically agree on the following:

That the organization will commit to active involvement in any programme run by the municipality in the area of operation of the organization when such a programme is active in the community.

Other conditions:

4. DECLARATION OF INTEREST

The beneficiary declares that the following municipal employees and/or councillors have a vested interest in the business of the beneficiary. However, they do not benefit directly from this donation and were not part of the decision making process in the allocation of the donations: (Name and designation)

5. ACQUISITION OF ASSETS

- 5.1 Should the **BENEFICIARY** wish to acquire any moveable or immovable assets with the money donated in terms of this Agreement, the **BENEFICIARY** hereby undertakes to:-
- 5.1.1 adhere to the principles as per the **MUNICIPALITY'S** Supply Chain Management Policy, and
- 5.1.2 take all reasonable steps to ensure that such assets are maintained and that a system of internal control of such assets is in place.

6. RIGHTS OF THE MUNICIPALITY

- 6.1 The **MUNICIPALITY** shall be entitled, from time to time, to verify the existence and to inspect the activities of the **BENEFICIARY**, having regards for its right to privacy as entrenched in terms of the Constitution of the Republic of South Africa.
- 6.2 The **MUNICIPALITY** shall further be entitled to peruse the budgets and any progress reports related to the project / programme as per this Agreement.

7. FAILURE TO COMPLY

- 7.1 Failure by the **BENEFICIARY** to comply with the obligations as set out in Clause 2 of this Agreement, may lead to the cancellation of this Agreement, in which case the **MUNICIPALITY** may demand that the organisation pays back any unspent funds as per this Agreement. The **MUNICIPALITY** may even, depending on the circumstances leading to the non-compliance by the **BENEFICIARY**, demand that the organisation pays back the full amount paid to the **BENEFICIARY**. Failure to comply may result in not considering applications for grants from the **BENEFICIARY** for a period of 5 years.

8. INDEMNIFICATION

- 8.1 The **BENEFICIARY** hereby acknowledges that it receives the grant voluntarily and that it shall keep the **MUNICIPALITY** indemnified at all times against any loss, cost, damage, injury or liability suffered by the **MUNICIPALITY** resulting from any action, proceeding or claim made by any person (including themselves) against the **MUNICIPALITY** caused directly or indirectly by the use/spending of the grant.

9. DISPUTE RESOLUTION

- 9.1 Any dispute arising from this Agreement shall be mediated between the Parties by a mutually agreed upon and suitably skilled mediator. Should the mediator be unsuccessful and the Parties fail to reach agreement, the dispute may be referred by the aggrieved Party to the arbitration of a single arbitrator, to be agreed upon between the Parties, or failing agreement, to be nominated on the application of any Party, by the President for the time being of the South African Association of Arbitrators. The decision of the single arbitrator shall be final and binding on the Parties.

10. NOTICES AND DOMICILIA

- 10.1 The parties choose as their *domicilia citandi et executandi* their respective addresses as set out in this clause for all purposes arising out of or in connection with the agreement at which addresses all processes and notices arising out of or in connection with this Agreement, its breach or termination, may validly be served upon or delivered to the Parties.

- 10.2 For purposes of this Agreement the Parties' respective addresses shall be:

10.2.1 The **MUNICIPALITY**:

Town House
Plein Street
Stellenbosch
7600

10.2.2 The **BENEFICIARY**:

or at such other address of which the Party concerned may notify the other(s) in writing provided that no street address mentioned in this sub-clause shall be changed to a post office box or poste restante.

10.3 Any notice given in terms of this Agreement shall be in writing and shall-

10.3.1 if delivered by hand be deemed to have been duly received by the addressee on the date of delivery;

10.3.2 if posted by prepaid registered post be deemed to have been received by the addressee on the 8th (eighth) day following the date of such posting;

10.3.3 if transmitted by facsimile/ electronic mail be deemed to have been received by the addressee on the day following the date of dispatch;

10.4 Notwithstanding anything to the contrary contained or implied in this Agreement, a written notice or communication actually received by one of the Parties from another, including by way of facsimile transmission/ electronic mail, shall be adequate written notice or communication to such party.

11. ENTIRE AGREEMENT

This Agreement, including the **Grant-in-Aid policy and application form**, reflects the entire Agreement between the Parties and no variation, amendment or addendum shall be of any force and effect between the Parties unless contained in writing, signed and agreed on by both Parties.

Signed at Stellenbosch on this _____ day of _____ 20....

.....

for the **MUNICIPALITY**

WITNESS: 1.

2.

Signed at Stellenbosch on this _____ day of _____ 20....

.....

for the **BENEFICIARY**

WITNESS: 1.

2.

ANNEXURE B

MINUTES COMMUNITY DEVELOPMENT COMMITTEE MEETING 2024-10-03

5.2	DELEGATED MATTERS
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5.2.5	GRANT IN AID POLICY REVIEW
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Collaborator No: 762712

IDP KPA Ref No: Dignified Living: Municipal Focus Area 21

Meeting Date: 03 October 2024

File Plan: 8/1/4/2/3

1. SUBJECT: GRANT IN AID POLICY REVIEW**2. PURPOSE**

To obtain council approval for the reviewed Grant in Aid Policy.

3. DELEGATED AUTHORITY

For approval by Council.

4. EXECUTIVE SUMMARY

The Grant in Aid Policy aims to provide a framework for Grant-in-Aid to non-governmental organisations (NGOs), community-based organisations (CBOs), non-profit organisations (NPOs) or non-profit companies (NPC), Public Benefit Organisations (PBO's) in so far as to alleviate the burden on municipal cemeteries and bodies that are used by government as an agency to serve the poor, marginalised or otherwise vulnerable as envisaged by Sections 17 and 67 of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003).

MFMA and audit requirements are strict in terms of mechanisms to ensure sound governance and financial practices are applied when donating public funds. Only 30 organisations complied with the requirements and the Department reviewed the policy to determine where changes can make it easier for organisations to comply whilst staying within the margins provided by the MFMA.

COMMUNITY DEVELOPMENT COMMITTEE MEETING: 2024-10-03: ITEM 5.2.5**RESOLVED**

that the Grant in Aid Policy Review is supported to serve to Mayco before going to Council meeting.

7.9.2	FEEDBACK RECEIVED FROM TWO 2021-2022 GRANT IN AID (GIA) RECIPIENTS INDICATING CONTRAVENTIONS OF THE APPROVED GIA POLICY AND SIGNED MOA'S
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Collaborator No: 775728
 IDP KPA Ref No: Dignified Living
 Meeting Date: 21 November 2024

1. SUBJECT: FEEDBACK RECEIVED FROM TWO 2021-2022 GRANT IN AID (GIA) RECIPIENTS INDICATING CONTRAVENTIONS OF THE APPROVED GIA POLICY AND SIGNED MOA'S

2. PURPOSE

To consider and discuss the feedback received in response to the communication sent to Grant in Aid recipients resulting from the Stellenbosch Council Meeting on 23 November 2022.

3. DELEGATED AUTHORITY

GiA donations are approved by council as part of the budget documents.

4. EXECUTIVE SUMMARY

Three grant receiving organisations were found to be in contravention of the Grant in Aid policy and signed MOA as discovered from their feedback reports. The discovery was documented and served at the Grants Committee on 15-08-2022 where it was supported and again on 14-11-2022 where the committee recommended that the decision relating to Smart Mission Entertainment and Ubuntu Hiking to be barred from participating in the Grant in Aid Programme stands and that more information must be requested from Franschhoek Rugby Club. On 23-11-2022 the item served at the Stellenbosch Council meeting where the recommendations were upheld and the Department was mandated to communicate the results of the Council decision to the applicable organisations. The circulated communication to the organisations is attached as **ANNEXURE 1-3**. Written responses were received from Franschhoek Rugby Club and Ubuntu Hiking.

At the Grants Committee meeting of 23-11-2023 it was recommended that the item be discussed with the Portfolio Councillor and Executive Mayor. On 28/11/2023 the item was discussed with the MMC, Cllr X Kalipa who in turn discussed the item with the Executive Mayor. Both the MMC and the Executive Mayor acknowledged the item without additional comment by signing the route form (**ANNEXURE 15**).

At the Grants Committee meeting of 30-01-2024 the recommendations were approved for submission to the Mayoral Committee. (**ANNEXURE 16**) The Executive Mayoral Committee resolved on 20-03-2024 (**ANNEXURE 17**) that the item is withdrawn and referred back for refinement and will be considered after the new policy was approved. The new Grant in Aid Policy was approved on 21-02-2024 (**ANNEXURE 18**).

5. RECOMMENDATIONS

- (a) that the communication sent to all three applicants, and the written responses received from Ubuntu Hiking and Franschhoek Rugby Club, be noted;
- (b) that Ubuntu Hiking be instructed to pay back the amount of R 1 481.00, and be barred from participating in the Grant in Aid Donation Programme for a period of five years (2022-2023 to 2027-2028) as per the stipulations of the Grant in Aid Policy paragraph 8.5;
- (c) that the Franschhoek Rugby Club be instructed to pay back the amount of R 40 000,00, and be barred from participating in the Grant in Aid Donation Programme for a period of five years (2022-2023 to 2027-2028) as per the stipulations of the Grant in Aid policy paragraph 8.5; and,
- (d) that these two organisations be informed of the decision.

6. DISCUSSION / CONTENTS

6.1 Background

The GiA Policy (**ANNEXURE 4**) clearly states the following:

Paragraph 6.15 "Funding of projects and to organisations shall exclude travel costs, subsistence, accommodation, food or entertainment expenses of any kind, staff salaries, bursaries, payments in lieu of rates or other municipal charges except for where the transport and nutrition is intended for beneficiaries/participants in the projects in question. The Municipality may also exercise their discretion to allow funding to extend to the above costs on a needs basis for the organisation or body clearly motivated for in the application."

1 Section 8: OBLIGATIONS OF THE APPLICANT

- 8.1. *The head of the organisation or body must acknowledge in writing to the Municipal Manager that the money was received in its bank account and that the amount is/will be utilized to the benefit and in accordance with the role of the organisation or body in society. The funds should be used as outlined in the application form.*
- 8.2. *The organisation or body shall regularly report, if and when required but at least once a year, to the Municipal Manager regarding the activities conducted, the ward within which activities are conducted, as well as the number of people benefiting from the activities.*
- 8.3. *If funding is required for a specific project, a brief description of the project and what it aims to achieve, as well as the detailed budget for and duration of the project.*
- 8.4. *The applicant must attend a compulsory workshop on the Grant-in-Aid policy and application procedure prior to submission of the application.*
- 8.5. *If successful with the application, the applicant must spend funds according to the approved Grant-in-Aid funding request. Should the need change over the funding period, written consent needs to be obtained from the municipality prior to spending the funds on alternative needs. Failure to spend funding on*

approved projects can result in the applicant being required to return the funding and/or the applicant being excluded from future applications for a period of 5 years.

Further to the above, the Memorandum of Agreement (MOA) with the municipality and signed by the applicants prior to the transfer of funds stipulates the following:

WHEREAS Section 67(1) of the Local Government: Municipal Finance Management Act, Act 56 of 2003 (MFMA) oblige the Accounting Officer of a **MUNICIPALITY** to satisfy himself that, before transferring funds of the **MUNICIPALITY** to an organisation or body outside any sphere of government otherwise than in compliance with a commercial or other business transaction, that such organisation or body: -

- (a) *has the capacity and has agreed-*
 - (i) *to comply with any agreement with the **MUNICIPALITY**;*
 - (ii) *for the period of the agreement to comply with all reporting, financial management and auditing requirements as may be stipulated in the agreement; and*
- (b) *implements effective, efficient, and transparent financial management and internal control systems to guard against fraud, theft and financial mismanagement; and*
- (c) *has in respect of previous similar transfers complied with all the requirements as set out above; and*

6.2 **Discussion**

Ubuntu Hiking:

Feedback received (12-12-2022) attached as **ANNEXURE 5** can be summarized as follow:

1. The organization holds the opinion that the expense was approved as part of their application under "Volunteers and Board Meetings" to the value of R 2 000,00. The purpose of the expense was listed as "Materials, Refreshments and Transport".

The referred to line item in the application was approved on the premise that:

- Expenditure relating to volunteers is permissible, but expenses to board meetings is not.
- Similarly, expenses towards materials is permissible, but expenditure relating to refreshments and transport is only permissible as it relates to the beneficiaries/participants of the programme and not to board members.

Paragraph 6.15 of the GiA Policy is clear on "Funding of projects and to organisations shall exclude travel costs, subsistence, accommodation, food or entertainment expenses of any kind... except for where the transport and nutrition is intended for beneficiaries/participants in the projects in question."

As the applicant signed the MOA with the municipality stipulating adherence to the policy, the department was of the opinion that the applicant was fully informed of the stipulations relating to expenditure on food and entertainment.

- 7 In the response letter, the applicant indicated that they were of the opinion that a meeting for the board members at Bossa Restaurant was in order as they went through a hard and challenging time during Covid lockdown. They indicate that they now understand it to be wrong and that the expense should have been for the board members own expense.
3. Ubuntu Hiking apologised for what they indicate was a misunderstanding and offers to pay back the amount of R 1 481,00 used for the board meeting and Bossa Restaurant.
4. Ubuntu Hiking further request that Stellenbosch Council consider to rescind the decision to exclude Ubuntu Hiking from applying for Grant in Aid for a period of five years as they have complied with GiA requirements with all previous applications and indicate that the expenditure on entertainment was a misunderstanding.

Opting to recuperate the funds can be considered as an outcome as it is compliant with the Grant in Aid Policy (paragraph 8.5). Rescinding the decision to exclude Ubuntu Hiking from applying for a period of five years can be considered keeping in mind the provisions of the **MFMA 56 of 2003 section 67(2). See Legal implications paragraph 6.4.**

Franschhoek Rugby Club

Background: During initial assessments of the funding feedback reports, it was found that the club did not spend the funds in line with the application. Although the club indicated that they submitted a general application, no overall budget was included for a general application as prescribed by the GiA Policy. Due to this, the application was not approved as a general application. The club did however, include a specific list of items with pictures and quotations for rugby equipment (balls, jerseys, practice equipment and socks). On these grounds, the application was approved as a specific application. The Grant in Aid Policy provides for deviations from the approved application content, but clearly states that permission for such deviation must be requested from the municipality prior to spending the funds on alternative needs.

For clarity the below table depict the detailed items for which the GiA funding to Franschhoek Rugby Club was approved as per their application attached as **(ANNEXURE 19)** vs the items on which the funding was spent as per the feedback report **(ANNEXURE 20)** received.

Funding Proposal (Request)	Expenditure of funds (Feedback Reports)
1. Transport to the value of R12 000 and 2. Sport equipment to the value of R 28 000. <ol style="list-style-type: none"> a. Headstart Soccer Ball Bag b. Marking cones (Flat) c. Marking cones (Traffic) d. Training bibs e. Ball pump f. Agility ladder g. Hurdles h. Tackle bag 	<ol style="list-style-type: none"> 1. Frame for deceased player (R150) 2. Flowers and Sympathy card for deceased player (R137.49) 3. Physio Therapist - outstanding account (R 920) 4. Accountant - outstanding account (R5 000) 5. Medic – outstanding account (R 2 500) 6. Referees (R 800) 7. Coke (R 5 470)

<ul style="list-style-type: none"> i. Contact Shield j. Rugby balls k. Training agility poles l. Gilbert rugby ball 	<ul style="list-style-type: none"> 8. Shop Shop (Cooldrink, chips, chocolates, cleaning materials) (R 1 400.20) 9. Float and Ad Hoc ? (R 2 500) 10. Accountant – outstanding account (R 2 500) 11. Rolls and Wors (R 1 985.86) 12. Medic (R 900) 13. After Function Food (R300) 14. Referees (R 1 600) 15. Coke (R 2 447) 16. Shop Shop (Chips and Cooldrink) (R 976.20) 17. Wors and Rolls (R 804.99) 18. Samsung Tablet (R 2 988) 19. Engen Fuel (R 300) – to Macro to purchase items 20 and 21. 20. 2 Way Radio (R 1 872.80) 21. Projector and Mini Video Camera (R4 057)
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As resolved by Council in November 2022, the communication to Franschhoek Rugby Club requested the following further information and documents:

1. A full set of Financial Statements
2. A list of all funding sources and expenditure
3. Detail on The Tax Shop explaining who they are and what their relation is to the organization.
4. An asset register for the equipment procured.
5. More detail for the expenditure line times labelled "Municipal Fund Transactions for the period 1 August 2021 to 31 August 2022".

The following was received from Franschhoek Rugby Club on 13-01-2023:

1. A cover letter (ANNEXURE 6) confirming the content of the response and stating that the Franschhoek Rugby Club has suffered reputational damage resulting from an erroneous article in the Franschhoek Tattler of January 2023 indicating that the club has already been blacklisted by Stellenbosch Municipality. This article caused material damage to the club and they request leniency in the matter and that any future decisions by the Stellenbosch Municipal Council be deferred to afford an opportunity to the club to reflect a clean audit.

Regarding the request for Stellenbosch Municipality Council to defer any further decisions note the list of access to information and opportunities to state their case to date:

- (i) Franschhoek Rugby Club attended a compulsory clarification meeting (03-11-2020) where the policy, application process and feedback requirements for the 2021/22 funding cycle were explained to the club representative.
- (ii) The club received a Grant in Aid donation of R 40 000,00 on 6 August 2021. Prior to receiving the funds, an agreement was signed (**ANNEXURE 7**) where the organisation committed to compliance with the policy and agreement requirements.

- (iii) In December 2021 with a subsequent application, the club indicated that they were not yet in a position to provide feedback as they were unable to spend the funds due to Covid. They, however, committed to provide feedback by the end of March 2022. This communication did not include a request to change what the grant can be spent on.
- (iv) Feedback was received on 26/04/2022 indicating that the club was unable to play games due to the pandemic and that they used the funds to pay outstanding accounts, referee fees and stock bought for their shop to use the proceeds to feed their players after the game. They further indicated that they were still waiting on a quote to buy ties for the players with the remaining funds. The following are matters of concern relating to the feedback received on 26/04/2023:
- No pictures were provided.
No narrative report was submitted.
Proof of expenditure was not submitted for all listed expenditure in the club ledger labelled "Municipal Fund Transactions 1 August 2021 to 31 July 2022". The ledger contained the following notes of concern:
- Not all supporting documents are proof of expenditure
 - Discrepancy between a cash withdrawal and cost of item as per the electronic order.
 - Payment for expenditure already incurred.
 - Electronic Payment to a creditor for an amount larger than the receipt.
 - Expenditure on the ledger for which no supporting documents were submitted.
- Total expenditure according to ledger: R 39 609.54
Total expenditure according to documents submitted (inclusive of all documents): R 34 624.54
- (v) Further feedback on funding was received on 23/08/2022 inclusive of expenditure for a two way radio and video camera. The stated evidence (photo's and proof of payment) was not included. The accompanying list of transactions (Municipality Fund Transactions 1 August 2021 to 31 August 2022 indicated the additional expenditure on fuel and equipment. Again the funds were spent on items not included in the original application without obtaining prior approval.
- (vi) In the unsigned letter dated 2022-10-25 (**ANNEXURE 8**) addressed to the Municipal Manager, Franschhoek Rugby Club acknowledge receipt of a notice of the Council discussion in respect of this matter. They proceed to express the following:
- The club has experienced significant financial challenges since 2022; and were unable to consult an attorney on this matter as the time to apprise the attorney of the full details was insufficient.
 - That the club regret the perception that the GiA funds were misused and wishes to resolve the matter without incurring a sanction
 - That the club made the application for general use and did not note specific prohibitions in the Memorandum of Agreement (MOA) with the Municipality.
 - That the club is willing to repay these funds to the Municipality as a gesture of good faith to settle the matter amicably; and

- That the club wish to avoid a lengthy process of appeal and request an extension of one week for the submission of a representation – in which time they will collate documentation and take advice on the matter.

This brings the number of opportunities for Franschhoek Rugby Club to access information and communicate with the municipality on the requirements of the Grant in Aid Policy and feedback to a total of 7 of which none was used to request for a change in the business plan

2. Financial Statements for the period ending December 2021 dated 21 April 2022. **(ANNEXURE 9)** was received. **A disjuncture relating to the reporting period is noted between the accountant confirmation letter and the actual AFS submitted.** It must be noted that the AFS provided are not audited and that the appointed accountant did not verify the accuracy of completeness of the information provided by the club.

A high-level review of the AFS was completed by the municipal AFS Unit to which certain concerns were noted. As the AFS are unaudited the unit is not in a position to express an accounting opinion. Franschhoek Rugby Club further complied with a request for a full set of bank statements from which the municipal AFS unit can only note the following:

- a. The financial statements were prepared on the historical cost basis. It is not clear if this method is based on an accrual basis of accounting or on a cash basis? An assumption was made that this is an accrual basis as the balance sheet indicates that there are accounts payable?
- b. There is also no prescribed basis of preparation according to accounting standards that are mentioned in the policy, hence multiple assumptions must be deduced.
- c. The financial statements have not been audited, hence we cannot place reliance on the figures provided in the AFS so assumptions will be prevalent throughout the analysis.
- d. We have noted that there is no property, plant and equipment disclosed due to all assets being expensed in the year it was purchased (tablet etc). The useful life of these assets have been set at 1 year, which may be questionable? (annexure 12). The tablet was recorded in the chairman's name.
- e. They have not disclosed any game income for 2021? This would imply that no games were played in this period?
- f. The bank charges had significantly decreased from 2020? Is this due to them transacting less?
- g. The club also has long outstanding debt to the accountant (over 90 days included) indicating they are struggling to pay their creditors.
- h. The club is also trading at a loss and seems to be in financial distress as the equity of the club shows signs that the club is not sustaining itself, i.e. its debt exceeds its asset base.
- i. The payables balance has increased from the prior year indicating that they have taken on further debt, however it seems to be related to funds received but not yet recognised as income. This could be due to the conditions of the funds received not being met, however this cannot be concluded in the absence of an accounting policy that speaks directly to this.
- j. The club has generated more funds in income in this year in comparison to the prior year (mainly donations) even though no game income was generated in the current year. With the increase in income from the prior year, the club still traded at a loss.

- k. The major contributors to the clubs current poor financial situation is that they have purchased new equipment and apparel however, there is no return on this investment as no game income was recognised.
 - l. The club also spent significant funding on covid-19 compliance which was not prevalent in the prior year 2020.
 - m. The profit and loss for 2022 has been provided (annexure 10) which shows signs of improvement to the financial status on the club, and showing it is more profitable as opposed to the 2021 financial year.
3. A list of funding sources and expenditure for the period August 2021 to July 2022. **(ANNEXURE 10):**
The list covers the period of the Grant in Aid funding under discussion and not the financial year of the club. It reflects the donation income received from the municipality at R 39 609.54 whereas the amount donated was R 40 000.00. It further indicates gate fees to the amount of R 110 806.00 where they previously indicated that they were not in a position to spend the funds according to the application as they did not play any games.
4. A letter from The Tax Shop **(ANNEXURE 11)**
The letter received indicates that the Tax Shop provides an accounting function to the Franschhoek Rugby Club NPC and that it is not involved in the day to day operations or management and administration.
5. An asset schedule **(ANNEXURE 12)**
The asset register provided does not include the two-way radio indicated as equipment purchased through Grant in Aid funding.
6. More detail on expenditure labelled "Municipal Fund Transactions" 1 July 2021 to 31 July 2022 **(ANNEXURE 13 and 14).**
More details is provided in an additional column on Annexure 13. A second set of expenditure supporting documents was included for a new ledger labelled "Municipal Fund Transactions for the period 1 August 2021 to 31 July 2022 was also provided.
 - Two explanations appear to be mistakenly reflected against each other's lines and is not material.
 - Reference is made to the purchasing of the two way radio which does not reflect on the asset register.
 - Expenditure listed on 9 February 2022 as "float and adhoc" is explained to be for the tuck shop and the gate. A float cannot be deemed an expense.

Franschhoek provided feedback as was requested from them. The feedback led to further anomalies into proof of expenditure and possible payments larger than the charged amounts. Notwithstanding the above detail provided, expenditure was still spent on items not approved as part of the application without requesting permission for the changes.

Opting to recuperate the funds can be considered as an outcome as it is compliant with the Grant in Aid Policy (paragraph 8.5). Based on the opinion of the municipal AFS unit, this however does not seem to be possible due to the financial situation they are in. Rescinding the decision to exclude Franschhoek Rugby Club from applying for a period of five years can be considered keeping in mind the provisions of the **MFMA 56 of 2003 section 67(2). See Legal implications paragraph 6.4.**

Additional information for the sake of clarity.

6.3. Financial Implications

This report has the following financial implications.

Transfers of funds for the three organisations were approved and donated to the amount of R 40 000,00 each.

Responding to the offer of both organisations to pay back the money and thus activating paragraph 8.5 with the intent to recuperate the funds will result in the municipality receiving R 41 481.00 back.

6.4 Legal Implications

MFMA 56 of 2003 section 67(2) *Funds transferred to organisations and bodies outside government* reads as follow:

If there has been a failure by an organisation or body to comply with the requirements of subsection (1) in respect of a previous transfer, the municipality may despite subsection (1)(c) make a further transfer to that organisation or body provided that-

(a) subsection (1)(a) and (b) is complied with; and

(b) the relevant provincial treasury has approved the transfer.

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

6.5 Staff Implications

This report has no staff implications to the Municipality.

6.6 Previous / Relevant Resolutions:

43RD COUNCIL MEETING: 2021-05-26: ITEM 8.3

RESOLVED (majority vote)

- (a) that the High-Level Budget Summary, as set out in **APPENDIX 1 – PART 1 – SECTION C**; be approved;
- (b) that the Annual Budget Tables as prescribed by the Budgeting and Reporting Regulations, as set out in **APPENDIX 1 – PART 1 – SECTION D**, be approved;
- (c) that the proposed Grants-In-Aid allocations as set out in **APPENDIX 1 – PART 2 – SECTION J**, be approved;

8TH COUNCIL MEETING: 2022-10-26: ITEM 13.1

The Speaker RULED that this matter be withdrawn.

9TH COUNCIL MEETING: 2022-11-23: ITEM 13.3

RESOLVED (majority vote)

- (a) that the Grants Committee stands by the decision for Ubuntu Hiking and Smart Mission Entertainment; and

- (b) that in terms of the Franschhoek Rugby Club, the Committee requires additional information such as:

- a full set of Financial Statements; and
- all funding sources and expenditure, for consideration; and

- (c) that Council mandates the department to inform the three organisations of the decision.

EXECUTIVE MAYORAL COMMITTEE: 2024-03-20: ITEM 7.9.1

RESOLVED

that the item is withdrawn and referred back for refinement and will be considered after the new policy was approved.

20TH COUNCIL MEETING: 2024-02-21: ITEM 11.9.1

RESOLVED (majority vote with 1 abstention)

that the revised Grant in Aid Policy be adopted and approved by Council with the amendment of paragraph 8.5 on page 12 of the Grants in Aid Policy to read "a period of up to 5 (five) years.

EXECUTIVE MAYORAL COMMITTEE: 2024-09-26: ITEM 7.11.1

RESOLVED

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

6.7 Risk Implications

The report contains risk to the reputation of the municipality in that the decision taken by council will determine the perception about Stellenbosch Municipality's seriousness re addressing non-compliance with policies and the need to address possible corruption/fraudulent behaviour.

6.8 Comments from Senior Management:

6.8.1 Director: Protection and Community Services:

Agree with the recommendations.

6.8.2 Chief Financial Officer:

Agree with the recommendations

6.8.3 Municipal Manager:

Agree with the recommendations

ANNEXURES**Annexure 1:** Council Resolution Communicated to Ubuntu Hiking**Annexure 2:** Council Resolution Communicated to Franschhoek Rugby Club**Annexure 3:** Council Resolution communicated to Smart Mission Entertainment**Annexure 4:** Approved Grant in Aid Policy**Annexure 5:** Feedback received from Ubuntu Hiking dated 12-12-2022**Annexure 6:** Franschhoek Rugby Club Cover Letter dated 13-01-2023**Annexure 7:** Franschhoek Rugby Club Signed GiA MOA**Annexure 8:** Franschhoek Rugby Club letter dated 25-10-2022**Annexure 9:** Franschhoek Rugby Club AFS ending December 2021**Annexure 10:** Franschhoek Rugby Club List of Funding Sources**Annexure 11:** Franschhoek Rugby Club Letter from Tax Shop**Annexure 12:** Franschhoek Rugby Club Schedule of Assets**Annexure 13:** Requested details labelled Municipal Fund Transactions**Annexure 14:** Requested details labelled Municipal Fund Transactions**Annexure 15:** Route Form signed by MMC X Kalipa and Executive Mayor van Deventer**Annexure 16:** Grants Committee Meeting 30-01-2024 minutes**Annexure 17:** Mayoral Committee Meeting 20-03-2024 minutes**Annexure 18:** 20th Council Meeting 21-02-2024 minutes**Annexure 19:** Franschhoek Rugby 21_22 Approved GiA Proposal**Annexure 20:** Franschhoek Rugby 21_22 Feedback Report**FOR FURTHER DETAILS CONTACT:**

NAME	Michelle Aalbers
POSITION	Manager Community Development
DIRECTORATE	Community and Protection Services
CONTACT NUMBERS	8408
E-MAIL ADDRESS	Michelle.aalbers@stellenbosch.gov.za
REPORT DATE	02-10-2024

ANNEXURE 1



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Ref: Council 23-11-2022/13.3

07-12-2022

The Programme Coordinator
 Ubuntu Hiking
 25 Rolinda Street
 Jamestown
 Stellenbosch

Dear Mr. Clint September

Grant in Aid: Feedback report received for the funding period: 2021-2022

In relation to the feedback report received from Ubuntu Hiking for the Grant in Aid Donation received for the 2021/2022 financial year, Stellenbosch Municipality wants to refer you to the below extracts from the Grant in Aid Policy:

Paragraph 6.15 "Funding of projects and to organisations shall exclude travel costs, subsistence, accommodation, food or entertainment expenses of any kind, staff salaries, bursaries, payments in lieu of rates or other municipal charges except for where the transport and nutrition is intended for beneficiaries/participants in the projects in question. The Municipality may also exercise their discretion to allow funding to extend to the above costs on a needs basis for the organisation or body clearly motivated for in the application."

Section 8: OBLIGATIONS OF THE APPLICANT

8.5. If successful with the application, the applicant must spend funds according to the approved Grant-in-Aid funding request. Should the need change over the funding period, written consent needs to be obtained from the municipality prior to spending the funds on alternative needs. Failure to spend funding on approved projects can result in the applicant being required to return the funding and/or the applicant being excluded from future applications for a period of 5 years.

Feedback received from your organisation included payment made for meals at Bossa Restaurant inclusive of alcoholic beverages labelled "Ubuntu Volunteers / Planning Meeting". This expense places the organisation in breach of paragraph 6.15 which activates the penalty referred to in paragraph 8.5 of the Grant in Aid Policy.

On 14 November 2022, The Stellenbosch Grants Committee resolved the following relating to the above matter:

- (a) that the Grants Committee stands by the 15-08-2022 decision of the same committee to blacklist Ubuntu Hiking in line with the Grant in Aid policy provisions; and
- (b) that Council mandates the department to inform the three organisations of the decision.

On 23 November 2022, Stellenbosch Council resolved as follow relating to the above matter:

RESOLVED (majority vote)

- (a) that the Grants Committee stands by the decision for Ubuntu Hiking; and
- (b) that Council mandates the department to inform the organisation of the decision.

This letter serve to inform Ubuntu Hiking of the above decision by Stellenbosch Municipal Council and to confirm that the organisation will be eligible again to apply for Grant in Aid funding in the 2028/2029 financial year.

Regards



M Aalbers
Manager Community Development
Stellenbosch Municipality

ANNEXURE 2



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Ref: Council 23-11-2022/13.3

07-12-2022

The Chairman
Franschhoek Rugby Club
9 Keerom Street
Groendal, Franschhoek
7690

Dear Mr. George Collins

Grant in Aid: Feedback report received for the funding period: 2021-2022

In relation to the feedback report received from Franschhoek Rugby Club for the Grant in Aid Donation received for the 2021/2022 financial year and your communication with the Municipal Manager dated 25 October 2022, Stellenbosch Municipality refers you to the below council decision dated 23 November 2022:

RESOLVED (majority vote)

- (b) that in terms of the **Franschhoek Rugby Club**, the Committee requires additional information such as:
- a full set of Financial Statements; and
 - all funding sources and expenditure, for consideration; and
- (c) that Council mandates the department to inform the organisation of the decision.

The Department Community Development also kindly request further information to be submitted to the Grants Committee for further consideration:

- 1) Detail relating to the Tax Shop which will allow the committee to understand who and what role it plays in relation to your organisation.
- 2) Your asset register for the equipment procured indicating in whose detail was used for RICA purposes of the tablet.
- 3) More explanatory detail for the expenditure line items in the document labelled "Municipal Fund Transactions for the period 1 August 2021 to 31 August 2022" as submitted by you.

Your response is diarised for 15 January 2023.

Regards

M Aalbers
Manager Community Development

ANNEXURE 3



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Ref: Council 23-11-2022/13.3

07-12-2022

Chairperson
 Smart Mission Entertainment
 177 Watergang
 Kayamandi
 Stellenbosch

Dear Mr. Siyabonga Mini

Grant in Aid: Feedback report received for the funding period: 2021-2022

In relation to the feedback report received from Smart Mission Entertainment for the Grant in Aid Donation received for the 2021/2022 financial year, Stellenbosch Municipality wants to refer you to the below extracts from the Grant in Aid Policy:

Paragraph 6.15 "Funding of projects and to organisations shall exclude travel costs, subsistence, accommodation, food or entertainment expenses of any kind, staff salaries, bursaries, payments in lieu of rates or other municipal charges except for where the transport and nutrition is intended for beneficiaries/participants in the projects in question. The Municipality may also exercise their discretion to allow funding to extend to the above costs on a needs basis for the organisation or body clearly motivated for in the application."

Section 8: OBLIGATIONS OF THE APPLICANT

8.5. If successful with the application, the applicant must spend funds according to the approved Grant-in-Aid funding request. Should the need change over the funding period, written consent needs to be obtained from the municipality prior to spending the funds on alternative needs. Failure to spend funding on approved projects can result in the applicant being required to return the funding and/or the applicant being excluded from future applications for a period of 5 years.

Feedback received contained proof of expenditure for items not approved as part of the funding application and identical invoices for different suppliers not conforming to the requirement of an invoice (no contact details of the supplier). The applicant also provided bank statements indicating the withdrawal of cash to the amount of R17 000.00 on the same date as the donation was deposited by the Municipality into the bank account along with other smaller cash withdrawals on later dates. A purchase at Sterns Jewelry shop on 12 August 2022 is also reflected on the bank statement where the balance of R 40 000 in total was reflected on 6 August 2022 indicating that it could not have been done with other funds than the municipal donation.

On 14 November 2022, The Stellenbosch Grants Committee resolved the following relating to the above matter:

- (a) that the Grants Committee stands by the 15-08-2022 decision of the same committee to blacklist Smart Mission Entertainment in line with the Grant in Aid policy provisions; and
- (b) that Council mandates the department to inform the three organisations of the decision.

On 23 November 2022, Stellenbosch Council resolved as follow relating to the above matter:
RESOLVED (majority vote)

- (a) that the Grants Committee stands by the decision for Smart Mission Entertainment; and
- (b) that Council mandates the department to inform the organisation of the decision.

This letter serve to inform Smart Mission Entertainment of the above decision by Stellenbosch Municipal Council and to confirm that the organisation will be eligible again to apply for Grant in Aid funding in the 2028/2029 financial year.

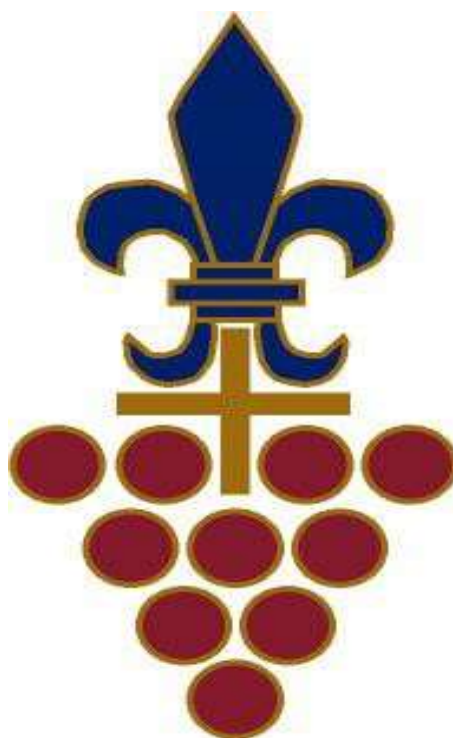
Regards



M Aalbers
Manager Community Development
Stellenbosch Municipality

ANNEXURE 4

STELLENBOSCH MUNICIPALITY



GRANT-IN-AID POLICY

2021/2022



STELLENBOSCH MUNICIPALITY

GRANT-IN-AID POLICY

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1. DEFINITIONS

“Appendix A” means the application for Grant-in-Aid, detailed more fully below, and provided for in clause 5.2.

“Appendix B” refers to the memorandum of agreement (MOA), detailed more fully below, and provided for in clause 10.

“Capacity building” Capacity building refers to a process which enables human beings to realize their potential, build self-confidence and lead lives of dignity and fulfillment. These Capacity Building programs have to align to the basket of services of the Directorate: Social Development and Early Childhood Development i.e. Early Childhood Development, Youth Development, Substance Abuse, Poverty Alleviation, Vulnerable Groups and Street People.

“Community Based Organization (CBO)” are nonprofit groups that work at a local level to improve life for residents. The focus is to build equality across society in all streams – health care, environment, quality of education, access to technology, access to spaces and information.

“Early Childhood Development (“ECD”) Facility” means any place, building or premises, including a private residence, maintained or used partly or exclusively, for the reception, protection and temporary or partial care of more than six children that shall be registered, managed and maintained in terms of the Children’s Amendment Act, 41 of 2007.

“Grant-in-aid” means a grant-in-aid or allocation, as referred to in Section 12, 17 (3) (j) (iv) of the MFMA, made by the municipality to any organisation or body referred to in Section 67(1) and to be utilised to assist the municipality in fulfilling the Constitutional mandates including social developmental and arts and culture programmes as set out therein.

“Local Agenda 21” means the international program, adopted by South Africa to put sustainable development into practice.

“Memorandum of agreement (MOA)” means the agreement entered into between the municipality and any organisation or body which receives a Grant-in-Aid in terms of this Policy and **Appendix A**.

“Non-governmental organisation (NGO)” means a non-governmental organisation (NGO) that is a legally constituted non-profit organisation that operates independently from any form of government.

“Non-profit company (NPC)” means a company whose Memorandum of Incorporation must set out at least one object of the company and each such object must be either a public benefit object or object relating to one or more cultural or social activities, or communal or group interests as required by Item 1(1) of Schedule 1 of the Companies Act, 71 of 2008.

“Non-profit organisation (NPO)” means a non-profit organisation registered in terms of Section 13 of the NPO Act, 71 of 1997, established for public purpose and which income and

property thereof is not distributable to its members or office-bearers, except as reasonable compensation for services rendered.

