



**STELLENBOSCH**  
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref no.3/4/2/5

2024-09-20

**MAYORAL COMMITTEE MEETING**  
**THURSDAY, 2024-09-26 AT 10:00**

**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 **via TEAMS** on **Thursday, 2024-09-26 at 10:00** to consider the attached agenda.

EXECUTIVE MAYOR, ALD GM VAN DEVENTER

**CHAIRPERSON**

**AGENDA**  
**MAYORAL COMMITTEE MEETING**  
**2024-09-26**  
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# **APPENDIX 1**

## **Confirmation of Minutes: Mayoral Committee Meeting: 2024-08-14**





**STELLENBOSCH**  
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref no.3/4/2/5

2024-08-14

## **MINUTES**

**MAYORAL COMMITTEE MEETING:**

**2024-08-14 AT 10:00**

**MINUTES**  
**MAYORAL COMMITTEE MEETING**  
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|------------|----------------------------------------------|

|  |                        |
|--|------------------------|
|  | SEE PINK DOCUMENTATION |
|--|------------------------|

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

**Councillors:** JC Anthony  
R du Toit  
J Joon  
X Kalipa  
L Nkamisa  
R Pheiffer  
C van Wyk  
J Williams

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

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

\*\*\*\*\*

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|-----------|----------------------------|
| <b>1.</b> | <b>OPENING AND WELCOME</b> |
|-----------|----------------------------|

The Chairperson, The Executive Mayor welcomed everyone present at the Mayoral Committee Meeting.

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| <b>2.</b> | <b>COMMUNICATION BY THE EXECUTIVE MAYOR</b> |
|-----------|---------------------------------------------|

- As we just celebrated Women's Day on 9 August 2024, I extend my heartfelt wishes to all the incredible women in our beautiful Valley. This day is a powerful reminder of the resilience, strength, and contributions of South African women throughout our history. We honour the heroines of our past who fought tirelessly for the freedoms and rights we enjoy today. We recognize and appreciate the mothers, grandmothers, sisters, nieces, aunts, daughters, stepmothers, stepdaughters, cousins, and young girls who make our organization and towns exceptional. Each one of you plays a vital role in shaping our community, and today, we celebrate you. Let us keep on celebrating this Women's month.

- Was bevoorreg om gisteraand die Provinsiale Department van Landbou, se funksie, VRoue Entrepreneurs in Landbou by te woon. Die was 'n prestige funksie om vroue te vereer wie 'n bydrae tot landbou in die Provinsie maak as deel van Vrouemaand.

- Reminder to all Jamestown residents: ESKOM will have a pop-up office on 15 August 2024 at the ward office in Pajaro Avenue, Jamestown. This is to address and assist with customer enquiries such as metering, billing, follow up on logged calls, etc.

- Die Stellenbosch-munisipaliteit waarsku weer inwoners oor individue wat hulle as munisipale amptenare voordoen om toegang tot huise te kry. Veral senior inwoners word geteiken. Hierdie bedrieërs poog om huise onder valse voorwendsels in die naam van die munisipaliteit binne te gaan en gebruik die geleentheid om van inwoners te steel. Dit is belangrik om daarop te let dat die munisipaliteit nooit sal probeer om toegang tot inwoners se huise te kry om items soos muurproppe of krane te tel nie. Water- en elektrisiteitsmeters wat gelees moet word, is hoofsaaklik buite huise geleë, en munisipale werkers het nie toegang tot die binnekant van 'n huis nodig om daardie meters te lees nie. Slegs in sekere seldsame gevalle sal amptenare toegang tot persele benodig, en hulle moet in besit wees van hul amptelike munisipale identiteitskaarte. Dit sluit ad hoc-besoeke in om die werking van voorafbetaalde elektrisiteitsmeters na te gaan. Alle inwoners word aangemoedig om eers die munisipaliteit te kontak om die identiteit van die persoon te verifieer indien hulle onseker of onveilig voel voordat hulle toegang tot hul perseel verleen. Werkers moet bewys van identiteit dra. Skakel gerus 021 808 8215 of stuur 'n boodskap na ons WhatsApp-lyn by 076 951 0768 om die identiteit van 'n munisipale werknemer te verifieer.

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| <b>3.</b> | <b>DISCLOSURE OF INTERESTS</b> |
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Cllr R Pheiffer declared interest on item 7.3.2 was recused.

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| <b>4.</b> | <b>APPLICATIONS FOR LEAVE OF ABSENCE</b> |
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The following application for leave of absence was approved in terms of the Rules and Order By-law of Council: -

Director: Community & Protection Services (G Boshoff)

|           |                                         |
|-----------|-----------------------------------------|
| <b>5.</b> | <b>CONFIRMATION OF PREVIOUS MINUTES</b> |
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5.1 The minutes of the Mayoral Committee Meeting held on 2024-07-24 were **confirmed as correct without any amendments.**

|    |                   |
|----|-------------------|
| 6. | STATUTORY MATTERS |
|----|-------------------|

|     |                                                         |
|-----|---------------------------------------------------------|
| 6.1 | SDF / IDP / BUDGET TIME SCHEDULE / PROCESS PLAN 2025/26 |
|-----|---------------------------------------------------------|

Collaborator No: 771524  
 IDP KPA Ref No: Good Governance and Compliance  
 Meeting Date: 14 August 2024

**1. SUBJECT: SDF / IDP / BUDGET TIME SCHEDULE / PROCESS PLAN 2025/26**

**2. PURPOSE**

To table to the Council for consideration and approval:

- (a) The SDF / IDP / Budget Time Schedule / Process Plan 2025/26, attached as **ANNEXURE A.**

**3. DELEGATED AUTHORITY**

Council.

**4. EXECUTIVE SUMMARY**

Each municipality is legally required to adopt a time schedule stipulating the key strategic activities and deadlines 10 months before the start of the new financial year.

The Spatial Development Framework (SDF) / Integrated Development Plan (IDP) / Budget Time Schedule / Process Plan for 2025/26 outlines the key strategic activities and public participation processes that will guide the planning, drafting, and adoption of the **3<sup>rd</sup> review of the 5<sup>th</sup> Generation IDP 2022 – 2027** and the Medium – Term Revenue Expenditure Framework (Budget) for the period 2025/26 – 2027/28.

The SDF / IDP / Budget Time Schedule / Process Plan for 2025/26 is, therefore, compiled in terms of Section 21(1)(b) of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003) (MFMA), which states that “the mayor of a municipality **must** –

at least **10 months** before the start of the budget year table in the municipal council a time schedule outlining key deadlines for –

- (i) the preparation, tabling and approval of the annual budget;
- (ii) the annual review of-
  - (aa) the integrated development plan in terms of section 34 of the Municipal Systems Act; and
  - (bb) the budget-related policies;
- (iii) the tabling and adoption of any amendments to the integrated development plan and budget-related policies; and
- (iv) any consultative processes forming part of the processes referred to in subparagraphs (i), (ii) and (iii)

The SDF / IDP / Budget Time Schedule / Process Plan for 2025/26 is also compiled in terms of Section 29 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) (MSA).

Section 29(1) of the MSA specifies that:

The process followed by a municipality to draft its integrated plan, including its consideration and adoption of the draft plan, must-

- (a) be in accordance with a predetermined programme specifying timeframes for the different steps;
- (b) through appropriate mechanisms, processes and procedures established in terms of Chapter 4, allow for:
  - (i) the local community to be consulted on its development needs and priorities;
  - (ii) the local community to participate in the drafting of the integrated development plan; and
  - (iii) organs of state, including traditional authorities and other role players to be identified and consulted on the drafting of the integrated development plan;
- (c) provide for the identification of all plan and planning requirements binding on the municipality in terms of national and provincial legislation; and
- (d) be consistent with any other matters that may be prescribed by regulation.

In preparation for the drafting of the 3<sup>rd</sup> review of the 5<sup>th</sup> Generation IDP 2022 – 2027, the public participation period will be from 09 – 30 September 2024, to allow members of the community and stakeholders sufficient time to submit written input and to make oral representations for consideration during the review process of the IDP.

The IDP public participation open days are provisionally scheduled to be held from 10 – 16 September 2024. The IDP public participation open days schedule will be published in the local newspaper, on the municipal website, on the notice boards of libraries, and on social media platforms (Facebook, X, Stellenbosch Citizens App, WhatsApp, and Email).

**RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2024-08-14: ITEM 6.1**

- (a) that the Council adopts the SDF / IDP / Budget Time Schedule / Process Plan for 2025/26 for the compilation of the annual budget in terms of Section 21(1) of the MFMA and Section 29 of the MSA to guide the planning, drafting, and adoption of the 3<sup>rd</sup> review of the 5<sup>th</sup> Generation IDP 2022 – 2027, attached as **ANNEXURE A**; and
- (b) that an advertisement is placed on the official website of the municipality and in the local newspaper notifying the public of the adopted SDF / IDP / Budget Time Schedule / Process Plan for 2025/26.

**FOR FURTHER DETAILS CONTACT:**

|                        |                                       |
|------------------------|---------------------------------------|
| <b>NAME</b>            | Geraldine Mettler                     |
| <b>POSITION</b>        | Municipal Manager                     |
| <b>DIRECTORATE</b>     | Office of the Municipal Manager       |
| <b>CONTACT NUMBERS</b> | 021 808 8025                          |
| <b>E-MAIL ADDRESS</b>  | geraldine.mettler@stellenbosch.gov.za |
| <b>REPORT DATE</b>     | 01 August 2024                        |

|     |                                          |
|-----|------------------------------------------|
| 6.2 | ADJUSTMENTS BUDGET (ROLL-OVER) 2024/2025 |
|-----|------------------------------------------|

Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

14 August 2024

**1. SUBJECT:ADJUSTMENTS BUDGET (ROLL-OVER) 2024/2025**

**2. PURPOSE**

To present the adjustments budget roll-over for the 2024/2025 financial year to Council for approval.

**3. DELEGATED AUTHORITY**

**FOR APPROVAL BY MUNICIPAL COUNCIL**

**EXECUTIVE SUMMARY**

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

**4. DISCUSSION / CONTENTS**

**4.1. Background/ Legislative Framework**

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

*“An adjustments budget may authorise the spending of funds that were unspent at the end of the past financial year where the under-spending could not reasonably have been foreseen at the time to include projected roll-overs when the annual budget for the current year was approved by the council”.*

According to regulation 23 (5) of the Municipal Budget and Reporting Regulations:

*“An adjustments budget referred to in section 28 (2) (e) of the Act may only be tabled after the end of the financial year to which the roll-overs relate and must be approved by the municipal council by 25 August of the financial year following the financial year to which the roll-overs relate.”*

**RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2024-08-14: ITEM 6.2**

It is recommended to Council,

- (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:**



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|------------|------------------------------------------------------------------------|
| <b>6.3</b> | <b>MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR JULY 2024</b> |
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

14 August 2024

**1. SUBJECT: MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR JULY 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 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 Council. In compliance thereto, this report presents to Council the SCM deviations that occurred during July 2024.

**RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2024-08-14: ITEM 6.3**

that the Council notes with the deviations as listed for the month of July 2024.