“Stellenbosch Environmental Management Framework (SEMF)” means legal and moral obligations of Stellenbosch Municipality as it relates to the environment, and provides a dynamic vision, goals and objectives, and spatial and strategic directives towards giving effect to such obligations.

2. PURPOSE, AIMS AND OBJECTIVES

- 2.1. This policy aims to provide a framework for Grant-in-Aid to non-governmental organisations (NGOs), community-based organisations (CBOs), non-profit organisations (NPOs) or non-profit companies (NPC) and bodies that are used by government as an agency to serve the poor, marginalised or otherwise vulnerable as envisaged by Sections 12, 17 and 67 of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003).
- 2.2. The purpose of the Grant-in-Aid Policy is to complement the goals, objectives, programmes and actions of the Stellenbosch Municipality's Integrated Development Plan (IDP), in order to create a sustainable, credible and caring municipality by empowering and building communities and enhancing growth and sharing through partnerships. Priority ward needs as identified through Council's IDP MUST be the guiding factor in developing these partnerships.
- 2.3. Grant-in-Aid should not duplicate services already provided for by Council or which falls within the geographical jurisdiction in which Council operates, being WC024.
- 2.4. Grant-in-Aid should improve the opportunity for Council to elicit the support of external organisations to deliver those services to communities which fall within the Council's area of responsibility in a way that allows the Stellenbosch community and town to create an enabling environment for community development.

3. LEGAL FRAMEWORK

All transfers of funds in terms of this policy shall comply with the: Constitution of the Republic of South Africa, 1996 as amended (Constitution); Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) as amended (MSA); Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003) (MFMA); and any other applicable legislation, regulations and policies that may govern the transfer of municipal funds and that are not in contradiction to the above.

4. RESTRICTIONS

- 4.1. The Policy applies to all transfers of grants made by the Municipality towards support of services for the poor, marginalized or otherwise vulnerable people. Individuals may not apply for Grant-in-Aid and no payment may be made under this policy to individuals. Council may however set aside a specific amount from

which the Municipal Manager, after consultation with the Executive Mayor, may, at his/her discretion, make donations to support individual, meritorious cases in order to assist and/or recognise individual excellence in whichever field. Bursaries to individuals are treated according to the Council's Bursary Policy.

- 4.2. The total expenditure on grants may not exceed 1% of the operational budget of the Municipality.
- 4.3. Grants will only be made for services rendered in the WCO24.
- 4.4. Transfers made to categories A and B
 - 4.4.1. Transfers provided for those listed in Category A below may be made to a maximum of R40 000-00 per organisation or body per annum.
 - 4.4.2. Transfers in Category B may exceed this amount where funding relates to night shelters or addresses specific ward priorities identified and specified in the IDP and upon proper motivation contained in a business plan to address said issue. Consideration for grants larger than R 40 000, 00 requires audited financial statements, schedule of estimated annual costs and a business plan as provided for in 6 below. The decision to grant an amount more than R 40 000,00 is solely at the discretion of council and subject to available funds.
- 4.5. Grant-in-Aid transfers/payments shall be restricted to deserving organisation and bodies serving, especially those working with the poor/aged/youth/disabled/women, as per the eligible categories in 6.2, provided that such organisations or bodies:
 - 4.5.1. Operate as a separate legal entity and are recognised as such by South African legislation;
 - 4.5.2. Are governed by their constitutions, have regular meetings with their membership and subscribe to sound accounting practices; and
 - 4.5.3. Are located and serve communities and individuals who are most in need within the jurisdiction of the Municipality.
- 4.6. No Grant-in-Aid may be made to any political body, rate payers association or for any religious purposes.
- 4.7. No grant will be allocated, under this policy, to organisations or bodies in cases where a member of Council, an official of Stellenbosch Municipality or close relatives of said individuals receive any financial or other gain.
- 4.8. Funds may only be transferred to an organisation or body if provision has been made for the expenditure on the budget or appropriations budget.
- 4.9. An organisation or body is only entitled to one allocation per financial year, but disbursements can be made more often.

5. PUBLIC ADVERTISEMENT

- 5.1. The advertisements must meet the following requirements:
 - 5.1.1. The Municipal Manager must, place a public advert in local newspapers distributed in the Stellenbosch Municipal area, calling for proposals.
 - 5.1.2. This advert must be placed in time to complete all relevant processes prior to the approval of the annual draft budget or any adjustment budget in order to invite public comment on the proposed donations prior to the approval of the final or adjustment budget.
 - 5.1.3. Advertisements should clearly specify the categories for which proposals are called, the closing date for applications, who the proposal should be addressed to, and where and how to obtain the relevant documentation pertaining to such applications/proposals, including the prescribed forms.
 - 5.1.4. Advertisements should also clearly reflect the Municipality's right not to make an award, as well as the fact that awards will not be made to organisations that have received funds in the previous year but have not submitted a final report on the projects or previous expenditure.
 - 5.1.5. The advertisement should also clearly state that final approval is reliant on the approval of the budget and that **no late submissions will be considered.**
- 5.2. Only applications made on the prescribed form, being **Appendix A**, may be considered.
- 5.3. Funds may not be transferred to any organisation or body that has not submitted a proposal in response to a public advertisement and after the attendance of a compulsory briefing session and that have not signed a Memorandum of Agreement with the Municipality.

6. GENERAL GUIDELINES AND CATEGORIES

6.1. General Guidelines

Funding of applications shall proceed on the basis listed below in response to an advertisement issued after the expiry of the relevant period associated with the specific category and after a compulsory workshop explaining the policy, application process and the required documentation has been attended by the applicants. Subject to the MOA provided for in clause 10, all funding is unrequited, provided there is compliance with said MOA. Funding of application in –

- 6.1.1. Category A will be considered on an annual basis ; and

- 6.1.2. Category B shall be considered on a three year basis subject to a monthly review at the discretion of the Municipality which may result in early termination for unsatisfactory and reckless expenditure.
- 6.1.3. Council in 6.1.1 and 6.1.2 reserve the right not to fund an organisation for two periods in succession and to cancel said funding in accordance with the MOA concluded.
- 6.1.4. Funding applications however will not be considered in the following instances:
- (i) Where a project or organisation is already receiving funds from Council in terms of Council's functions. Applicants are required to disclose other sources of funding;
 - (ii) Where in Council's opinion, an organisation receives sufficient funds from other sources to sustain its activities or the project applied for. For this purpose, organisations must submit financial statements and a budget for the ensuing financial year;
 - (iii) Where only an individual will benefit;
 - (iv) For political or ratepayers organisations/groupings;
 - (v) Projects outside the boundaries of the Municipality;
 - (vi) Where expenses have already been incurred,
 - (vii) Where an applicant did not attend the compulsory clarification session as advertised, and
 - (viii) Where applications were received after the due date and time for submissions.
- 6.1.5. Funding of projects and to organisations shall exclude travel costs, subsistence, accommodation, food or entertainment expenses of any kind, staff salaries, bursaries, payments in lieu of rates or other municipal charges except for where the transport and nutrition is intended for beneficiaries/participants in the projects in question. The Municipality may also exercise their discretion to allow funding to extend to the above costs on a needs basis for the organisation or body clearly motivated for in the application.
- 6.1.6. Subsequent requests from applicants to cover overspending on projects will not be considered.

6.2. Categories Eligible for Grant-in-Aid

The following categories currently apply. Cognisance should be taken that these categories are not exhaustive. Other than the general guidelines and conditions set out above, categories now indicated may require specific criteria applicable to its projects/programmes:

Category A

6.2.1. **Health**

Projects/programmes include the following but are not limited to:

- (i) Public Health interventions inclusive of TB, STDs and HIV/Aids;

- (ii) Preventable lifestyle diseases e.g. drug/alcohol abuse, tobacco related illnesses; and
- (iii) Promotive and preventative services to infants, children and women.

6.2.2. **Environment**

Purpose: To stimulate the development of sustainable leisure, aesthetic and environmental projects within the municipal area; to increase the awareness of the environment by promoting “Greening of the City”; to promote swimming skills and water safety.

Projects/programmes include the following but are not limited to:

- (i) Voluntary rescue organisations;
- (ii) Lifesaving clubs and swimming organisations;
- (iii) Environmental groups/organisations; and
- (iv) Organisations promoting community involvement as a means of sustaining leisure, aesthetic or environmental projects.
- (v) Projects which further the Council’s aims and the strategies of SEMF (Strategic Environmental Management Framework) and including but not limited to the sustainable management of:
 - Riverine corridors;
 - Biodiversity;
 - Natural and built environment;
 - Heritage resources;
 - Quality urban spaces;
 - Ecological conservation areas;
 - Urban agricultural complexes;
 - Bioregional planning;
 - Nature area management;
 - Wetlands;
 - Local Agenda 21 projects

6.2.3. **Solid Waste (Cleansing)**

Purpose: Waste Reduction and awareness.

Projects/programmes include the following but are not limited to:

- (i) Waste reduction and awareness;
- (ii) Educational programmes/projects addressing litter and waste handling; and
- (iii) Waste minimisation solutions.

6.2.4. **Social Development**

Purpose: The promotion of projects/programmes which stimulates the Stellenbosch Municipality’s Integrated Development Plan (IDP) focusing especially on the needs of the most marginalised sectors in the greater Stellenbosch as identified in the ward priorities.

Projects/programmes include the following but are not limited to:

- (i) Poverty alleviation;
- (ii) Urban renewal;
- (iii) Capacity building of communities;

- (iv) Youth development;
- (v) Women and gender development;
- (vi) Early childhood development;
- (vii) Street people programmes;
- (viii) Arts and culture programmes
- (ix) Facilitation of public participation processes; arts and culture programmes
- (x) Development of disabled persons, and
- (xi) Development of elderly people

6.2.5. **Sports and Recreation**

Purpose: To stimulate the development of sustainable Sport and Recreation infrastructure and programmes within the municipal area especially targeting disadvantaged communities; encourage creativity and self-reliance on the part of grassroots sport and recreation bodies or groups; to increase participation in sport and recreation programmes and activities.

Projects/programmes include the following but are not limited to:

- (i) Local sport and recreation clubs;
- (ii) School sport teams
- (iii) Local sport and recreation councils or associations
- (iv) Informal sport and recreation groups; and
- (v) Community and non-government organisations.

Category B

6.2.6. **Night Shelters**

Purpose: Provision of shelter for vulnerable individuals living on the street, without homes, in the need of shelter at night. Shelter is provided on a temporary basis and residency should not be provided for on a permanent basis. The Municipality aims to reduce the number of people living on the streets of Stellenbosch and as such the organisation or body's goals should align with this vision. Further the Municipality aims to reduce the socio-economic effects of poverty on the community of Stellenbosch. The organisation or body must therefore present to Council a clear business plan with a comprehensive response to the prevention, reduction, outreach and stabilisation of street people. Organisations or bodies that provide a continuum of services and that collaborate with businesses, government departments and other organisations are preferred. Street people programmes listed in Category A shall fall under this category if provision is made for overnight stay.

Projects/programmes must include the following but are not limited to:

- (i) Provision of basic services (overnight facility, shower, morning and evening meals
- (ii) Provision of social work services inclusive of referrals

- (iii) Family re-integration services
- (iv) Social support
- (v) Community work programme
- (vi) Facility maintenance (Infrastructure and operational equipment)

6.2.7. Projects aligned to the strategic objectives of the municipality as described in the IDP

Purpose: The promotion of projects/programmes which stimulates the Stellenbosch Municipality's Integrated Development Plan (IDP) focusing on the strategic objectives of the Municipality and identified ward priorities. The organisation must therefore present to Council not only a clear business plan detailing how they intend to address the specific issue but how they intend to partner with other organisations to achieve a unified approach to that particular challenge. Organisations or bodies that provide a continuum of services and that collaborate with businesses, government departments and other organisations are preferred.

Projects/programmes include the following strategic objectives but are not limited to:

Those listed in Category A that address specific ward priorities identified and specified in the IDP and upon proper motivation contained in a potential plan to address said issue.

- (i) Valley of Possibility
- (ii) Green and Sustainable Valley
- (iii) Dignified Living
- (iv) Safe Valley
- (v) Good Governance and Compliance

7. APPLICATION PROCEDURE

Applications and proposal for Grant-in-Aid must be on the prescribed form stated in 5.2 above, a copy of which is attached hereto as **Annexure A for Category A and B**. Applications must be accompanied by a covering letter on the letterhead of the organisation or body, signed by the head of the organisation or body and must include the following information. Should an applicant wish to submit a Category B application, but would want to be considered for a Category A application in the event that the Category B application is declined, this must be clearly stated in the covering letter and supporting documents **MUST** be submitted for both types of applications:

- 7.1. The applicant's legal name and a brief description of the applicant organisation's or body's business;
- 7.2. if the applicant claims to be a non-profit organisation, the registration number and the certificate;
- 7.3. the date of establishment, details of the applicant's member founding documents, including constitution and certificates of incorporation;

- 7.4. a contact name, full street address, telephone number and an e-mail address;
- 7.5. if funding is required for a specific project, a brief description of the project what it aims to achieve, as well as the detailed budget for and duration of the project;
- 7.6. a description on how the project aligns with the needs identified in the community through the IDP process and which ward priorities will be addressed through the project;
- 7.7. if the request is for general support, the organisation's or body's overall budget must be included;
- 7.8. references, independent of the applicant and its executive;
- 7.9. most recent audited financial statements (subject to MFMA, section 67(4)) statements; or at least statements signed off by the treasurer and chairperson of the organization in the case of small emerging organizations;
- 7.10. a summary of past achievements;
- 7.11. a declaration by the head of the organization to the satisfaction of the Municipal Manager, that the organisation or body implements effective, efficient and transparent financial management and internal control mechanisms to guard against fraud, theft and financial mismanagement and has in the past complied with requirements for similar transfers of funds; and
- 7.12. notwithstanding the above requirements, the CFO after considering the merits of an application not complying with the minimum application criteria and after consulting the Municipal Manager, may for the purpose of this policy approve a deviation from the norm;
- 7.13. Applications for Category B **must** include a schedule of annual costs for a three year period, business plan and audited financial statements.

8. OBLIGATIONS OF THE APPLICANT

- 8.1. The head of the organisation or body must acknowledge in writing to the Municipal Manager that the money was received in its bank account and that the amount is/will be utilised to the benefit and in accordance with the role of the organisation or body in society. The funds should be used as outlined in the application form.
- 8.2. The organisation or body shall regularly report, if and when required but at least once a year, to the Municipal Manager regarding the activities conducted, the ward within which activities are conducted, as well as the number of people benefiting from the activities.

- 8.3. If funding is required for a specific project, a brief description of the project and what it aims to achieve, as well as the detailed budget for and duration of the project.
- 8.4. The applicant must attend a compulsory workshop on the Grant-in-Aid policy and application procedure prior to submission of the application.
- 8.5. If successful with the application, the applicant must spend funds according to the approved Grant-in-Aid funding request. Should the need change over the funding period, written consent needs to be obtained from the municipality prior to spending the funds on alternative needs. Failure to spend funding on approved projects can result in the applicant being required to return the funding and/or the applicant being excluded from future applications for a period of 5 years.

9. RIGHTS OF THE MUNICIPALITY

- 9.1. The Municipality shall be entitled, from time-to-time, to verify and inspect the existence and activities of the organisation or body. The municipality will therefore have the right to physically visit the premises where the organisation, or the funded project, is based; to peruse the budgets and any progress reports related to the project (in contract).
- 9.2. The Municipality shall manage contracts entered into with organisations or bodies by receiving reports and doing the necessary site visits and inspections to ensure that this policy and contract are being complied with.
- 9.3. The Municipality has the right not to give a Grant-in-Aid to any or all organisations applying for grants. Having been awarded a grant previously does not give an applicant the right to receive a grant again.
- 9.4. The Municipality will run proposed donations through a public participation process before final awards are made.

10. AGREEMENT

Before any funds are transferred to an organisation an agreement (**Annexure B**) must be concluded by the Municipal Manager with the beneficiary to protect the interest of the Municipality.

11. DEVIATION

This policy constitutes the entire framework for Grant-in-Aid and no deviation will be entertained.

12. COMMENCEMENT

This Policy takes effect on the date on which it is adopted by the Council of Stellenbosch Municipality.

**APPLICATION FOR GRANT-IN-AID: 2022/23****NOTE: ATTENDANCE OF THE GRANT-IN-AID WORKSHOP IS COMPULSORY**

PLEASE COMPLETE THE FOLLOWING					
A	REGISTERED NAME OF ORGANISATION				
B	DATE AND YEAR IN WHICH THE ORGANISATION WAS FOUNDED: (include a brief description of the business or activities of the organization)				
C	ADDRESS OF REGISTERED ORGANISATION				
	PHYSICAL ADDRESS			POSTAL ADDRESS	
	CODE:		CODE:		
D	CONTACT DETAILS (Details of the person to contact regarding this GIA application)				
	NAME & SURNAME:				
	POSITION:				
	TEL:	()		FAX:	()
	MOBILE:			ALTERNATIVE:	
	EMAIL ADDRESS:				

E REGISTRATION:				
Is the organization a NP/NG Organisation?		YES		NO
If YES, please provide the Registration Number: (Attach a copy of the registration certificate or proof of other affiliation where applicable)				
F BOARD/COMMITTEE MEMBERS OF THE ORGANISATION:				
(List ALL Board/Committee Members of the Organisation) Insert a separate page if the space is not enough).				
1	NAME & SURNAME:			
	POSITION:			
	ADDRESS:			
	CONTACT NUMBER:			
2	NAME & SURNAME:			
	POSITION:			
	ADDRESS:			
	CONTACT NUMBER:			
3	NAME & SURNAME:			
	POSITION:			
	ADDRESS:			
	CONTACT NUMBER:			
4	NAME & SURNAME:			
	POSITION:			
	ADDRESS:			
	CONTACT NUMBER:			

5	NAME & SURNAME:		
	POSITION:		
	ADDRESS:		
	CONTACT NUMBER:		
6	NAME & SURNAME:		
	POSITION:		
	ADDRESS:		
	CONTACT NUMBER:		
7	NAME & SURNAME:		
	POSITION:		
	ADDRESS:		
	CONTACT NUMBER:		
8	NAME & SURNAME:		
	POSITION:		
	ADDRESS:		
	CONTACT NUMBER:		
9	NAME & SURNAME:		
	POSITION:		
	ADDRESS:		
	CONTACT NUMBER:		

10	NAME & SURNAME:						
	POSITION:						
	ADDRESS:						
	CONTACT NUMBER:						
G PREVIOUS FUNDING:							
	Have you successfully applied and received Stellenbosch Municipal Grant-In-Aid funding previously?						
	If yes for which financial year?						
	What amount was received?						
	Did you submit Financial Reports for the funds received?						
	Do you receive any other sources of funding? (If YES please provide details)						
H CATEGORY A: For more information refer to the Grant-In-Aid Policy for general guidelines and categories (Please categorize your application by marking the appropriate category with X)							
	HEALTH						
	ENVIRONMENT						
	SOLID WASTE						
	SOCIAL DEVELOPMENT						
	SPORTS & RECREATION						
	CATEGORY B: For more information refer to the Grant-In-Aid Policy for general guidelines and categories (Please categorize your application by marking the appropriate category with X)						
	NIGHT SHELTER						
	OTHER (Please specify)						
I REQUEST FOR FUNDING:							
	Is funding required for the ensuing year?			YES		NO	
	Is funding required for a specific project? (If YES attach details separately)			YES		NO	
	Is funding required for general support? (If YES, attach a copy of the Organisation's Overall Budget)			YES		NO	
	Budgeted amount requested						
	Duration of project?						

If Category B Application						
Total amount requested for 3 year period						
Annual amounts requested:	Year 1		Year 2		Year 3	
J	SERVICE FOCUS					
	Ward number/s in which services are delivered:					
	Which Ward Priority/ies are addressed through the service: (Please provide details below)					
	Which Municipal Strategic Goal/s is linked to the services: (Please mark with a X)					
	Valley of Possibility					
	Safe Valley					
	Dignified Living					
	Good Governance and Compliance					
	Green and Sustainable Valley					
K	THE FOLLOWING MUST BE ATTACHED TO THIS APPLICATION: (Category A and B applications) (Please use this form as a check-list, to ensure that you comply to the specified requirements)					
1	AUDITED FINANCIAL STATEMENTS (A copy of the latest audited financial statements. Should the organization be classified as an emerging organization, the financial statements MUST be dated and signed by the Treasurer and Chairperson and MUST include a monthly income and expense statement for the months that the organization has been in existence or for the last 12 months)					
2	ORGANISATIONAL CONSTITUTION (A signed and dated copy of the Organisation's Constitution, as well as a signed copy of the Minutes of the AGM/Special Meeting , to verify the acceptance of the Constitution.)					
3	PROJECT PROGRAMME/BUSINESS PLAN (A copy of the project/program description and/or a business plan for the ensuing financial year. Please ensure that the following is included in the project/program and or business plan, by using the below mentioned bullet points as a guide).					
	❖ Full details of the proposal/project/business plan including objectives;					
	❖ The number of people who will benefit and how the project/program will contribute or enhance the strategic objectives of Stellenbosch Municipality;					
	❖ The project/program commencement and completion dates;					
	❖ Information on the total costs of the project/program budget;					
	❖ A breakdown of costs and an outline of any contributions by fundraising and / or own contributions;					
	❖ A list of all other sources of funding together with the assessments;					
	❖ A summary of past achievements;					
4	❖ Reference independent of the applicant and its executive/board or committee members.					
5	SIGNED AND STAMPED CREDITOR CONTROL FORM (An original signed copy of a correctly completed Creditors Control form of the Stellenbosch Municipality)					
6	ACCOUNT ON EXPENDITURE FOR PRECEDING FUNDING (If you have received funding from Stellenbosch Municipality in the preceding financial year, expenditure of the funds received needs to be accounted for with this new application). Please refer to Section M for the format.					
7	PROOF OF REGISTRATION/AFFILIATION (Attach a copy of the organisation's Registration Certificate of Affiliation)					

L REQUIREMENTS CATEGORY B APPLICATIONS (Please note that Category B applications MUST adhere to the following requirements and those listed under section K, except where indicated otherwise.)		
1	AUDITED FINANCIAL STATEMENTS A copy of the latest audited financial statements must be included in the application. Category B applications MUST submit their latest audited financial statements. Statements signed off by the treasurer, chairperson or other delegated party will not be accepted.	
2	THREE YEAR BUSINESS PLAN See the requirements for the business plan as listed under section K as guideline. NOTE: Category B applications MUST provide a clear proposal for a period of three years. Each year must be indicated separately and be costed per annum indicating all expenditure against the projected measurable outcomes. Outcomes must be listed to how they will be reported on and measured on a monthly basis.	
M FORMAT FOR FEEDBACK REPORT (Please ensure that your feedback of previous funding received, includes the following)		
1	Narrative report on the project including numbers reached, outcomes reached, evaluation of the project indicating successes and failures/lessons learned.	
2	Pictures of the project/program.	
3	Financial report on expenditure regarding previous donation separate from the annual financial statements. (Attach proof of expenditure).	
N THE FOLLOWING SHALL APPLY:		
1	The allocation of Grant-In-Aid will only be considered if the application document has been fully completed and signed and is accompanied by the required and supporting documentation referred to therein.	
2	An applicant who has been registered as a non-profit organization in terms of Section 13 of the Non-Profit Organisation Act, 1997, and the necessary proof thereof is submitted together with this application.	
3	Applicants must in their submission clearly indicate/specify and motivate what the funds will be utilized for.	
4	The Grant-In-Aid must be exclusively utilized for the purpose defined and the successful applicant must submit the necessary undertaking to this effect.	
5	Applicants must in their submission satisfy the Council of their ability to execute the project successfully.	
6	Organisations who have already received financial or other assistance from the Council during the previous financial year MUST specify same in their application.	
7	No funding will be considered for political groupings, churches or ratepayers organisations.	
8	No funding will be considered where only an individual will benefit or where a member of Council or an official of Stellenbosch Municipality will receive any financial or other gain.	
9	Projects outside the boundaries of the Council will not be considered.	
10	Expenditure that will not be funded includes: travel costs (unless it is for the transport of beneficiaries), subsistence, accommodation, food (unless intended for the beneficiaries) or entertainment expenses of any kind, staff salaries including bonuses, bursaries and payments in lieu of rates or other municipal charges.	
11	Subsequent requests from the applicants to cover overspending on projects will not be considered.	
12	Successful applicants must at all times comply with the provisions of Section 67(1) of the Municipal Finance management Act no. 56 of 2003 which inter alia stipulates that the organization or body has to:-	
	❖ Enter into and comply with a Memorandum of Agreement with the Municipality as well as with all reporting financial management and auditing requirements as may be contained in such an agreement. This memorandum of agreement will bind the successful applicant to deliver on what the application speaks to, but also to commit to become involved with municipal programs of the community where it functions. The Memorandum of Agreement will be made available to successful applicants for completion.	
	❖ Report monthly on the actual expenditure of the amount allocated to it. Should monthly allocations be made.	
13	The Council reserves the right not to give a Grant-In-Aid to any organization applying for grants. Having been awarded a grant previously does not give an applicant the right to receive a grant again.	
14	Funding will not be considered where a project or organization is already receiving funds from Council in terms of Council's functions. Applicants are required to disclose other sources of funding, failing which such applicant will be disqualified.	
15	Funding will not be considered where in Council's opinion, an organization received sufficient funds from other sources to sustain its activities or the project applied for. For this purpose, organisations must submit financial statements and budget for the ensuing financial year.	
16	Organisations having received funding from Stellenbosch Municipality during the previous financial year, are required to attach to any new application, a copy of the financial statements relating to the year in which the funding was received from Council, as required in terms of Section 17 of the Non-profit Organisation Act, 1997 and Section 67(1) of the Municipal Finance Management Act, 2003 (MFMA).	
17	Funding will not be considered where expenses have already been incurred on a project by the applicant. (The Council's Grant-In-Aid Policy must be consulted for the sake of completeness).	

O DECLARATION OF INTEREST:

The beneficiary declares that the following municipal employees and/or councillors have a vested interest in the business of the beneficiary. However, they do not benefit directly from this donation and were not part of the decision making process in the allocation of the donations:

Name & Surname:

Designation:

Name & Surname:

Designation:

P UNDERTAKING:

I/We hereby verify that the information provided in this application is true and correct and that the conditions applicable to the allocation of a Grant-in-Aid as set out above and in the GIA Policy have been read and is understood and will be complied with.

I/We also declare that the organization implements effective, efficient and transparent financial management and internal control mechanisms to guard against fraud, theft and financial mismanagement and has in the past complied with requirements for similar transfer(s) of funds.

Thus completed and signed at Stellenbosch on this day of _____
20 .

Chairperson/Authorised Representative

Secretary/Duly Authorised Signatory

PLEASE TAKE NOTE:

(Completed application forms, together with all the required supporting documentation must be posted to):

The Director: Planning & Economic Development
P O Box 17
Stellenbosch
7599

Or hand delivered to:

The Manager: Community Development
58 Andringa Street
Stellenbosch
7600

The submission of applications closes at 13H00 on the closing date as per the advertisement.

PLEASE NOTE: Neither LATE nor INCOMPLETE applications shall be considered.



STELLENBOSCH

STELLEN BOSCH • PN I E L • FR ANSC HHOE K

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

MEMORANDUM OF AGREEMENT

Entered into and between

STELLENBOSCH MUNICIPALITY

(hereafter called the "**MUNICIPALITY**")

Herein represented by **Geraldine Mettler**, in her capacity as **Municipal Manager**, being duly authorised

and

(hereafter called the "**BENEFICIARY**")

Herein represented by _____ in his/her capacity as _____,
being duly authorised.

WHEREAS Section 67(1) of the Local Government: Municipal Finance Management Act, Act 56 of 2003 (MFMA) oblige the Accounting Officer of a **MUNICIPALITY** to satisfy himself that, before transferring funds of the **MUNICIPALITY** to an organisation or body outside any sphere of government otherwise than in compliance with a commercial or other business transaction, that such organisation or body:-

- (a) has the capacity and has agreed-
 - (i) to comply with any agreement with the **MUNICIPALITY**;
 - (ii) for the period of the agreement to comply with all reporting, financial management and auditing requirements as may be stipulated in the agreement;
 - (iii) to report at least monthly to the Accounting Officer on actual expenditure against such transfer (should transfers be done on a monthly basis); and

- (b) implements effective, efficient and transparent financial management and internal control systems to guard against fraud, theft and financial mismanagement; and
- (c) has in respect of previous similar transfers complied with all the requirements as set out above; and
- (d) give permission to site visits done by the **MUNICIPALITY**.

WHEREAS the **MUNICIPALITY** has approved a Grants-in-Aid Policy, in terms whereof applications are considered;

WHEREAS the **BENEFICIARY** has applied for a grant-in-aid as per the official grant-in-aid application form; and

WHEREAS the **MUNICIPALITY** has approved such application, subject to certain conditions;

NOW THEREFORE THE PARTIES AGREE AS FOLLOWS:

1. TRANSFER OF FUNDS

1.1 The **MUNICIPALITY** hereby undertakes to transfer an all-inclusive amount of

R..... (.....), being a donation for the period **01 July 20...** to **30 June 20...** to the **BENEFICIARY**.

1.2 Bank Account details: (The following are confirmed through a correctly completed Creditors Control Form.)

Account number	:	_____
Name of financial institution	:	_____
Name of account holder	:	_____
Branch code	:	_____
Type of account	:	_____

1.3 The all-inclusive amount will be transferred in equal amounts on the following dates (if applicable):

2. OBLIGATIONS OF BENEFICIARY

- 2.1 The **BENEFICIARY** must acknowledge in writing to the Municipal Manager that the amount(s) was(were) received in its bank account.
- 2.2 The **BENEFICIARY** hereby certifies that the money will be utilised in accordance with the role of the organisation or society, to the benefit of the community and in accordance with the project(s) / programme(s) as indicated in the application form.
- 2.3 The **BENEFICIARY** undertakes to regularly report on a monthly basis to the Municipal Manager regarding the activities conducted, actual expenditure against such transferred funds, as well as the number of people benefiting from the activities should monthly payments be made. If not, an annual report on the expenditure will be provided.
- 2.4 The **BENEFICIARY** further undertakes to submit an audited financial statement for its financial year to the Municipal Manager by not later than **30 April 20...**

3. SPECIFIC CONDITIONS

- 3.1 The parties specifically agree on the following:

That the organization will commit to active involvement in any programme run by the municipality in the area of operation of the organization when such a programme is active in the community.

Other conditions:

4. DECLARATION OF INTEREST

The beneficiary declares that the following municipal employees and/or councillors have a vested interest in the business of the beneficiary. However, they do not benefit directly from this donation and were not part of the decision making process in the allocation of the donations: (Name and designation)

5. ACQUISITION OF ASSETS

- 5.1 Should the **BENEFICIARY** wish to acquire any moveable or immovable assets with the money donated in terms of this Agreement, the **BENEFICIARY** hereby undertakes to:-
- 5.1.1 adhere to the principles as per the **MUNICIPALITY'S** Supply Chain Management Policy, and
- 5.1.2 take all reasonable steps to ensure that such assets are maintained and that a system of internal control of such assets is in place.

6. RIGHTS OF THE MUNICIPALITY

- 6.1 The **MUNICIPALITY** shall be entitled, from time to time, to verify the existence and to inspect the activities of the **BENEFICIARY**, having regards for its right to privacy as entrenched in terms of the Constitution of the Republic of South Africa..
- 6.2 The **MUNICIPALITY** shall further be entitled to peruse the budgets and any progress reports related to the project / programme as per this Agreement.

7. FAILURE TO COMPLY

- 7.1 Failure by the **BENEFICIARY** to comply with the obligations as set out in Clause 2 of this Agreement, may lead to the cancellation of this Agreement, in which case the **MUNICIPALITY** may demand that the organisation pays back any unspent funds as per this Agreement. The **MUNICIPALITY** may even, depending on the circumstances leading to the non-compliance by the **BENEFICIARY**, demand that the organisation pays back the full amount paid to the **BENEFICIARY**.

8. INDEMNIFICATION

- 8.1 The **BENEFICIARY** hereby acknowledges that it receives the grant voluntarily and that it shall keep the **MUNICIPALITY** indemnified at all times against any loss, cost, damage, injury or liability suffered by the **MUNICIPALITY** resulting from any action, proceeding or claim made by any person (including themselves) against the **MUNICIPALITY** caused directly or indirectly by the use/spending of the grant.

9. DISPUTE RESOLUTION

- 9.1 Any dispute arising from this Agreement shall be mediated between the Parties by a mutually agreed upon and suitably skilled mediator. Should the mediator be unsuccessful and the Parties fail to reach agreement, the dispute may be referred by the aggrieved Party to the arbitration of a single arbitrator, to be agreed upon between the Parties, or failing agreement, to be nominated on the application of any Party, by the President for the time being of the South African Association of Arbitrators. The decision of the single arbitrator shall be final and binding on the Parties.

10. NOTICES AND DOMICILIA

- 10.1 The parties choose as their *domicilia citandi et executandi* their respective addresses as set out in this clause for all purposes arising out of or in connection with the agreement at which addresses all processes and notices arising out of or in connection with this Agreement, its breach or termination, may validly be served upon or delivered to the Parties.

- 10.2 For purposes of this Agreement the Parties' respective addresses shall be:

10.2.1 The **MUNICIPALITY:**

Town House
Plein Street
Stellenbosch
7600
Fax: 021 – 808 8025

10.2.2 The **BENEFICIARY:**

or at such other address of which the Party concerned may notify the other(s) in writing provided that no street address mentioned in this sub-clause shall be changed to a post office box or poste restante.

10.3 Any notice given in terms of this Agreement shall be in writing and shall-

10.3.1 if delivered by hand be deemed to have been duly received by the addressee on the date of delivery;

10.3.2 if posted by prepaid registered post be deemed to have been received by the addressee on the 8th (eighth) day following the date of such posting;

10.3.3 if transmitted by facsimile be deemed to have been received by the addressee on the day following the date of dispatch;

10.4 Notwithstanding anything to the contrary contained or implied in this Agreement, a written notice or communication actually received by one of the Parties from another, including by way of facsimile transmission, shall be adequate written notice or communication to such party.

11. ENTIRE AGREEMENT

This Agreement, including the **Grant-in-Aid policy and application form**, reflects the entire Agreement between the Parties and no variation, amendment or addendum shall be of any force and effect between the Parties unless contained in writing, signed and agreed on by both Parties.

Signed at Stellenbosch on this _____ day of _____ 20....

.....

for the **MUNICIPALITY**

WITNESS: 1.

2.

Signed at Stellenbosch on this _____ day of _____ 20....

.....

for the **BENEFICIARY**

WITNESS: 1.

2.

ANNEXURE 5



Ubuntu Hiking
Stellenbosch
7600

www.uhike.co.za
info@uhike.co.za

Register No: NPO 151-479

12 December 2022

Municipality Stellenbosch
Grants Committee

To Whom It May Concern:

Grand In Aid Feedback Report – Ref : Council 23-11-2022/13.3

We thank you for your correspondence on 7-12-2022 with regards to the Feedback Report and 5-year blacklisting penalty re Paragraph 6.15 "Funding" and Section 8.5, extracted from the Grand-in-Aid Policy.

Ubuntu Hiking would like to give a detailed explanation and reason why this specific payment was made with the Grand-in-Aid Funding.

The payment slip which are referred to, was on 19/08/21 for a Board Meeting that was held at Bossa Restaurant (*beneficiaries of Ubuntu Hiking*). The reason for this expense, on the feedback report was because this was approved on our budget application when we applied for Grand-in-Aid Funding (*Please see Page 1, Line 4 (Volunteer & Board Meetings, R2000, Materials, Refreshments & Transport)*). We do understand now, that this expense was supposed to be from Ubuntu Hiking's Private Account or the Board's own expense and not the Grand-in Aid Funding.

The reason the Board decided to have the meeting at Bossa Restaurant (first time ever), was because it was the first time after the hard lockdown that we could meet in person after a very long, hard and challenging time.

Over the past years when applying for funding, our financials and feedback reports were 100 % accurate, neat and detailed. Funding is spent exactly for the purpose stated in Ubuntu Hiking's mission and vision statements and that is to make a difference in our communities, especially our youth who benefits most. All funding that was granted over the years, was allocated precisely as indicated on our applications and feedback reports.

We humbly apologise for this expense of R1481 for this Board Meeting and our misunderstanding of the budget as well. Blacklisting our organisation with a 5-year penalty would have a huge impact on the youth, communities, our passionate volunteers and ESPECIALLY our annual awareness hikes re Gender Base Violence-, Mother Daughter-, Cancer Awareness-, Anti-Bulling-, Father Son-, Manne Hike- Women's Day-, Schools and Churches Hikes, etc.

Ubuntu Hiking humbly requests and plea that Grants Committee reconsider our application and 5 years suspension for Grand in Aid 2023/2024, based on the following reasons (summary below):

- To our knowledge the expense was already approved in the budget we applied for and slip was attached as proof on our feedback report.
- All previous feedback reports with detailed slips and explanations were always accurate and never misused.
- We are willing to pay back the **R1481.00** that was used for the Board meeting (Meals & Refreshments) or the amount can be subtracted from our next successful application.

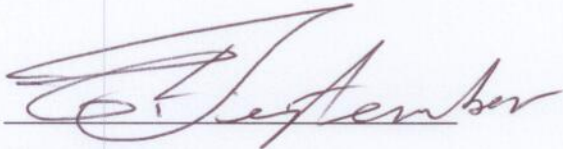
Ubuntu Hiking does great and inspiring work in the disadvantaged and the broader Stellenbosch Communities. We fully understand and respect the Grand-in-Aid Policy and are now better informed with regards to the rules and obligations.

Kindly have a look at our past hikes on our website (www.uhike.co.za) or our Facebook (Ubuntu Hiking). We trust for a positive outcome with regards to the honest reasons provided above.

Thank you in advance.

Ubuntu Greetings

Regards

A handwritten signature in dark ink, appearing to read 'Clint September', written in a cursive style.