**FOR FURTHER DETAILS CONTACT:**

|                        |                                            |
|------------------------|--------------------------------------------|
| <b>NAME</b>            | <b>Dalleel Jacobs</b>                      |
| <b>POSITION</b>        | <b>Senior Manager SCM</b>                  |
| <b>DIRECTORATE</b>     | <b>Finance</b>                             |
| <b>CONTACT NUMBERS</b> | <b>021 808 8137</b>                        |
| <b>E-MAIL ADDRESS</b>  | <b>Dalleel.Jacobs@ Stellenbosch.gov.za</b> |
| <b>REPORT DATE</b>     | <b>05 August 2024</b>                      |

|    |                                                                        |
|----|------------------------------------------------------------------------|
| 7. | CONSIDERATION OF ITEMS BY THE EXECUTIVE MAYOR:<br>[ALD G VAN DEVENTER] |
|----|------------------------------------------------------------------------|

|     |                                            |
|-----|--------------------------------------------|
| 7.1 | PROTECTION SERVICES: (PC: CLLR R PHEIFFER) |
|-----|--------------------------------------------|

NONE

|     |                                                  |
|-----|--------------------------------------------------|
| 7.2 | SPORTS, YOUTH AND CULTURE: [PC: CLLR JC ANTHONY] |
|-----|--------------------------------------------------|

NONE

|            |                                                 |
|------------|-------------------------------------------------|
| <b>7.3</b> | <b>CORPORATE SERVICES: (PC: CLLR L NKAMISA)</b> |
|------------|-------------------------------------------------|

|              |                                                                                                               |
|--------------|---------------------------------------------------------------------------------------------------------------|
| <b>7.3.1</b> | <b>REQUEST TO SUPPORT APPLICATION TO WESTERN CAPE HERITAGE TO DECLARE AAN DE WAGEN WEG AS A HERITAGE SITE</b> |
|--------------|---------------------------------------------------------------------------------------------------------------|

Collaborator No: 771436  
 IDP KPA Ref No: Good Governance  
 Meeting Date: 14 August 2024

**1. SUBJECT: REQUEST TO SUPPORT APPLICATION TO WESTERN CAPE HERITAGE TO DECLARE AAN DE WAGEN WEG AS A HERITAGE SITE**

**2. PURPOSE**

To inform Council of the request received from REMGRO and for council to resolve if they will support the application. The item served before the section 80 Committee in June 2024.

**3. DELEGATED AUTHORITY**

Council

**4. EXECUTIVE SUMMARY**

Remgro send an application they want to submit to Heritage Western Cape (**APPENDIX 1**) and requested the Municipal Manager to provide a letter to support the application. The land where the road is Municipal Land. The surrounding owners have all send letter to indicate that they support the application. The Municipal Manager first want Council to indicate if they support the application before she submits any response. This matter served before Mayco in 2023 and the Executive Mayor referred it to a combined section 80 meeting for advice. A Combined section 80 Committee consisting of the Corporate, Planning and Infrastructure Portfolio Committee considered the item in June 2024 and resolved as follows:

**RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2024-08-14: ITEM 7.3.1**

- (a) that Council support the application; and
- (b) that signs be put up and maintained to explain the heritage of the site.

**FOR FURTHER DETAILS CONTACT:**

|                        |                                             |
|------------------------|---------------------------------------------|
| <b>NAME</b>            | <b>Annalene de beer</b>                     |
| <b>POSITION</b>        | <b>Director</b>                             |
| <b>DIRECTORATE</b>     | <b>CORPORATE SERVICES</b>                   |
| <b>CONTACT NUMBERS</b> | <b>021-8088018</b>                          |
| <b>E-MAIL ADDRESS</b>  | <b>Annalene.deBeer@ Stellenbosch.gov.za</b> |
| <b>REPORT DATE</b>     | <b>2024 – 1 August 2024</b>                 |

|       |                                                                               |
|-------|-------------------------------------------------------------------------------|
| 7.3.2 | <b>APPLICATION FOR LEASE OF MUNICIPAL LAND: A PORTION OF ERF 104 LA MOTTE</b> |
|-------|-------------------------------------------------------------------------------|

Collaborator No: 771438  
 IDP KPA Ref No: Good Governance  
 Meeting Date: 14 August 2024

# **1. SUBJECT: APPLICATION FOR LEASE OF MUNICIPAL LAND: A PORTION OF ERF 104 LA MOTTE**

## **2. PURPOSE**

To consider the application from Joleen Pedro to lease a property situated on a portion of Erf 104 La Motte with the intention of operating a shop from the premises.

## **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 Joleen Pedro to lease one of the three buildings situated on Erf 104 La Motte with the intention of operating a shop (groceries) from the property.

Erf 104 La Motte was donated to the Stellenbosch Municipality by the Cape Winelands Municipality and registered in the name of the municipality during 2023. The specific building is more commonly known as "Oom Saul se winkel". During 2021, whilst busy with the registration process, two applications were considered by the Mayoral Committee for the lease of this property. The property was allocated to Junaid Johnson who intended using the premises for an internet café. The internet café was never established and over the past two years the property was used by several individuals as a shop and later as a residential property. Mrs. Joleen Pedro has now taken possession of the property, without Council approval, with the intention of running a much-needed grocery shop from the property. She has applied for a lease agreement however she has not indicated the period she is interested in (**APPENDIX 1**). She has also spent some of her personal money to renovate the property but has stopped pending this application and after she was informed by the unit to stop using council's property without authorisation.

It should be noted that the previous application was approved on the basis that the tenant does not have to pay rent if they would renovate the building. During the October 2021 meeting a period for the lease was not approved as the property was not registered on the name of the Municipality at that stage. The draft lease agreement was never signed by the then applicant.

As Mrs. Joleen Pedro is in the process of renovating the building this may be taken into consideration. If the property remains vacant it runs the risk of been occupied.

The matter was before the Executive Mayoral Committee in May 2024 and was referred back to the administration for discussions and more information, whereafter it should be submitted to the June 2024 Mayco, however there was no Mayoral Committee meeting in June 2024. In terms of further information photographs are provided in the item of the current state of the building in order for the Mayoral Committee to determine whether the building can be used for municipal purposes.

**EXECUTIVE MAYORAL COMMITTEE: 2024-08-14: ITEM 7.3.2**

**RESOLVED**

- (a) that the portion of Erf 104 La Motte be identified as land not needed to provide the minimum basic municipal service;
- (b) that the application for the lease of a portion of Erf 104 La Motte be approved in principle for a period of three years for the running of a tuck shop; and
- (c) that market related monthly rental be paid the amount to be determined through a valuation.

**FOR FURTHER DETAILS CONTACT:**

|                        |                                                                                                |
|------------------------|------------------------------------------------------------------------------------------------|
| <b>NAME</b>            | <i>Annalene de Beer</i>                                                                        |
| <b>POSITION</b>        | <i>Director: Corporate Services</i>                                                            |
| <b>DIRECTORATE</b>     | <i>Corporate Services</i>                                                                      |
| <b>CONTACT NUMBERS</b> | <i>021-8088018</i>                                                                             |
| <b>E-MAIL ADDRESS</b>  | <a href="mailto:annalene.debeer@ Stellenbosch.gov.za">annalene.debeer@ Stellenbosch.gov.za</a> |
| <b>REPORT DATE</b>     | <i>2024-06-21</i>                                                                              |

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|--------------|--------------------------------------------------------------------|
| <b>7.3.3</b> | <b>PROPOSED LEASE AGREEMENT: ERF 143, FRANSCHHOEK: COL'CACCHIO</b> |
|--------------|--------------------------------------------------------------------|

|                  |                 |
|------------------|-----------------|
| Collaborator No: | 771439          |
| IDP KPA Ref No:  | Good Governance |
| Meeting Date:    | 14 August 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 the 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 m<sup>2</sup>. 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.

**EXECUTIVE MAYORAL COMMITTEE: 2024-08-14: ITEM 7.3.3****RESOLVED**

that this item be referred back to Administration for further discussions with the roads department.

**FOR FURTHER DETAILS CONTACT:**

|                        |                                                                                                       |
|------------------------|-------------------------------------------------------------------------------------------------------|
| <b>NAME</b>            | <b>Annalene de Beer</b>                                                                               |
| <b>POSITION</b>        | <b>Director: Corporate Services</b>                                                                   |
| <b>DIRECTORATE</b>     | <b>CORPORATE SERVICES</b>                                                                             |
| <b>CONTACT NUMBERS</b> | <b>021-8088018</b>                                                                                    |
| <b>E-MAIL ADDRESS</b>  | <b><a href="mailto:Annalene.debeer@ Stellenbosch.gov.za">Annalene.debeer@ Stellenbosch.gov.za</a></b> |
| <b>REPORT DATE</b>     | <b>2024-07-15</b>                                                                                     |

|       |                                                                                         |
|-------|-----------------------------------------------------------------------------------------|
| 7.3.4 | <b>PROPOSED LEASE AGREEMENT: ERF 1299 STELLENBOSCH (21 CHURCH STREET), BASIC BISTRO</b> |
|-------|-----------------------------------------------------------------------------------------|

Collaborator No: 771588  
 IDP KPA Ref No: Good Governance  
 Meeting Date: 14 August 2024

**1. SUBJECT: PROPOSED LEASE AGREEMENT: ERF 1299 STELLENBOSCH (21 CHURCH STREET), BASIC BISTRO**

**2. PURPOSE**

To consider an application from Basic Bistro, 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. The Municipal Manager has the delegation 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 owner of Basic Bistro trading of erf 1299, Stellenbosch. The application is not in line with the provisions /requirements of the Outdoor Dining Policy as there is not 1.5m unobstructed walkway for pedestrian use available. A deck has been erected several years ago and only leaves 1.45m walkway open for pedestrians instead of 1,5 meters. Under 6.2.1 are photos showing the deck that has been constructed. The applicant does have an encroachment agreement with the municipality, and they are using the area at the moment.

They have not specified a requested time for the lease and the area they are interested in is 10 m<sup>2</sup>.

The applicant has submitted a diagram and the current usage is evident from the photographs provided.

The application was before the Executive Mayoral Committee in August 2023 and referred back to the administration for further investigations. Since the Property Management Department is in the process of finalising lease agreements and feedback letters to all establishments making use of Outdoor Dining, it came to their attention that a final resolution for this application is still outstanding, and the application therefore needs to be considered by the Executive Mayoral Committee. A way forward in terms of the non-compliance with the 1.5m unobstructed walkway for pedestrian use needs to be decided on. The area is demarcated by plants on the side and a pipe railing on the side of the street. It has been in existence for some years.



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**EXECUTIVE MAYORAL COMMITTEE: 2024-08-14: ITEM 7.3.4****RESOLVED**

- 5.1. That the land (erf 1299) measuring approximately 10m<sup>2</sup> 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 an initial period of 3 years with the option of a renewal 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. 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 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.

- 
- 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.
- 5.5 The 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.