Clint September
Co-Ordinator
Ubuntu Hiking
Cell: 0849420090
Cell: 0823366927



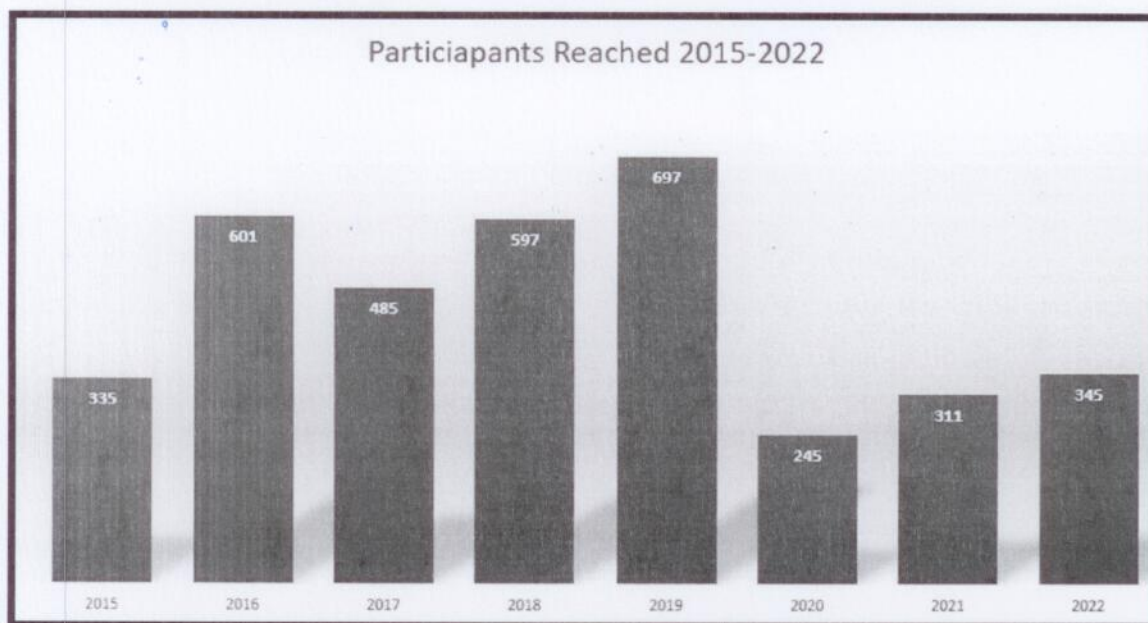
Ubuntu Hiking 2021/2022 Budget Summary

Summary		Purpose
Office Stationary/Equipment	R2 500	Small AIO Office Printer, Ink Cartridges, printing paper, staplers, Files ect.
First Aid Kit & Snake Bite Kit	R1 500	For our youth & Community Day & Overnight Hikes
Emergengy Backup Fund	R2 000	In Case of Any Emergency/Medical Treatment for any Participant/Volunteer Leader who do not have Medical Aid and needs urgent doctors Attention.
Volunteer & Board Meetings	R2 000	Materials, Refreshments & Transport
Web & Email Hosting	R2 000	Communication, Media and Advertisement of Programme
Volunteer Leaders Outdoor Kit	R4 000	Correct Outdoor Kit, (T-Shirts, Caps, Rain Jackets, Pants & UV400 sun glasses)
Coleman 50L Cooler Box	R1 650	Keeping Refresments Cold for Day & Overnight Youth hikes, Community Funwalks and Day hike Events
6th Annual Mother & Daughter Hike	R2 000	Transport, Youth Goodie Bags, Gate Fee, Refreshments
67 Minuts for Mandela Day Event	R800	Purchases for Food Parchels. (Stellenbosch Night Shelter)
3rd Annual Father & Son Hike	R2 000	Gate Fee, Transport, Refreshments, Banners
20000mAh Power Bank	R700	For emergency Charge/backup of Rechargeable 2 Way Radio's, Head Lights and Hike Leaders Cell Phone.
Safety Hiking Equipment	R2 500	Ropes, Slings, Carabiners, for use on Technical Trails
Volunteer Leaders Training Excursions	R 2 500	Gate Fees/Permit, Transport, food & refreshments, Exploring new Routes
600 Youth participants for Environmental Educational Day & Overnight Hikes in 2021/2022 for Stellenbosch & Ward 21 Communities	R18 000	Gate Fee Permits, Transport hire, materials , foods, refreshments, overnight accomodation
Total	R44 150	

Programme Co-Ordinator:

Clint September

PARTICIPANTS REACHED 2015-2022



OUTCOMES 2021/2022

Ubuntu hiking has reached more that 70% (youth) and 30% (Adults) for 2021/2022 Grand in Aid Funding from the Jamestown and Stellenbosch surroundings communities.

LOW LIGHTS

- We have a decrease in our community and youth guided hikes since 2019 due to Covid-19 Lockdowns but some increase of participants for 2021/2022
- Cost of transport fee is increasing because of Petrol increase
- Lockdown levels still restrict Nature reserve accommodations and permits.

HIGH LIGHTS

- 15 Volunteers attend Rope & Steep Ground Training
- Volunteer Compass & Mapping Skills, Mountain training was done during this time. (2021/2022)
- Ubuntu Hiking working together with other NPO (Jamestown Golf Club & Weber Gedenk Primary School to raise funds for school project through hiking..
- Rescue Members mastering rescue equipment and other training events.
- More Environmental education was done on our Youth Hikes.
- Great Feedback throughout our social Media and Facebook page.
-

LESSONS LEARNED

- We have to make provision for more family hikes after lockdown levels (beginners).
- More school & overnight hikes must be implemented.
- Best to make use of Nature reserves who don't ask permit fees for youth groups.

ANNEXURE 6



FRANSCHHOEK RUGBY CLUB

(est. 2003)

gc@macglobal.co.za

12 January 2023

Ms Michelle Aalbers
Manager – Community Development : Stellenbosch Municipality
Per Email

Dear Ms Aalbers

RE: USAGE OF GRANT FUNDING BY FRANSCHHOEK RUGBY CLUB

Pursuant to your letter dated 7 December 2022, please find attached hereto the Financial Statements for Franschhoek Rugby Club, financial records, and correspondence from Tax Shop Franschhoek explaining its role, as requested.

We are compelled to raise the matter of the article about Franschhoek Rugby Club that appeared in the January edition of the Franschhoek Tatler newspaper, and the impact it has already had on the club and its finances.

The article claimed – erroneously and prematurely – that the club had already been blacklisted from receiving Grant-in-Aid funding from Stellenbosch Municipality for five years. Although a correction has been posted on the newspaper's website, this statement has already compromised the club significantly – resulting in a loss of support from existing and prospective sponsors. As you may be aware, the club serves a largely impoverished community and faces ongoing financial challenges. It has been materially damaged operationally, and prejudiced reputationally, by this inaccurate statement about its affairs.

Under the circumstances, the club humbly requests a measure of latitude and leniency in this matter – specifically that any decision that might further compromise the club be deferred, and the opportunity afforded to reflect a clean audit of the club's financials for the next financial year.

We acknowledge that the use of funds under review amounts to an indiscretion, but note that such use was neither malicious nor unlawful – but rather was made to benefit club members during a very difficult period. We are advised that we have sufficient reasonable basis to challenge a blacklisting, but we prefer to avoid any suggestion of legal proceedings if at all possible. Our focus is on the club, its members, and its fans in the community – and we wish only to resolve this matter amicably, and continue to serve that community.

We thank you, and look forward to your favourable response.

Yours Sincerely

George Collins
Chairman

Club Administrator: Emile Krotz (083 580 0097)

President: Archie Johnson (082 512 8956) - Chairman: George Collins 072 863 6226
Secretary: She-Earl Jacobs (0735402404) - Treasurer: Leandre Davids 0839512159
Scrum it Administrator: Abraham Gertse (074 562 3788)

Affiliated with Western Province Rugby Football Union (WPRFU)



ANNEXURE 7

MEMORANDUM OF AGREEMENT

Entered into and between

STELLENBOSCH MUNICIPALITY

(Hereafter called the "**MUNICIPALITY**")

Herein represented by **G Mettler**, in her capacity as **Municipal Manager**, being duly authorised

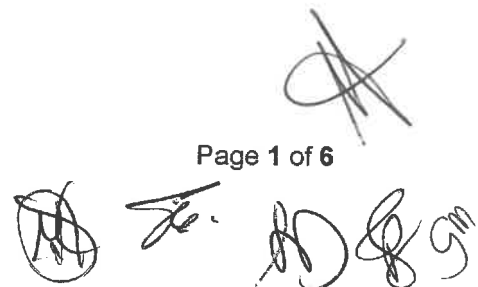
And

FRANSCHHOEK RFC

Herein represented by **GEORGE COLLINS** in his capacity as **Chair Person**, being duly authorised.

WHEREAS Section 67(1) of the Local Government: Municipal Finance Management Act, Act 56 of 2003 (MFMA) oblige the Accounting Officer of a **MUNICIPALITY** to satisfy himself that, before transferring funds of the **MUNICIPALITY** to an organisation or body outside any sphere of government otherwise than in compliance with a commercial or other business transaction, that such organisation or body:-

- (a) has the capacity and has agreed-
 - (i) To comply with any agreement with the **MUNICIPALITY**;
 - (ii) For the period of the agreement to comply with all reporting, financial management and auditing requirements as may be stipulated in the agreement;
 - (iii) To report at least monthly to the Accounting Officer on actual expenditure against such transfer (should transfers be done on a monthly basis); and
- (b) Implements effective, efficient and transparent financial management and internal control systems to guard against fraud, theft and financial mismanagement; and
- (c) has in respect of previous similar transfers complied with all the requirements as set out above; and
- (d) Give permission to site visits done by the **MUNICIPALITY**.



WHEREAS the **MUNICIPALITY** has approved a Grants-in-Aid Policy, in terms whereof applications are considered;

WHEREAS the **BENEFICIARY** has applied for a grant-in-aid as per the official grant-in-aid application form; and

WHEREAS the **MUNICIPALITY** has approved such application, subject to certain conditions;

NOW THEREFORE THE PARTIES AGREE AS FOLLOWS:

1. TRANSFER OF FUNDS

1.1 The **MUNICIPALITY** hereby undertakes to transfer an all-inclusive amount of

R40 000.00 (Forty thousand rand only), being a donation for the period **01 July 2021** to **30 June 2022** to the **BENEFICIARY**.

1.2 Bank Account details: (The following are confirmed through a correctly completed Creditors Control Form.)

Account number	:	280082096
Name of financial institution	:	STANDARD BANK
Name of account holder	:	FRANSCHHOEK RUGBY CLUB
Branch code	:	051001
Type of account	:	CHEQUE ACCOUNT

1.3 The all inclusive amount will be transferred in equal amounts on the following dates (if applicable):

2. OBLIGATIONS OF BENEFICIARY

2.1 The **BENEFICIARY** must acknowledge in writing to the Municipal Manager that the amount(s) was (were) received in its bank account.

2.2 The **BENEFICIARY** hereby certifies that the money will be utilised in accordance with the role of the organisation or society, to the benefit of the community and in accordance with the project(s) / programme(s) as indicated in the application form.

Handwritten signatures and initials, including a large 'X' and the letters 'GN'.

2.3 The **BENEFICIARY** undertakes to regularly report on a monthly basis to the Municipal Manager regarding the activities conducted, actual expenditure against such transferred funds, as well as the number of people benefiting from the activities should monthly payments be made. If not, an annual report on the expenditure will be provided.

2.4 The **BENEFICIARY** further undertakes to submit an audited financial statement for its financial year to the Municipal Manager by not later than **30 June 2022** and a final feedback report by **25 April 2022**.

3. SPECIFIC CONDITIONS

3.1 The parties specifically agree on the following:

That the organization will commit to active involvement in any programme run by the municipality in the area of operation of the organization when such a programme is active in the community.

Other conditions:

.....

4. DECLARATION OF INTEREST

The beneficiary declares that the following municipal employees and/or councillors have a vested interest in the business of the beneficiary. However, they do not benefit directly from this donation and were not part of the decision making process in the allocation of the donations: (Name and designation)

.....

5. ACQUISITION OF ASSETS

5.1 Should the **BENEFICIARY** wish to acquire any moveable or immovable assets with the money donated in terms of this Agreement, the **BENEFICIARY** hereby undertakes to:-

5.1.1 Adhere to the principles as per the **MUNICIPALITY'S** Supply Chain Management Policy, and

5.1.2 Take all reasonable steps to ensure that such assets are maintained and that a system of internal control of such assets is in place.

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6. RIGHTS OF THE MUNICIPALITY

- 6.1 The **MUNICIPALITY** shall be entitled, from time to time, to verify the existence and to inspect the activities of the **BENEFICIARY**, having regards for its right to privacy as entrenched in terms of the Constitution of the Republic of South Africa.
- 6.2 The **MUNICIPALITY** shall further be entitled to peruse the budgets and any progress reports related to the project / programme as per this Agreement.

7. FAILURE TO COMPLY

- 7.1 Failure by the **BENEFICIARY** to comply with the obligations as set out in Clause 2 of this Agreement, may lead to the cancellation of this Agreement, in which case the **MUNICIPALITY** may demand that the organisation pays back any unspent funds as per this Agreement. The **MUNICIPALITY** may even, depending on the circumstances leading to the non-compliance by the **BENEFICIARY**, demand that the organisation pays back the full amount paid to the **BENEFICIARY**.

8. INDEMNIFICATION

- 8.1 The **BENEFICIARY** hereby acknowledges that it receives the grant voluntarily and that it shall keep the **MUNICIPALITY** indemnified at all times against any loss, cost, damage, injury or liability suffered by the **MUNICIPALITY** resulting from any action, proceeding or claim made by any person (including themselves) against the **MUNICIPALITY** caused directly or indirectly by the use/spending of the grant.

9. DISPUTE RESOLUTION

- 9.1 Any dispute arising from this Agreement shall be mediated between the Parties by a mutually agreed upon and suitably skilled mediator. Should the mediator be unsuccessful and the Parties fail to reach agreement, the dispute may be referred by

The aggrieved Party to the arbitration of a single arbitrator, to be agreed upon between the Parties, or failing agreement, to be nominated on the application of any Party, by the President for the time being of the South African Association of Arbitrators. The decision of the single arbitrator shall be final and binding on the Parties.

10. NOTICES AND DOMICILIA

- 10.1 The parties choose as their *domicilia citandi et executandi* their respective addresses as set out in this clause for all purposes arising out of or in connection with the agreement at which addresses all processes and notices arising out of or in connection with this

Handwritten signatures and initials are present at the bottom right of the page, including a large 'X' mark and several individual signatures.

Agreement, its breach or termination, may validly be served upon or delivered to the Parties.

10.2 For purposes of this Agreement the Parties' respective addresses shall be:

10.2.1 The **MUNICIPALITY**:

Town House
Plein Street
Stellenbosch
7600
Fax: 021 – 808 8029

10.2.2 The **BENEFICIARY**:

Franschhoek Rugby Club
9 Keerom Street
Groendal
Franschhoek
7690
Email address: gc@macglobal.co.za

Or at such other address of which the Party concerned may notify the other(s) in writing provided that no street address mentioned in this sub-clause shall be changed to a post office box or poste restante.

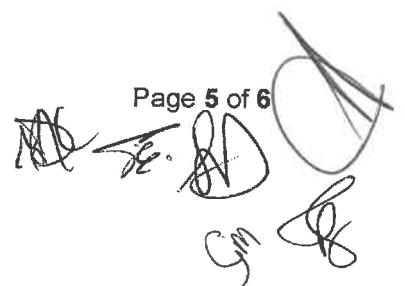
10.3 Any notice given in terms of this Agreement shall be in writing and shall-

10.3.1 If delivered by hand be deemed to have been duly received by the addressee on the date of delivery;

10.3.2 If posted by prepaid registered post be deemed to have been received by the addressee on the 8th (eighth) day following the date of such posting;

10.3.3 If transmitted by facsimile be deemed to have been received by the addressee on the day following the date of despatch;

10.4 Notwithstanding anything to the contrary contained or implied in this Agreement, a written notice or communication actually received by one of the Parties from another, including by way of facsimile transmission, shall be adequate written notice or communication to such party.

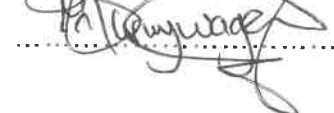


11. ENTIRE AGREEMENT

This Agreement, including the **Grant-in-Aid policy and application form**, reflects the entire Agreement between the Parties and no variation, amendment or addendum shall be of any force and effect between the Parties unless contained in writing, signed and agreed on by both Parties.

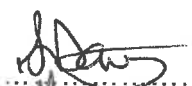
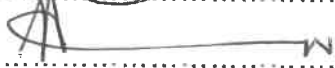
Signed at Stellenbosch on this 30th day of **June 2021**.


.....
For the **MUNICIPALITY**

WITNESS: 1. 
2. 

Signed at Stellenbosch on this 21th day of **June 2021**.


.....
For the **BENEFICIARY**

WITNESS: 1. 
2. 

ANNEXURE 8



FRANSCHHOEK RUGBY CLUB

(est. 2003)

gc@macglobal.co.za

25 October 2022

Ms Geraldine Mettler
Municipal Manager – Stellenbosch Municipality
Per Email

Dear Ms Mettler

RE: RECOMMENDATION OF BLACKLISTING OF FRANSCHHOEK RUGBY CLUB

We acknowledge the notice received of the Council discussions in respect of this matter, and apologise for the late response. The club has faced significant financial challenges since 2020, and we have been unable to consult an attorney about the best way to address this matter. We have now been referred to an attorney, but have had insufficient time to apprise him of the full details and provide all the supporting documentation.

Franschhoek Rugby Club of course regrets any perception that the Grant in Aid funds were misused, and wishes to resolve the matter without incurring a sanction that will severely compromise the club, its members, and prospects of future support or funding. The original application for funding was made with general use of the funds in mind, and we did not note specific prohibitions in the Memorandum of Agreement with the Municipality. The club is willing to repay these funds to the Municipality as a gesture of good faith, in the hope of settling the matter amicably.

We also wish to avoid a lengthy process of appeal, and therefore humbly request an extension of one week for the submission of a representation – in which time we will collate documentation and take advice on the matter.

We thank you, and look forward to your favourable response.

Yours Sincerely

George Collins
Chairman

Club Administrator: Emile Krotz (083 580 0097)

President: Archie Johnson (082 512 8956) - Chairman: George Collins 072 863 6226

Secretary: She-Earl Jacobs (0735402404) - Treasurer: Leandre Davids 0839512159

Scrum it Administrator: Abraham Gertse (074 562 3788)

Affiliated with Western Province Rugby Football Union (WPRFU)



ANNEXURE 9

FRANSCHHOEK RUGBY CLUB NPC
(Registration No. 2019/528641/08)

ANNUAL FINANCIAL STATEMENTS
31 December 2021



Ref: 20220421/FK

21 April 2022

To Whom It May Concern:

Re: FRANSCHHOEK RUGBY CLUB NPC (Reg: 2019/528641/08)

We confirm the following details regarding **FRANSCHHOEK RUGBY CLUB NPC**:

- Please find attached the reporting of the NPC for the period 1 August 2021 to 31 March 2022.
- With confirmation from Management we can confirm that all the available funds as on 31 March 2022 (R6,608) will be fully utilised by the 30th of June 2022.

Should you require any additional information please do not hesitate to contact our office.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Frederik G Kotzé'.

Tax Shop Franschhoek (Pty) Ltd

Per: Frederik G Kotzé

Contact details:

Telephone: 021 876 2676

Cell: 082 8040764

Email: franschhoek@taxshop.co.za

Tax Shop Franschhoek (Pty) Ltd is a private company registered in South Africa with registration number 2012/137903/07
Directors: H McGinness, C McGinness ACCA, FCCA, FG Kotze AGA (SA).



Suite 3, La Rue Des Roses, 2 Main Road
Franschhoek, Western Cape, Postal
Address: PO Box 420, Franschhoek,
Western Cape, 7690



021 876 2676
021 876 2340



www.taxshop.co.za



franschhoek@taxshop.co.za

FRANSCHHOEK RUGBY CLUB NPC

(Registration No. 2019/528641/08)

ANNUAL FINANCIAL STATEMENTS

31 DECEMBER 2021

	Pages
Directors' responsibilities and approval	2
General information	3
Compiler's report	4
Directors' report	5
Balance sheet	6
Detailed income statement	7
Notes to the annual financial statements	8

FRANSCHHOEK RUGBY CLUB NPC

DIRECTORS' RESPONSIBILITIES AND APPROVAL FOR THE YEAR ENDED 31 DECEMBER 2021

The directors are responsible for the maintenance of adequate accounting records and the preparation and integrity of the financial statements and related information.

The directors are also responsible for the company's system of internal financial controls. This is designed to provide reasonable, but not absolute, assurance as to the reliability of the financial statements, and to adequately safeguard, verify and maintain accountability of assets, and to prevent and detect misstatement and loss. Nothing has come to the attention of the directors to indicate that any material breakdown in the functioning of these controls, procedures and systems has occurred during the year under review.

The financial statements have been prepared on the going concern basis, since the directors have every reason to believe that the company has adequate resources in place to continue in operation for the foreseeable future.

These financial statements will be presented at the company annual general meeting for the approval of shareholders. It is possible that amendments may be required prior to shareholder approval being given.

The annual financial statements set out on pages 1 to 16 are the responsibility of the directors and have been approved and signed by the directors on 26.04.22 FRANSCHHOEK:



CHAIRMAN



TRESURER

FRANSCHHOEK RUGBY CLUB NPC**GENERAL INFORMATION**

Non-profit company	Franschhoek Rugby Club NPC
Registration number	2019/528641/08
Country of incorporation and domicile	Republic of South Africa
Nature of business and principal activities	Rugby Club
Registered office	Suite 3 La Rue Des Roses Building 2 Main Road Franschhoek Western Cape 7690
Business address	Suite 3 La Rue Des Roses Building 2 Main Road Franschhoek Western Cape 7690
Postal address	Suite 3 La Rue Des Roses Building 2 Main Road Franschhoek Western Cape 7690
Bankers	Standard Bank Limited
Accountant	Tax Shop Franschhoek (Pty) Ltd Under the supervision of FG Kotzé AGA(SA)
Registration numbers	
Income tax	9550189196



COMPILER'S REPORT TO THE MEMBERS OF FRANSCHHOEK RUGBY CLUB NPC

Report on the financial statements

We have compiled the financial statements of Franschhoek Rugby Club NPC based on information provided by the directors. These financial statements are presented in accordance with the basis of accounting as disclosed in note 1 to the financial statements and the requirements of the companies act. They comprise the balance sheet as at 31 December 2021 and the income statement for the year then ended, a summary of significant accounting policies and other explanatory notes, as set out on pages 6 to 8.

Directors responsibility for the financial statements

The directors are responsible for these financial statements, including adoption of the applicable reporting framework, and the accuracy and completeness of the information used to compile the financial statements.

Compiler's responsibility

We performed this compilation engagement in accordance with the International Standard on Related Services 4410 (Revised), Compilation Engagements.

We have applied our expertise in accounting and financial reporting to assist management in the preparation and presentation of these financial statements as set out above. We have complied with relevant ethical requirements, including principles of integrity, objectivity, professional competence and due care.

Since a compilation engagement is not an assurance engagement, we are not required to verify the accuracy or completeness of the information you provided to us to compile these financial statements. Accordingly, we do not express an audit opinion or a review conclusion on whether these financial statements are prepared in accordance with generally accepted accounting practice.

Tax Shop Franschhoek (Pty) Ltd
Frederik G Kotzé AGA(SA)
Membership No: 20056247

Franschhoek
22 April 2022

Tax Shop Franschhoek (Pty) Ltd is a private company registered in South Africa with registration number 2012/137903/07

Directors: H McGuinness, C McGuinness ACCA, FCCA, FG Kotzé AGA (SA),



Suite 3, La Rue Des Roses, 2 Main Road
Franschhoek, Western Cape. Postal
Address: PO Box 420, Franschhoek,
Western Cape, 7690



021 876 2676
021 876 2340



www.taxshop.co.za



franschhoek@taxshop.co.za

FRANSCHHOEK RUGBY CLUB NPC

DIRECTORS' REPORT FOR THE YEAR ENDED 31 DECEMBER 2021

The Directors have pleasure in submitting their report together with the annual financial statements for the year ended 31 December 2021.

General review

These annual financial statements of the company are to be presented at the annual general meeting. No matter which is material to the financial affairs of the company has occurred between 31 December 2021 and the date of approval of the financial statements.

Statements of responsibility

The director are responsible for the maintenance of adequate accounting records and the preparation and integrity of the financial statements and related information.

The directors are also responsible for the company's system of internal financial controls. This is designed to provide reasonable, but not absolute, assurance as to the reliability of the financial statements, and to adequately safeguard, verify and maintain accountability of assets, and to prevent and detect misstatement and loss. Nothing has come to the attention of the Trustees to indicate that any material breakdown in the functioning of these controls, procedures and systems has occurred during the year under review.

The financial statements have been prepared on the going concern basis, since the director have every reason to believe that

Financial results

The results of the company for the year under review are fully set out in the attached financial statements and require no further comment.

Events after the reporting date

No material fact or circumstance, which requires comment, has occurred between the reporting date and the date of this report.

Directors

The directors during the accounting period and up to the date of this report were as follows:

Mr G Collins
Mr DE Natus
Ms LE Davids

FRANSCHHOEK RUGBY CLUB NPC

BALANCE SHEET
AT 31 DECEMBER 2021

			for the 14 months ended 31 December 2020
	Notes	2021 R	R
ASSETS			
Non-current assets		-	-
Current assets		36 284	6 892
Bank and cash balances	2	36 284	6 892
Total assets		36 284	6 892
EQUITY AND LIABILITIES			
Equity		(4 529)	1 457
Accumulated surplus		(4 529)	1 457
Non-current liabilities		-	-
Current liabilities		40 813	5 435
Trade and other payables	3	9 520	5 435
Funds received	4	31 293	-
Total equity and liabilities		36 284	6 892

FRANSCHHOEK RUGBY CLUB NPC

DETAILED INCOME STATEMENT
FOR THE YEAR ENDED 31 DECEMBER 2021

	2021	for the 14 months ended 31 December 2020
	R	R
Revenue	139 508	126 972
Game income	-	71 442
Donations income	139 508	-
Fundraiser income	-	55 530
Gross profit	139 508	126 972
Total Income	139 508	126 972
Operating expenses	(145 494)	(125 515)
Bank charges	1 443	6 058
Cleaning and laundry	790	6 230
Coach training fees	-	2 300
Consulting and accounting	9 084	7 985
Covid- 19 Compliance	15 183	-
Donations	619	3 000
Electricity	-	710
Equipment and apparel	97 782	-
Fundraiser expenses	137	20 481
Game equipment	-	1 419
Medical fees	3 420	13 041
Meeting expenses	-	700
Membership fees	3 600	2 800
NLC Logo	9 836	-
Printing and stationery	-	713
Security - gate control	-	3 400
Shop expenses	3 200	31 507
Team catering	-	845
Telephone and internet	-	305
Tournament fees	-	5 100
Training expenses	-	1 420
Travel expenses	400	17 501
Net (deficit) / surplus before taxation for the year	(5 986)	1 457
Taxation	-	-
Net (deficit) / surplus for the year	(5 986)	1 457

FRANSCHHOEK RUGBY CLUB NPC

NOTES TO THE ANNUAL FINANCIAL STATEMENTS

FOR THE YEAR ENDED 31 DECEMBER 2021

1. Accounting policies

The following are the principal accounting policies of the company, which are consistent in all material respects with those applied in the previous year, except as otherwise indicated.

Basis of preparation

The financial statements have been prepared on the historical cost basis.

Revenue

Revenue comprises the invoiced value of membership fees, donations and fundraisers. Interest received is recognised on a time basis, as it is earned.

Cash flows

For the purposes of the cash flow statement, cash includes cash on hand, deposits held on call with banks, investments in money market instruments, and bank overdrafts.

	2021	for the 14 months ended 31 December 2020
	R	R
2. Bank and cash balances		
Bank and cash balances at year end comprise:		
Current accounts	32 378	3 066
Petty cash	3 906	3 826
	<u>36 284</u>	<u>6 892</u>

3. Trade and other payables

Trade and other payables at the balance sheet date comprise amounts due to suppliers for goods and services. An analysis of these amounts due for the current and prior year follows:

2021	1 - 30 days	31-60 days	60-90 days	> 90 days		
Accounting fees	55	3 042	55	6 368	9 520	
	<u>55</u>	<u>3 042</u>	<u>55</u>	<u>6 368</u>	<u>9 520</u>	
					2021	for the 14 months ended 31 December 2020
					R	R
4. Funds received						
Stellenbosch Municipality					31 293	-
					<u>31 293</u>	<u>-</u>

ANNEXURE 10

Profit and Loss

Franschhoek Rugby Klub NPC For the 12 months ended 31 July 2022

AUG 2021-JUL 2022

Trading Income

Bus Travel Income	10,170.00
Fundraisers	5,100.00
Game Gate Fees Income	110,806.00
Shop Sales	46,989.00
Total Trading Income	173,065.00

Cost of Sales

Canteen Stock	28,463.29
Cost of Goods Sold	1,590.00
Total Cost of Sales	30,053.29

Gross Profit

143,011.71

Other Income

Donation Income: Stellenbosch Municipality	39,609.54
Lotto Donations Income: Covid- 19 Compliance	2,409.00
Lotto Donations Income: Equipment and Apparel	2,484.00
Lotto Donations Income: NLC Logo	960.00
Total Other Income	45,462.54

Operating Expenses

Ball Boys	870.00
Bank Fees	1,464.50
Cleaning	6,275.00
Consulting & Accounting	15,584.15
Donations	8,946.49
Function Expenses	2,188.49
Laundry	3,795.00
Light, Power, Heating	3,680.00
Lotto Donations Expense: Covid- 19 Compliance	2,409.00
Lotto Donations Expense: Equipment and Apparel	2,484.00
Lotto Donations Expense: NLC Logo	960.00
Medical Fees	28,230.38
Meeting Expenses	4,000.00
Motor Vehicle - Fuel	14,850.00
Printing & Stationery	447.97
Security (gate control)	14,310.00
Small Equipment Expenses	8,917.80
Team Catering	10,395.00
Telephone & Internet	1,269.00
Tournament Fees	1,500.00
Training Expenses	15,200.00

AUG 2021-JUL 2022

Travel - National	2,500.00
Wages and Salaries	11,790.00
WP Ref	4,000.00
Total Operating Expenses	166,066.78
Net Profit	22,407.47

ANNEXURE 11



Ref: 20230109/FK

9 January 2023

M AALBERS
MANAGER COMMUNITY DEVELOPMENT
STELLENBOSCH MUNICIPALITY

Re: FRANSCHHOEK RUGBY CLUB NPC (Reg: 2019/528641/08) **Ref: Council 23-11-2022/13.3**

Please see below the responsibilities of Tax Shop Franschhoek (Pty) Ltd regarding the engagement with Franschhoek Rugby Club:

1. On a periodic basis the bank statements, supporting documents and explanatory schedules are provided to Tax Shop Franschhoek (Pty) by the administration of Franschhoek Rugby Club.
2. The information received from Franschhoek Rugby Club is then utilised to update the accounting software for reporting, engaging with the administration of Franschhoek Rugby Club where transactions are unclear or require additional information.
3. Reporting Statements and assisting to provide documents for Funding Received when requested by Franschhoek Rugby Club.
4. Compilation of Annual Financial Statements
5. Submission of Annual Tax Returns

Tax Shop Franschhoek (Pty) provides an accounting function to Franschhoek Rugby Club NPC and is not involved in day to day operations or management and administration.

Should you require any additional information please do not hesitate to contact our office.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'F. Kotzé'.

Tax Shop Franschhoek (Pty) Ltd
Per: Frederik G Kotzé

Contact details:

Telephone: 021 876 2676

Cell: 082 8040764

Email: franschhoek@taxshop.co.za



ANNEXURE 12

Franschhoek Rugby Club NPC

Property, Plant And Equipment - Asset Schedule - Cost Model

Description	Lead	Date purchased	Cost				Accumulated Depreciation & Impairment					Net Book Value			
			Opening balance	Additions	(Expensed)	Closing balance	Useful life	Residual value	Opening balance	Current deprec.	Expensed	(Disposals)	Closing balance	Balance 2022	Balance 2021
			R	R	R	R	Years	R	R	R	R	R	R	R	R
Office equipment		F000.04													
1.	Samsung Galaxy Tab A7 Lite	31/3/22	-	2 988.00	(2 988.00)	-	1.00	-	-	-	-	-	-	-	
2.	SanDisk Ultra 64GB Memory Card	30/6/22		229.00	(229.00)		1.00	-	-	-	-	-	-	-	
3.	A2060 Portable Projector	30/6/22		1 199.00	(1 199.00)		1.00	-	-	-	-	-	-	-	
4.	Velbon Tripod	30/6/22		679.00	(679.00)		1.00	-	-	-	-	-	-	-	
5.	FHD Night Vision Digital Camera	30/6/22		1 750.00	(1 750.00)		1.00	-	-	-	-	-	-	-	
			-	6 845.00	(6 845.00)	-		-	-	-	-	-	-	-	
			-	-	-	-		-	-	-	-	-	-	-	
			-	-	-	-		-	-	-	-	-	-	-	
			-	-	-	-		-	-	-	-	-	-	-	

I, GEORGE COLLINS, confirm that the detail of the assets contained in this schedule are to the best of my knowledge, a true, complete and accurate reflection of the property, plant and equipment owned by the body corporate.

Notes:

1. Utilised for pre- and post-match communications, registrations and live scoring updates. RICA registration of SIM card undertaken by G. Collins in his capacity as Club Chairman.
2. Used for data storage.
3. Utilised for presentations to and match video analysis by the coaching team.
4. Used for match video recordings.
5. Used for match video recordings, for record-keeping and player analysis.

ANNEXURE 13

Municipality Fund Transactions

Franschhoek Rugby Klub NPC

For the period 1 August 2021 to 31 July 2022

Date	Source	Description	Reference	Debit	Credit	Running Balance	Gross	Tax	Explanatory Notes
Municipality Fund									
Opening Balance				0,00	0,00	0,00	0,00	0,00	
06 Aug 2021	Receive Money	Stellenbosch Municipality - Municipality Fund Received		0,00	40 000,00	40 000,00	40 000,00	0,00	
15 Sep 2021	Manual Journal	frame for the late stadler - frame for the late stadler	#718	150,00	0,00	39 850,00	(150,00)	0,00	frame with picture to the family of the late coach
15 Sep 2021	Manual Journal	payment for Tax shop - payment for Tax shop	#717	5 000,00	0,00	34 850,00	(5 000,00)	0,00	outstanding payment
15 Sep 2021	Manual Journal	flowers and sympathy card - flowers and sympathy card	#725	137,49	0,00	34 712,51	(137,49)	0,00	condolences card to one of the players family
15 Sep 2021	Manual Journal	Phisio - Phisio	#712	920,00	0,00	33 792,51	(920,00)	0,00	consultation for injuries
15 Oct 2021	Manual Journal	outstanding payment for Medic - outstanding payment for Medic	#719	2 500,00	0,00	31 292,51	(2 500,00)	0,00	medical assistance during rugby matches
04 Feb 2022	Manual Journal	referees - referees	#720	800,00	0,00	30 492,51	(800,00)	0,00	wp referee payments for rugby games
08 Feb 2022	Manual Journal	coke - coke	#721	5 470,00	0,00	25 022,51	(5 470,00)	0,00	cooldrinks, water for selling in the tuck shop
09 Feb 2022	Manual Journal	shop - shop	#726	1 400,20	0,00	23 622,31	(1 400,20)	0,00	one up store for purchases for tuck shop refer to slip
09 Feb 2022	Manual Journal	float and adhoc - float and adhoc	#711	2 500,00	0,00	21 122,31	(2 500,00)	0,00	for tuck shop and gate
09 Feb 2022	Manual Journal	payment to the tax shop - payment to the tax shop	#713	2 500,00	0,00	18 622,31	(2 500,00)	0,00	outstanding payment
11 Feb 2022	Manual Journal	rolls and wors for shop - rolls and wors for shop	#722	1 985,86	0,00	16 636,45	(1 985,86)	0,00	for sales at the tuckshop
11 Feb 2022	Manual Journal	medic - medic	#727	900,00	0,00	15 736,45	(900,00)	0,00	Danielle riffel day expense for invitees
12 Feb 2022	Manual Journal	pick and pay for after function - pick and pay for after function	#723	300,00	0,00	15 436,45	(300,00)	0,00	medical assistance during rugby matches
01 Mar 2022	Manual Journal	Referees - Referees	#714	1 600,00	0,00	13 836,45	(1 600,00)	0,00	wp referee payments for rugby games
01 Mar 2022	Manual Journal	Coke purchases - Coke purchases	#731	2 447,00	0,00	11 389,45	(2 447,00)	0,00	cooldrinks, water for selling in the tuck shop
04 Mar 2022	Manual Journal	shop - shop	#728	976,20	0,00	10 413,25	(976,20)	0,00	one up store for purchases for tuck shop refer to slip
05 Mar 2022	Manual Journal	pick and pay wors and rolls - pick and pay wors and rolls	#724	804,99	0,00	9 608,26	(804,99)	0,00	for selling at the tuck shop
31 Mar 2022	Spend Money	Takealot - Samsung Tablet		2 988,00	0,00	6 620,26	(2 988,00)	0,00	for administration use for all related rugby.uploading and registrations
28 Jun 2022	Spend Money	Engen Winelands - Fuel		300,00	0,00	6 320,26	(300,00)	0,00	petrol for buying and sourcing of equipment and 2 way radios
28 Jun 2022	Spend Money	Makro - 2 Way Radios		1 872,80	0,00	4 447,46	(1 872,80)	0,00	for use on field during games
30 Jun 2022	Spend Money	Takealot - Mini Portable Projector & Digital Video Camera		4 057,00	0,00	390,46	(4 057,00)	0,00	teambuilding,practise sessions,evidence of games
Total Municipality Fund				39 609,54	40 000,00	390,46	390,46	0,00	
Closing Balance				0,00	390,46	390,46	0,00	0,00	
Total				39 609,54	40 000,00	(390,46)	390,46	0,00	

ANNEXURE 14

Municipality Fund Transactions

Franschhoek Rugby Klub NPC

For the period 1 August 2021 to 31 July 2022

DATE	SOURCE	DESCRIPTION	REFERENCE	DEBIT	CREDIT	RUNNING BALANCE	GROSS	TAX
Municipality Fund								
Opening Balance				-	-	-	-	-
6 Aug 2021	Receive Money	Stellenbosch Municipality - Municipality Fund Received		-	40,000.00	40,000.00	40,000.00	-
15 Sep 2021	Manual Journal	frame for the late stadler - frame for the late stadler	#718	150.00	-	39,850.00	(150.00)	-
15 Sep 2021	Manual Journal	Phisio - Phisio	#712	920.00	-	38,930.00	(920.00)	-
15 Sep 2021	Manual Journal	payment for Tax shop - payment for Tax shop	#717	5,000.00	-	33,930.00	(5,000.00)	-
15 Sep 2021	Manual Journal	flowers and sympathy card - flowers and sympathy card	#725	137.49	-	33,792.51	(137.49)	-
15 Oct 2021	Manual Journal	outstanding payment for Medic - outstanding payment for Medic	#719	2,500.00	-	31,292.51	(2,500.00)	-
4 Feb 2022	Manual Journal	referees - referees	#720	800.00	-	30,492.51	(800.00)	-
8 Feb 2022	Manual Journal	coke - coke	#721	5,470.00	-	25,022.51	(5,470.00)	-
9 Feb 2022	Manual Journal	shop - shop	#726	1,400.20	-	23,622.31	(1,400.20)	-
9 Feb 2022	Manual Journal	float and adhoc - float and adhoc	#711	2,500.00	-	21,122.31	(2,500.00)	-
9 Feb 2022	Manual Journal	payment to the tax shop - payment to the tax shop	#713	2,500.00	-	18,622.31	(2,500.00)	-
11 Feb 2022	Manual Journal	rolls and wors for shop - rolls and wors for shop	#722	1,985.86	-	16,636.45	(1,985.86)	-
11 Feb 2022	Manual Journal	medic - medic	#727	900.00	-	15,736.45	(900.00)	-
12 Feb 2022	Manual Journal	pick and pay for after function - pick and pay for after function	#723	300.00	-	15,436.45	(300.00)	-
1 Mar 2022	Manual Journal	Referees - Referees	#714	1,600.00	-	13,836.45	(1,600.00)	-
1 Mar 2022	Manual Journal	Coke purchases - Coke purchases	#731	2,447.00	-	11,389.45	(2,447.00)	-
4 Mar 2022	Manual Journal	shop - shop	#728	976.20	-	10,413.25	(976.20)	-
5 Mar 2022	Manual Journal	pick and pay wors and rolls - pick and pay wors and rolls	#724	804.99	-	9,608.26	(804.99)	-
31 Mar 2022	Spend Money	Takealot - Small Equipment		2,988.00	-	6,620.26	(2,988.00)	-

DATE	SOURCE	DESCRIPTION	REFERENCE	DEBIT	CREDIT	RUNNING BALANCE	GROSS	TAX
28 Jun 2022	Spend Money	Makro - Makro Cape Gate		1,872.80	-	4,747.46	(1,872.80)	-
28 Jun 2022	Spend Money	Engen Winelands - Fuel		300.00	-	4,447.46	(300.00)	-
30 Jun 2022	Spend Money	Takealot - Small Equipment		4,057.00	-	390.46	(4,057.00)	-
Total Municipality Fund				39,609.54	40,000.00	390.46	390.46	-
Closing Balance				-	390.46	390.46	-	-
Total				39,609.54	40,000.00	(390.46)	390.46	-



Standard Bank

Transaction record/
Transaksiererekord

AUTOBANK A541	CASH WITHDRAWAL 13H00
TRANSACTION DATE	2022-03-31
BUSINESS DATE	2022-03-31
FROM ACCOUNT	*****2096
AMOUNT WITHDRAWN	R-3,000.00
AVAILABLE FUNDS	R 6,906.77
ACCOUNT BALANCE	R 6,906.77
APPLICATION ID	A0000000041010
APPLICATION NAME	Debit MasterCard
TVR	8000040000
CVR	601003220000

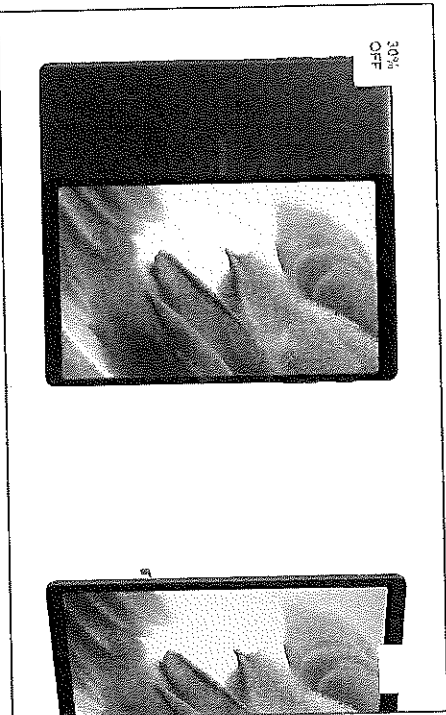
The Standard Bank of South Africa Limited (Reg. No. 1962/002/30/6/6) Authorised financial services provider
 Die Standaard Bank van Suid-Afrika (Reël no. 1962/002/30/6/6) Oornamegelyke finansiële diensteverskaffer

4/3/22, 9:03 AM

Samsung Galaxy Tab A7 Lite (T225) 8.7" 32GB LTE Tablet | Buy Online in South Africa | takealot.com



Stay informed! Visit the SA Department of Health's website for COVID-19 updates: www.sagov.gov.za



Samsung Galaxy Tab A7 Lite (T225) 8.7" 32GB LTE



Tablet

Samsung

SM-T225NZALFA

4.6 52 Reviews

R 2,988

FREE DELIVERY

eR29,880 • Discovery Miles 29,880 • On Credit: R259 / month

In stock When do I get it?