**FOR FURTHER DETAILS CONTACT:**

|                        |                                                                                              |
|------------------------|----------------------------------------------------------------------------------------------|
| <b>NAME</b>            | <b>Annalene de Beer</b>                                                                      |
| <b>POSITION</b>        | <b>Director: Corporate Services</b>                                                          |
| <b>DIRECTORATE</b>     | <b>CORPORATE SERVICES</b>                                                                    |
| <b>CONTACT NUMBERS</b> | <b>021-8088073</b>                                                                           |
| <b>E-MAIL ADDRESS</b>  | <a href="mailto:Annalene.debeer@stellenbosch.gov.za">Annalene.debeer@stellenbosch.gov.za</a> |
| <b>REPORT DATE</b>     | <b>2024-08-05</b>                                                                            |

|       |                                                                                                                                                                     |
|-------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7.3.5 | <b>RETURN ITEM: RENEWAL OF LEASE AGREEMENT APPLICATION: USE OF COUNCIL-OWNED LAND FOR TELECOMMUNICATIONS BASE STATION ON THE REMAINDER OF ERF 2149 STELLENBOSCH</b> |
|-------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Collaborator No: 771591  
 IDP KPA Ref No: Good Governance  
 Meeting Date: 14 August 2024

**1. SUBJECT: RETURN ITEM: RENEWAL OF LEASE AGREEMENT APPLICATION: USE OF COUNCIL-OWNED LAND FOR TELECOMMUNICATIONS BASE STATION ON THE REMAINDER OF ERF 2149 STELLENBOSCH**

**2. PURPOSE**

To provide feedback to Council-to consider the request from Helios Towers (Pty) Ltd for the lease of a portion of Council-owned land for an existing Telecommunications Base Station (previously leased by Eagle Towers) after an Official Notice was published calling on the public to provide comments, objections or alternative proposals.

**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**

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. This lease agreement was ceded over to Helios Towers by Eagle Towers and the lease was 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 lease of municipal land and they have also provided a lease agreement subject to the approval of Council. It must be noted that their proposal was for 9 years and 11 months and not just for the remainder of the period as per the 2018 agreement and the cession agreement that was signed in 2020. Mayco did not approve the longer period, but only the remained of the original period.

The application was before the Executive Mayoral Committee on 6 December 2023 where it was approved in principle for an additional 4 years 11 months subject to Council advertising the intention for public input and comment. The advertisement has now been placed and the closing date for these inputs, comments or alternative proposals was on 7 June 2024. No comments or inputs were received. The date of the that the advertisement was published is 14 May 2024.

It was also resolved that the applicant continues to pay monthly rent during this process, which they have done. It is important to note that the previous lease agreement was not approved by the Executive Mayoral Committee, and it is unclear how the monthly rental was determined. The lease agreement was signed by the previous Manager Property

Management without an indication as to how the rental was determined. In terms of the application a suggestion for monthly payment is made based on the previous agreements with Council, however the Mayoral Committee should consider if a valuator should be appointed to determine the market value of the property and the lease.

**EXECUTIVE MAYORAL COMMITTEE: 2024-08-14: ITEM 7.3.5**

**RESOLVED**

- (a) that the Executive Mayoral Committee takes note of the official notice that was published and that no comments, objections, or alternative proposals were received;
- (b) that the Executive Mayoral Committee approves the lease agreement for a period of 4 years 11 months from 1 September 2024; and
- (c) that the market related rental be determined by council's valuator after which the new agreement will be signed.

**FOR FURTHER DETAILS CONTACT:**

|                        |                                                                                                              |
|------------------------|--------------------------------------------------------------------------------------------------------------|
| <b>NAME</b>            | <b><i>Annalene de Beer</i></b>                                                                               |
| <b>POSITION</b>        | <b><i>Director: Corporate Services</i></b>                                                                   |
| <b>DIRECTORATE</b>     | <b><i>Corporate Services</i></b>                                                                             |
| <b>CONTACT NUMBERS</b> | <b><i>021-8088073</i></b>                                                                                    |
| <b>E-MAIL ADDRESS</b>  | <b><i><a href="mailto:annalene.debeer@ Stellenbosch.gov.za">annalene.debeer@ Stellenbosch.gov.za</a></i></b> |
| <b>REPORT DATE</b>     | <b><i>06/08/2024</i></b>                                                                                     |

|       |                                                                                                          |
|-------|----------------------------------------------------------------------------------------------------------|
| 7.3.6 | <b>A PORTION OF ERF 8116 STELLENBOSCH: APPLICATIION TO LEASE COUNCIL-OWNED LAND FOR PARKING PURPOSES</b> |
|-------|----------------------------------------------------------------------------------------------------------|

Collaborator No: 771587  
 IDP KPA Ref No: Good Governance  
 Meeting Date: 14 August 2024

**1. SUBJECT: A PORTION OF ERF 8116 STELLENBOSCH: APPLICATIION 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 the 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 – that is where the cars park. The pedestrians can still walk on the road reserve without having to walk in the road.

Recently cars started to use Erf 8116 for parking. Although there is barricading between the put up from the slip way into the restaurant parking there is sufficient space on the road reserve and sidewalk for the cars to gain access to Erf 8116. 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 already requested in May 2024 and several follow ups have been made, however the comments are still outstanding. It is necessary for the Municipality to consider this application as there is already illegal parking happening on an almost daily basis and the neighbours are filing complaints with Law Enforcement. The department does not support the application given the complaints from the neighbours and is of the view that is needed more barriers should be placed there to prevent illegal parking. There is sufficient parking at the Spar complex across the street and in the street 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: 2024-08-14: ITEM 7.3.6**

#### **RESOLVED**

that this item be referred back to Administration for further discussions with the roads department and the inputs from Provincial Roads.

#### **FOR FURTHER DETAILS CONTACT:**

|                        |                                                                                                              |
|------------------------|--------------------------------------------------------------------------------------------------------------|
| <b>NAME</b>            | <b><i>Annalene de Beer</i></b>                                                                               |
| <b>POSITION</b>        | <b><i>Director: Corporate Services</i></b>                                                                   |
| <b>DIRECTORATE</b>     | <b><i>Corporate Services</i></b>                                                                             |
| <b>CONTACT NUMBERS</b> | <b><i>021-8088018</i></b>                                                                                    |
| <b>E-MAIL ADDRESS</b>  | <b><i><a href="mailto:annalene.debeer@ Stellenbosch.gov.za">annalene.debeer@ Stellenbosch.gov.za</a></i></b> |
| <b>REPORT DATE</b>     | <b><i>2024-08-03</i></b>                                                                                     |

|       |                                                                                               |
|-------|-----------------------------------------------------------------------------------------------|
| 7.3.7 | <b>PROPOSED LEASE AGREEMENT: ERF 1259 STELLENBOSCH (19 RYNEVELD STREET), OLD SCHOOL BRAND</b> |
|-------|-----------------------------------------------------------------------------------------------|

Collaborator No: 771589  
 IDP KPA Ref No: Good Governance  
 Meeting Date: 14 August 2024

**1. SUBJECT: PROPOSED LEASE AGREEMENT: ERF 1259 STELLENBOSCH (19 RYNEVELD STREET), OLD SCHOOL BRAND**

**2. PURPOSE**

To consider an application from Old School Brand (Pty) Ltd t/a Old School, 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 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 Old School trading of erf 1259, Stellenbosch. The application is not in line with the provisions /requirements of the Outdoor Dining Policy as there is not 0.8m space available from the street for car doors. A deck has been erected and according to the applicant the sidewalk where the deck is located was in a very bad state and the deck was erected to ensure a smoother area. Under 6.2.1 are photos showing the deck that has been constructed. No approval was obtained from the planning department for the erection of the deck prior to the construction. There are some plant demarcations between their deck and the neighbouring restaurants/areas. The applicant does not currently have any lease agreement or previous encroachment agreement with the municipality, and they are using the area at the moment.

They have not specified a requested time for the lease and the area they are interested in is 15 m<sup>2</sup>. The applicant has not submitted a diagram however the current usage is evident from the photographs provided by the department below. The department does not support the application in its current form as they do not have permission for the deck. Notices were served on them to stop the construction without any positive reaction.

The outdoor use is not next to the shopfront, but next to the roadside. As such it is in line with the adjacent restaurants.

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**EXECUTIVE MAYORAL COMMITTEE: 2024-08-14: ITEM 7.3.7****RESOLVED**

- (a) that the application is not approved as this is not a restaurant and the need for outdoor dining has not been motivated.
- (b) that applicants be informed to remove the illegal deck as the current structure was erected without approval and does not comply with the bylaw.

**FOR FURTHER DETAILS CONTACT:**

|                        |                                                                                                       |
|------------------------|-------------------------------------------------------------------------------------------------------|
| <b>NAME</b>            | <b>Annalene de Beer</b>                                                                               |
| <b>POSITION</b>        | <b>Director: Corporate Services</b>                                                                   |
| <b>DIRECTORATE</b>     | <b>CORPORATE SERVICES</b>                                                                             |
| <b>CONTACT NUMBERS</b> | <b>021-8088073</b>                                                                                    |
| <b>E-MAIL ADDRESS</b>  | <b><a href="mailto:Annalene.debeer@ Stellenbosch.gov.za">Annalene.debeer@ Stellenbosch.gov.za</a></b> |
| <b>REPORT DATE</b>     | <b>2024-08-05</b>                                                                                     |



|       |                                                                                                   |
|-------|---------------------------------------------------------------------------------------------------|
| 7.3.8 | <b>AMENDMENT OF COUNCIL RESOLUTION ON PROPOSED DISPOSAL OF ERF 3192 IN MOOIWATER, FRANSCHHOEK</b> |
|-------|---------------------------------------------------------------------------------------------------|

Collaborator No: 771592  
 IDP KPA Ref No: Good Governance  
 Meeting Date: 14 August 2024

**1. SUBJECT: AMENDMENT OF COUNCIL RESOLUTION ON PROPOSED DISPOSAL OF ERF 3192 IN MOOIWATER, FRANSCHHOEK**

**2. PURPOSE**

To obtain council approval to review and rescind the Council resolution to dispose of erf 3192 Mooiwater, Franschhoek.

**3. DELEGATED AUTHORITY**

Council

**4. EXECUTIVE SUMMARY**

Three properties in Mooiwater, Franschhoek have previously been identified as being surplus to the municipality's own needs, i.e the municipality does not require the properties to provide the minimum level of basic municipal services. At the time of the item serving before Council the Manager property management indicated to the Director that the erven were zoned for institutional use. Based on this information Council resolved to put the erven out on a call for proposals. The public participation process did not provide any direction as to what council should use the erven as no inputs were received when the residents of the wards 1 and 2 in Franschhoek when requested to indicate what they want the erven to be used for.

In the process to prepare the documentation for a "call for proposals" it was discovered that Stellenbosch Zoning scheme does not have a zoning for institutional use. The Infrastructure Directorate also indicated recently that they need this erf for waste management purposes. As this erf is zoned to accommodate this request and this request means that the erf can no longer be identified as "not needed to provide basic services" it is recommended that the resolution taken on 24 April 2021 be reviewed and rescinded.

In March 2024 an item served before Mayco to reconsider the future use of the three erven that formed part of the April 2021 decision as none of the erven actually carries zonings that supports the April 2021 decision and that item was referred back for further discussion. As erf 3192 is zoned appropriate for use for municipal Services the administration would like to move ahead with the allocation of the property to Infrastructure whilst the discussions on the future use of the other two erven continues.

It is recommended that the resolution on 24 April 2019 be reviewed and rescinded.

Stellenbosch Zoning Scheme does not have an Institutional Zoning

After requesting the Planning department to provide the current zoning for these erven the following surfaced:

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 ERF 3192 FRANSCHOEK - UTILITY SERVICES ZONE
 

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Purpose of the zone

The purpose of this zone is to make provision for:

- (1) (a) the use of land for the provision and protection of any infrastructure services for the general public, whether in public or private ownership;  
 (b) land used by government, parastatal or private bodies appointed to perform a public function for any of the uses in the definition of "authority use" or where the authority use is not provided for in terms of any of the other land use categories and thus cannot be classified in any other suitable zone.