Sold by Elite Shopper • Fulfilled by Takealot

- Eligible for Cash on Delivery.
- Free Delivery Available.
- Hassle-Free Exchanges & Returns for 30 Days.
- 24-Month Limited Warranty.

Description

Quick Spec



MAKRO CAPE GATE
Masstores (Pty) Ltd T/A MAKRO SA
Company Reg. No. 1991/006805/07
VAT Reg. No. 4300119155

Tel : 0860 300 999
Corner Okovango & Belami Rds
Brackenfell
Cape Town

"You Can WhatsApp us on 0860 300 999"

NLA Ref No: RG0000488
Registered status: Distributor
Liquor Store Lic: MCP/039664
Grocers Wine Lic: MCP/039662

TAX INVOICE

19241045

Date: 28/05/2022

TIME : 13:13
STORE NO: 119
POS NO : 27
INVOICE NO: 966
CASHIER NO: 1813

MISS CH BANIES
VAT Reg : Not Applicable
125 MUSICAL AVENUE
MACASSAR
SOMERSET WEST
7130

Unique Ref : 0279661928062022

QTY	UNIT/PK	WEIGHT (kg)	BARCODE	DIS	SINGL INC	PACK INC	VAT	TOTAL EXC	TOTAL INC
1			06009636904632		699.00	699.00	02	1215.66	1398.00
1			06009711570165		449.00	449.00	02	390.43	449.00
1			09415886887811		25.00	25.00	02	21.74	25.00
1			06009185770626		0.86	0.86	00	0.86	0.86

QTY	UNIT/PK	WEIGHT (Kg)			
DIS	SNGL INC	PACK INC	VAT	TOTAL EXC	TOTAL INC
2	1				
06009636904632	POWEROX M1 WALKIE TALKIE				
699.00	699.00	02		1215.66	1398.00
1	1				
06009711570165	SMARTSOCKET USB ADAPTOR 8 AMP				
449.00	449.00	02		390.43	449.00
1	1				
09415886887811	POWERWORX TRIPLE EURO ADAPTER				
25.00	25.00	02		21.74	25.00
1	1				
06009186770626	MAKRO MULTI USE CHECKOUT BAG 24L				
0.86	0.86	00		0.86	0.86

INVOICE ROUNDING -0.06

TOTAL ARTICLES ON INVOICE : *****5*****

FIVE

VAT SUMMARY

CODE	%	GOODS	VAT	
0	0.00	0.86	0.00	
2	15.00	1627.77	244.17	
TOTALS		1628.63	244.17	1872.80

AMOUNT DUE	1872.80
CARD PAYMENT	1872.80
535950*****0147	
CHANGE	0.00

PAYMENT SUMMARY
NOVA
 Cape Gate
 CHECKER NO. 4 CRD



*****5*****

FIVE

Get the app
 Get the rewards
 Earn the cash
 Scan this code to
 Download on Google Play or Apple App Store

Exchange and Refund Policy

Makro will refund or exchange most goods returned within 14 days of purchase, provided that the goods are in unused original condition and packaging. Certain goods are excluded from the 14-day exchange or refund policy for hygiene and legislative reasons. Within the first six (6) months of purchase, goods with a technically confirmed defect will be repaired, replaced or refunded at your direction. It is not possible to assess goods in store to confirm the claimed defect. Makro therefore reserves the right to refer returned goods for technical assessment. Goods purchased by way of special arrangement or custom order will only be replaced if defective. Visit www.makro.co.za for further information.

Makro is an Empowerdex verified Level 4 BBBEE Contributor. 80% of business purchases will contribute towards your BBBEE score under the procurement category.

We are committed to respect and protect your personal information.

End Control Sig:

POINCINVE



MAKRO CAPE GATE
 Masstores (Pty) Ltd T/A MAKRO SA
 Company Reg. No. 1991/006805/07
 VAT Reg. No. 4300119155

Tel : 0860 300 999
 Corner Okovango & Belami Rds
 Brackenfell
 Cape Town

CUSTOMER COPY

SALE

Tue 28/06/2022
 TIME: 13:13

CUST CARD NO : 19241045
 POS NO : 27
 INVOICE NO : 966
 CASHIER NO : 1813

TYPE : Debit MasterCard
 PAN : 535950****0147
 BUDGET PERIOD: 0 MONTHS

REQUESTED : ***R1872.80

UTI : 1083fa1d-5088-45fd-9298-2e99c428aed6
 TRANSACTION NO : 308645
 AUTH NO : 1083fa
 CARD ENTRY MODE: CHIP
 TVR : 0000008000
 TSI : E800
 TC : 89764ECA1F9B41A7
 APL : Debit MasterCard
 ATD : A0000000041010071003
 MERCHANT NO : 3046729
 APPROVED CODE : 00 APPROVED

APPROVED : ***R1872.80

** WELCOME TO **
 IMPERTO PROPERTIES (PTY) LTD
 T/A ENGEN WINELANDS 1-STOP NORTH
 N1 NATIONAL RD, JOOSTENBERGVLAKTE
 VAT NO: 4740105103

ENGEN PRIMAX ULP 95
 12.755 @ 23.52 Tx Z^a 300.00
 Pump No. : 03
 Attendant : NOXOLO

Clicks ClubCard
 0200571990353
 Points earned for fuel purchases
www.clicks.co.za
 Terms and Conditions apply

ITEMS 1	TOTAL	300.00
CASH		300.00
CHANGE		0.00

Join MySchool and Support Your Community

VAT-CODE	NET-VAL	VAT-VAL
ZERO RATE/Z 0.0%	300.00	0.00

4 MANTU 2118 15:34:18 28/06/2022

THANK YOU FOR STOPPING AT
 ENGEN WINELANDS NORTH
 WERNER NEITZ
 TEL # 021 988-11:2
 FAX # 021 988 11:7



takealot.com Payment Confirmation

Order Number: 109450607 Estimated Delivery Date: 2022-07-12

Hi Sharon,

Thank you, we've received your payment for order 109450607.

Your order is being processed and your estimated delivery date is **Tuesday, 12 July 2022**.

Once your order is ready to be delivered, you will receive an SMS notification confirming your scheduled delivery date.

[Manage Order](#)

Regards,
The Takealot Team

Order Details

Deliver To: Sharon aries
Klein cabriere 30 Cabriere Street Franschhoek
Franschhoek
7690

Estimated Delivery Date: Tuesday, 12 July 2022

Delivery Method: Courier

Items in this order

- | | | |
|---|--|-----------|
| 1 |  SanDisk Ultra 64GB SDXC Class 10 Memory Card | R 229.00 |
| 1 |  A2060 Mini Portable Projector LCD
<i>Sold by Life Online SA</i> | R 1199.00 |
| 1 |  Velbon Tripod For Photo or Video
<i>Sold by Golden Power Batteries</i> | R 879.00 |
| 1 |  F6 FHD 1080P Night Vision Digital Video Camera
<i>Sold by Readysat Altogether</i> | R 1750.00 |

Subtotal: R 4057.00

Shipping: R 0.00

Total: R 4057.00

[Manage Order](#)



Transaction record/
Transaksier rekord

AUTOBANK A541 CASH WITHDRAWAL
12H28

TRANSACTION DATE 2022-06-30
BUSINESS DATE 2022-06-30

FROM ACCOUNT *****2096

AMOUNT WITHDRAWN R-4,060.00

AVAILABLE FUNDS R 634.77
ACCOUNT BALANCE R 634.77

APPLICATION ID A0000000041010
APPLICATION NAME Debit MasterCard
TVR 8000040000
CVR 601003220000



STATEMENT

Franschhoek Rugby Club

Statement Date
31 Mar 2022Tax Shop Franschhoek (Pty)
Ltd

Account Number

Telephone number
021 876 2676VAT Number
4020278885

Balance due

Date	Activity	Reference	Due Date	Amount	Payments	Balance ZAR
01 Sep 21	Opening Balance					10,449.25
15 Sep 21	Payment on Invoice # INV-0475	Paid in the office	23 Oct 19		1,600.00	8,849.25
15 Sep 21	Payment on Invoice # INV-2298	Paid in office	07 Dec 20		1,492.70	7,356.55
15 Sep 21	Payment on Invoice # INV-2417	Paid in office	13 Jan 21		55.20	7,301.35
15 Sep 21	Payment on Invoice # INV-2557	Paid in office	10 Feb 21		55.20	7,246.15
15 Sep 21	Payment on Invoice # INV-2779	Paid in office	07 Mar 21		55.20	7,190.95
15 Sep 21	Payment on Invoice # INV-3097	Paid in office	13 Apr 21		400.20	6,790.75
15 Sep 21	Payment on Invoice # INV-3246	Paid in office	12 May 21		1,341.50	5,449.25
30 Sep 21	Invoice # INV-4136	September 2021	17 Oct 21	917.70		6,366.95
31 Oct 21	Invoice # INV-4284	October 2021	11 Nov 21	55.20		6,422.15
12 Nov 21	Invoice # INV-4401	CIPC 2020 & 2021	19 Nov 21	2,090.00		8,512.15
30 Nov 21	Invoice # INV-4475	November 2021	12 Dec 21	952.20		9,464.35

Banking details:

Tax Shop Franschhoek (Pty) Ltd
Bank: FNB
Account number: 62347508337
Branch Code: 210202



Date	Activity	Reference	Due Date	Amount	Payments	Balance ZAR
31 Dec 21	Invoice # INV-4646	December 2021	13 Jan 22	55.20		9,519.55
31 Jan 22	Invoice # INV-4829	January 2022	16 Feb 22	55.20		9,574.75
28 Feb 22	Invoice # INV-5013	February 2022	13 Mar 22	55.20		9,629.95
17 Mar 22	Payment on Invoice # INV-0953	Receipt 83	12 Feb 20		287.50	9,342.45
17 Mar 22	Payment on Invoice # INV-3246	Receipt 83	12 May 21		2,784.70	6,557.75
17 Mar 22	Payment on Invoice # INV-3352	Receipt 83	08 Jun 21		55.20	6,502.55
17 Mar 22	Payment on Invoice # INV-3524	Receipt 83	12 Jul 21		55.20	6,447.35
17 Mar 22	Payment on Invoice # INV-3631	Receipt 83	13 Aug 21		817.40	5,629.95
31 Mar 22	Invoice # INV-5219	March 2022	07 Apr 22	55.20		5,685.15

BALANCE DUE 5,685.15

Pick n Pay

FRANSCHHOEK

021 876 2075/6

CASHIER: SBULELO GATVENI

FM FLOWERS 60	99.99
*AD AFRI CARD NON SEASON	37.50
DUE VAT INCL	137.49

-----TENDER-----

CASH	150.00
ROUNDING	0.09
CHANGE	12.60
TOTAL ITEMS:	2

-----TAX INVOICE-----

	TAXABLE VAL	VAT VAL
VAT INCL	137.49	17.93
# ZERO-RATED	0.00	0.00
e NON-SUPPLY		

-----VAT REG NO. 4070204096-----
 V VITALITY HEALTHYFOOD CASH BACK ITEM

Liquor Lic.: WCP/036277/032166
 PLEASE RETAIN AS YOUR GUARANTEE
 CUSTOMER CARE LINE: 0860 30 30 30
 WEBSITE: www.picknpay.co.za
 THANK YOU FOR SHOPPING WITH US.

-----SMART SHOPPER-----

Smart Shopper card # *****9982
 Rands earned: R0.68
 Rands left to spend: R10.36

*069282 3220 32200229 2 25.08.21 14:49



99910232200020692820



①

	Petty Cash Slip
Date	15/09/21
Paid to	Emile for frame for steelbar
Reason	6570-00

Franschhoek rugby club

Invoice



Alicia accounts- 021 876 4234
Email- bronwenalibolphysio@gmail.com

Bronwen Talbot Physiotherapy
BHF Practice No. 0720000625442

48 Artisans Village
Cabriere Street
Franschhoek
7690

2

Page: 1 of 1
Date: 28/05/2021
Account No.: 000193
Doc.No: AB00002958

Date / time	Codes / NAPP	Patient / Description	In hosp?	ICD	Doc.No	Qty	Amount	Outstanding
28/05/2021	03	Diago Jacobs 11/12/1990						
		Attended by: Mrs Bronwen Talbot: Rooms [11]						
	501	Rehabilitation		M25.66			238.00	232.00
	405	Mobilization (not spinal)		M25.66			167.00	167.00
	203 0008	Ultrasound		M25.66			56.00	56.00
								455.00

Please settle this account now, to avoid being handed over for collection.
Electronic T/F to Bronwen Talbot Physiotherapy
FNB Bank, MY BRANCH code 256365,
Acct 62772899088 INDICATE NAME OR ACCOUNT NUMBER
Email payment advice to bronwenalibolphysio@gmail.com
Or tear off this slip and mail to PO Box 143,
Franschhoek, 7690
PLEASE ADVISE US IF YOU WANT A RECEIPT MAILED TO YOU

PAID
thank you

48 Artisans Village
Cadriere Street
Franschhoek
7690

Alicia accounts- 021 876 4234
Email- bronwenalbotphysio@gmail.com



Invoice

Franschhoek rugby club

Page: 1 of 1
Date: 09/06/2021
Account No.: 000193
Doc.No: AB00002956

Date / time	Codes / NAPP	Patient / Description	In hosp?	ICD	Doc.No	Qty	Amount	Outstanding
09/06/2021		10 Charles Williams 28/12/1996						
		Attended by: Mrs Bronwen Talbot: Rooms [11]						
701		Evaluation (simple)					167.00	167.00
501 0010		Rehabilitation					119.00	119.00
303 0010		Soft tissue mobilisation					96.00	96.00
401 0008		Spinal mobilisation					83.00	83.00
								465.00

Please settle this account now, to avoid being handed over for collection.
Electronic T/F to Bronwen Talbot Physiotherapy
FNB Bank, MY BRANCH code 255355,
Acct 62772899088 INDICATE NAME OR ACCOUNT NUMBER
Email payment advice to bronwenalbotphysio@gmail.com
Or tear off this slip and mail to PO Box 143,
Franschhoek, 7690

PAID
thank you

No. 65	Date 17 Sept a1
RECEIVED from	F. Hoer Rugby Club
the sum of	920 00
Nine hundred + twenty	
and	
cents	
for	physio
	Bronner
	With Thanks
	CASH

3



FRANSCHOEK

021 876 2075/6

CASHIER: SBULELO GATYENI, N

FM FLOWERS 60 99.99
 AD AFRI CARD NON SEASON 37.50
 DUE VAT INCL 137.49

TENDER
 CASH 150.00
 ROUNDING 0.09
 CHANGE 12.60
 TOTAL ITEMS: 2

TAX INVOICE
 TAXABLE VAL VAT VAL
 137.49 17.93
 # ZERO-RATED 0.00
 e NON-SUPPLY 0.00

VAT REG NO. 4070204096
 V VITALITY HEALTHYFOOD CASH BACK ITEM

Liquor Lic.: WCP/036277/032166

PLEASE RETAIN AS YOUR GUARANTEE

CUSTOMER CARE LINE: 0860 30 30 30

WEBSITE: www.picknpay.co.za

THANK YOU FOR SHOPPING WITH US.

SMART SHOPPER
 Smart Shopper card # *****9982

Outstanding Invoices

5000 00
 en ml sent
 Vyfhoedert Rand

Franschhoek Rugby Klub NPC

15/09/2021

75

W. J. J. J. J.

2500 00

Two thousand and

Franschhoek Rugby club
 08/07/2021

71

(4)

101 216

The Standard Bank of South Africa Limited (Reg. No. 1982/000738/06) Authorised financial services provider
Die Standaard Bank van Suid-Afrika Beperk (Reg. no. 1982/000738/06) Oorlegde finansiële dienster verskaffer

CASH WITHDRAWAL	AUTOBANK AS41
10H24	TRANSACTION DATE
2021-09-15	BUSINESS DATE
2021-09-15	FROM ACCOUNT
*****2096	AMOUNT WITHDRAWN
R-5,000.00	AVAILABLE FUNDS
R 42,216.88	ACCOUNT BALANCE
R 42,216.88	APPLICATION ID
A0000000041010	APPLICATION NAME
Debit Mastercard	TVR
8000040000	CVR
601003220000	

Transaction record/
Transaksierekord





	Petty Cash Slip	R 2500
Date	15 / Oct / 2021	
Paid to	Medic 1	
Reason	outstanding Payment medicines	

ELECTRONIC ACCOUNT PAYMENT
 AUTOBANK 4541
 12H38
 TRANSACTION DATE 2022-02-04
 BUSINESS DATE 2022-02-04
 ACCOUNT *****2096
 AMOUNT PAID R 800.00
 BENEFICIARY NAME: WP RUGBY FOOTBALL
 CUSTOMER REF.: WP RUGBY FOO
 BENEFICIARY REF.: FRANSCHHOEK RUGBY
 APPLICATION ID A0000000041010
 APPLICATION NAME Debit MasterCard
 TVR 8000040000
 CVR 201003220000

The Standard Bank of South Africa Limited (Reg. No. 1992/000738/06) Authorized financial services provider
 Die Standaard Bank van Suid-Afrika Beperk (Reg. no. 1992/000738/06) Gemagtigde finansiële diensteverskaffer

Transaction record/
 Transaksierekord

Standard Bank

6

the. lury we
11 Eldorado sheet

* BIBIS SOFTDRINKS DISTRIBUTORS *
* 23 NEW STREET PAARL *
* TEL: 021 872 2713 Cell: 083 234 3988 *
* VAT:4060108141 *

-YOUR RECEIPT-

Cashier Aslam
Till No 1 Slip No# 26572
Date and Time: 07:23 02-03-22

MARKED FOR DELIVERY

ITEM DESCRIPTION	QTY	PRICE
400ML COKE CLR PRE-PRICED		
# 7594 @ R214.20	5.00	1071.00
400ML FANTA ORANGE PRE-PR		
# 7586 @ R214.20	2.00	428.40
500ML P/ADE M/BLAST NRB X		
# 7865 @ R236.90	4.00	947.60.
Tax1 @ 15.00% on 824.00		123.60.
ITEMS: 11	TOTAL DUE:	2447.00
CASH TENDERED:		2447.00
THANK YOU		



Transaction record/
Transaksiererekord

ELECTRONIC ACCOUNT PAYMENT
AUTOBANK AS41 17H10

TRANSACTION DATE 2022-03-01
BUSINESS DATE 2022-03-01

ACCOUNT *****2096
AMOUNT PAID R 2447.00

BENEFICIARY NAME: BIBIES COOLDRIK
CUSTOMER REF.: BIBIES COOL
BENEFICIARY REF.: FRASNCNHOEK RUGBY
APPLICATION ID A0000000041010
APPLICATION NAME Debit Mastercard
TVR 8000040000
CVR 201003220000



Transaction record/
Transaksiererekord

ELECTRONIC ACCOUNT PAYMENT
AUTOBANK AS41 15H41

TRANSACTION DATE 2022-02-08
BUSINESS DATE 2022-02-08

ACCOUNT *****2096
AMOUNT PAID R 5470.00

BENEFICIARY NAME: BIBIES COOLDRIK
CUSTOMER REF.: BIBIES COOL
BENEFICIARY REF.: FRASNCNHOEK RUGBY
APPLICATION ID A0000000041010
APPLICATION NAME Debit Mastercard
TVR 8000040000
CVR 201003220000

The Standard Bank of South Africa Limited (Reg. No. 1992/000728/09) Authorized Financial Services Provider
Die Standaard Bank van Suid-Afrika Beperk (Reg. No. 1992/000728/09) Oorheersende Finansiële Dienster

The Standard Bank of South Africa Limited (Reg. No. 1992/000728/09) Authorized Financial Services Provider
Die Standaard Bank van Suid-Afrika Beperk (Reg. No. 1992/000728/09) Oorheersende Finansiële Dienster

ITEM DESCRIPTION	QTY	PRICE
400ML COKE CLR PRE-PRICED		
# 7594 @ R214.20	6.00	1285.20
400ML FANTA ORANGE PRE-PR		
# 7586 @ R214.20	5.00	1071.00
400ML SPRITE LS PRE-PRICE		
# 7811 @ R214.20	5.00	1071.00
500ML P/ADE M/BLAST NRB X		
# 7865 @ R236.90	3.00	710.70.
500ML P/ADE NAARTJIE NRB		
# 1799 @ R236.90	2.00	473.80.
Tax1 @ 15.00% on 1030.00		154.50.
ITEMS: 21	TOTAL DUE:	4611.70
CASH TENDERED:		4611.70
THANK YOU		

MARKED FOR DELIVERY
Date and Time: 08:22 09-02-22
Cashier Aslam
Till No 1 Slip No# 26575
-YOUR RECEIPT-

* BIBIS SOFTDRINKS DISTRIBUTORS *
* 23 NEW STREET PAARL *
* TEL: 021 872 2713 Cell: 083 234 3988 *
* VAT:4060108141 *

11 Eldorado
Sheet
KEEROM 9

7



WHEREVER YOU GET MORE FOR LESS

17 TEXTILE STREET PAARL 7646

TEL (011) 870 1858

TEL TAXI 001

VAT NUMBER 4430196347

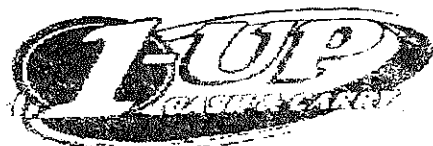
TEL 001 PAARL 04

Clerk 1

#00541238121 4	
Diamond Chips 1x1kg	228.00
12 X 19.00	
#00541258809544	
Frozen Valley Chips 1kg	136.00
8 X 17.00	
#00000000007428	
Fritos 24x25g	40.00
#00160951060468	
Niknaks 50x20g	160.00
4 X 40.00	
#00600980445000	
Sauceland Bbq Sauce 2lt	45.00
#00600980445077	
Sauceland S/Chilli 2lt	52.00
#00600980445010	
Sauceland Tom Sauce 2lt	30.00
#00600156500903	
D Lite Oil 2l	220.00
4 X 55.00	
#00000000001563	
Jive 6x2Lt	62.00
#00600968182234	
One-Up Carrier Bag 24lt	2.40
3 X 0.80	
#00600968182234	
One-Up Carrier Bag 24lt	0.80

37 Total	976.20
Taxable 15% VAT	341.04
15% 15% VAT	51.18
Taxable ZERO RATED	584.00

Tendered	976.20
CARD	976.20



WHERE YOU GET MORE FOR LESS

17 TEXTILE STREET PAARL 4545

TEL: (021) 870 1656

TAX INVOICE

VAT NUMBER 4430196347

TILL 1UPPAARL03

Clerk 1

#00544900000906

Coke 2L

2 X 22.00

#00000000001563

Jive 6x2Lt

#00000000007635

Doritos 24x45G

#00600064578445

Paco Chips 8/BBQ 50x22g

#00160951080468

Niknaks 50x20g

#00000000007511

SIMBA CHIPS 24x36G

#00600156500903

D Lite Oil 2l

3 X 55.00

Bulk Manager 2

VOID

#00544900000906

Coke 2L

Clerk 1

#00160918800412

Tex Mint 24s

#00600105700349

Sunlight Liquid Pouchix

2 X 23.00

#00600980445010

Sauce and Tom Sauce 2lt

#00600980445010

Sauce and Tom Sauce 2lt

#00160706502386

Cad Lunch Bar 1x24s

#00762220177090

Cadbury Fluffies 30s

#00600456000061

Seepo Ityiwa 1x500g

#00600478400187

66.00

60.00

140.00

39.00

40.00

140.00

165.00

-22.00

70.00

46.00

30.00

30.00

70.00

65.00

2.20

Wednesday 9-2-2022 16:23:00
 #000113 L0001
 Receive Regular Promotional Updates
 by joining us on...
 Facebook, Instagram @lupcashandcarry
 WhatsApp: 083 065 6777
 or Visit: www.luponline.co.za
 Email: info@luponline.co.za
 Please Check Your Goods - No Refunds

CARD
 Tendered
 36 Total
 Taxable 15% VAT
 15% 15% VAT
 Taxable ZERO RATED
 1,400.20
 113.77
 528.00
 1,400.20

2 X 25.00
 #00600980445010
 Sauce and Tom Sauce 21t
 #00600980445010
 Sauce and Tom Sauce 21t
 #00160706503386
 Cad Lunch Bar 1x24s
 #00762220177090
 Cadbury Fuffies 30s
 #00600456000061
 Seppo Ityima 1x500g
 #00600478400187
 Crackles Asst 1kg
 #00600708736918
 Domestic 8H/Andy 2x750ml
 #00600304100286
 Sul Vinegar 8 750ml
 #00541258809547
 Frozen Valley Chips 2.5k
 3 X 45.00
 #00541258812544
 Diamond Chips 1x1kg
 12 X 19.00
 228.00

45.00



MEDICARE EMR

The Pulse of Franschhoek



Franschhoek Rugby Club
Franschhoek Sportsground
Franschhoek 7690

Page 1120

Medicare Emergency Medical Response CC
Unit 56 B Village Artisan, Franschhoek 7690, SA
24h Emergency 074 363 7744 - Office 021 876 4316
info@medicare-emr.co.za
www.medicare-emr.co.za
CK2006/200245/23

The electronic version of this document is the original Tax Invoice and any hard copy made is deemed a copy.

INVOICE

Invoice No.	MED012293	Page	1 (1)
Invoice Date	10/02/2022	Your Reference	E-004866
Due Date	10/02/2022	ID Number	
Payment Terms	PIA		
Order No.	10402		
Your Account No.	20744		
Our Reference	Daniële Riffel Rugby day		
Our Contact	Garth Van Zyl		

Notes

*** CASH ON DELIVERY. DO NOT DELIVER WITHOUT COLLECTING PAYMENT ***

Item Code	Description	Quantity Unit	Price	Disc.	Amount
BLSE	Basic Life Support Paramedic with Jumpbag Date 12/02/2022 Times: 12:00-18:00	1.00 HRS	900.00		900.00 N
SUB TOTAL					R 900.00
GRAND TOTAL					R 900.00

AMOUNT TO PAY R 900.00
Due Date 10/02/2022
Invoice No. MED012293
Pay to Bank Account 62694799324
Bank First National Bank

Please use Invoice Number as Payment Reference



Banking Details: Medicare Emergency Medical Response CC,
FNB Business Cheque Account, Account No: 62694799324, BC: 250655

AUTOBANK AS41
 TRANSACTION DATE 2022-02-11
 BUSINESS DATE 2022-02-11
 FROM ACCOUNT *****2096
 AMOUNT WITHDRAWN R-900.00
 AVAILABLE FUNDS R 18,213.62
 ACCOUNT BALANCE R 18,213.62
 APPLICATION ID A0000000041010
 APPLICATION NAME Debit Mastercard
 TVR 8000040000
 CVR 601003220000

CASH WITHDRAWAL
 13H00

Transaction record/
 Transaksieskorsel

Standard B &

The Standard Bank of South Africa Limited (Reg. No. 1962/000728/06) Authorised financial services provider
 Die Standaard Bank van Suid-Afrika Beperk (Reg. No. 1962/000728/06) Geagteise finansiële diensteverskaffer

TRANSCHHOEK
021 876 2075/6
CASHIER: Yolandre Hardneck

DELI PREPARED FOODS 200.00
DEPT TAX EXEMPT UTILITY 100.00e
CARD-N004244109247

DUE VAT INCL 300.00

TENDER 300.00

debit Mastercard
B21788

TOTAL ITEM: 2

TAX INVOICE

TAXABLE VAL 200.00

VAT VAL 26.09

0.00 0.00

VAT INCL

IF ZERO-RATED

NON-SUPPL

VAT REG NO: 17201006
V V. ALITY HEALTHYFOOD CASH BACK ITEM

Liquor Ltd. WCP/036277/032166

PLEASE RETURN TO

CUSTOMER CARE LINE: 0800 00 00

WEBSITE: www.picknicks.co.za

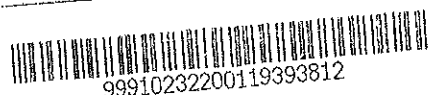
THANK YOU FOR SHOPPING WITH US

SMART SHOPPER

Smart Shopper Card No: xxx xxx xxx xxx

12.02.22 09:17

99910232200119393812



cut here =====
Stellenbosch Municipality

VAT Reg NO : Stellenbosch Municipality TaxRe

f VAT Invc : 089444

Meter No. : 04244109247

SGC: 000402 KRN: 1 TI: 01

Total R100.00

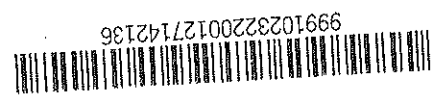
Electricity Units 37.6 kWh

*****714213 3220 32200015 12 05.03.22 08:30*****
68
5166 9946 9224 0603 37
 ELECTRICITY PIN

Electricity Units 18.8 kWh
 Tariff Total R50.00
 VAT @ 15% R6.52
Total R50.00

VAT Reg No : Stellenbosch Municipality TaxRe
 VAT Invc : 352573
 Meter No. : 04270748322
 SGC: 000402 KRN: 1 TI: 01

cut here
 Stellenbosch Municipality



*****714213 3220 32200015 12 05.03.22 08:30*****

Rands earned: R3.77
 Rands left to spend: R80.96
 Smart Shopper card # *****4841
 THANK YOU FOR SHOPPING WITH US.
 WEBSITE: www.picknpay.co.za
 CUSTOMER CARE LINE: 0860 30 30 30
 PLEASE RETAIN AS YOUR GUARANTEE
 Liquor Lic: WCP/036277/032166

V VITALITY HEALTHYFOOD CASH BACK ITEM
 VAT REG NO. 4070204096
 # NON-SUPPLY
 # ZERO-RATED
 VAT INCL
 TAXABLE VAL 754.99
 VAT VAL 98.48
 TAX INVOICE
 TOTAL ITEMS: 4
 Debit MasterCard B63526
 804.99
 TENDER
 DUE VAT INCL 804.99
 CARD-N004270748322
 DEL. TAX EXEMPT UTILITY
 50.00e
 165.00
 49.99
 540.00
 BUTCHERY
 HOTDOG ROLL EA
 HC

CASHIER: Masanda Mzuzwana
 FRANSCHHOEK
 021 876 2075/6

Pick n Pay



*705937 3220 32200015 12 11.02.22 17:29

Smart Shopper card # *****4841
 Rands earned: R10.08
 Rands left to spend: R47.23
 THANK YOU FOR SHOPPING WITH US.
 WEBSITE: www.picknpay.co.za
 CUSTOMER CARE LINE: 0860 30 30 30
 PLEASE RETAIN AS YOUR GUARANTEE
 Liquor Lic: WCP/036277/032166

V VITALITY HEALTHYFOOD CASH BACK ITEM
 VAT REG NO. 4070204096
 # NON-SUPPLY
 # ZERO-RATED
 VAT INCL
 TAXABLE VAL 1,985.86
 VAT VAL 259.08
 TAX INVOICE
 TOTAL ITEMS: 14
 Debit MasterCard B71605
 1,985.86
 TENDER
 DUE VAT INCL 1,985.86
 LARGE CARRIER BAG
 ** Less cash-off 0.85
 SIMBA CHEESE & ONION 132g -5.33
 PNP R/S PEANUTS & RAISINS 45 16.99
 ENDERMINTS ORIGINAL 100g 51.99
 ENDERMINTS SPEARMINT 100g 16.29
 ** Less cash-off 16.29
 SIMBA CHIPS CHAKALAKA 120g -5.33
 ** Less cash-off 16.99
 SIMBA CHIPS SALTI&VINEGAR 132 -5.33
 ** Less cash-off 16.99
 SIMBA CHILLI BILTONG 132g -5.33
 ** Less cash-off 16.99
 SIMBA CREAMY CHEDDAR 120g -5.33
 ** Less cash-off 16.99
 SIMBA CHIPS CHEESE&ONION 120 -5.33
 MEGA ROLLER TOWELL 2ea 44.99
 SERVETTES WHITE 100ea 22.99
 INSTORE BAKERY 412.50
 BUTCHERY 1,350.00

CASHIER: Masanda Mzuzwana
 FRANSCHHOEK
 021 876 2075/6

Pick n Pay

*714476
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 # ZERO-R
 VAT INCL
 DELI
 CASHIER:



Standard Bank

Transaction record/
Transaksierekord

ELECTRONIC ACCOUNT PAYMENT
AUFLOSKUNG 2541 17H09

TRANSACTION DATE 2022-03-01
EFFECTIVE DATE 2022-03-01

ACCOUNT 1000002096
AMOUNT PAID R 1600.00

COUNTERPARTY NAME WP RUGBY FOOTBALL
WP RUGBY FOOTBALL
WP RUGBY FOOTBALL

APPLICATION ID A0000000041010
APPLICATION NAME e-fit MasterCard
IVR 8000040000
EVR 201003220000

The Standard Bank of South Africa Limited Reg. No. 1552/000789009. Authorised financial services provider.
Die Standard Bank van Suid-Afrika Beperk Reg. no. 1552/000789009. Omgelote finansiële diensterokkeerder.

4/3/22, 9:03 AM

Samsung Galaxy Tab A7 Lite (T225) 8.7" 32GB LTE Tablet | Buy Online in South Africa | takealot.com



Stay informed! Visit the SA Department of Health's website for COVID-19 updates: www.sacoronavirus.co.za



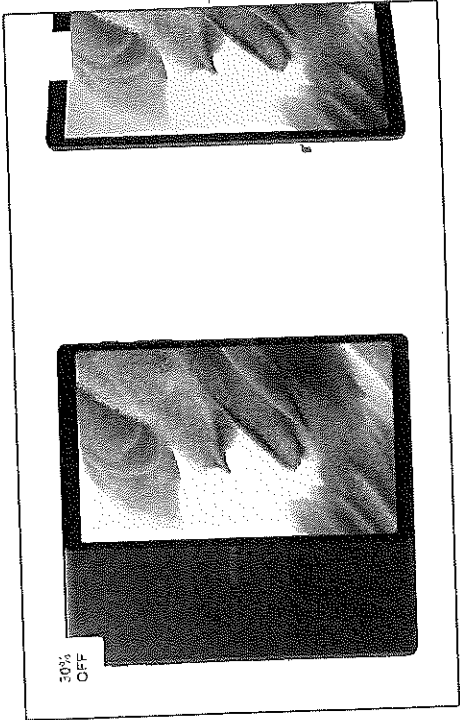
Samsung Galaxy Tab A7 Lite (T225) 8.7" 32GB LTE

Tablet

Samsung

SM-T225NZALFA

4.6 52 Reviews



R 2,988

FREE DELIVERY

e529,880 • Discovery Miles 29,880 • On Credit: R259 / month

In stock JHB When do I get it?

Sold by Elite Shopper - Fulfilled by Takealot

- Eligible for Cash on Delivery.
- Free Delivery Available.
- Hassle-Free Exchanges & Returns for 30 Days.
- 24-Month Limited Warranty.

Description

Quick Spec

Transaction record/
Transaksiererekord

Standard Bank



CASH WITHDRAWAL
13H00

AUTOBANK A541

TRANSACTION DATE

2022-03-31

BUSINESS DATE

2022-03-31

FROM ACCOUNT

****2096

AMOUNT WITHDRAWN

R-3,000.00

AVAILABLE FUNDS

R 6,906.77

ACCOUNT BALANCE

R 6,906.77

APPLICATION ID

A0000000041010

APPLICATION NAME

Debit Mastercard

TVR

8000040000

CVR

601003220000

The Standard Bank of South Africa Limited (Pty) Ltd, No. 1952/000730/CP, a company incorporated in South Africa, is a member of the Standard Bank Group. The Standard Bank Group is a financial services provider. The Standard Bank Group is a member of the Standard Bank Group. The Standard Bank Group is a member of the Standard Bank Group.