The following uses are permitted in this zone:

| Primary Uses                                                                                                                                                                                                                                                                                  | Additional Uses<br>(technical approval)                                                | Consent Uses<br>(Application required)                                                                                                                                                                                                                               |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>• Authority use</li> <li>• Parking garage</li> <li>• Public parking</li> <li>• Public road</li> <li>• Utility services</li> <li>• Occasional use (one event/year)</li> <li>• Private road</li> <li>• Rooftop base telecommunication station</li> </ul> | <ul style="list-style-type: none"> <li>• Employee housing</li> <li>• Market</li> </ul> | <ul style="list-style-type: none"> <li>• Freestanding base telecommunication station</li> <li>• Helicopter landing pad</li> <li>• Occasional use (&gt;one event/year)</li> <li>• Renewable energy installation</li> <li>• Transport purposes (passengers)</li> </ul> |

#### EXECUTIVE MAYORAL COMMITTEE: 2024-08-14: ITEM 7.3.8

#### RESOLVED

that this item be referred to a combined section 80 committee meeting.

#### FOR FURTHER DETAILS CONTACT:

|                        |                                                                                                |
|------------------------|------------------------------------------------------------------------------------------------|
| <b>NAME</b>            | <b>Annalene De Beer</b>                                                                        |
| <b>POSITION</b>        | <b>Director</b>                                                                                |
| <b>DIRECTORATE</b>     | <b>Corporate Services</b>                                                                      |
| <b>CONTACT NUMBERS</b> | <b>021-8088189</b>                                                                             |
| <b>E-MAIL ADDRESS</b>  | <a href="mailto:annalene.debeer@ Stellenbosch.gov.za">annalene.debeer@ Stellenbosch.gov.za</a> |
| <b>REPORT DATE</b>     | <b>2024 – 07- 05</b>                                                                           |

|              |                                                                |
|--------------|----------------------------------------------------------------|
| <b>7.3.9</b> | <b>POSSIBLE DISPOSAL OF A PORTION OF ERF 9190 PROTEA HOTEL</b> |
|--------------|----------------------------------------------------------------|

|                  |                 |
|------------------|-----------------|
| Collaborator No: | 771590          |
| IDP KPA Ref No:  | Good Governance |
| Meeting Date:    | 14 August 2024  |

**1. SUBJECT: POSSIBLE DISPOSAL OF A PORTION OF ERF 9190 PROTEA HOTEL****2. PURPOSE**

To obtain Council's approval for the disposal of a portion of erf 9190, Technopark, to Protea Hotel.

**3. DELEGATED AUTHORITY**

For decision by Municipal Council.

**4. EXECUTIVE SUMMARY**

Protea Hotel constructed a building on their property, encroaching onto erf 9190 (municipal property). Plans were approved and occupation certificates were provided.

They have tried to rectify the situation by proposing a land swap. This application, however, was turned down by the Planning Tribunal, based on planning principles. **(APPENDIX 1).**

The Planning Tribunal suggested that Protea Hotel request the adjustment of the common boundary and purchase the land from the Municipality that they are currently encroaching on. The extent of the municipal land currently encroaching on is indicated below and they would need to purchase is 3505m<sup>2</sup> as discussed under 6.2.2 below – fig 3.

An application was received from Protea Hotel – **APPENDIX 2 and 3.**

The item served before Mayco in December 2023. The item was referred back for a valuation and further refinement. The refinement requested was to provide information on the encroachments and the land adjacent. Photos to that effect is included in the item. Planning also needed to provide comment on the approval of the plans. The land use rights also had to be provided. Planning has now submitted a report on the history of the matter which is attached to the item **(APPENDIX 7).**

The department has appointed a valuer to determine the fair market value and a valuation report has been received which is attached hereto as **APPENDIX 5.** The valuation is based on the prize of properties sold in the area.

Given that they have already build on the “encroached” areas an encroachment agreement is not the correct vehicle if the applicants decide not to proceed with the purchase. The Land Use Rights of Erf 9190 are already in place, and it will not be necessary to apply for further Land Use Rights in the event that a portion of Erf 9190 had to be considered for selling. The zoning is currently “business”. The area where the hotel currently encroached has a play area and could be considered for further development however the area of encroachment on the other side of the hotel is currently a dam.

After the applicant received the valuation report they submitted an amendment to their request wherein they only requested to purchase the section of the property where the function room was erected on Municipal land. This portion is only 488 square meters. They requested consent to purchase this portion of land and for council to consent to the sub-division of this portion of land and the consolidation thereof to their property, erf 9209. For the remainder of the encroached areas the applicant did not give an indication on their intentions and same can either be dealt with as a lease agreement (upon receipt of the necessary application) alternatively the applicant can be asked to remove everything from the municipal land they are currently using. The amended application served before the Executive Mayoral Committee and Council during July 2024, and it was removed from the Council Agenda by the Speaker in order for the administration to enter into further discussions with the applicant. These discussions have taken place and the applicant has now provided three alternative proposals on how to finalise this matter.

Three alternative proposals submitted by Protea Hotel

The proposals submitted by the applicant for consideration by Council is attached hereto as **APPENDIX 8**.

Council needs to consider the three alternative proposals provided by the applicant and if any of the three is acceptable.

The three different proposals are indicated in orange, green and blue on the photograph in 6.2.5 below.

**Option 1:** Indicated on the photograph in Orange: This option is the same proposal as the one which served before in July 24 to only take transfer of the portion of land where the restaurant is encroaching which is approximately 488 square meters. In terms of the valuation the amount payable for this portion will be R 2 215 032.00 excluding VAT.

**Option 2:** Indicated in Blue: In this proposal the areas in orange and blue will be sold to the applicant. The area in blue is the area where, inter alia, the play area is currently located. This will add a further 1879 square meters and the total square meters being 2367 square meters. The amount payable for this entire area being R10 743 813.00 excluding VAT.