ANNEXURE 15



Directorate: Community and Protection Services

DOCUMENT ROUTE FORM

Including "For noting" Reports

DOCUMENT TYPE

ITEM	X	DEVIATION	CONTRACT	REPORT	OTHER
------	---	-----------	----------	--------	-------

SUBJECT: FEEDBACK REPORTS RECEIVED FROM TWO 2021-2022 GRANT IN AID (GIA) RECIPIENTS INDICATING CONTRAVENTIONS OF THE APPROVED GIA POLICY AND SIGNED MOA'S

COMPILED BY:		SIGNATURE	DATE
M AALBERS			23-11-2023
REQUESTED SIGNATORY	SUPPORTED/ NOT SUPPORTED/ APPROVED	SIGNATURE/COMMENTS	DATE
DIRECTOR COMMUNITY AND PROTECTION SERVICES	SUPPORTED/ NOT SUPPORTED	COMMENTS: 	27/11/2023
CFO	SUPPORTED/ NOT SUPPORTED	COMMENTS: 	
MUNICIPAL MANAGER	SUPPORTED/ NOT SUPPORTED	COMMENTS: 	
MMC	SUPPORTED/ NOT SUPPORTED	COMMENTS: 	28/11/2023
EXECUTIVE MAYOR	APPROVED/ NOT APPROVED	COMMENTS: 	05/12/2023
COLLABORATOR			

ANNEXURE 16

3.1.3	FEEDBACK RECEIVED FROM TWO 2021-2022 GRANT IN AID (GIA) RECIPIENTS INDICATING CONTRAVENTIONS OF THE APPROVED GIA POLICY AND SIGNED MOA'S
-------	--

Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

30 January 2024

1. **SUBJECT: FEEDBACK RECEIVED FROM TWO 2021-2022 GRANT IN AID (GIA) RECIPIENTS INDICATING CONTRAVENTIONS OF THE APPROVED GIA POLICY AND SIGNED MOA'S**

2 **PURPOSE**

To consider and discuss the feedback received in response to the communication sent to Grant in Aid recipients resulting from the Stellenbosch Council Meeting on 23 November 2022.

3. **DELEGATED AUTHORITY**

GiA donations are approved by council as part of the budget documents.

4. **EXECUTIVE SUMMARY**

Three grant receiving organisations were found to be in contravention of the Grant in Aid policy and signed MOA as discovered from their feedback reports. The discovery was documented and served at the Grants Committee on 15-08-2022 where it was supported and again on 14-11-2022 where the committee recommended that the decision relating to Smart Mission Entertainment and Ubuntu Hiking to be barred from participating in the Grant in Aid Programme stands and that more information must be requested from Franschhoek Rugby Club. On 23-11-2022 the item served at the Stellenbosch Council meeting where the recommendations were upheld, and the Department was mandated to communicate the results of the Council decision to the applicable organisations. The circulated communication to the organisations is attached as **ANNEXURE 1-3**.

Written responses were received from Franschhoek Rugby Club and Ubuntu Hiking.

GRANTS COMMITTEE: 2024-01-30: ITEM 3.1.3**RESOLVED**

- a) That the communication sent to all three applicants, and the written responses received from Ubuntu Hiking and Franschhoek Rugby Club, be noted.
- b) That Ubuntu Hiking be instructed to pay back the amount of R 1 481.00, and be barred from participating in the Grant in Aid Donation Programme for a period of five years (2022-2023 to 2027-2028) as per the stipulations of the Grant in Aid Policy paragraph 8.5;
- c) That the Franschhoek Rugby Club be instructed to pay back the amount of R 40 000,00, and be barred from participating in the Grant in Aid Donation Programme for a period of five years (2022-2023 to 2027-2028) as per the stipulations of the Grant in Aid policy paragraph 8.5; and,
- d) That the two organisations be informed of the decision.

ANNEXURE 17

7.9	COMMUNITY SERVICES:(PC: CLLR X KALIPA)
-----	--

7.9.1	FEEDBACK RECEIVED FROM TWO 2021-2022 GRANT IN AID (GIA) RECIPIENTS INDICATING CONTRAVENTIONS OF THE APPROVED GIA POLICY AND SIGNED MOA'S
-------	--

Collaborator No: 763996
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 20 March 2024

1. SUBJECT: FEEDBACK RECEIVED FROM TWO 2021-2022 GRANT IN AID (GIA) RECIPIENTS INDICATING CONTRAVENTIONS OF THE APPROVED GIA POLICY AND SIGNED MOA'S

2. PURPOSE

To consider and discuss the feedback received in response to the communication sent to Grant in Aid recipients resulting from the Stellenbosch Council Meeting on 23 November 2022.

3. DELEGATED AUTHORITY

GiA donations are approved by council as part of the budget documents.

4. EXECUTIVE SUMMARY

Three grant receiving organisations were found to be in contravention of the Grant in Aid policy and signed MOA as discovered from their feedback reports. The discovery was documented and served at the Grants Committee on 15-08-2022 where it was supported and again on 14-11-2022 where the committee recommended that the decision relating to Smart Mission Entertainment and Ubuntu Hiking to be barred from participating in the Grant in Aid Programme stands and that more information must be requested from Franschhoek Rugby Club. On 23-11-2022 the item served at the Stellenbosch Council meeting where the recommendations were upheld, and the Department was mandated to communicate the results of the Council decision to the applicable organisations. The circulated communication to the organisations is attached as **ANNEXURE 1-3**. Written responses were received from Franschhoek Rugby Club and Ubuntu Hiking.

At the Grants Committee meeting of 23-11-2023 it was recommended that the item be discussed with the Portfolio Councillor and Executive Mayor. On 28/11/2023 the item was discussed with the MMC, Cllr X Kalipa who in turn discussed the item with the Executive Mayor. Both the MMC and the Executive Mayor acknowledged the item without additional comment by signing the route form (**ANNEXURE 15**).

At the Grants Committee meeting of 30-01-2024 the recommendations were approved for submission to the Mayoral Committee. (**ANNEXURE 16**)

EXECUTIVE MAYORAL COMMITTEE: 2024-03-20: ITEM 7.9.1**RESOLVED**

that the item is withdrawn and referred back for refinement and will be considered after the new policy was approved.

FOR FURTHER DETAILS CONTACT:

NAME	Michelle Aalbers
POSITION	Manager Community Development
DIRECTORATE	Community and Protection Services
CONTACT NUMBERS	8408
E-MAIL ADDRESS	Michelle.aalbers@ Stellenbosch.gov.za
REPORT DATE	21-02-2024

ANNEXURE 18

MINUTES

20TH MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY

2024-02-21

11.7	PARKS, OPEN SPACES AND ENVIRONMENT: (PC: J WILLIAMS)
------	--

NONE

11.8	PLANNING AND LOCAL ECONOMIC DEVELOPMENT AND TOURISM :(PC: CLLR C VAN WYK)
------	---

NONE

11.9	COMMUNITY SERVICES:(PC: CLLR X KALIPA)
------	--

11.9.1	GRANT IN AID POLICY REVIEW
--------	----------------------------

Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

14 February 2024 & 21 February 2024

1. SUBJECT: GRANT IN AID POLICY REVIEW**2. PURPOSE**

To obtain council approval for the reviewed Grant in Aid Policy.

3. DELEGATED AUTHORITY

For approval by Council.

4. EXECUTIVE SUMMARY

Feedback reports and comments received during the April 2023 period for comments on the draft budget raised concern and led the department to reconsider the Grant in Aid policy with specific reference to:

- a. Consequences relating to misappropriation of funds and
- b. The misuse of the comment/appeal period after the closing date for applications.

The recommended changes in the attached GiA Policy (**ANNEXURE A**) aims to address the above concerns.

After in-principle approval of the reviewed Grant in Aid Policy was obtained at the Special Council Meeting on 27-09-2023, same was advertised for public comment in the Eikestad News of 26 October 2023 as Notice 138/23 (**ANNEXURE B**) with a closing date of 24 November 2023.

By the closing date, no comments were received.

Further amendments to paragraph 8.5 of the policy to read “a period up to 5 (five) years” were made at the Executive Mayoral Committee on 2024-02-14 were included in the reviewed policy attached as **ANNEXURE A**.

MINUTES

20TH MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY

2024-02-21

that the revised Grant in Aid Policy be adopted and recommended for approval by Council with the amendment of paragraph 8.5 on page 12 of the Grants in Aid Policy to read "a period of up to 5 (five) years.

20TH COUNCIL MEETING: 2024-02-21: ITEM 11.9.1**RESOLVED** (majority vote with 1 abstention)

that the revised Grant in Aid Policy be adopted and approved by Council with the amendment of paragraph 8.5 on page 12 of the Grants in Aid Policy to read "a period of up to 5 (five) years.

FOR FURTHER DETAILS CONTACT:

NAME	Michelle Aalbers
POSITION	Manager Community Development
DIRECTORATE	Community and Protection Services
CONTACT NUMBERS	8408
E-MAIL ADDRESS	Michelle.aalbers@ Stellenbosch.gov.za
REPORT DATE	29-11-2023

ANNEXURE 19



FRANSCHHOEK RUGBY CLUB

(est. 2003)

gc@macglobal.co.za

FRANSCHHOEK RUGBY CLUB TRANSPORT AND EQUIPMENT PROPOSAL 2021/2022

Club Administrator:

Emile Krotz (083 580 0097)

President: Archie Johnson (082 512 8956) - Chairman: George Collins (072 863 6226)

Secretary: Duran Natus (078 974 7636) - Treasurer: Leandre Davids (083 951 2159)

Scrum it Administrator: Abraham Gertse (074 562 3788)

Affiliated with Western Province Rugby Football Union (WPRFU)

HEAD COACH: JULIAN WILLIAMS (074 448 4444)





FRANSCHHOEK RUGBY CLUB

(est. 2003)

gc@macglobal.co.za

1. GENERAL BACKGROUND/SHORT OVERVIEW

Franschhoek Rugby Club was established in 2003 after a merger between the 2 local clubs in the valley, namely Mountain Rocks and Groendal. The club is situated in a previously disadvantaged community which is characterized by alcohol and drug abuse, gangsterism and a concerning increase in the unemployment of the youth. Through rugby we as a club try to be an alternative to the above mentioned social problems and encourages positive choices amongst our youth in the valley. We try to offer a platform where the young men and the youth can showcase their talent on a weekly basis, and by doing this, also keep them positively busy through the beautiful game of rugby.

2. PROPOSAL DETAILS

We, as Franschhoek Rugby Club aims to improve participation amongst the youth and young men in our community. Our objectives and aims are the following:

- TO BECOME ONE OF THE TOP CLUBS IN THE WESTERN CAPE
- TO NURTURE THE TALENT OF OUR YOUNG MEN AND YOUTH
- TO MAKE A POSITIVE DIFFERENCE IN THE COMMUNITY WE SERVE
- TO BE AN ALTERNATIVE TO THE SOCIAL EVILS THAT PREVAILS IN OUR COMMUNITY
- TO CREATE OPPORTUNITIES FOR OUR PLAYERS AND COMMUNITY

Club Administrator:

Emile Krotz (083 580 0097)

President: Archie Johnson (082 512 8956) - Chairman: George Collins (072 863 6226)

Secretary: Duran Natus (078 974 7636) - Treasurer: Leandre Davids (083 951 2159)

Scrum it Administrator: Abraham Gertse (074 562 3788)

Affiliated with Western Province Rugby Football Union (WPRFU)

HEAD COACH: JULIAN WILLIAMS (074 448 4444)





FRANSCHHOEK RUGBY CLUB

(est. 2003)

gc@macglobal.co.za

We are currently playing in the 2nd highest league in the western province union namely the Super League B for 4 years now, and consistently finish in the top 6 of the league which consist of 15 teams. We have 4 teams at the club, 3 senior teams and 1 under 20 team. The players are very dedicated even though they are sometimes faced with financial difficulties. We, as the club try to assist whenever possible in order for the players to perform at their best at all times. Should our application reach you favourably, it will be a massive boost for the players because they are the ones who dearly needs this. It takes a lot of sacrifices and effort from their side to be part of the Franschhoek rugby club, they offer their time and put their bodies on the line to be a positive mirror for the community without being remunerated of any kind.

THE CLUB ARE IN NEED OF FUNDING WITH REGARDS TO OUR TRANSPORT COSTS AND EQUIPMENT, TO BE ABLE TO GIVE THE PLAYERS THE BEST POSSIBLE OPPORTUNITIES, IN THE MOST CONDUCIVE RUGBY ENVIRONMENT.

Franschhoek rugby club is well known and respected amongst the rugby community as the club with the biggest supporter base. Hundreds of supporters attend the games week after week. It is encouraging to the players to see the excitement and passion coming from the community. The community however, struggle financially to pay the bus fare when the games are away from home.

The number of people that will benefit from this project and possible funding can amount to +- 800 to 1000 people if not more. This alone will increase the moral of the players and filters back to our community as a whole.

The projected start date of this program will be around July 2021 and will ends on December 2021.

The total cost of the program amounts to R40000 of which R28000 are aimed to be used for training equipment, and the remaining R12000 will be utilized for transport costs.

The club's contribution to this project amounts to R15000 which we generate via gate ticket sales and fundraising events to the amount of R3000.

Club Administrator:

Emile Krotz (083 580 0097)

President: Archie Johnson (082 512 8956) - Chairman: George Collins (072 863 6226)
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FRANSCHHOEK RUGBY CLUB

(est. 2003)

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The rugby club does not have any other sources of stable income, and are mostly depend on ticket sales and fundraising events within our club to be able to function properly which at times can be challenging.

With regards to the achievements of the club the following come to mind:

- **League Champs 2014**
- **Presidents Cup Champs 2014**
- **1 DISA TEAM REPRESENTATIVE IN 2016 (ASIVILE MAHOBE)**
- **5 PLAYERS IN THE SUPERSPORT CHALLENGE SQUAD NAMELY:
LOGAN BOONZAAIER, ANTHONY ADONIS, CHARLTON
JOHNSON, CARLTON JOHNSON AND WILBUR BOONZAAIER**
- **1 WOMENS SPRINGBOK PLAYER AND WORLD CUP
PARTICIPANT IN 2014 (CELESTE ADONIS**

The references of our club and independent towards the club are:

Mr Enrico Du Preez
Building inspector in Franschhoek
0635994337

Dr Shaun Burrows
Reverend of VGK church in Franschhoek
0843001787

CONCLUSION

In the light above, the Franschhoek rugby club would humbly like to request that you will find it in good faith to consider our application for funding. The sacrifices that the players make and their passion towards the upliftment of the broader community, will make them feel worthy and in that encourage others to join in. We, as the club with the most supporters, would like to thank you for taking the time to consider our application.

Club Administrator:

Emile Krotz (083 580 0097)

President: Archie Johnson (082 512 8956) - Chairman: George Collins (072 863 6226)
Secretary: Duran Natus (078 974 7636) - Treasurer: Leandre Davids (083 951 2159)
Scrum it Administrator: Abraham Gertse (074 562 3788)

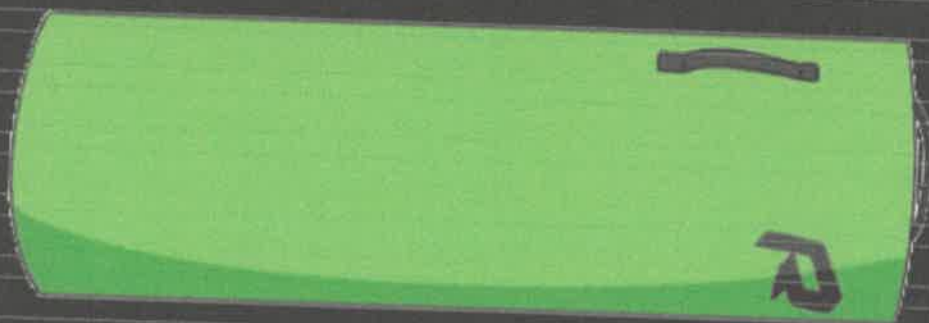
Affiliated with Western Province Rugby Football Union (WPRFU)

HEAD COACH: JULIAN WILLIAMS (074 448 4444)





FRUITS OF THE TROPICS





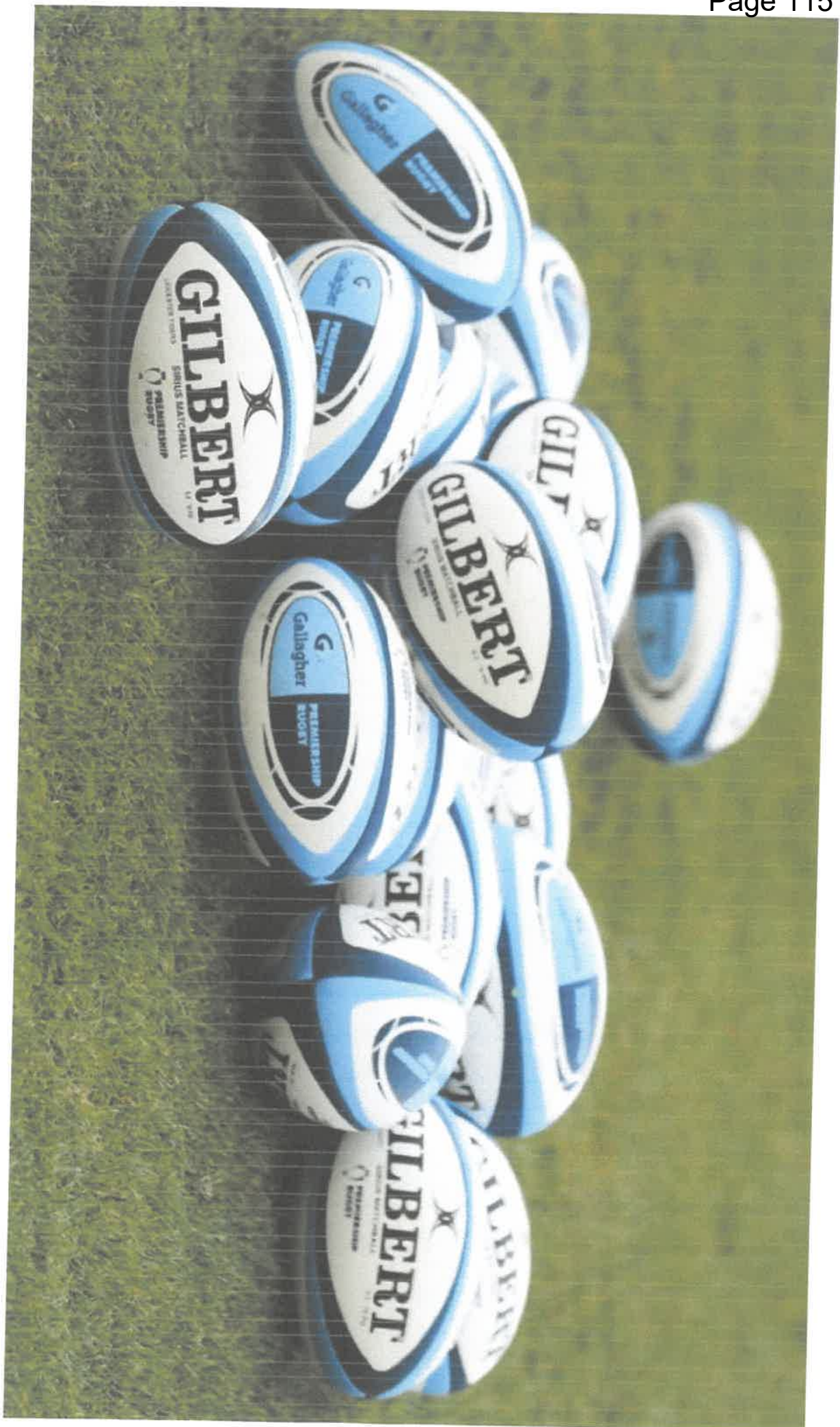














Date: 22/10/2020 16:49:28

User: R.Cyster -SWH06625

Sportsmans Warehouse Quotation/Proforma Invoice

Page 1 of 2

Account Number: A07463000004

Company Reg No: 2006/017179/07

Notes:

Tax Number: 4630230433

VAT Number:

Customer Details

Name: Mr Stellenbosch Eikestad
Address: Shop 201 Eikestad Mall
43 Andringa Street Stellenbosch

Store: Stellenbosch 0746 (0746)
Store Tel: 021 180 4727

Home Tel: 0211804727

Quotation Number: 0746000221
Quotation Date: Thursday, 22 October, 2020

Work Tel: 0211804727

Auth User:

Cell: 0211804727

Email: stellenbosch@swh.co.za



SKU Code	Description	Colour	Size	Product Code	Qty	Normal Price	Quote Price	Promo Price	Promo End Date	Value Exc	Value Tax	Value Inc
1215400	Headstart Soccer Ball Bag			1018290	1	399.90	399.90	0.00		347.74	52.16	399.90
1220811	#Flat Marking Cones Set 50			1020178	1	399.90	399.90	0.00		347.74	52.16	399.90
1231105	#Traffic 9" Cones (4 per Pack)			1022844	5	129.90	129.90	0.00		564.80	84.72	649.50
1355441	SWH Men's Training Bib	Pink	L/XL	1054030	10	139.90	139.90	0.00		1,216.50	182.48	1,399.00
1720138	HS 12" Pump	Red		1068228	1	159.90	159.90	0.00		139.04	20.86	159.90
1430549	Headstart Agility Ladder	No Col		1082278	10	369.90	369.90	0.00		3,216.50	482.48	3,699.00
1430551	Headstart Quick Hurdles 5pack	No Col		1082280	5	639.90	639.90	0.00		2,782.15	417.33	3,199.50
1431811	Gilbert Tackle Bag Budget 1.3	Green	L	1082641	25	2,099.90	2,099.90	0.00		45,650.00	6,847.50	52,497.50
1431814	Gilbert Contact Shield-Large	Green	L	1082644	25	699.90	699.90	0.00		15,215.25	2,282.29	17,497.50
1478519	ShadowBall SZ5 Rugby Ball-6pk	Green/	SZ5	1067760	4	399.90	399.90	0.00		1,390.96	208.64	1,599.60
1690009	SKLZ Pro Training Agility Poles (8 pac	Yel/bl		1137748	3	999.90	999.90	0.00		2,608.44	391.27	2,999.70
1711534	Gilbert SWH XT300 R/Ball	WHITE/	SZ5	1142172	6	159.90	159.90	0.00		834.24	125.14	959.40
Total					96					74,313.36	11,147.03	85,460.40

Quote Conditions:

PLEASE NOTE:

1. This quote will only be valid for 7 days from date of issue.
2. This quote does not include any delivery charges.
3. Quantities are subject to stock availability.
4. If the item is not currently a stock item, a 60% deposit is required before the order can be placed. This deposit is non-refundable should the order be changed / cancelled after the order has been placed.
5. All goods must be paid in full before it will be released.
6. Regretfully Sportsmans Warehouse does not accept cheque deposits.
7. Any special requirements and/or conditions will be captured next to "Notes" above and will ONLY be valid if the quote is signed by the store manager.
8. EFT payments are subject to a 72 hour bank clearance period before goods will be released.

Standard Bank

Manager Signature : _____

Customer Signature : _____

Date: 22/10/2020 16:49:28
User: R.Cyster -SWH06625

Sportsmans Warehouse
Quotation/Proforma Invoice

Page 2 of 2

Banking Details: Thibault Square (020909)
Account number: 07 026 8649
Reference :0746000221 Use the above Quote number
SEND EFT PAYMENT CONFIRMATION TO: stellenbosch@swh.co.za

Manager Signature : _____

Customer Signature : _____

ANNEXURE 20

26.04.22

To Stellenbosch Municipality

Franschhoek Rugby Club would like to express our gratitude to Stellenbosch municipality for the funding of R40.000 received in August 2021.

Due to the epidemic, we were unable to play rugby and our main source of income is the gate money.

With the funding we were able to pay for our outstanding accounts, referee payment. We were able to buy stock for our shop to sell and from the proceeds we could feed our players after the game.

We are currently waiting on a quote for ties for the players and will spent the remaining money as soon as possible.

Thank you

Franschhoek Rugby Club

Requested for transport
and equipment

Franschhoek Rugby



FRANSCHHOEK RUGBY CLUB

(est. 2003)

gc@macglobal.co.za

Franschhoek Rugby Club

- Expenditure from funds 2021/2022
- Annual Financial statements -
31 December 2021

Club Administrator: Emile Krotz (083 580 0097)

President: Archie Johnson (082 512 8956) - Chairman: George Collins (072 863 6226)

Secretary: Duran Natus (078 974 7636) - Treasurer: Leandre Davids (083 951 2159)

Scrum it Administrator: Abraham Gertse (074 562 3788)

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HEAD COACH: JULIAN WILLIAMS (074 448 4444)



Municipality Fund Transactions

Franschhoek Rugby Klub NPC

For the period 1 August 2021 to 31 March 2022

DATE	SOURCE	DESCRIPTION	REFERENCE	DEBIT	CREDIT	RUNNING BALANCE	GROSS	TAX
Municipality Fund								
Opening Balance								
6 Aug 2021	Receive Money	Stellenbosch Municipality - Municipality Fund Received		-	40,000	40,000	40,000	-
15 Sep 2021	Manual Journal	frame for the late stadler - frame for the late stadler	#718	150	-	39,850	(150)	-
15 Sep 2021	Manual Journal	Phisio - Phisio	#712	920	-	38,930	(920)	-
15 Sep 2021	Manual Journal	flowers and sympathy card - flowers and sympathy card	#725	137	-	38,793	(137)	-
15 Sep 2021	Manual Journal	payment for Tax shop - payment for Tax shop	#717	5,000	-	33,793	(5,000)	-
15 Oct 2021	Manual Journal	outstanding payment for Medic - outstanding payment for Medic	#719	2,500	-	31,293	(2,500)	-
4 Feb 2022	Manual Journal	referees - referees	#720	800	-	30,493	(800)	-
8 Feb 2022	Manual Journal	coke - coke	#721	5,470	-	25,023	(5,470)	-
9 Feb 2022	Manual Journal	shop - shop	#726	1,400	-	23,622	(1,400)	-
9 Feb 2022	Manual Journal	float and adhoc - float and adhoc	#711	2,500	-	21,122	(2,500)	-
9 Feb 2022	Manual Journal	payment to the tax shop - payment to the tax shop	#713	2,500	-	18,622	(2,500)	-
11 Feb 2022	Manual Journal	rolls and wors for shop - rolls and wors for shop	#722	1,986	-	16,636	(1,986)	-
11 Feb 2022	Manual Journal	medic - medic	#727	900	-	15,736	(900)	-
12 Feb 2022	Manual Journal	pick and pay for after function - pick and pay for after function	#723	300	-	15,436	(300)	-
1 Mar 2022	Manual Journal	Referees - Referees	#714	1,600	-	13,836	(1,600)	-
1 Mar 2022	Manual Journal	Coke purchases - Coke purchases	#731	2,447	-	11,389	(2,447)	-
4 Mar 2022	Manual Journal	shop - shop	#728	976	-	10,413	(976)	-
5 Mar 2022	Manual Journal	pick and pay wors and rolls - pick and pay wors and rolls	#724	805	-	9,608	(805)	-

Municipality Fund Transactions

DATE	SOURCE	DESCRIPTION	REFERENCE	DEBIT	CREDIT	RUNNING BALANCE	GROSS	TAX
31 Mar 2022	Manual Journal	Tablet for scrumit - Tablet for scrumit	#716	3,000	-	6,608	(3,000)	-
Total Municipality Fund				33,392	40,000	6,608	6,608	-
Closing Balance				-	6,608	6,608	-	-
Total				33,392	40,000	(6,608)	6,608	-



①

	Petty Cash Slip
Date	15/09/21
Paid to	Envelope for Frame for steelbox
Reason	R50-00

Bronwen Talbot Physiotherapy

BHF Practice No. 0720000825442

48 Arlsons Village
Cabriere Street
Franschhoek
7690Africa accounts- 021 876 4234
Email- bronwentaltbotphysio@gmail.com

2

Invoice

Franschhoek rugby club

Page: 1 of 1

Date: 28/05/2021

Account No.: 000193

Doc.No: AB00002958

Date / time Codes / NAPP	Patient / Description	In hosp?	ICD	Doc.No	Qty	Amount	Outstanding
28/05/2021	03 Diago Jacobs 11/12/1990 Attended by: Mrs Bronwen Talbot: Rooms [11]						
501	Rehabilitation		M25.66			238.00	232.00
406	Mobilization (not spinal)		M25.66			167.00	167.00
203 0008	Ultrasound		M25.66			56.00	56.00
							455.00

Please settle this account now, to avoid being handed over for collection.
Electronic T/F to Bronwen Talbot Physiotherapy
FNB Bank, MY BRANCH code 255355,
Acct 62772899088 INDICATE NAME OR ACCOUNT NUMBER
Email payment advice to bronwentaltbotphysio@gmail.com
Or tear off this slip and mail to PO Box 143,
Franschhoek, 7690
PLEASE ADVISE US IF YOU WANT A RECEIPT MAILED TO YOU

PAID
thank you

Bronwen Talbot Physiotherapy

BHF Practice No. 0720000625442

48 Artisans Village
Cabrere Street
Franschhoek
7690Afika accounts- 021 878 4234
Email- bronwentalbotphysio@gmail.com**Invoice**

Franschhoek rugby club

Page: 1 of 1

Date: 09/06/2021

Account No.: 000193

Doc.No: AB00002958

Date / time Codes / NAPPI	Patient / Description	In hosp?	ICD	Doc.No	Qty	Amount	Outstanding
09/06/2021	10 Charles Williams 28/12/1996 Attended by: Mrs Bronwen Talbot: Rooms (11)						
701	Evaluation (simple)		S22.30, W19.99			187.00	167.00
501 0010	Rehabilitation		S22.30, W19.99			119.00	119.00
303 0010	Soft tissue mobilisation		S22.30, W19.99			96.00	96.00
401 0008	Spinal mobilisation		S22.30, W19.99			83.00	83.00
							465.00

Please settle this account now, to avoid being handed over for collection.
Electronic T/F to Bronwen Talbot Physiotherapy
FNB Bank, MY BRANCH code 256355,
Acct 62772898088 INDICATE NAME OR ACCOUNT NUMBER
Email payment advice to bronwentalbotphysio@gmail.com
Or tear off this slip and mail to PO Box 143,
Franschhoek, 7690
PLEASE ADVISE US IF YOU WANT A RECEIPT MAILED TO YOU

PAID
thank you

No. 65	Date Sept 1
RECEIVED from	Flower Rugby Club
the sum of	Five hundred twenty
	Five
	DENTS
for	Phaid
	Brown
With Thanks	
Cash	920 00

(3)



FRANSCHEHEK
021 876 2075/6

CASHIER: SBULELO GATYENT.

FM FLOWERS 60 99.99
AD AFRI CARD NON SEASON 37.50
DUE VAT INCL. 137.49

TENDER
CASH 150.00
ROUNDING 0.09
CHANGE 12.60
TOTAL ITEMS: 2

TAX INVOICE
TAXABLE VAL VAT VAL
137.49 17.93
ZERO-RATED 0.00
NON-SUPPLY

VAT REG NO. 4070204096
V VITALITY HEALTH/FOOD CASH BACK ITEM

Liquor Lic.: WCP/036277/032166
PLEASE RETAIN AS YOUR GUARANTEE
CUSTOMER CARE LINE: 0860 30 30 30

WEBSITE: www.picknpay.co.za
THANK YOU FOR SHOPPING WITH US.

SMART SHOPPER

Smart Shopper Card # xxxxxxxxxxxx9987

(4)

71

08/07/2021

Franschoek Rugby Club

Two thousand Rand.

2000 00

H. J. J. J. J.

75

15/09/2021

Franschoek Rugby Klub NPC

Vyfhonderd Rand

en nul sent

5000 00

[Signature]

Outstanding Invoices



Standard Bank

Transaction record/
Transaksjerekord

AUTOBANK A541

CASH WITHDRAWAL
10H24TRANSACTION DATE
BUSINESS DATE2021-09-15
2021-09-15

FROM ACCOUNT

*****2096

AMOUNT WITHDRAWN

R-5,000.00

AVAILABLE FUNDS
ACCOUNT BALANCER 42,216.88
R 42,216.88APPLICATION ID
APPLICATION NAME
TVR
CVRA0000000041010
Debit MasterCard
8000040000
601003220000

The Standard Bank of South Africa Limited (Reg. No. 192090/2009) and its Affiliated Financial Services Provider
Die Standaard Bank van Suid-Afrika Beperk (Reg. No. 192090/2009) en sy Affiliëerde Finansiële Dienstoewersaam

for shop



	Petty Cash Slip	R2500
Date	15/0ct/2021	
Paid to	medic 1	
Reason	outstanding payment freddie's	

12



Standard Bank

Transaction record/
Transaksier rekord

ELECTRONIC ACCOUNT PAYMENT
AUTOBANK A541 12H38

TRANSACTION DATE 2022-02-04
BUSINESS DATE 2022-02-04

ACCOUNT *****2096
AMOUNT PAID R 800.00

BENEFICIARY NAME: WP RUGBY FOOTBALL
CUSTOMER REF.: WP RUGBY FOO
BENEFICIARY REF.: FRANSCHHOEK RUGBY

APPLICATION ID A0000000041010
APPLICATION NAME Debit Mastercard
TVR 8000040000
CVR 201003220000

The Standard Bank of South Africa Limited (Pty. Ltd.) 1992/00078009/06 (Incorporated in South Africa)
Die Standaard Bank van Suid-Afrika (Pty. Ltd.) 1992/00078009/06 (Incorporated in South Africa)

 Standard Bank

ELECTRONIC ACCOUNT PAYMENT
AUTOSANK A541 17H10

TRANSACTION DATE	2022-03-01
BUSINESS DATE	2022-03-01

ACCOUNT .
AMOUNT PAID
R 2447.00
*****2096

BENEFICIARY NAME:	BIEBIES COOLDRINK
CUSTOMER REF.	BIEBIES COOL
BENEFICIARY REF.	FRASCHHOEK RUGBY

APPLICATION ID	A0000000041010
APPLICATION NAME	Debit MasterCard
TVR	8000040000
MD	201003220000

The Standard Bank of South Africa Limited (Reg. No. 1902/001728/06). Authorised financial services provider of the Standard Bank group. Submit the Report Page No. 1902/001728/06. Copyrighted information. All information is

This Standard Bank of South Africa Limited File No. 789060023/1955 authorized financial services for
Dr. Standard Bank van Suid-Afrika Robert Hertzog, 1952-1953-1954) Government Accounts Officer

```

* * * * *
*      BIBIS SOFTDRINKS DISTRIBUTORS      *
*      23 NEW STREET PAARL                 *
* TEL: 021 872 2713 Cell: 083 234 3988    *
*      VAT:4060108141                     *
* * * * *
* * * * *
*      -YOUR RECEIPT-
*
* Cashier Aslam
* Till No 1 Slip No# 25675
* Date and Time 08:22 09-02-22

```

ITEM DESCRIPTION	QTY	PRICE
400ML COKE CLR PRE-PRICED		
# 7594 @ R214.20	6.00	1285.20
400ML FANTA ORANGE PRE-PR		
# 7586 @ R214.20	6.00	1071.00
400ML SPRITE LS PRE-PRICE		
# 7811 @ R214.20	6.00	1071.00
500ML P/ADE M/BLAST NRB X		
# 7865 @ R236.90	3.00	710.70
500ML P/ADE NAARTJIE NRB		
# 1799 @ R236.90	2.00	473.80
Tax1 @ 15.00% on 1030.00		154.50
ITEMS: 21	TOTAL DUE:	4611.70
CASH TENDERED:		4611.70
THANK YOU		

RECEIPT-

Cashier Asiam
Till No 1 Slip No# 26572
Date and Time 07:23 02-03-

MARKED FOR DELIVERY

ITEM DESCRIPTION	QTY	PRICE
400ML COKE CLR PRE-PRICED		
# 7594 @ R214.20	5.00	1071.00
400ML F&TA ORANGE PRE-PR		
# 7586 @ R214.20	2.00	428.40
500ML P/ADE W/BLAST NRB X		
# 7865 @ R236.90	4.00	947.60.
TOTAL @ 15.00% OF 824.00		123.60

ITEMS:	11	TOTAL DUE:	2447.00
		CASH TENDERED:	2447.00
		THANK YOU	



17 TEXTILE STREET PAARL 7646

TEL 011 870 1656

17 TRAIL

4430190347

TEL PAARL04

File 1

#00541233127 4

Diamond Chips 1x1x5

12 X 19.00

#0054125809544

Frozen Valley Chips 1kg

8 X 17.00

#000000007428

Fritos 24x25g

#00160951080468

Miknaks 50x20g

4 X 40.00

#00600980445000

Sauceland Egg Sauce 2lt

#00600980445077

Sauceland S./Chili 2lt

#00600980445010

Sauceland Tom Sauce 2lt

#00600156500903

D Lite 011 2l

4 X 55.00

#0000000001563

Five Bx2lt

#00600980182234

One-Up Carrier Bag 24lt

3 X 0.80

#00600980182234

One-Up Carrier Bag 24lt

37 Total

Taxable 15% VAT

10% 15% VAT

51.16

584.00

976.20

Tendered

CARD

976.20

976.20



...VAT/IBS VOUCHER LIST ORDER P.035 X.555

17 TEXTILE STREET PAARL 4545

TEL: (021) 870 1656

TAX INVOICE

VAT NUMBER 4430196347

TILL TUPPARI03

Clerk 1

#0054490000908

66.00

Doke 21

2 3 X 22.00

#0000000001563

60.00

Jive 6x21

#0000000007585

140.00

Doricks 24x456

#00600664578445

39.00

Paco Chips 8/88Q 50x22g

#00156351088458

40.00

Nikmaks 50x20g

#0000000007511

140.00

SINBA CHIP 32x4x36g

#00600166600903

185.00

D Lite 411 21

3 X 55.00

Bulk Manager 2

VOID

#0054490000906

-22.00

Clerk 1

#00160918800472

70.00

Tex Mitt 24s

#00600108700349

48.00

Artistic Little Pouches

2 X 25.00

30.00

Sauce/and Tom Sauce 21t

#0060066445610

30.00

Sauce/and Tom Sauce 21t

#00160706502386

70.00

Cad Lunch Bar 1x24s

#0078222017090

65.00

Cadbury Fluffies 30s

#00600456600061

2.20

Seppo Tying 1x500g

#00600478409187

2.20

2 X 25.00 46.00
 #0060380445010
 Sauce and Tom Sauce 2lt 30.00
 #0060680445010
 Sauce and Tom-Sa.ice-2lt 30.00
 #0016006508386
 Pad Lunch Bar 1x24s 70.00
 #0076220477090
 Cadbury F1iffies 30s 65.00
 #0060045800061
 Seppa Tlywa 1x500g 2.20
 #0060478400187
 Crackles Asst 1kg 56.00
 #0060008738318
 Domestic Oil/Pd/2x750ml 40.00
 #0060004100286
 Sul Vinegar 6 750ml 6.00
 #00541258809547
 Frozen Alley Chips 2.5k 135.00
 3 X 45.80
 #00541258812544
 Diamond Chips 1x1kg 228.00
 12 X 19.00
 36 Total 1,400.20
 Taxable 15% VAT 758.43
 15% 15% VAT 113.77
 Taxable ZERO PAID 528.00
 Tendered 1,400.20
 CARD 1,400.20

Wednesday 9-2-2022 16:23:00
 #000113 LD001

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Whatsapp: 083 065 8777

or Visit: www.luponline.co.za

Email: info@luponline.co.za

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MEDICARE EMR

The Pulse of Franschhoek

⑥

Medicare Emergency Medical Response CC
 Unit 56 B Village Artisan, Franschhoek 7690, SA
 24h Emergency 074 363 7744 - Office 021 876 4316
 info@medicare-emr.co.za
 www.medicare-emr.co.za
 CK2006/200245/23

Franschhoek Rugby Club
 Franschhoek Sportsground
 Franschhoek 7690

The electronic version of this document is the original Tax Invoice and any hard copy made is deemed a copy.

INVOICE

Invoice No. MED012293
 Invoice Date 10/02/2022
 Due Date 10/02/2022
 Payment Terms PIA
 Order No. 10402
 Your Account No. 20744
 Our Reference Daniele Riffel Rugby day
 Our Contact Garth Van Zyl

Page 1 (1)
 Your Reference E-004868
 ID Number

Notes

*** CASH ON DELIVERY. DO NOT DELIVER WITHOUT COLLECTING PAYMENT ***

Item Code	Description	Quantity	Unit	Price	Disc.	Amount
BLSE	Basic Life Support Paramedic with Jumbag Date 12/02/2022 Times: 12:00-18:00	1.00	HRS	900.00		900.00 N
SUB TOTAL						R 900.00
GRAND TOTAL						R 900.00

AMOUNT TO PAY R 900.00
 Due Date 10/02/2022
 Invoice No. MED012293
 Pay to Bank Account 62694799324
 Bank First National Bank

Please use Invoice Number as Payment Reference



Banking Details: Medicare Emergency Medical Response CC,
 FNB Business Cheque Account, Account No: 62694799324, BC: 250655



Standard B &

Transaction record/
Transakslerecord

AUTOBANK AS41

CASH WITHDRAWAL
13H00

TRANSACTION DATE

2022-02-11

BUSINESS DATE

2022-02-11

FROM ACCOUNT

*****2096

AMOUNT WITHDRAWN

R-900.00

AVAILABLE FUNDS

R 18,213.62

ACCOUNT BALANCE

R 18,213.62

APPLICATION ID

A0000000041010

APPLICATION NAME

Debit MasterCard

TVR

8000040000

CVR

601003220000

The Standard Bank of South Africa Limited (Reg. No. 1962/000728/06) Authorised financial services provider
Die Standaard Bank van Suid-Afrika Beperk (Reg. no. 1962/000728/06) Oorseege/Finansiële diensteverskaffer

FRANSCHMOEK
021 876 2075/6
CASHIER: Yolandre Hardneck

DELT PREPARED FOODS 200.00
DEPT TAX EXEMPT UTILITY 100.00e
CARD-N004244109247
DUE VAT INCL 300.00

TENDR
debit MasterCard 300.00
B21708

TOTAL ITEM: 2
VAT INVOICE
TAXABLE VAL 200.00 VAT VAL 20.09
0.00 0.00

VAT INCL
II ZERO-RATED
NON-SUPPL
VAT REG. NO. 12.02.22 09:17
V V. ALITY HEALTHYFOOD CASH BACK ITEM

Liquor Lic. WCP/036277/032166
PLEASE RET/IN
CUSTOMER CARE LINE 0800 00 00
WEB SITE: www.picknicks.co.za
THANK YOU FOR SHOPPING WITH US.
SMART SHOPPER
9939381 0/20 00 04 11 12.02.22 09:17

99910232200119393812

out here =====
Stellenbosch Municipality
VAT Reg NO : Stellenbosch Municipality TaxRe
VAT Invc : 089444
Meter No. : 04244109247
SGC: 000402 KRN: 1 TI: 01

Total R100.00

Electricity Units 37.6 kWh

Pick n PayFRANSCHHOEK
021 876 2075/6

CASHIER: Masanda Mzuzwana

BUTCHERY 540.00
HOTDOG ROLL EA 165.00
HC 49.99
DEL. TAX EXEMPT UTILITY 50.00e
CARD-N004270748322

DUE VAT INCL 804.99

TENDER Debit MasterCard 804.99
B63526

TOTAL ITEMS: 4

TAX INVOICE

VAT INCL 754.99 VAT VAL 98.48
ZERO-RATED 0.00 0.00
e NON-SUPPLYVAT REG NO. 4070204096
V VITALITY HEALTHYFOOD CASH BACK ITEM

Liquor Lic.: WCP/036277/032166
PLEASE RETAIN AS YOUR GUARANTEE
CUSTOMER CARE LINE: 0860 30 30 30
WEBSITE: www.picknpay.co.za
THANK YOU FOR SHOPPING WITH US.

SMART SHOPPER

Smart Shopper card # *****4841
Rands earned: R3.77
Rands left to spend: R80.96

*14213 3220 32200015 12 05.03.22 08:30

99910232200127142136
out here *****
Stellenbosch Municipality

VAT Reg NO : Stellenbosch Municipality TaxRe

f
VAT Invc : 352573
Meter No. : 04270748322
SGC: 000402 KRN: 1 TI: 01

Total R50.00

Electricity Units 18.8 kWh
Tariff Total R50.00
VAT @ 15% R6.52

ELECTRICITY PIN

5166 9946 9224 0603 37
68

*714213 3220 32200015 12 05.03.22 08:30

Pick n PayFRANSCHHOEK
021 876 2075/6

CASHIER: Masanda Mzuzwana

BUTCHERY 1,350.00
INSTORE BAKERY 412.50
SERVIETTES WHITE 100ea 22.99
MEGA ROLLER TOWELL 2ea 44.99
SIMBA CHIPS CHEESE&ONION 120 16.99
** Less cash-off -5.33
SIMBA CREAMY CHEDDAR 120g 16.99
** Less cash-off -5.33
SIMBA CHILLI BILTONG 132g 16.99
** Less cash-off -5.33
SIMBA CHIPS SALT&VINEGAR 132 16.99
** Less cash-off -5.33
SIMBA CHIPS CHAKALAKA 120g 16.99
** Less cash-off -5.33
ENDEARMINTS SPEARMINT 100g 16.29
ENDEARMINTS ORIGINAL 100g 16.29
PNP R/S PEANUTS & RAISINS 45 51.99
SIMBA CHEESE & ONION 132g 16.99
** Less cash-off -5.33
LARGE CARRIER BAG 0.85

DUE VAT INCL 1,985.86

TENDER Debit MasterCard 1,985.86
B71605

TOTAL ITEMS: 14

TAX INVOICE

VAT INCL 1,985.86 VAT VAL 259.03
ZERO-RATED 0.00 0.00
e NON-SUPPLY

VAT REG NO. 4070204096

V VITALITY HEALTHYFOOD CASH BACK ITEM

Liquor Lic.: WCP/036277/032166
PLEASE RETAIN AS YOUR GUARANTEE
CUSTOMER CARE LINE: 0860 30 30 30
WEBSITE: www.picknpay.co.za
THANK YOU FOR SHOPPING WITH US.

SMART SHOPPER

Smart Shopper card # *****4841
Rands earned: R10.08
Rands left to spend: R47.23

*705937 3220 32200015 12 11.02.22 17:29

99910232200127059373
out here *****
Stellenbosch Municipality

CASHIER:

DELI

VAT INCL
ZERO-R
e NON-S
V VITALI

LI
PLE
CUST
W
THA

If y
You

*714476

St. Jørg Bank Transaction record/
Transaksjonsrekord

ELECTRONIC ACCOUNT PAYMENT
AUTOLANK 4541 17H09

TRANSACTION DATE 2022-03-01
ENTRY DATE 2022-03-01

ACCOUNT 111112096
AMOUNT PAID A 1600.00

ACCOUNT NAME WP RUGBY FOOTBALL
WP RUGBY
ADDRESSHOLDER K1161

APPROVAL CODE A0000000041010
APPROVAL CODE 6111 MasterCard
IVR 8000040000
CVR 201003220000

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4/3/22, 9:03 AM

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Q 1

Samsung Galaxy Tab A7 Lite (T225) 8.7" 32GB LTE

Tablet
Samsung
SM-T225NZALPA
4.6 52 Reviews

R 2,988

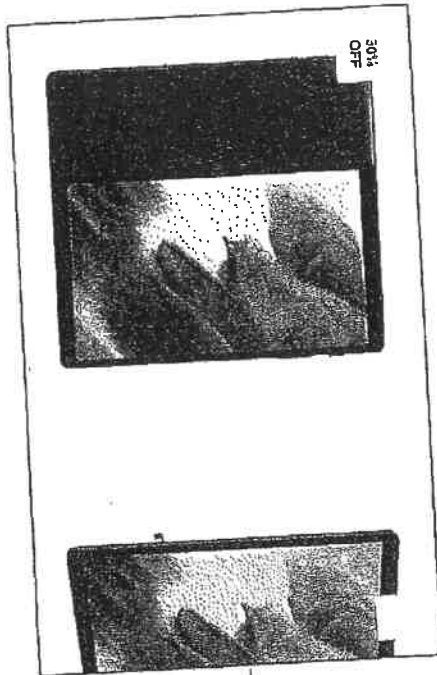
FREE DELIVERY

6829.880 - Discovery Miles 29.880 - On Credit R259 / month

In stock

Sold by Elite Shopper - Fulfilled by Takealot

- Eligible for Cash on Delivery
- Free Delivery Available.
- Hassle-Free Exchanges & Returns for 30 Days.
- 24-Month Limited Warranty.



Description
Quick Spec



Standard Bank

Transaction record/
Transakslerecord

AUTOBANK A541	CASH WITHDRAWAL 13H00
TRANSACTION DATE	2022-03-31
BUSINESS DATE	2022-03-31
FROM ACCOUNT	*****2096
AMOUNT WITHDRAWN	R-3,000.00
AVAILABLE FUNDS	R 6,906.77
ACCOUNT BALANCE	R 6,906.77
APPLICATION ID	A0000000041010
APPLICATION NAME	Debit MasterCard
TVR	8000040000
CVR	601003220000

The Standard Bank of South Africa Limited (Reg. No. 1962/000205/06) Authorized Financial Services Provider
 Die Standaard Bank van Suid-Afrika Beperk (Reg. No. 1962/000205/06) Gereguleerde Finansiële diensteraanbieder



FRANSCHHOEK RUGBY CLUB

gc@macglobal.co.za

(est. 2003)

REGISTRATION NUMBER NPC 2019/528641/08

Grant- In- Aid 2021/2022

Funding received from Stellenbosch Municipality for general use
R40000 August 2021

Equipment we bought was the following

Tablet for scrum It administrator to load the scores

Video camera for footage of each match played

Two-way radios to use when management require assistance on the field

The remainder of the funding we used for operational costs, which were a tremendous help for the club.

Evidence used:

Photos

Proof of payments

Financial statements

Beneficiaries

Youth: 120

Adults 25

Challenges were as follows:

Suppliers that were expensive

Massive backlogs at the factories

Certain designs that weren't what it is supposed to be.

Financial difficulties to contribute towards Attire

Progress to Date:

We as a club /management are working effortless to ensure that the club is sustainable and will continue to serve its purpose. We are always looking for ways to improve the quality of daily operations coaching methods trends, good financial records, and to develop our young players holistically.

Our main objective is to create uniformity as a rugby club and with the continues support that we receive from our ward counsellor and Stellenbosch municipality we will for sure met the above criteria.

Franschhoek Rugby Club would like to thank Stellenbosch Municipality for the funding received and looking forward to working together to make rugby just not a sport but a lifestyle for all our players in the community of Franschhoek.

Report Submitted by Leandre Davids

Club PR& Media: Emile Krotz (083 580 0097)

President: Archie Johnson (082 512 8956) - Chairman: George Collins (072 863 6226)

Secretary: Duran Natus (078 974 7636) - Treasurer: Leandre Davids (083 951 2159)

Scrum it Administrator: Abraham Gertse (074 562 3788)

Affiliated with Western Province Rugby Football Union (WPRFU)

HEAD COACH: JULIAN WILLIAMS (074 448 4444)



Franschhoek Rugby

Municipality Fund Transactions

Franschhoek Rugby Klub NPC

For the period 1 August 2021 to 31 August 2022

DATE	DESCRIPTION	REFERENCE	DEBIT	CREDIT	RUNNING BALANCE
Municipality Fund					
Opening Balance			-	-	-
6 Aug 2021	Stellenbosch Municipality - Municipality Fund Received		-	40,000.00	40,000.00
15 Sep 2021	frame for the late stadler - frame for the late stadler	#718	150.00	-	39,850.00
15 Sep 2021	payment for Tax shop - payment for Tax shop	#717	5,000.00	-	34,850.00
15 Sep 2021	flowers and sympathy card - flowers and sympathy card	#725	137.49	-	34,712.51
15 Sep 2021	Phisio - Phisio	#712	920.00	-	33,792.51
15 Oct 2021	outstanding payment for Medic - outstanding payment for Medic	#719	2,500.00	-	31,292.51
4 Feb 2022	referees - referees	#720	800.00	-	30,492.51
8 Feb 2022	coke - coke	#721	5,470.00	-	25,022.51
9 Feb 2022	shop - shop	#726	1,400.20	-	23,622.31
9 Feb 2022	float and adhoc - float and adhoc	#711	2,500.00	-	21,122.31
9 Feb 2022	payment to the tax shop - payment to the tax shop	#713	2,500.00	-	18,622.31
11 Feb 2022	rolls and wors for shop - rolls and wors for shop	#722	1,985.86	-	16,636.45
11 Feb 2022	medic - medic	#727	900.00	-	15,736.45
12 Feb 2022	pick and pay for after function - pick and pay for after function	#723	300.00	-	15,436.45
1 Mar 2022	Referees - Referees	#714	1,600.00	-	13,836.45
1 Mar 2022	Coke purchases - Coke purchases	#731	2,447.00	-	11,389.45
4 Mar 2022	shop - shop	#728	976.20	-	10,413.25
5 Mar 2022	pick and pay wors and rolls - pick and pay wors and rolls	#724	804.99	-	9,608.26
31 Mar 2022	Takealot - Samsung Tablet		2,988.00	-	6,620.26
28 Jun 2022	Engen Winelands - Fuel		300.00	-	6,320.26
28 Jun 2022	Makro - 2 Way Radios		1,872.80	-	4,447.46
30 Jun 2022	Takealot - Mini Portable Projector & Digital Video Camera		4,057.00	-	390.46
Total Municipality Fund			39,609.54	40,000.00	390.46
Closing Balance			-	390.46	390.46
Total			39,609.54	40,000.00	(390.46)

7.10	RURAL MANAGEMENT AND ENVIRONMENT: (PC: CLLR J WILLIAMS)
------	--

7.10.1	PARADYSKLOOF NATURE AREA: ENVIRONMENTAL MANAGEMENT PLAN – 5 YEAR REVIEW
--------	--

Collaborator No: 776251
 IDP KPA Ref No: Dignified Living
 Meeting Date: 21 November 2024

1. SUBJECT: PARADYSKLOOF NATURE AREA: ENVIRONMENTAL MANAGEMENT PLAN – 5 YEAR REVIEW

2. PURPOSE

The Paradyskloof Nature Area (NA) Environmental Management Plan (EMP) was adopted by the Council during May 2019. This document was prepared to establish a distinct vision and overarching goal for the management of the Paradyskloof NA in context off and giving effect to relevant legislation and associated regulations. In the interest of adaptive management, the Paradyskloof NA EMP has now been reviewed after 5 years of implementation (**ANNEXURE A**).

3. DELEGATED AUTHORITY

For decision by the Council of Stellenbosch Municipality.

4. EXECUTIVE SUMMARY

Paradyskloof NA, an approximately 550 ha area consisting of Portion 2 of Farm 368 and portions of Farms 369 and 366 (municipal property), is situated on the south-eastern edge of Stellenbosch town above the neighbourhoods of Brandwacht and Paradyskloof. Most of the area (with specific reference to the northern and eastern mountainous area) is in a natural state with ±40 ha of mature pine still left within the old forestry area. The vegetation type of Paradyskloof NA is Cape Winelands Shale Fynbos and is a vulnerable terrestrial ecosystem.

The area is used for a range of outdoor recreational activities, research, education and awareness opportunities, events as well as for service delivery purposes. The area also houses a clubhouse, refurbished by Stellenbosch Municipality (the Municipality).

Because of the area's ecological value, its value as public resource and its vulnerability to degradation due to past and present use it was important that an overarching management plan for the area (the Paradyskloof NA EMP [2019]) be put in place to ensure that it is managed in a sustainable manner. Having reviewed the Municipality's implementation of the 2019 EMP an updated Paradyskloof NA EMP (2024) is now presented to Council for adoption for the next 5-year period.

5. RECOMMENDATION

that Council approves the Paradyskloof Nature Area Environmental Management Plan (August 2024) as Paradyskloof Nature Area's 2nd generation environmental management plan and guiding document for the management of the area.

6. DISCUSSION / CONTENTS

6.1 Background

Stellenbosch Municipality is located within an area that forms part of the world-renowned Cape Floral Kingdom, internationally recognised as one of the six Floral Kingdoms of the world. The Cape Floral Kingdom is the smallest, covering a mere 0,06% of the earth's surface, and is the only Floral Kingdom contained in its entirety within a single country. The Cape Floral Kingdom is characterised by its exceptional richness in plant species and its high endemism. The Cape Floral Kingdom is of immense scientific importance, both nationally and internationally. It covers only 4% of South Africa but contains 45% of all plant species of Southern Africa.

The Municipality owns various tracts of land that can be described as natural or nature areas. Most of these areas are old forestry areas, such as the Paradyskloof NA, situated within or on the foothills of the local mountain ranges. Some of these areas house some municipal infrastructure but, with the phasing out of forestry, are mostly vacant, being rehabilitated back to its natural state.

Some of the threats or challenges facing the Municipality in managing these areas include:

Access control: Access poses various threats to the area, mainly in terms of security (crime prevention), managing the risk of fire and vandalism.

Misuse and misunderstanding: The use of the area was primarily focused on the *instrumental* value of the site, which implies that the site has essentially been considered a mere resource utilised for forestry, infrastructure and recreational activities. These land-uses have caused degradation of the visual integrity and ecology of the site.

Fire: Given the nature of the ecology of the area, the presence of the forest, biomass, limited control of access and various other factors that increase the risk of an ignition Paradyskloof NA is a risk to fire.

Erosion: Paradyskloof NA's topography, land use and associated access/maintenance roads make the area prone to erosion.

Infestation of alien vegetation: The infestation of alien plant species is a significant threat to the ecology and visual quality of Paradyskloof NA. The alien vegetation has resulted in a modified floral composition which is conducive to high-intensity fires. In turn, these are immensely disruptive to the ecology of fynbos and ecosystem processes.

Aging pine plantation: Paradyskloof NA's pine plantation has matured. Some pines are dying off, have contracted diseases or are blown over during sporadic weather events. With the area regularly used for recreational purposes by the public, this presents a risk. An ever-maturing plantation, with the risk of fire, also presents a

financial risk to the Municipality in that the asset represented by the existing mature pine trees could be lost.

These threats and challenges are managed by the Municipality on a continual basis.

6.2 Discussion

The Paradyskloof NA EMP 2019 has been reviewed and updated (Annexure A) consisting of management strategies and guidelines for the management of the area under the following themes:

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

6.3 Financial Implications

The management actions included in the EMP is included in the operational budget of the Department: Community Services (Environmental Management).

6.4 Legal Implications

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

6.5 Staff Implications

This report has no staff implications to the Municipality.

6.6 Previous / Relevant Council Resolutions

The 27th Council Meeting (2019-05-29): Item 7.6.1, resolved (majority vote):

that Council approves the Paradyskloof Nature Area Environmental Management Plan (March 2019) as the document to guide the management of the Paradyskloof Nature Area.

6.7 Risk Implications

This report has no risk implications for the Municipality.

ANNEXURES

Annexure A: Paradyskloof Nature Area Environmental Management Plan (October 2024)

NAME	Schalk van der Merwe
POSITION	Environmental Planner
DIRECTORATE	Community and Protection Services
CONTACT NUMBERS	021 808 8679
E-MAIL ADDRESS	schalk.vandermerwe@ Stellenbosch.gov.za
REPORT DATE	11 October 2024

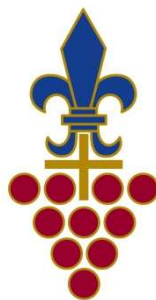
ANNEXURE A

PARADYSKLOOF NATURE AREA

2ND GENERATION

ENVIRONMENTAL MANAGEMENT PLAN

October 2024



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

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2.1 NATIONAL	4
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2.1.4 National Water Act (36 of 1998)	5
2.1.5 National Veld Fire Act (101 of 1998)	5
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1 INTRODUCTION

1.1 PURPOSE

During 2018/19 Stellenbosch Municipality prepared and adopted the first dedicated Environmental Management Plan (EMP) for its property located in Paradyskloof (Paradyskloof Nature Area EMP, 2019). This document serves as an update and a review of the latter document.

The purpose of this EMP is to reiterate the distinct vision and overarching goal for the management of Paradyskloof Nature Area (from hereon referred to as Paradyskloof NA or simply the NA) in context of relevant legislation and associated regulations. Accordingly, the primary aims of this EMP include:

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

1.2 VISION

In order to balance the conservation requirements of Paradyskloof NA with the aspirations of all stakeholders and the place-specific environmental, social and economic constraints, the following vision was set for the area:

To manage and protect Paradyskloof Nature Area as a sustainable and safe area which is recognised and valued for its environmental integrity and community-supporting functions.

1.3 OVERARCHING GOAL

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

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

The CSIR (2002) states that sustainable development should *improve the state of any given situation*. Sustainable development requires a long-term, integrated, systems approach pertaining to economic, environmental and social issues. Fostering a strong sense of community and building partnerships and consensus among key stakeholders are important elements of sustainable development (CSIR, 2002). The International Union for the Conservation of Nature (IUCN) defined sustainable development as

'development that meets the needs of the present generations without compromising the ability of future generations to meet their own needs'.

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

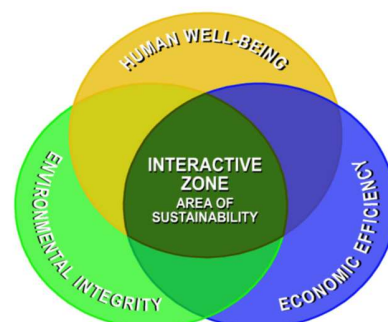


Figure 1: The interactive model of sustainability (Adapted from Mebratu, 1998).

1.3.1 Human Well-Being

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

1.3.2 Environmental Integrity

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

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

1.3.3 Economic Efficiency

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

1.4 GUIDING PRINCIPLES

It is important that the following principles guide future management of Paradyskloof NA:

- i. Precautionary principle: The precautionary principle refers to actions on issues considered to be uncertain. The principle is used by policy makers to justify discretionary decisions in situations where there is the possibility of harm from making a certain decision when extensive scientific knowledge on the matter is lacking. Precaution may be defined as *caution in advance* or *caution practised in the context of uncertainty*. The precautionary principle is an expression of a need by decision-makers to anticipate harm before it occurs.
- ii. Causal principle: This principle indicates that default responsibility for rectification or mitigation of any particular impact rests with the entity which directly caused such impact. While the more well-known polluter pays principle is a subcategory of this, the causal principle applies not just to pollution but more generally to all impacts.
- iii. Integration principle: The Integration principle refers not only to the cooperation between different social bodies, but also to the integration of different physical, biological and social realities and issues pertaining to a particular geographic area.
- iv. Cooperation principle: Government as well as the private sector, non-governmental organisations and science all need to be involved to ensure sustainability. Successful long-term environmental management requires that all role players to act cooperatively to achieve a common goal.

2 PLANNING CONTEXT

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

The Municipality recognises that one of the critical determinants of the success of an EMP planned in term of the bioregional planning approach is the extent to which all spheres of government co-operate and co-ordinate their activities as it relates to the subject area. This EMP therefore gives effect to the requirement that the planning and management of land units should be undertaken within the context of distinct levels, namely the *national level*, *provincial level* and the *local level* (see Figure 2). Effective integrated planning at these levels requires innovative forms of institutional integration and co-operation. Dialogue amongst all stakeholders, participatory planning and institutional flexibility are, therefore, essential to plan and manage effectively.

The Paradyskloof NA EMP responds to the relevant legislation, policy and regulations, the most important of which are summarised below.

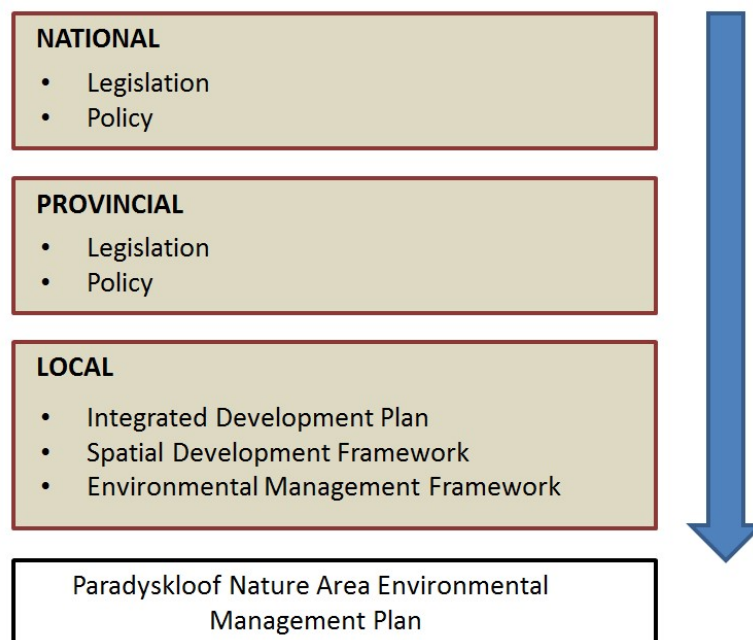


Figure 2: Planning levels applicable to the Paradyskloof NA EMP.

2.1 NATIONAL

2.1.1 South African Constitution

The South African Constitution (Act 108 of 1996) places an obligation on all to ensure that sustainable development is promoted and that the integrity of the environment is respected. In Section 24(b)(iii) of the Bill of Rights chapter of the Constitution, it is stated that 'everyone has the right to have the

environment protected for the benefit of present and future generations, through reasonable legislative and other measures that secure ecologically sustainable development and use of natural resources, whilst promoting justifiable economic and social development’.

2.1.2 National Environmental Management Act

Section 28 of the National Environmental Management Act, (107 of 1998 [NEMA]), creates a general duty of care on every person to *take reasonable measures to prevent significant pollution or degradation of the environment from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment*. The Act provides for the preparation of environmental management plans by the relevant departments involved in the management of the environment.

2.1.3 National Environmental Management: Biodiversity Act

The National Environmental Management: Biodiversity Act (10 of 2004), has the following objectives:

- a) To provide for the management and conservation of South Africa’s biodiversity within the framework of NEMA.
- b) To provide for the protection of species and ecosystems that warrant national protection.
- c) To provide for the sustainable use of indigenous biological resources.
- d) To provide for the fair and equitable sharing of benefits arising from bioprospecting involving indigenous biological resources.

2.1.4 National Water Act

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

2.1.5 National Veld Fire Act

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

- a) *The landowner on whose land a fire may start, or from whose land it may spread across boundaries, must have in place:*
 - *Such equipment, protective clothing and trained personnel required to extinguishing such fire as may occur as prescribed in the FPA (Fire Protection Association) regulations.*
 - *If there are no regulations applicable, then as reasonably required in the circumstances.*

- *Take all reasonable steps to notify the Fire Protection Officer (FPO) of the local FPA should a fire break out.*
- *Do everything in their reasonable power to stop the spread of the fire.*

2.1.6 Conservation of Agricultural Resources Act

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

2.1.7 Spatial Planning and Land Use Management Act

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

Land use planning principles and objectives - Section 59 (4): To promote environmental integration in land use planning, a competent authority must—

- a) strive towards ecologically, socially and economically sustainable development, taking into account —*
 - (i) the economic potential of the relevant area or region;*
 - (ii) biodiversity;*
 - (iii) social needs;*
 - (iv) cultural heritage resources;*
 - (v) agricultural resources*
- b) ensure that development heeds the natural processes that control the relevant area;*
- c) strive to achieve development that is harmonised with the ecological characteristics of the environment;*
- d) promote the conservation and management of biodiversity;*
- e) discourage development in unsuitable environments;*
- f) minimise the fragmentation of natural habitat in ecological corridors and areas with high biodiversity importance;*
- g) facilitate soil conservation and the control of pollution;*
- h) address the land use implications of —*
 - (i) the provision and conservation of energy;*
 - (ii) the management of the demand for energy;*
 - (iii) climate change mitigation and climate change adaptation strategies;*
- i) protect the cultural heritage and tourism resources of the Municipality.*

2.2 PROVINCIAL

2.2.1 Constitution of the Western Cape Province

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

- Safety and security.

- The protection of the environment of the Western Cape, including its unique fauna and flora, for the benefit of present and future generations.
- The protection and conservation of the natural historical, cultural historical, archaeological and architectural heritage of the Western Cape for the benefit of present and future generations.

2.2.2 Land Use Planning Act

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

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

2.2.3 Western Cape Provincial Spatial Development Framework

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

2.2.4 Provincial Bioregional Planning Policy

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

2.3 LOCAL

2.3.1 Stellenbosch Integrated Development Plan

The Stellenbosch Integrated Development Plan includes a needs-analysis, which puts forward a number of needs for each particular area within the municipality.

2.3.2 Stellenbosch Spatial Development Framework

The primary goal of the Stellenbosch Spatial Development Framework (SDF) is to give practical effect to the mission statement of the people of the local municipal area, as expressed in the SDF of the

Stellenbosch Municipality, namely: *'The spatial development framework of the Stellenbosch Municipality should be measured by the 'triple bottom line' of economic efficiency, environmental sustainability and social justice with an emphasis on the issues facing the rural and urban poor.'*

2.3.3 Stellenbosch Environmental Management Framework

The Stellenbosch Environmental Management Framework (SEMF) is Stellenbosch Municipality's strategic environmental management policy that responds to and complies with the relevant statutes and directives. As such, the SEMF serves as a:

- a) Spatial and strategic supplement to the SSDF.
- b) Policy for ensuring environmental sustainability and for the aligning/integrating land-use activities in accordance with defined sustainability objectives.
- c) Strategy towards enhancing the well-being of the people and the environment of the Municipality by providing for:
 - (i) A uniform, effective and comprehensive system of environmental planning and management throughout the Municipality.
 - (ii) Environmental and sustainability principles, norms and standards.
 - (iii) Sustainable and efficient use of land and other forms of environmental capital.
 - (iv) Providing for cooperative governance and intergovernmental relations within the sphere of the Municipality and between the latter and all other institutional spheres and the private sector.
- d) A compilation of and alignment directive for the strategies and plans of the various sectoral departments and directorates of the Municipality.

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

According to the above by-law *no person shall in or on premises, buildings, land, plantations, a commonage, enclosures, nature reserves, parks, gardens, open erven and spaces, picnic areas, nurseries, trees, sport and recreation facilities which are vested in or under control of the Council –*

- (a) *disfigure or deface any post, railing, fence, seat, barrier, gate, notice board, plate, house, building, shed, urinal, closet, flag, mark or other article or thing by pasting thereon or affixing thereto in any way any bills, papers, placards or notices or by cutting, writing, stamping, painting, drawing or marking thereon in any way whatsoever,*
- (b) *remove, destroy, damage or deface any notice or sign,*
- (c) *make a fire or commit any acts whereby a fire may be caused, except in places where fireplaces are provided;*
- (d) *saw, cut, gather, remove dig up, burn, pick or break any timber, tree, shrub, brushwood, fencing, pole, lawn, plants, fruits, flower or equipment, or climb therein or thereon or damage it in any way;*
- (e) *remove or disturb any soil or water at a place other than that specially provided by Council;*
- (f) *erect or cause to be erected any post, rail, fencing, tent, screen, stand, swing, building or construction of whatever nature without the written permission of the Council;*
- (g) *park, drive, ride, pull or propel any type of vehicle except a manually operated wheelchair or perambulator when used for the conveyance of an invalid or a child;*
- (h) *leave any refuse, building waste, rubbish, paper, materials or any object except in containers provided for that purpose;*

- (i) *injure, kill, hunt, capture, or disturb any animal or bird, or damage or destroy the nest or eggs of any bird or interfere with the animal life in any other way;*
- (j) *break, damage, hurt, destroy, disfigure or remove any flora, fauna or nest of fauna or objects of historical or scientific interest or any property in the nature reserve;*
- (k) *introduce any flora, fauna, weapon, trap, net, explosive or poison into the nature reserve, or be in possession thereof in the nature reserve;*
- (l) *fire a fire-arm or an air-gun, discharge any firework, catapult or sling or throw a stone or other missile;*
- (m) *in any other way cause a nuisance, obstruction, disturbance or annoyance to the public, to brawl, fight, swear or use obscene, indecent or improper language, gamble, beg, behave in an indecent or offensive manner or drink intoxicating liquor;*
- (n) *sell or offer for sale or hire, or hawk or exhibit any article or distribute any pamphlet, book, handbill, or other matter;*
- (o) *present any public entertainment;*
- (p) *play a musical instrument, and*
- (q) *deliver or say any speech, public address or prayer of whatever nature or sing any song or hold or participate in any public meeting or function unless he has previously obtained the written permission of the Council to do so;*
- (r) *enter upon any ablution or sanitary conveniences indicated as having been provided for persons of the opposite sex;*
- (s) *enter or leave other than by an entrance or exist provided for that purpose, or*
- (t) *refuse to leave when requested to do so by an authorised officer of the Council or a member of the South African Police;*
- (u) *wash any article or animal under a tap, in a pond, fountain or in an ornamental pond or otherwise pollute water, or*
- (v) *swim in a dam or wash any clothes or other things or pollute the water therein in any other manner, and*
- (r) *perform any act whatsoever which may injure persons, damage or destroy any property.*

3 PROPERTY DESCRIPTION

3.1 LOCATION

The Paradyskloof NA is located on the south-eastern edge of the town of Stellenbosch (Figure 3). It is bordered by University of Stellenbosch owned farmland and nature areas to the north, Stellenbosch Mountain to the east and privately owned farm land to the south.

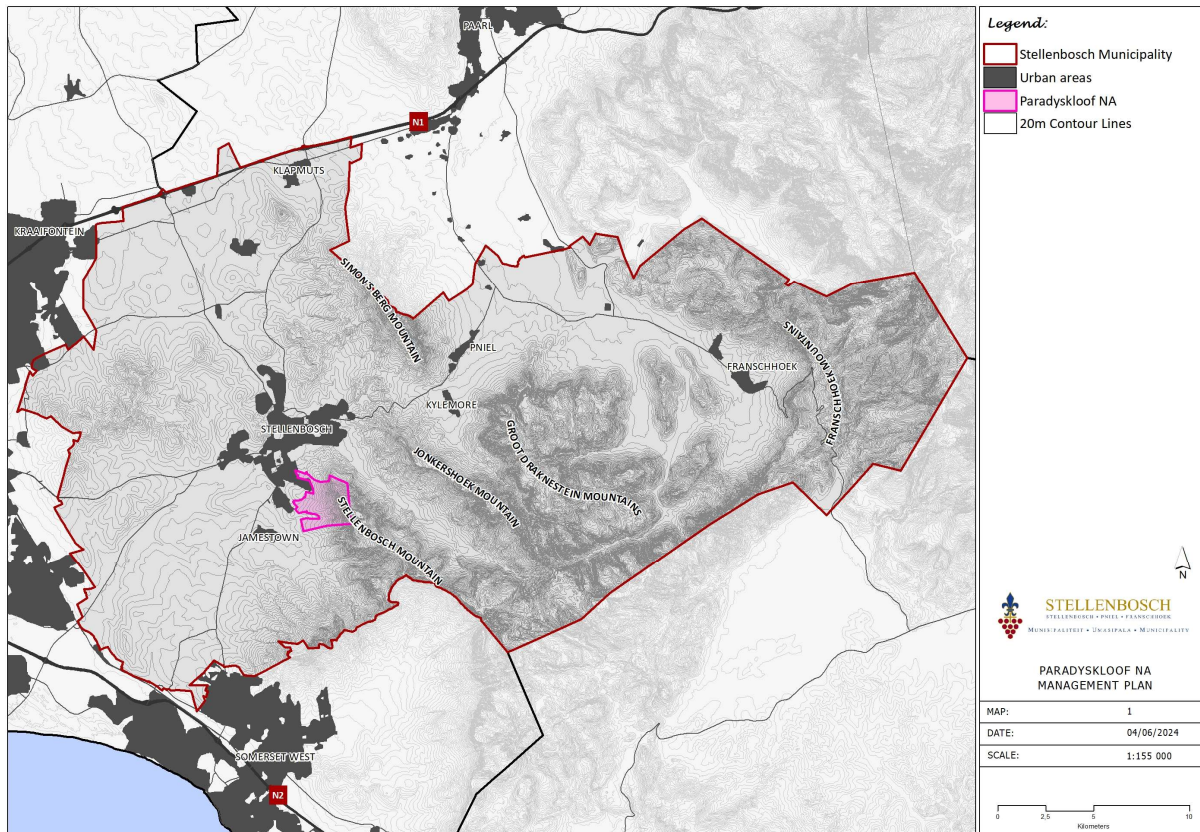


Figure 3: Paradyskloof NA in context of Stellenbosch Municipality

To the west the area is bordered by the Paradyskloof- and Brandwacht neighbourhoods of Stellenbosch town and land used for farming purposes (Figure 4). The area consist of Portion 2 of Farm 368 and portions of Farms 369 and 366 with a total area of approximately 550ha. The relevant property is municipal owned land and zoned for agricultural purposes.

The eastern, mountainous, half of the area has always been kept in a natural state with the western half largely used for forestry (pine plantations). Most of the timber have, however, been harvest with an approximately 40ha portion still remaining.

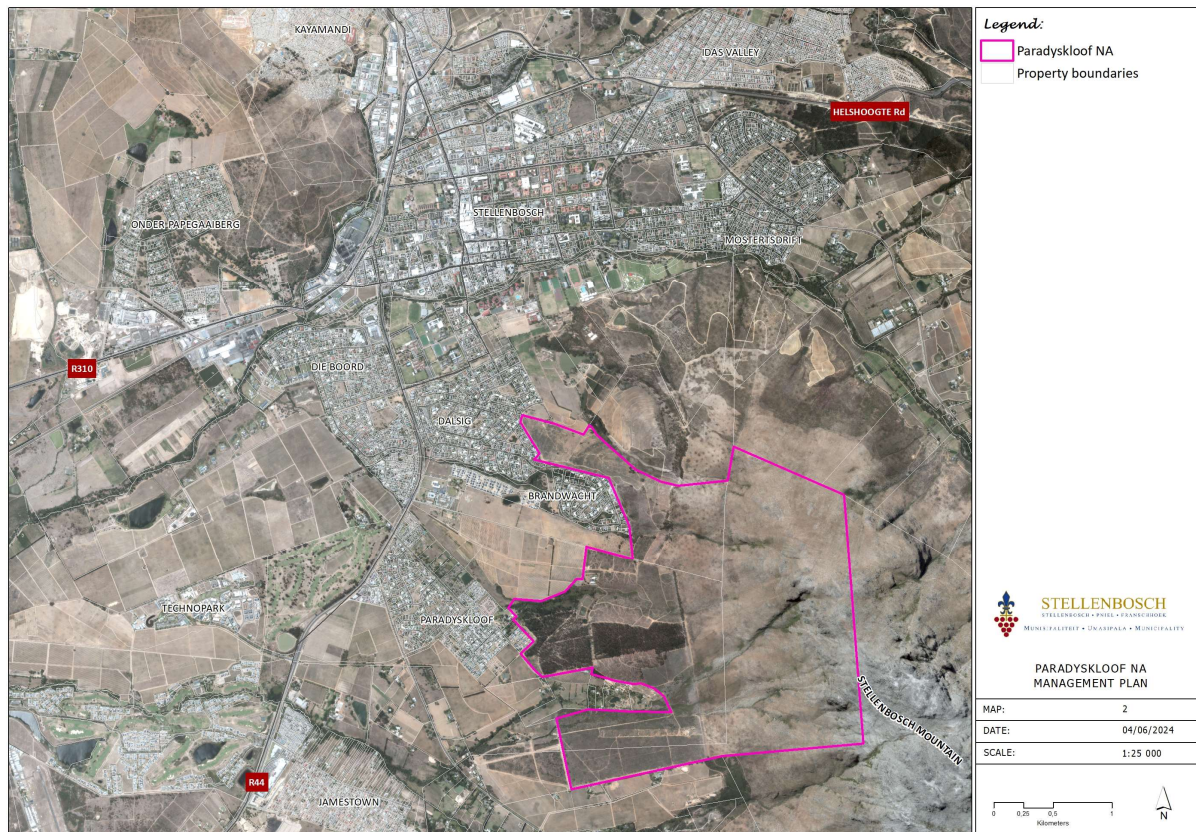


Figure 4: Paradyskloof NA in context of Stellenbosch town

3.2 LANDSCAPE PERSPECTIVE

The Municipality forms part of the Cape Winelands Biosphere Reserve (CWBR) which was approved by the United Nations Educational, Scientific and Cultural Organization (UNESCO) and included in the World Network of Biosphere Reserve during 2007. Paradyskloof NA forms part of a system of nature-and/or protected areas that collectively form the core and buffer areas of the CWBR. This system is based upon the principle that a system of protected areas is a key element of any strategy to maintain biodiversity and ecosystem functions on a larger regional scale. It is imperative that such a system be designed and managed to represent and protect the diversity of ecological processes, communities, species and gene pools (Global Biodiversity Strategy, 1992).

Various protected areas in the proximity of the Paradyskloof NA include the Papegaaiberg Nature Reserve, Jan Marais Nature Reserve, Jonkershoek Conservancy, Bottelary Hills Renosterveld Conservancy, Hottentots-Holland Nature Reserve, Koopmanskloof Private Nature Reserve and Simonsberg Nature Reserve (Figure 5).

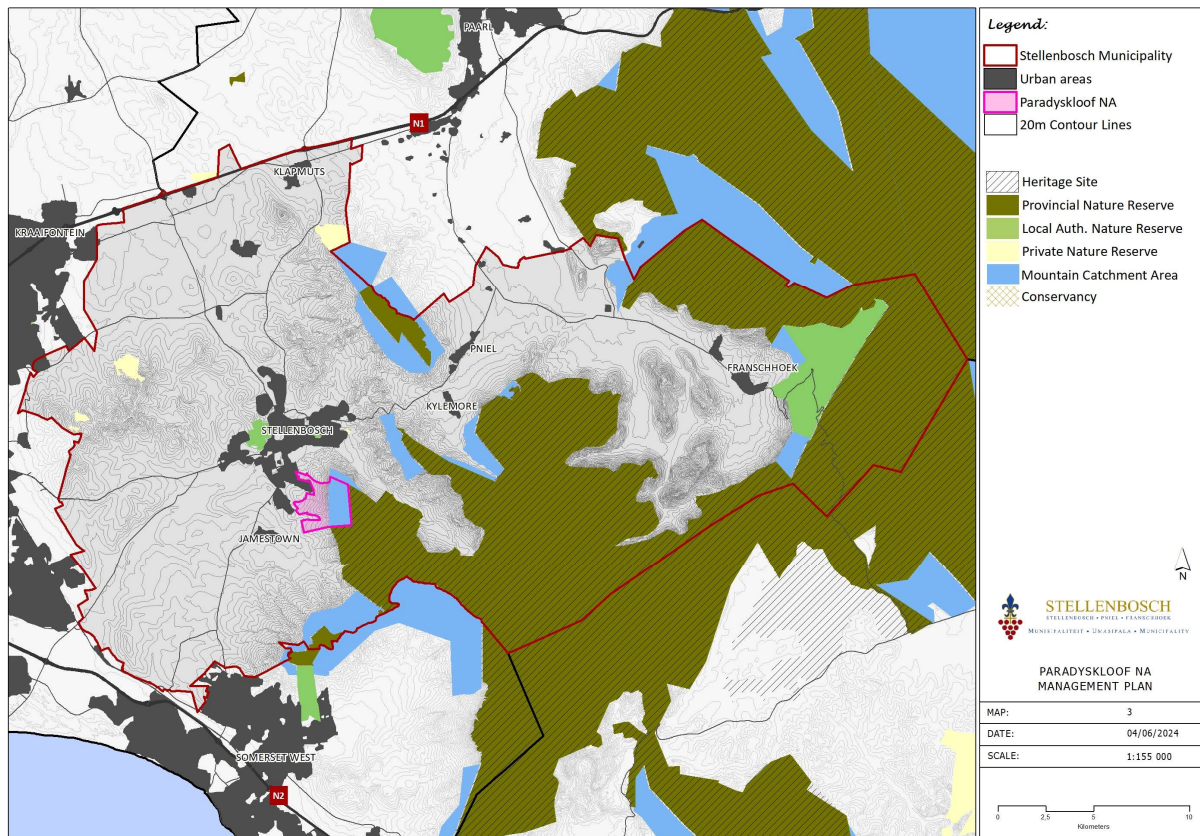


Figure 5: Paradyskloof NA in context of surrounding protected areas

3.3 BIOPHYSICAL CHARACTERISTICS

3.3.1 Climate

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

3.3.2 Topography

The Paradyskloof NA slopes upward from its lowest point closest to Brandwacht, at 160 meters above seal level, to the east rising to approximately 1050 m at its highest point (Figure 6). The north-south firebreak, dividing the property in half, is located at 350 m above sea level. Apart from the steep slope the area is characterised by three valleys draining from Stellenbosch Mountain towards the Eerste- and Blaauwklippen Rivers respectively.

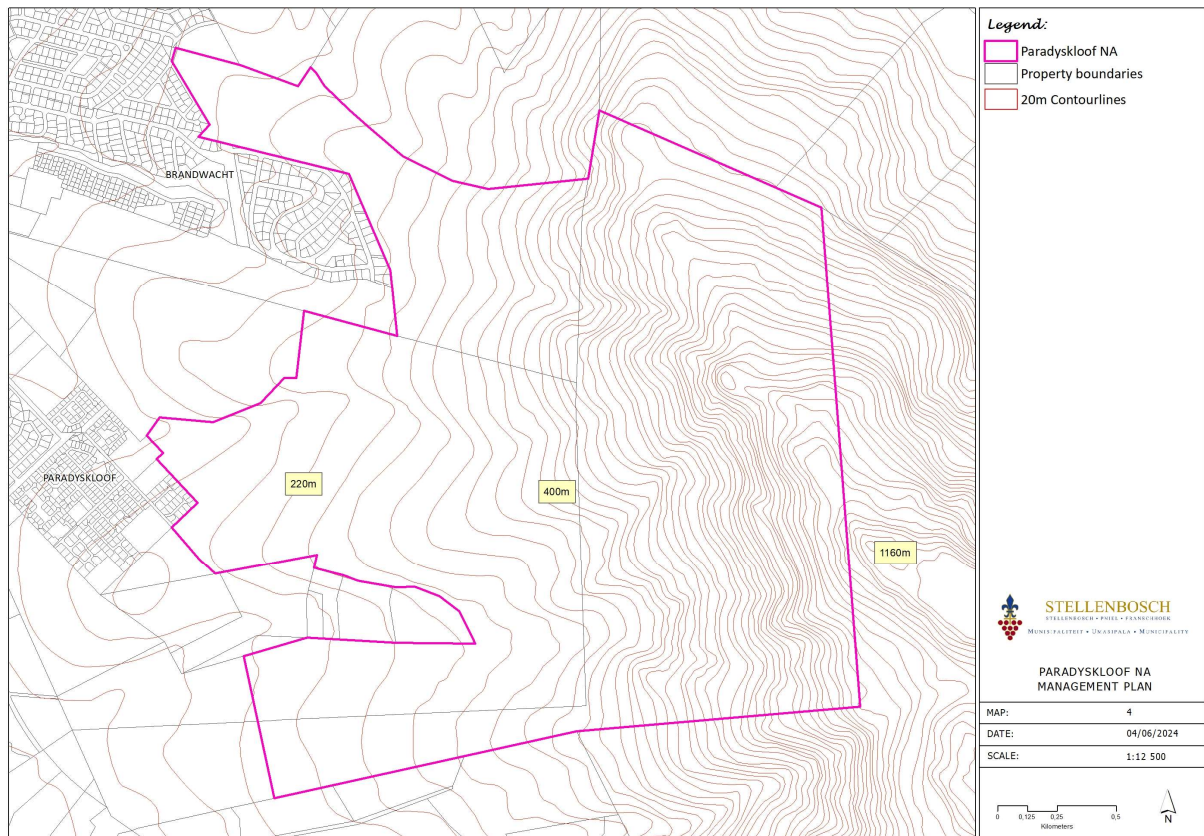


Figure 6: Paradyskloof NA topography

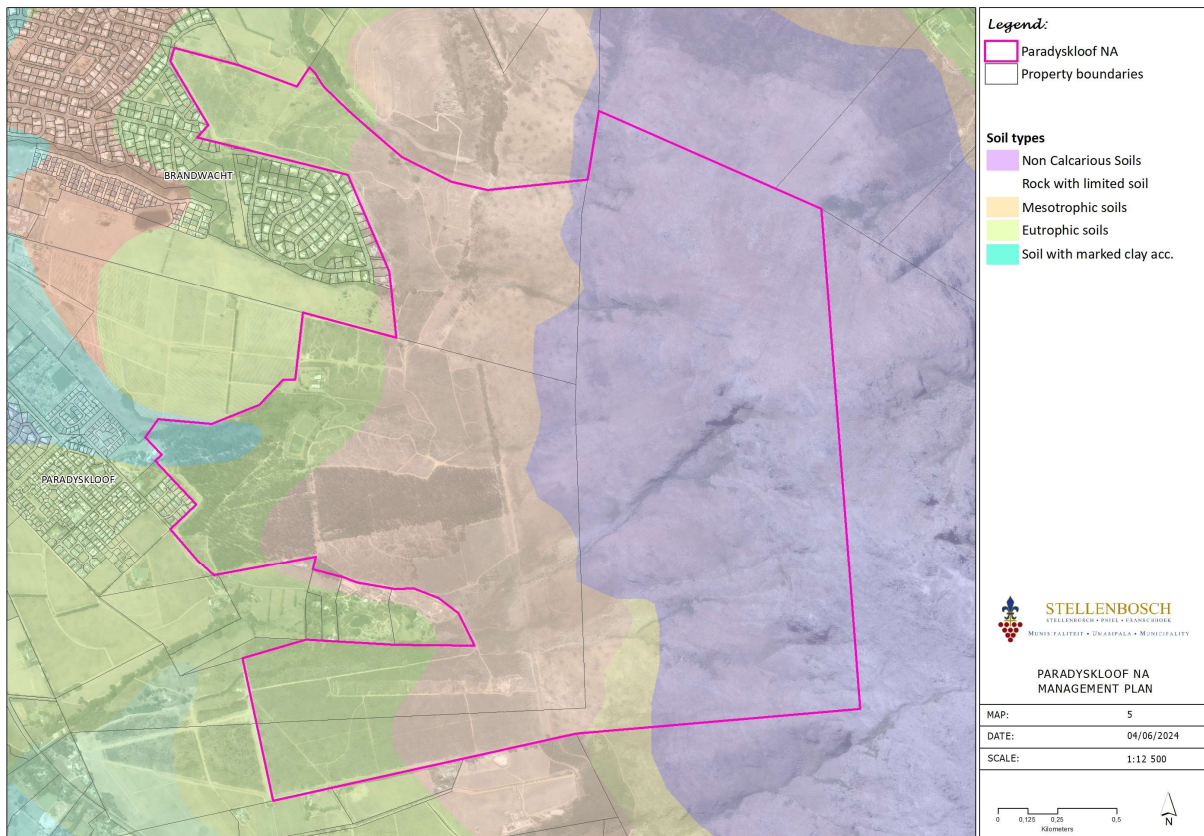


Figure 7: Paradyskloof NA soil

3.3.3 Soil

The higher lying areas of Paradyskloof NA is dominated with rock with little to no soil. The lower lying, or western portion of the Paradyskloof NA consist of red and yellow freely drained mesotrophic to eutrophic soils (Figure 7).

3.3.4 Hydrology

Paradyskloof NA borders the Hottentots-Holland mountain catchment area and forms part of quarternary catchment² No. G22H (refer to Figure 8). The catchment functions of the NA may seem insignificant, however, it performs an important role as part of an integrated group of ecosystems that collectively determine the health of the entire catchment. A primary threat to environmental health is fragmentation of the community-supporting ecosystems. Fragmentation generally leads to a cycle of environmental degradation which consequently influences the well-being of the dependent communities.

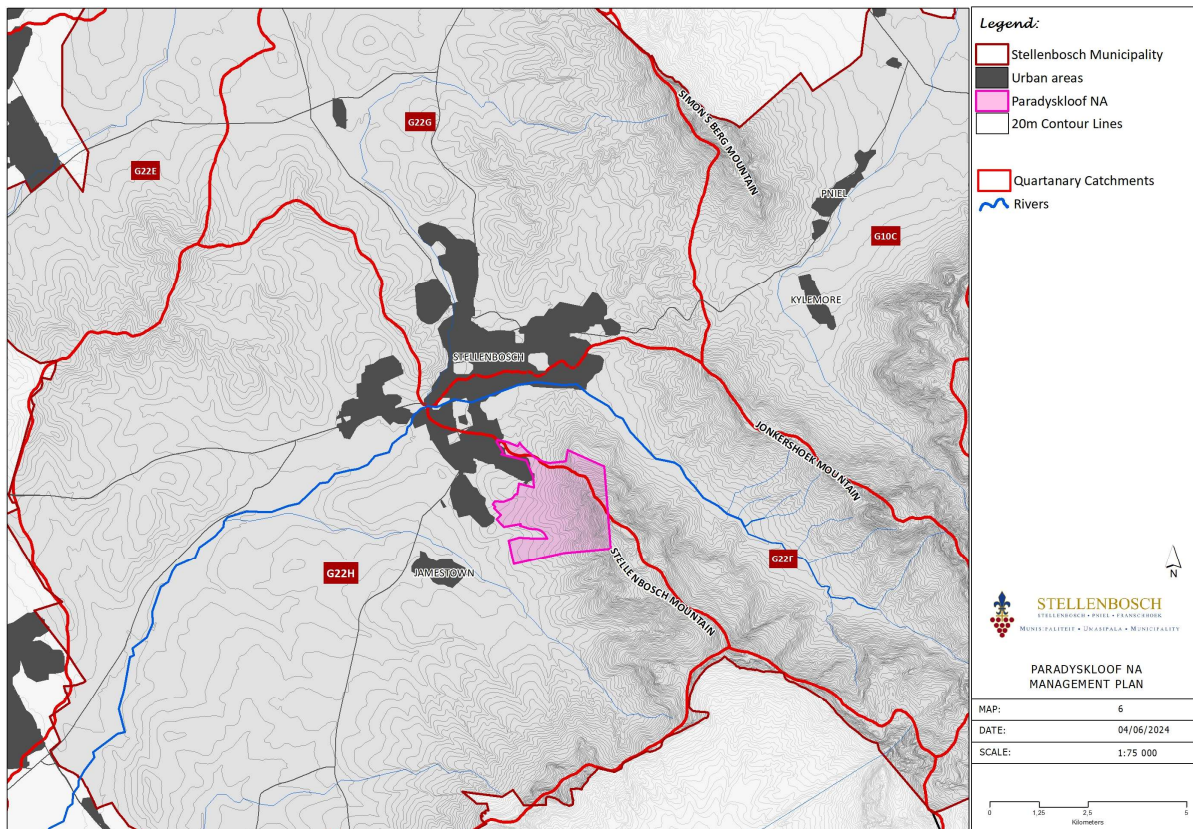


Figure 8: Paradyskloof NA in catchment area context.

Ecosystems and/or catchments are mutually dependent on every natural component for their existence. The loss, or degradation, of one component thus affects all others, potentially leading to the collapse of the total system on which communities may depend for their livelihood. Hence the

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

importance of conserving every natural part, or life form, of a system that forms part of the natural water cycle³. Government policy, which forms the basis of the National Water Act, 1998 (Act 36 of 1998), states that *'since many land-uses have a significant effect on the water cycle, the regulation of land-use should, where appropriate, be used as an instrument to manage water resources'*.

3.3.5 Fauna

The Paradyskloof NA, especially the higher lying area, is home to leopards, caracals, klipspringers, baboons, honey badgers, mongoos and numerous smaller animals like micem shrews and rats. Birdlife includes kingfishers, black eagles, spotted eagle owls, sugarbirds, orange-breasted sunbird and protea seedeaters⁴. On warm days rock agama lizards can be seen basking in the sun. Berg adder, puff adder, boomslang and Cape cobra are fairly common.

3.3.6 Flora

The area forms part of the world-renowned Cape Floral Kingdom, internationally recognised as one of the six Floral Kingdoms of the world. The Cape Floral Kingdom is the smallest, covering a mere 0,06% of the earth's surface, and is the only Floral Kingdom contained in its entirety within a single country. The Cape Floral Kingdom is characterised by its exceptional richness in plant species and its high endemism. More than 8 700 species are known to occur, with more than 68% being endemic⁵. The Cape Floral Kingdom is of immense scientific importance, both nationally and internationally. It covers only 4% of South Africa, but contains 45% of all plant species of Southern Africa. Approximately 75% of all plants in the South African Red Data Book are found in the Cape Floral Kingdom. Many Fynbos species are extremely localised in their distribution, with sets of such localised species organised into 'centres of endemism' (Low and Rebelo, 1996).

The vegetation type of Paradyskloof NA is Cape Wineland Shale Fynbos and is a vulnerable terrestrial ecosystem. Cape Wineland Shale Fynbos soil is naturally poor in nutrients, moist and is slightly acidic. The biodiversity of the Cape Wineland Shale Fynbos is incredibly high. The Cape Wineland Shale Fynbos comprises of a diversity of protea, erica, geophyte and daisy species as well as some endemic species. The vegetation type is of conservation significance because of its high vulnerability state due to its location on lower slopes, which are mostly used for agricultural and urban development. Of the 54% remaining natural areas only 25% are formally protected.

The information provided by the South African National Biodiversity Institute (SANBI) and the Cape Action for People and the Environment (C.A.P.E.) with regard to the irreplaceability⁶ of habitats indicates that the middle to higher lying area above Paradyskloof and Brandwacht is of immense conservation importance. This is mainly due to the fact that the area is, or used to be, the habitat of the now almost extinct West Coast Renosterveld. The objective is to rehabilitate and conserve as much

³ The water (hydrological) cycle describes the natural process of moving water out of the oceans, into the atmosphere, and back to the land and oceans.

⁴ <http://www.capenature.co.za/wp-content/uploads/2015/10/Jonkershoek-Map-Brochure1.pdf>

⁵ Confined, or exclusive, to a particular specified area.

⁶ The potential contribution of a site to a preservation or representation goal. It is a fundamental way of measuring the conservation value of any site. An irreplaceable site will appear in every analysis of alternative combinations of sites. In other words, it is one which must be included in a conservation area because significant options for preservation are lost if the site is excluded.

as possible of this area. More recent data, however, that was released as part of the Western Cape Biodiversity Spatial Plan (2017), shows that a large portion of the area is regarded a Critical Biodiversity Areas (CBAs) (Figure 9). The various categories indicated on Figure 9 are defined in Table 1 below.



Figure 9: Critical Biodiversity Areas (Source: SANBI)

Table 1: Western Cape Biodiversity Spatial Plan map categories

MAP CATEGORY	DEFINITION
Protected Area	Areas that are proclaimed as protected areas under national or provincial legislation.
CBA 1	Areas in a natural condition that are required to meet biodiversity targets, for species, ecosystems or ecological processes and infrastructure.
CBA 2	Areas in a degraded or secondary condition that are required to meet biodiversity targets, for species, ecosystems or ecological processes and infrastructure.
ESA 1 ⁷	Areas that are not essential for meeting biodiversity targets, but that play an important role in supporting the functioning of PAs or CBAs, and are often vital for delivering ecosystem services.
ESA 2	Areas that are not essential for meeting biodiversity targets, but that play an important role in supporting the functioning of PAs or CBAs, and are often vital for delivering ecosystem services.
Other Natural Area	Areas that have not been identified as a priority in the current systematic biodiversity plan, but retain most of their natural character and perform a range of biodiversity and ecological infrastructure functions. Although they have not been prioritised for biodiversity, they are still an important part of the natural ecosystem.

⁷ Ecological Support Area

3.4 INFRASTRUCTURE

A number of municipal infrastructure is located within Paradyskloof NA, including water treatment works, reservoir and recently drilled boreholes. Being an old forestry area the western portion of the area has kilometers of existing service roads. The Paradyskloof NA also has a “clubhouse” refurbished and regularly used by the Municipality (Figure 10).

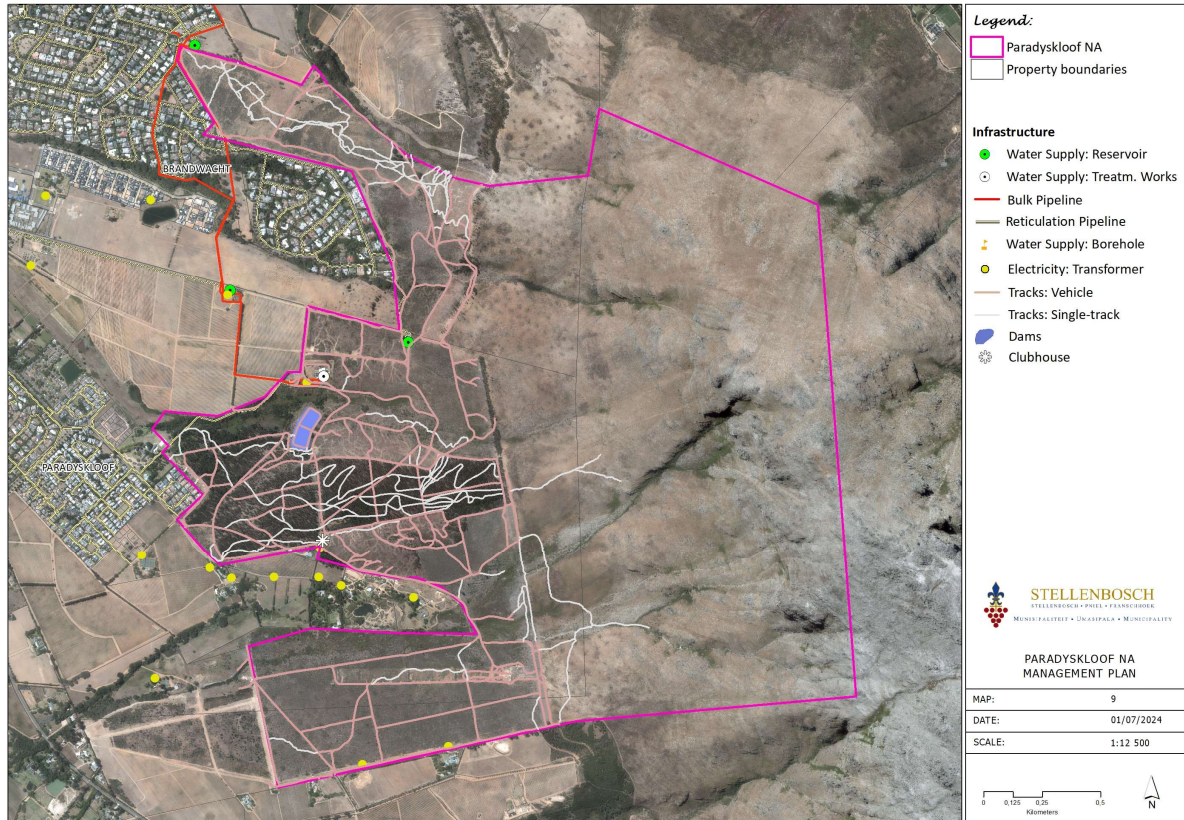


Figure 10: Existing infrastructure within the Paradyskloof NA

3.5 USE

The Paradyskloof NA is utilised in various ways, including:

- a) **Forestry:** Most of the western portion of the Paradyskloof NA was at some point used for forestry. Whilst most of the trees in the area have been harvested over time the area still consist of an approximately 40 ha area of mature pine.
- b) **Outdoor recreation:** As mentioned above, Paradyskloof NA's western section has numerous existing service roads. These roads, and a system of tracks and trails, are used for recreational purposes. These uses include
 - Cycling (mountain-biking)
 - Hiking
 - Walking of dogs
 - Running
 - Horseriding

- b) Research
- c) Municipal infrastructure and service delivery: As described in Chapter 3.4 above, Paradyskloof NA houses active municipal infrastructure that are used and maintained on a daily basis.
- d) Events: The Paradyskloof NA is the subject of numerous event applications, mainly associated with mountain-biking or trail-running as well as the use of the clubhouse.
- e) Filming: Stellenbosch Municipality receives applications for filming or photoshoots within its nature areas.

3.6 THREATS

The eastern portion of Paradyskloof NA is in a natural state whilst the western part has been impacted upon by historic land-uses, with particular reference to the forestry activities that have been largely phased out over the recent past. These activities resulted in:

- (i) Habitat fragmentation and degradation.
- (ii) General loss of biodiversity in affected areas.
- (iii) Soil erosion.

Further threats to be addressed or mitigated include the following:

- a) Access control: Access poses various threats to the area, mainly in terms of security (crime prevention), managing the risk of fire and vandalism.
- b) Misuse and misunderstanding: The use of the area was primarily focused around the *instrumental* value of the site, which implies that the site has essentially been considered a mere resource utilised for forestry, infrastructure and recreational activities. These land-uses have caused degradation of the visual integrity and ecology of the site.
- c) Fire: Given the nature of the ecology of the area, the presence of the forest, biomass, limited control of access and various other factors that increase the risk of an ignition Paradyskloof NA is a risk to fire.
- d) Erosion: Paradyskloof NA's topography, landuse and associated access/maintenance roads makes the area prone to erosion.
- e) Infestation of alien vegetation: The infestation of alien plant species is a significant threat to the ecology and visual quality of Paradyskloof NA. The alien vegetation has resulted in a modified floral composition which is conducive to high-intensity fires. In turn, these are immensely disruptive to the ecology of fynbos and ecosystem processes.
- f) Aging pine plantation: Paradyskloof NA's pine plantation have matured. Some pines are dying off, have contracted disease or are blown over during sporadic weather events. With the area regularly used for recreational purposes by the public, this presents a risk. An ever maturing plantation, with the risk of fire, also presents a financial risk to the Municipality in that the asset represented by the existing mature pine trees could be lost.

4 MANAGEMENT DIRECTIVES

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

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

In addition, this section includes an assessment of the implementation of actions captured in the 2018/19 Paradyskloof NA EMP.

4.1 ADMINISTRATION

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

Stellenbosch Municipality is responsible for the management of Paradyskloof NA. The main functions in this regard is the following:

- (i) Implementation of the EMP.
- (ii) Monitoring and auditing of management actions.
- (iii) Monitoring and auditing of environmental impact.
- (iv) Facilitation of continual improvement of the EMP.

In terms of the principle of *inclusivity* the management of the NA is an ongoing inclusive process that considers the changing and dynamic interests, needs and values of the people of Stellenbosch and those that have an interest in ensuring a sustainable future for the area. In this regard, it is important that the following be achieved:

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

Accordingly, the Municipality is to facilitate the establishment of a representative body, such as a Protected Area Advisory Committee, that has the capacity to give effect to the above requirements in an inclusive and participative manner. Whilst the Stellenbosch Municipality is responsible for the general maintenance of the area and the implementation of this EMP it will rely on the Protected Area Advisory Committee for specific management activities as required (Figure 11) or where it is limited through capacity constraints.

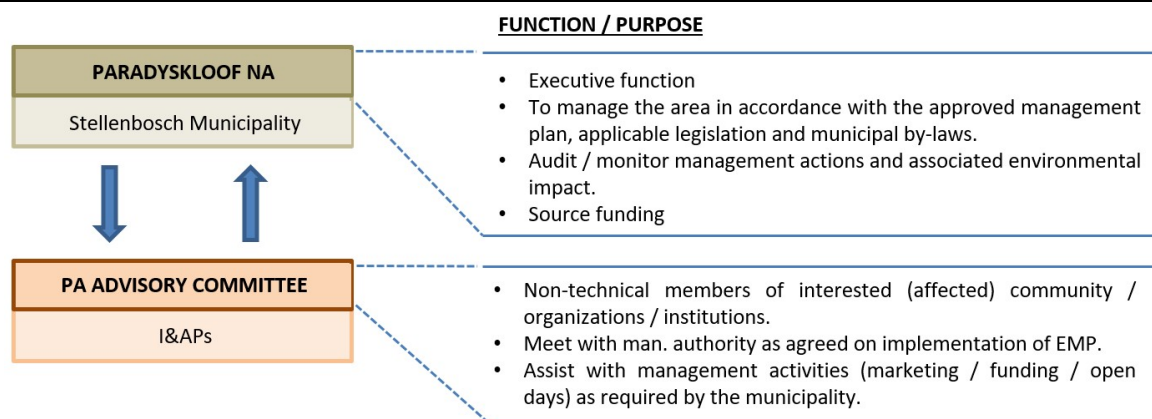


Figure 11: Paradyskloof NA management structure

Table 2: Guidelines for inception phase management

NR	ACTIONS	COMPLETED	NOTES/REVISED ACTIONS	TIME FRAME
1	Compile an annual budget for Paradyskloof NA.	Yes	Action retained. Provided for through the Department: Env. Man. operational budget.	Annually before new financial year.
2	Facilitate the establishment of a Protected Area Advisory Committee.	No	Revised action retained. Investigation into the establishment of "Friends Groups" or similar model did not prove to be compliant with applicable municipal regulations. A Memorandums of Understanding has been drafted and entered into in instance that required cooperation.	Within the validity period of the 2024/25 EMP.

Actions that was captured under this section in the 2018/19 Paradyskloof NA EMP that were not retained are the following:

- *Explicitly provide for required funding for Paradyskloof NA in the Stellenbosch Integrated Development Plan.* The budget for the implementation of the Paradyskloof NA EMP is provided for through the Department: Environmental Management operational budget.
- *Solicit funds from potential donors.* The above budget have been sufficient for the implementation of the various actions listed.

4.2 ENVIRONMENTAL PROTECTION

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

The intention and focus of environmental protection on Paradyskloof NA is to facilitate the removal or mitigation of threats to the ecological of the NA and to restore the biodiversity and ecological integrity of the area to the extent that it can function as a self-sustaining system.

4.2.1 Alien Clearing

Invasive alien plants are plant species that have been introduced, either intentionally or unintentionally, to South Africa. They can reproduce rapidly in their new environments and tend to out-compete indigenous plants. The result usually includes a variety of negative ecological, social, and economic impacts. Invasive alien species pose the biggest threat to biodiversity after direct habitat destruction.

Stellenbosch Municipality has prepared and adopted the Stellenbosch Municipality Invasive Alien Plant (IAP) Management Plan during 2017. This plan was reviewed during 2022 and endorsed by the Department: Forestry, Fisheries and the Environment. In terms of this plan Paradyskloof NA has high indigenous biodiversity that remains under threat by invasive alien plants. Most of the site have had a round of clearance work during 2021/22 (Figure 13) focussing on the sections of the site containing *Acacia saligna*, *Acacia mearnsii* and *Eucalyptus globulus*. The reoccurrence of the above species as well as hakea on the mountain (above the windbreak/ firebreak-line) remains a challenge.

The central area has largely been retained as pine plantation. The plantation, however, have required more maintenance of the last three (3) years than ever before. This is mainly due to the plantation having reached maturity. The municipality are removing dead or dying trees, or trees blown/knocked over during weather events on a regular basis.

In terms of the above IAP Management Plan initial clearing methods must be follow-up and monitored to ensure successful clearing of invasive alien plants. Accordingly:

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

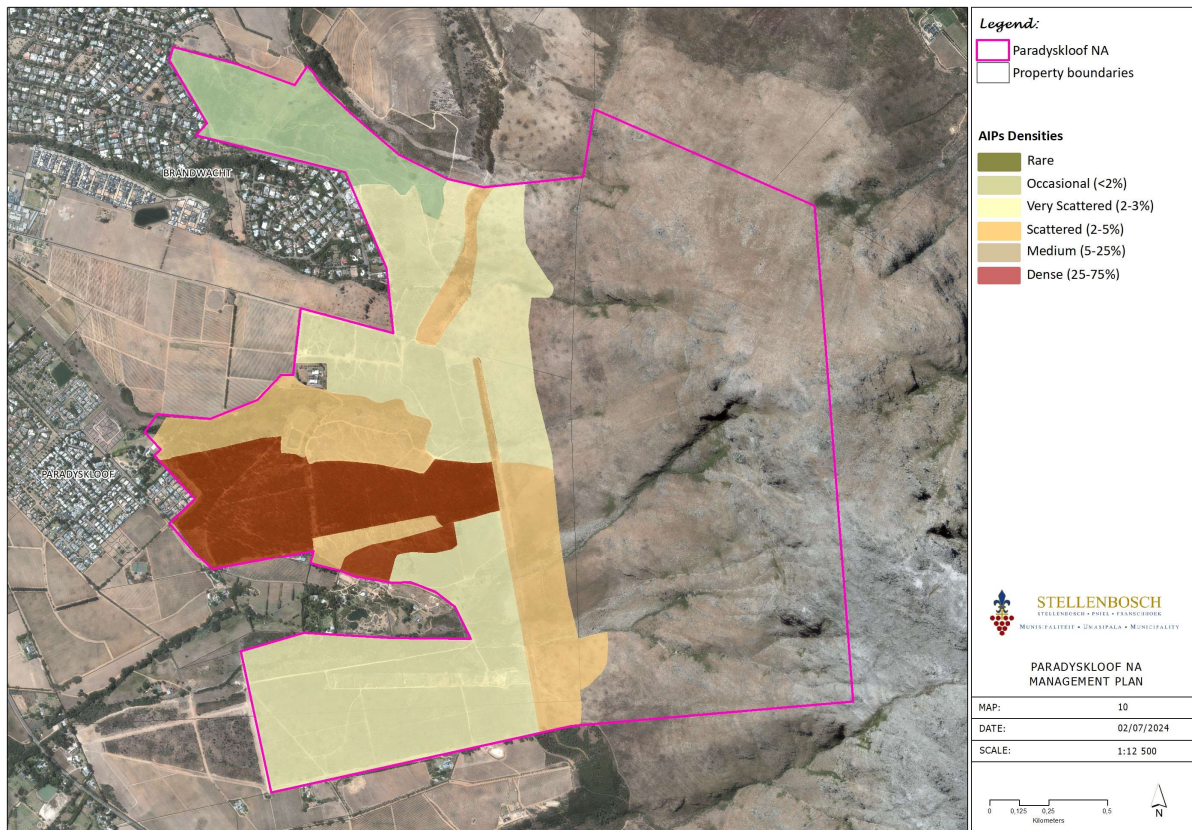


Figure 12: Paradyskloof NA AIPs densities

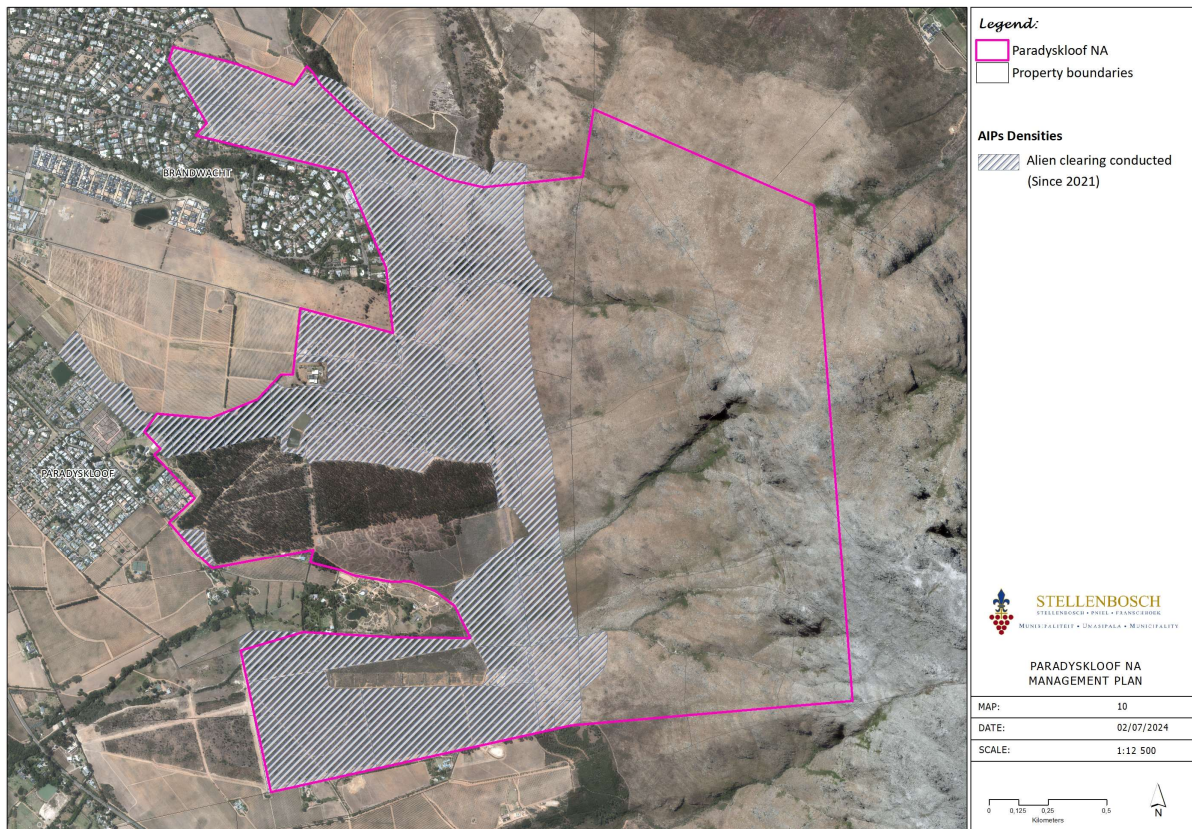


Figure 13: Alien clearing conducted

Table 3: Guidelines for alien clearing

NR	ACTIONS	COMPLETED	NOTES/REVISED ACTIONS	TIME FRAME
3	Implement the Stellenbosch Municipality IAP Management Plan (2022).	Yes	Action retained. Done as part of the annual alien clearing tender. Stellenbosch IAP Management Plan (2017) updated and submitted to Council / DFFE during 2022.	Annually between the months of September and May.
4	Map the areas that have been cleared of alien plants.	Yes	Action retained.	Annually as clearing is undertaken.
5	Conduct an audit on the implementation of the IAP Management Plan.	Yes	Report submitted to DFFE.	Annually, by end of June.
6	Investigate the harvesting of the remaining (or part thereof) pine plantation.	-	-	On adoption of the EMP review by Council.

4.2.2 Flora

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

The introduction of non-endemic species to Paradyskloof NA is forbidden.

Table 4: Guidelines for flora conservation

NR	ACTIONS	COMPLETED	NOTES/REVISED ACTIONS	TIME FRAME
7	Institute research to verify existing botany reports and assessments pertaining to the vegetation types that occur in the Paradyskloof NA.	Partially	Study of biome context literature conducted. Ground level (confirmed) studies to be sourced.	Once the vegetation has recovered to the extent that reliable information can be gathered.
8	Ground-truth and update the CBA status of all parts of the nature area in cooperation with Cape Nature and SANBI.	No	Action retained.	On availability of Cape Nature and SANBI.
9	Prevent the non-sustainable harvesting of plants used as traditional medicines.	Yes	Action retained.	Ongoing
10	Monitor the fringes of the NA (along the edge of the urban area and household gardens) for the introduction of non-endemic species.	-	New action.	Ongoing

4.2.3 Fauna

Biodiversity conservation essentially means conserving all the elements ('parts') of the natural environment. The mix of species in an ecosystem enables that system both to *provide* a flow of

ecosystem services under given environmental conditions, and to *maintain* that flow if environmental conditions change.

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

Table 5: Guidelines for fauna conservation

NR	ACTIONS	COMPLETED	NOTES/REVISED ACTIONS	TIME FRAME
11	Continually monitor and record occurrence of wildlife.	Ongoing	-	Ongoing
12	Prevent all forms of unnatural predation through on-going law enforcement.	Ongoing	-	Ongoing

4.2.4 Soil

Former and current land-uses resulted in loss of topsoil in places within the NA. Appropriate measures must be taken to protect areas susceptible to erosion by installing all the necessary temporary and permanent drainage works as soon as possible. Steep slopes and other areas prone to erosion must be maintained or restored according to the following guidelines:

- a) Warning signage displaying NO ENTRY, must be installed on all roads, trails or walkways that are permanently or temporarily closed. Physical barriers, using local natural material, may be constructed where NO ENTRY signs are not respected to prevent users from accessing such roads, trails or walkways.
- b) Existing erosion areas must be back-filled (using on-site material), compacted and restored to a proper condition.
- c) Roads, trails or walkways, permanently closed for use, must be:
 - i) ploughed,
 - ii) the top soil scarified (to make sure that no downhill trenches or drainage lines are created),
 - iii) water diversion walls created by hand at a distance of 10 metres apart (depending on the slope) leading 5 metres into the natural vegetation,
 - iv) and revegetated by either soughing or transplanting appropriate material.
- d) Areas, where the above measures are not sufficient, must be logged, parallel to the contour in order to prevent further soil erosion. Logs must be laid in lines 15 metres apart, depending on the slope (the steeper the slope the closer the barriers must be laid to each other). Logs must be secured by means of steel pegs hammered through a drilled hole on each end of the log (logs longer than 2 metre must be secured by an additional steel peg through the middle of the log). Where logs are laid across a road, the log must be laid up to a minimum of 1 meter past the edge of the road.
- e) Roads (to stay in use) must be graded to have a slight gradient to the inside (up-hill) (refer to Figure 14). A drainage ditch must be created on the inside of the road. Gravel humps must be created at an angle across roads to drain water from the road surface into the drainage ditch. At selected locations (depending on the slope) furrows must be created across the roads surface to discharge the water collected in the drainage ditch. The guiding principle behind the

creation of a drainage ditch and discharge furrows is to not allow water to reach a speed at which it will create erosion. After a rain event all roads must be inspected to determine if any maintenance is required.

- f) Erosion sites on bicycle tracks and walking trails must be logged following the contours and spaced vertically 0.8-1.2 m apart, depending on the steepness of the slope.
- g) Logs must be untreated pine (or gum) poles of not less than 150 mm with a taper of not more than 75 mm over its length.
- h) Cut and fill slopes will be shaped and trimmed to approximate the natural condition and contours as closely as possible and be undulating. Levels, incongruous to the surrounding landscape, will be reshaped using a grader and other earthmoving equipment.

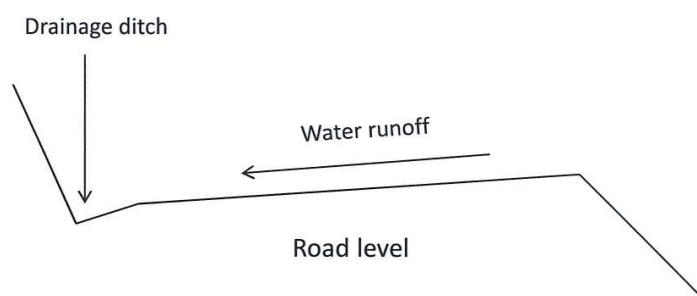


Figure 14: Road surface slope with a drainage ditch.

Table 6: Guidelines for the conservation of soils

NR	ACTIONS	COMPLETED	NOTES/REVISED ACTIONS	TIME FRAME
13	Restore erosion sites in accordance with the guidelines above.	-	Action retained.	Ongoing, as required.
14	Inspect drainage ditches on all roads after exceptional rain event to determine whether maintenance is required.	Yes	Action retained.	Ongoing On occurrence of exceptional rain / weather events.
15	Implement preventative measures on potential erosion sites. All roads and tracks, used or closed, are considered potential erosion sites.	Yes	Action retained.	Ongoing
16	Prevent overuse of routes and sites susceptible to erosion through appropriate signage.	Yes	Action retained.	Ongoing

4.2.5 Water

The role and potential impact of Paradyskloof NA seems negligible when considered against the scale of the catchment as a whole. The area is, however, a vital component of the catchment and should be managed accordingly.

Table 7: Guidelines for managing Paradyskloof NA as part of the Eerste River catchment

NR	ACTIONS	COMPLETED	NOTES/REVISED ACTIONS	TIME FRAME
17	Remove all forms of pollution.	Yes	Action retained.	Ongoing

18	Implement the Stellenbosch IAP Management Plan (2022).	Yes	Action retained.	Annually between the months of September and May.
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4.2.6 Fire

Paradyskloof NA is susceptible to fire due to activities on the property as well as land uses on adjoining properties. Any fire management regime must therefore provide innovative measures to combat the occurrence and spread of wild fires. The overarching fire management goals as it pertains to Paradyskloof NA are to:

- a) Protect people and property.
- b) Protect natural and cultural resources from undesirable effects of fire.
- c) Suppress unwanted fire.
- d) Allow fire to assume its natural role in the ecosystem.
- e) Manage fire cooperatively with neighbouring land owners and other stakeholders.

The fire management regime of the NA is premised upon the following risk management strategies:

Table 8: Fire management strategies

Management Strategies	Guidelines
a) Avoiding the risk	Prohibiting high-risk human activities in close proximity to the NA.
b) Reducing the hazard	Prescribed burning, preparation of firebreaks or manual clearing of fire hazards as well as regular inspections.
c) Reducing ignitions	Education and awareness programs, fire bans, reduction in activities during high-risk season or periods, efficient ignition investigation.
d) Reducing consequences	Contingency plans, community education programs for self-protection (lives and property), and building restrictions and standards for areas prone to veld fires.
e) Implementing an innovative artificial burning regime	Such regime and associated practices are to reduce the risk of wild fires spreading and causing extensive ecological and financial damage. Such artificial regime implies the creation of a mosaic of veld ages that will enhance the capacity of the area to and maintain its ecological functioning.

Due to surrounding land uses and human behaviour wild fires will probably not be prevented through any measures taken. The solution lies in a combination of options (a), (b) and (c) above.

It is important to understand the basics of fire before preparation can be made for efficient control thereof. It is essential to note that three environmental components are required for a fire to occur. These are oxygen, heat and fuel (refer to Figure 15). Whilst the atmosphere contains 21% oxygen, only 16% is needed for a fire to start. Fuel is any living or dead material that will burn. If ignition occurs in the situation or environment where all three elements are present combustion will result and a fire will continue to burn until one of the three elements are removed. It is difficult to exclude oxygen from fires. Heat is considered a constant. However, a reduction in fuel will reduce the total energy output (refer to Figure 16). Fuel, or more specifically the amount of fuel, is the aspect that can be influenced most. It therefore becomes the most critical factor in the prevention and control of fire.

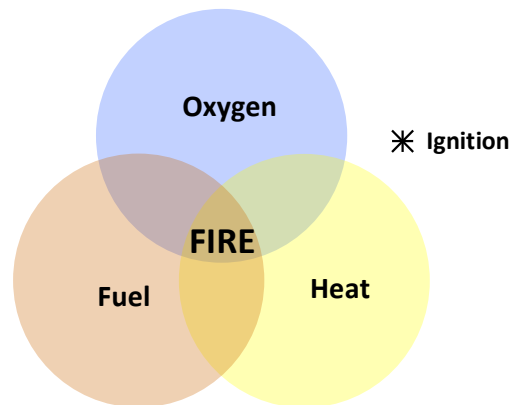


Figure 15: Basic elements of fire

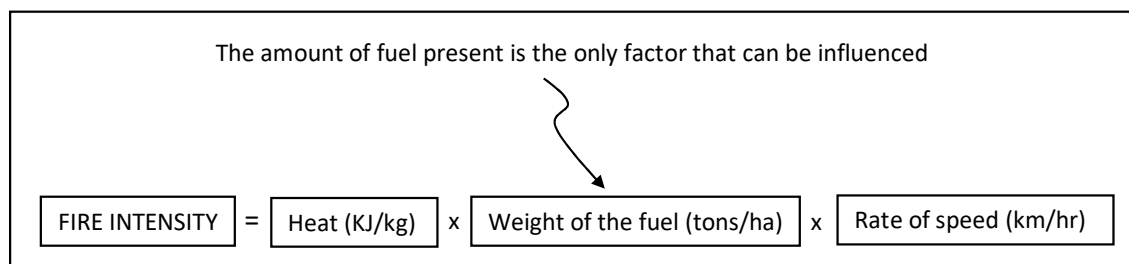


Figure 16: The factors determining the intensity of fire

Two ways of reducing the fuel load are alien vegetation clearing/control and the establishment and maintenance of firebreaks.

4.2.6.1 Alien Clearing

IAPs are characterised by being able to reproduce rapidly in their new environments, and this is usually due to a combination of factors, including:

- A lack of natural enemies in the new environment,
- Resistance to local diseases and other plant pathogens, and
- Highly competitive growth and colonising strategies that provide them with a competitive edge, and an ability to out-grow local indigenous plants.

IAPs can significantly alter the composition, structure and functionality of ecosystems and increase the fuel load for fires. They degrade the productive potential of the land, intensify the damage caused by veld fires and flooding, increase soil erosion, and impact on the health of rivers and estuaries. It is therefore imperative that the measures dealt with under Section 4.2.1 above be implemented.

4.2.6.2 Firebreaks

Fire breaks are cleared paths which will prevent the spread of fire by removing the fuel from the fire path. It also provide firefighting vehicles or -personell access to an area affected. Section 12 of the National Veld and Forest Fire Act *stipulates that every owner on whose land a veldfire may start or burn or from whose land it may spread must prepare and maintain a firebreak on his or her boundary between his or her land and any adjoining land.* In terms of Section 13 of the Act above a landowner is

obliged to prepare and maintain a firebreak, with due regard to the weather, climate, terrain and vegetation. The firebreak must:

- *be wide enough and long enough to have a reasonable chance of preventing a veldfire from spreading to or from the neighbouring land,*
- *not cause soil erosion, and must*
- *be reasonably free of inflammable material capable of carrying a veldfire across it.*

In terms of Section 16 of the National Veld and Forest Fire Act the right or duty to prepare and maintain a firebreak prevails over any other prohibition in any other law on the cutting, disturbance, damage, destruction or removal of any plant or tree, except the owner must where possible, transplant any plant which is protected in terms of any law or where it is safe and feasible, position the firebreak so as to avoid such plant or tree.

As stated above, a firebreak is a means of access for personnel and equipment, to serve as a control line and to serve as a line from where a fire can be attacked from, for example by setting a backburn. The firebreaks are to be linked to access roads, thereby reducing the areas requiring preparation and increasing accessibility to the various sites. Locations where firebreaks are required vary. Individual circumstances will determine what type, width and length will be applicable. When constructing firebreaks it is important that all vegetation cover is removed and that only rocks and soil (minerals) are exposed. A fire can travel very slowly through the grass roots or decayed vegetation and great care must be taken to ensure that minimal earth is exposed throughout the length and width of the break. The following factors must be taken into account with the construction of firebreaks.

- Access: The placement of firebreaks on a slope must be determined by access to the break.
- Slope: Slope is the steepness of the land and has the greatest influence on fire behaviour. The steepness of the slope affects both the rate and direction of the fire spread. Fires usually move faster uphill than downhill and the steeper the slope, the faster the fire will move. This is because:
 - on the uphill side, the flames are closer to the fuel;
 - the fuels become drier and ignite more quickly than if on the level ground;
 - wind currents are normally uphill and this tends to push heat flames into new fuels;
 - convected heat rises along the slope causes a draft which further increases the rate of spread; and
 - burning embers and chunks of fuel may roll downhill into unburned fuels, increasing spread and starting new fires.
- Aspect: Aspect is the direction the land faces - north, south, east or west. The aspect of a slope influences a fire's behaviour in several ways:
 - southern aspects receive more direct heat from the sun, drying both the soil and the vegetation;
 - fuels are usually drier and less dense on southern slopes than fuels on northern slopes;
 - heating by the sun also causes earlier and stronger slope winds; and
 - on south-facing slopes, there will normally be higher temperatures, stronger winds, lower humidities, and lower fuel moistures.
- Terrain: *Terrain* or special land features may control wind flow in a relatively large area. Wind flows like water in a stream and will try to follow the path of least resistance. Ridges, trees, and rocks may alter wind flow and cause turbulence or eddies to form on windward side of obstructions. Also, when wind flows through a restriction, such as a canyon, it increases in

strength. Wind movement can be critical in chutes or steep v-drainages. These terrain features create a chimney effect, causing a forced draft, as in a stove chimney. Fires in these chutes or drainages spread quickly and are dangerous.

- Vegetation type
- Moisture content
- Size and shape of material.
- Volume and area covered.
- Fuel content (breaks alignment should avoid heavy fuel concentrations and be situated in areas with the lightest fuels possible).
- Wind direction (internal belts should as far as possible run parallel with the prevailing winds).
- Spotting distance.
- Firebreaks should be anchored, either to a natural barrier, road or another firebreak.
- Natural or existing barriers like roads, streams, rock outcrops, or any other break in fuel should be utilise as far as possible.

There are four methods of preparing a firebreak and proper consideration should be given to each before commencing the preparation of a firebreak.

- Manual: Preparing a firebreak manually involves the utilisation of a team of workers working in a planned manner using manual tools.
- Burning: After deciding where the belt is to go, an adequate tracer is cut around the entire belt, and then the belt itself is burnt. This is the most common form of preparing a firebreak.
- Ploughing/brushcutting: Ploughing/brushcutting with a tractor is a common method of constructing breaks where the vegetation is low or has been previously removed. The positive thing with brushcutting is that the roots are not destroyed and this will assist in reducing erosion on these breaks. Brushcut material should be removed two months after cutting, and mulched at a organic dump.
- Application of herbicide: With this method herbicide is used to kill off all the plant growth in the firebreak.

Firebreaks currently being maintained in and around Paradyskloof NA exist along the edge of Brandwacht- and Paradyskloof neighbourhoods, towards the north of the area as well as a firebreak between the old plantation section and the eastern mountain slopes (Figure 17).

Table 9: Guidelines for management of fire within Paradyskloof NA

NR	ACTIONS	COMPLETED	NOTES/REVISED ACTIONS	TIME FRAME
19	Maintain the existing system of firebreaks.	Yes	Action retained.	Annually / By end of October.
20	Conduct inspection of the area along with a representative of the local fire protection association to identify the need for additional firebreaks.	Yes	Action retained.	Annually / By end of October.
21	Prepare additional firebreaks as required/identified.	Yes	Action retained.	Annually / By end of October.
22	Prepare and maintain a register of veld fires.	Yes	Action retained.	Annually / By end of March.

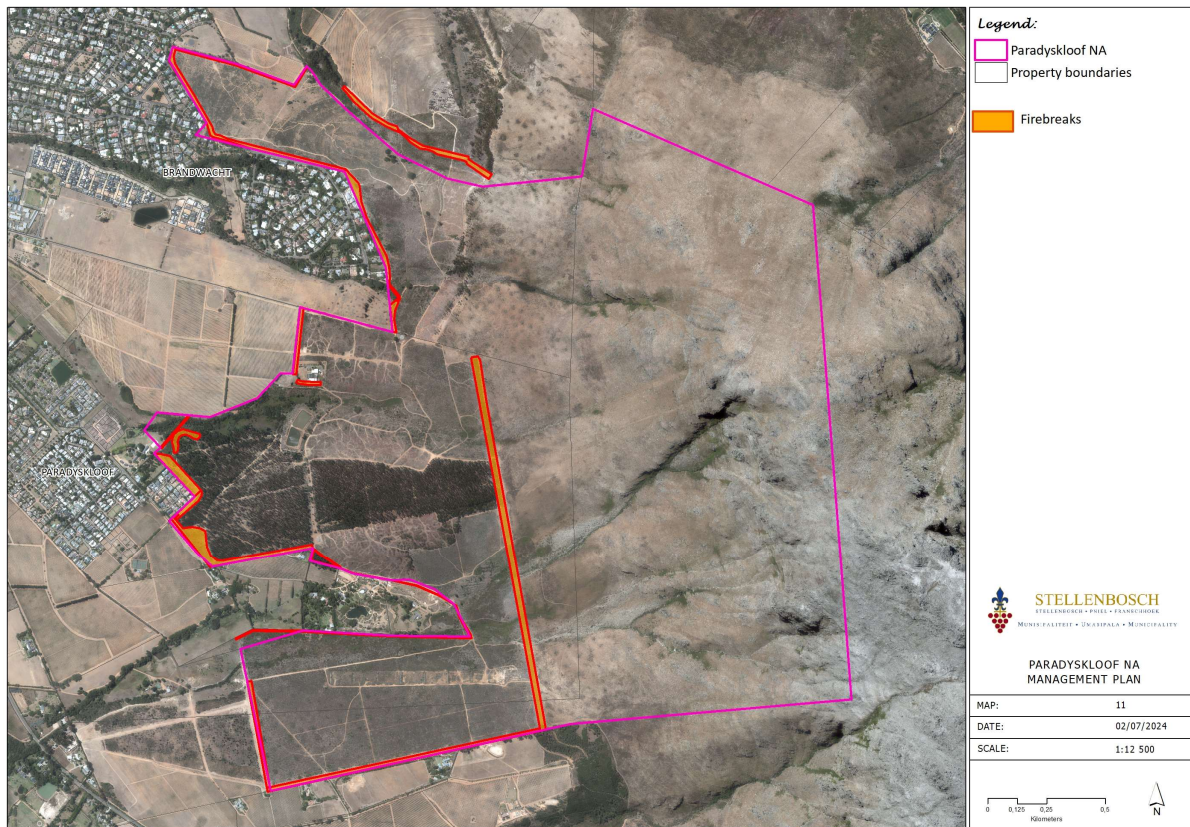


Figure 17: Firebreaks in and around Paradyskloof NA

4.3 LAND USE MANAGEMENT

4.3.1 Management / Use Areas

Chapter 3.5 above lists the main uses of Paradyskloof NA. Because the area has such a spectrum of uses and comprises an area with variable degrees of degradation, ecological importance and topographical characteristics, a uniform set of management principles and rules for utilisation of the area is not feasible. The area must be retained as a public resource, available for recreational use on a daily basis, whilst the environmental integrity of the area is protect at the same time.

The management and use of Paradyskloof NA is therefore described by way of defining the areas within which the various activities or use is allowed. Table 10 below describes the various areas depicted by Figure 18. The various areas and uses are informed by existing infrastructure and use as well as the information contained in the Western Cape Biodiversity Spatial Plan.

Table 10: Paradyskloof NA Management / Use Areas

Area	DEFINITION
Conservation 1	Areas proclaimed as protected areas under national or provincial legislation. User activities with minimal impact allowed in these areas.
Use	<ul style="list-style-type: none"> Research Hiking

		<ul style="list-style-type: none"> Trail-running
	Conservation 2	Areas in a natural condition that are required to meet biodiversity targets, for species, ecosystems or ecological processes and infrastructure. User activities with minimal impact allowed in these areas.
	Use	<ul style="list-style-type: none"> Research Hiking Dog-walking Trail-running Mountain-biking on defined routes
	Rehabilitation	Areas in a degraded condition to be rehabilitated.
	Use	<ul style="list-style-type: none"> Research Hiking Dog-walking Trail-running Mountain-biking on defined routes Approved events
	Recreation	Infrastructure for recreational use.
	Use	<ul style="list-style-type: none"> Hiking Dog-walking Trail-running Mountain-biking Approved events Film-shoots
	Utility	Areas that contains municipal infrastructure.
	Forestry	Existing pine forest to be maintained as such and potentially harvested harvested.

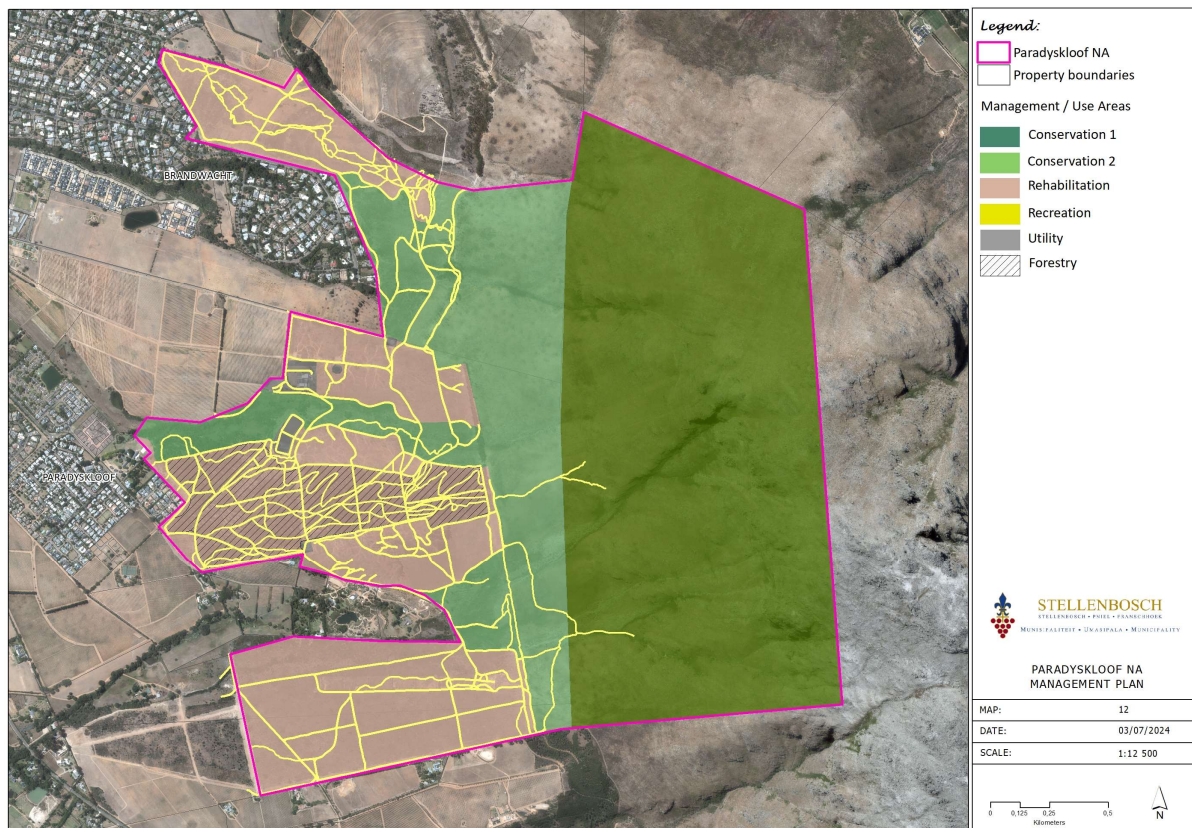


Figure 18: Paradyskloof NA Management / Use Areas

Table 11: Guidelines for management of the Paradyskloof NA Management / Use Areas

NR	ACTIONS	COMPLETED	NOTES/REVISED ACTIONS	TIME FRAME
23	Communicate the applicable use areas and associated appropriate activities through signage at the NA entrances and on-site.	Yes	Internal signage to be improved.	Audited and improvements made within 2025/26 financial year.
24	Conserve and protect Conservation 1 and 2 areas.	Yes	Limit human activity and clear IAPs.	Audited
25	Inspect recreation areas to assess the impact of use and degradation.	Yes	Action retained.	Annually
26	Implement necessary rehabilitation works where required.	Yes	Action retained.	Ongoing where required.

Actions that was captured under this section in the 2018/19 Paradyskloof NA EMP that were not retained are the following:

- *Investigate formally declaring the Paradyskloof NA as a nature reserve.* There are no current plans to declare the area in terms of the National Environmental Management: Protected Areas Act (57 of 2003).

4.3.2 Clubhouse

Stellenbosch Municipality has refurbished the clubhouse situated within Paradyskloof NA (shown on Figure 18 above). The facility have been used for municipal meetings and functions. The facility may be used for alternative uses following an application process. Managed correctly this facility can add immense value to the NA by way of drawing visitors to the area and providing income that can contribute to the management of the area.

Risks or challenges associated with the facility include the following:

- Use of the facility may become a source of nuisance for users of the area or neighbouring landowners if permitted uses is not defined and managed.
- Use of the facility may become a source of pollution.
- The facility and use thereof presents a fire risk.
- The facility runs the risk of becoming delapidated or a financial burden if not managed correctly or used to its full potential.

The following set of rules must be implemented in order to address the above risks / challenges:

- An official application for use of the clubhouse must be submitted to the Department: Community Services at least ten (10) working days before the proposed event.
- Use of the clubhouse must be approved by the Department: Community Services at least five (5) working days before the proposed event.
- Conditions set by the Department: Community Services must be complied with.
- The applicant, deemed as the private person or the representative of the organisation which is applying to host the event at the clubhouse, is responsible for enforcing all the conditions set for the event and general laws, by-laws and rules applying to the surrounding nature area.
- The applicant assumes liability for any loss or damage occasioned during the event, with respect to both the event participants and municipal property.

- f) Fire is only allowed in designated areas and if approved by the Department: Community Services.
- g) Access for public users of the clubhouse may only be gained from the designated access gate.
- h) A maximum of 10 vehicles are allowed to enter the premises to attend an event held at the clubhouse. If the amount of guests attending an event require more than the allowed 10 vehicle access arrangement must be made for the additional guest to be transported from the access gate up to the clubhouse.
- i) Apart from access, or unless required permission is gained, an event's activities is restricted to the clubhouse precinct.

Table 12: Guidelines for management and use of the Paradyskloof NA clubhouse

NR	ACTIONS	COMPLETED	NOTES/REVISED ACTIONS	TIME FRAME
28	Maintain the clubhouse in good order.	Yes	Action retained.	Ongoing-Following events held.
29	Maintain a 15 meter cleared area around the clubhouse to act as a firebreak. This area is to be kept clear of any form of biomass.	Yes	Action retained.	Ongoing
30	Conduct inspection of the clubhouse following each event / function.	Yes	Action retained.	Ongoing
31	Consider each event or function in terms of the applicable event / function criteria.	Yes	Action retained.	Ongoing

Actions that was captured under this section in the 2018/19 Paradyskloof NA EMP that were not retained are the following:

- *Investigate / explore alternative uses for the clubhouse.* The clubhouse is used for municipal purposes / needs or events applied for.
- *Investigate the feasibility of entering into a lease agreement with a private entity or organisation to occupy a portion of the facility.* The clubhouse is used for municipal purposes / needs or events applied for.

4.3.3 Recreational Use

A primary function of Paradyskloof NA is to enhance the well-being of the people of Stellenbosch and those visiting the area. Accordingly, the NA has an important role namely to provide the foundation for recreational and tourism opportunities which are environmentally compatible. Chapter 3.5 above lists the range of outdoor- or recreational activities Paradyskloof NA is utilised for.

Rules applicable to the recreational use of the area are:

- a) Entry and use is at a person's own risk. Stellenbosch Municipality and/or its employees shall not be liable for any damage, loss, theft, injury, accident or death suffered by any person, howsoever caused.
- b) No lighting of fires (except in the event that approval has been granted by the Department: Community Services as part of an event).
- c) No smoking.

- d) Only approved / designated roads, trails or tracks may be used. The construction or clearing of new roads, trails or tracks are prohibited.
- e) Public vehicle / motorised access to the area is prohibited unless authorised.
- f) Visitors to comply to all signage including access signage and route markers.
- g) Any user of the area utilising the area for cycling, hiking or any other permitted activity must be equipped with the necessary safety gear and equipment.
- h) All users must utilize the area in a manner that considers the enjoyment and safety of other users.
- i) Various routes (roads, tracks or trails) may exclude particular activities such as cycling. In such cases where a route is temporarily closed for rehabilitation or maintenance, or permanently excludes a particular use, appropriate signage will be installed to communicate such information which must be adhered to as in (f) above.

Table 13: Guidelines for management of recreational use of the Paradyskloof NA

NR	ACTIONS	COMPLETED	NOTES/REVISED ACTIONS	TIME FRAME
32	Audit all roads, trails and tracks and update maps accordingly.	Yes	Action retained.	Annually.
33	Decide on the appropriate use (or decommissioning / rehabilitation) of roads, trails and tracks and install appropriate signage.	Yes	Internal signage to be improved.	During 2025/26 financial year.
34	Inspect roads, trails and tracks to be fit for recreational use.	Yes	Action retained.	Monthly during summer or after heavy rain events. Weekly during summer.
35	Maintain existing roads, trails and tracks to be fit for recreational use.	Yes	Action retained.	Ongoing
36	Close routes that require maintenance or rehabilitation and are not deemed to be safe for recreational use by installing appropriate signage and access barriers.	Yes	Action retained.	Ongoing

4.3.4 Access Control

Chapter 3.6 above lists access control, or the challenges associated therewith, as one of the main threats to the management of the area influencing secondary threats such as the security of the area, vandalism and fire.

Table 14: Guidelines for management access control

NR	ACTIONS	COMPLETED	NOTES/REVISED ACTIONS	TIME FRAME
37	Keep a register of key-holders.	Yes	Action retained.	Ongoing
38	Deploy additional staff with direct communication with law enforcement to monitor the area.	Yes	Action retained.	Ongoing

39	Liaise with municipal law enforcement, private security, local Whatsapp or email groups and the municipal courts to improve reporting and conviction of offences.	Yes	Action retained.	Ongoing
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Actions that was captured under this section in the 2018/19 Paradyskloof NA EMP that were not retained are the following:

- *Audit existing access points to the NA.* This item have been completed.
- *Audit existing access control infrastructure.* This item have been completed.
- *Audit existing lock and ownership of keys.* This item have been completed.
- *Investigate the financial aspects of manned access control at the Paradyskloof main gate.* This item have been investigated and proved not to be feasible.
- *Investigate the financial aspects fencing the area.* Completed. Municipal nature areas are being fenced as budget becomes available.

4.3.5 Municipal Infrastructure

As deccribed in Chapter 3.4 above Paradyskloof NA houses various municipal infrastructure. It is important that the Municipality are able to access, maintain and implement required improvements/maintenance to these infrustructure. Although the importance of these works can not be underestimated it must be planned and excecuted in a manner that has te least possible impact on the NA.

Table 15: Guidelines for management of municipal infrastructure

NR	ACTIONS	COMPLETED	NOTES/REVISED ACTIONS	TIME FRAME
40	Maintain all infrustructure in good working order.	Yes	Action retained.	Ongoing
41	Development proposals or plans for maintenance work within Paradyskloof NA to be circulated to the Department: Community Services for input.	Yes	Action retained.	Ongoing

4.3.6 Events

As mentioned in Chapter 4.3.3 (Recreation) above Paradyskloof NA is an important resource used for spiritual, scientific, educational, recreational and tourism opportunities. Stellenbosch Municipality receives various applications for events in Paradyskloof NA for consideration. It is the Municipality's responsibility to ensure that such events are compatible with the area of Paradskloof NA, that an event does not present a threat or impact to the area that can not be avoided or mitigated and that the area can ultimately benefit from such an event.

In order to give effect to the potential of Paradyskloof NA in this regard events must be used as a way to create a strong element of ecological and cultural awareness with event organisers and participants in order to ensure environmental sustainability. The following applies to events in Paradyskloof NA:

- (i) Events are to be held in a manner that has the least possible negative environmental impact.
- (ii) Event applications must be submitted timeously for consideration, preferably 90 day prior to such an event.
- (iii) Potential effects of an event must be considered by the municipality and an approval granted only if the potential impact of such an event is considered to be acceptable or is of such a nature that the likely impacts can be avoided and/or mitigated.
- (iv) The applicant applying for an event license is to provide a scope of the proposed event activities, an assessment of the likely environmental impacts of such activities, recommended mitigation measures to be implemented and the degree to which the proposed mitigation measures are expected to address the identified environmental impacts.
- (v) An application for an event in a nature area is to be circulated to the relevant municipal department tasked with the management of such an area for consideration, comment and the provision of conditions before a decision for the granting/refusal of an event license is made.
- (vi) An applicant may be liable for an application fee, the criteria of which have been approved by the Council of Stellenbosch Municipality.
- (vii) An event license granted is only valid upon acceptance of the set conditions for the hosting of the particular event and payment made of the application fee by the event organizer.
- (viii) Unless specified otherwise, the event organizer assumes responsibility for the event's compliance to conditions imposed during the granting of an event permit.
- (ix) The event organizer is responsible for any rehabilitation to a nature area damaged or degraded during an event. The scope of such rehabilitation work will be the restoration of an area to the state prior the hosting of the relevant event.
- (x) In the event that rehabilitation work is required the municipality may direct an event organizer to investigate, evaluate and assess the impact of specific activities and report thereon and to complete rehabilitation measures before a specified reasonable date.

Table 16: Guidelines for events in Paradyskloof NA

NR	ACTIONS	COMPLETED	NOTES/REVISED ACTIONS	TIME FRAME
42	Consider all events in the area in terms of the above criteria.	Yes	Action retained.	Ongoing

4.3.7 Development

It is imperative that the integrity of Paradyskloof NA be protected through appropriate planning and management intervention. Accordingly any physical development in Paradyskloof NA is to be planned and implemented to have the least possible impact and to have any such impact mitigated.

Table 17: Guidelines for development

NR	ACTIONS	COMPLETED	NOTES/REVISED ACTIONS	TIME FRAME
43	Development proposals within Paradyskloof NA to be circulated to the Department: Community Services for comment.	Yes	Action retained.	Ongoing

4.4 ENVIRONMENTAL AUDITING

This EMP builds upon the notion that uncertainty (or lack of knowledge) about the status and function of ecosystems can be addressed in an *adaptive management strategy* - an approach that relies on continual assessment and adjustment. Although repeated revision of management decisions is at the core of adaptive management, this does not threaten resource security, rather it provides for sustainability of resource use. Threats to resource security can be minimised if management objectives are set clearly. In addition, adaptive management will reduce the sort of pressure that stymies action because initial choices are not viewed as final. The dimension of continual improvement is embodied in adaptive management. Continual improvement is defined as the process of enhancing management actions to achieve improvements in overall performance (i.e. remaining dynamic). It is achieved by continually evaluating environmental performance against set environmental policies, objectives and targets with the purpose of identifying opportunities for improvement. Accordingly, the Paradyskloof NA EMP is a dynamic document which is subject to updating and amendment in accordance with the results of monitoring and auditing and the outcomes of on-going scientific research.

4.4.1 Auditing Strategies

Table 18: Auditing actions

NR	ACTIONS	COMPLETED	NOTES/REVISED ACTIONS	TIME FRAME
44	Audit all documented impacts of management actions on the environment.	Yes	Action retained.	Annually in October.
45	Implement procedures for handling incidents of non-conformance with the EMP.	Yes	Action retained.	Annually in October.
46	Manage environmental records, including the results of audits and reviews.	Yes	Action retained.	Immediately after EMP approval

4.4.2 Auditing Procedures

The environment audit to be undertaken is a methodical examination of the site's environmental information to verify whether, and to what extent, the management actions have complied with set performance criteria. The review of the EMP on a five-year basis is based upon the results of the environmental audits the objective being to ensure its continuing appropriateness and effectiveness.

The environmental audit consists of three stages, namely *pre-audit*, *on-site audit* and *post-audit*. Pre-audit includes the administrative issues associated with planning the audit and preparing the audit protocol. The main purpose of the pre-audit stage is to develop an audit plan, based on the most recent information and the results of the previous audit.

On-site audit involves the recording of required information. The audit team gathers information by observation, photographs, taking measurements, and conducting tests as was determined during the pre-audit stage. During the on-site audit stage the strength and weaknesses of the methods of information gathering must be evaluated in order to determine whether the process of auditing is

effective in achieving its goal. In keeping with the adaptive management approach, the auditing process must also be looking for continual improvement.

The audit report is completed during the post-audit stage. Such report will reflect previous results, current results, and recommended improvement goals. The audit report will also indicate failures or deficiencies and recommendations for corrective actions.

5 VALIDITY

The Paradyskloof NA EMP is based upon and aims to give effect to a long-term vision for the area which is not subject to *ad hoc* or short-term amendment. However, in terms of the principle of continual improvement the EMP is subject to revision in accordance with the results of on-going monitoring and auditing to be undertaken as described in Chapter 4.4. It will be valid, in its current form, for a period of 5 years from the date approved by Council of Stellenbosch Municipality after which revision has to be considered.

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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NONE

10.	MATTERS TO BE CONSIDERED IN-COMMITTEE
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SEE PINK DOCUMENTATION