**Option 3:** Indicated in Green: This is for a further purchase of the area in Green together with the portions in orange and blue. This will be for a total of 2659 square meters at a cost of R12 069 021.00 excluding VAT.

A way forward with the remainder of the encroached area must be resolved upon - either the applicant submitting an application for lease of municipal land or that the applicant will have to remove all structures from the property where they are encroaching on Erf 9190 and does not form part of the options above.

Due to the value of the land an information statement will have to be published for public comment before a final decision to sell can be approved even though they are the only entity who can use the property.

**RECOMMENDATIONS FOR CONSIDERATION FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2024-08-14: ITEM 7.3.9**

- (a) that the land 2659 square meters is identified as land not required for basic municipal services;
- (b) that Council approve option three (3) in principle;
- (c) that a public participation process be followed in which council's intent to sell the land to the adjacent land owner, protea Hotel, Technopark without any competitive process having been followed on the basis that no purpose would be served by a competitive process as only the adjacent owner can use the land;
- (d) that the fair market value of R12 069 021.00 excluding VAT, as determined by a valuator, in principle be approved as the sales price; and
- (e) that the item be brought back to council after the public participation process for a final decision.

**FOR FURTHER DETAILS CONTACT:**

|                        |                                                                                              |
|------------------------|----------------------------------------------------------------------------------------------|
| <b>NAME</b>            | <b>Annalene de Beer</b>                                                                      |
| <b>POSITION</b>        | <b>Director</b>                                                                              |
| <b>DIRECTORATE</b>     | <b>Corporate Services</b>                                                                    |
| <b>CONTACT NUMBERS</b> | <b>021-8088018</b>                                                                           |
| <b>E-MAIL ADDRESS</b>  | <a href="mailto:Annalene.debeer@stellenbosch.gov.za">Annalene.debeer@stellenbosch.gov.za</a> |
| <b>REPORT DATE</b>     | <b>2024-08-01</b>                                                                            |

|     |                                         |
|-----|-----------------------------------------|
| 7.4 | FINANCIAL SERVICES: (PC: CLLR J FASSER) |
|-----|-----------------------------------------|

NONE

|     |                                         |
|-----|-----------------------------------------|
| 7.5 | HUMAN SETTLEMENTS: (PC: CLLR R DU TOIT) |
|-----|-----------------------------------------|

NONE

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|-----|-----------------------------------------|
| 7.6 | <b>INFRASTRUCTURE SERVICES : (PC :)</b> |
|-----|-----------------------------------------|

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|-------|-----------------------------------------------------------------------------------|
| 7.6.1 | <b>STATUS REPORT ON THE ALTERNATIVE ENERGY GENERATION PROGRAMME – AUGUST 2024</b> |
|-------|-----------------------------------------------------------------------------------|

Collaborator No: 771499  
 IDP KPA Ref No: Good Governance and Compliance  
 Meeting Date: 14 August 2024

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

**2. PURPOSE**

For Council to note the progress of the Municipality's as well as Provincial Government initiatives regarding the loadshedding mitigation which is underway to reduce the impact of electricity loadshedding in the Municipality.

**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, meeting 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 they Eskom's Loadshedding Committee can take it into consideration. The revised application is planned for submission to Eskom by 8 August 2024

4.2 A tender for the possible purchase of 20MW of electricity from an Independent Power Producer (IPP), that was advertised closed on 28 March 2024 and is currently at evaluation and adjudication phase.

4.3 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, Gholf 66 kV and 11 kV, Jan Marais 11 kV, Markotter 66 kV and 11 kV, Suidwal 66 kV and 11 kV and University 11 kV and Cloetesville 66 kV and 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.

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 and smart/intelligent lighting devices/initiatives in Municipal offices and -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).

- 4.5 The tender for the Stellenbosch Fire Station battery storage system as awarded construction work will be completed by 30 June 2025. The Main 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 with estimated costs to establish the feasibility of the implementation of the projects was submitted to the user department by the consultant and is currently under review before submission to the AEG Committee.

#### 4.6 Provincial Initiative

##### 4.6.1 Provincial Initiative to Establish a 50MW Solar Plant

- Feasibility Study has been completed and is currently presented to various internal structures including Council. The item with regard to the 50 MW MIPPP is due to serve at Council in August 2024.
- Concerns raised by Provincial Government regarding the Municipality's 20 MW IPP project re being addressed through engagements through the feasibility study workshop. The final item relating to the 50 MW MIPPP that will be submitted to Council will address all the concerns raised by Provincial Government regarding the 20 MW IPP municipal project.

##### 4.6.2 Provincial Project: Municipal Pooled Buying initiative:

Following Stellenbosch' input after reviewing the Pool Buying report it was recently indicated by Province that this project has been put on hold until further notice.

#### RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2024-08-14: 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:

|                        |                                                                                            |
|------------------------|--------------------------------------------------------------------------------------------|
| <b>NAME</b>            | <b>Nombulelo Zwane</b>                                                                     |
| <b>POSITION</b>        | <b>Senior Manager: Electrical Services</b>                                                 |
| <b>DIRECTORATE</b>     | <b>Infrastructure Services</b>                                                             |
| <b>CONTACT NUMBERS</b> | <b>021 808 8213</b>                                                                        |
| <b>E-MAIL ADDRESS</b>  | <a href="mailto:shane.chandaka@stellenbosch.gov.za">shane.chandaka@stellenbosch.gov.za</a> |
| <b>REPORT DATE</b>     | <b>05 August 2024</b>                                                                      |



|       |                                                                                                  |
|-------|--------------------------------------------------------------------------------------------------|
| 7.6.2 | <b>REQUEST FOR APPROVAL OF THE EIKESTAD PARKING PUBLIC PRIVATE PARTNERSHIP FEASIBILITY STUDY</b> |
|-------|--------------------------------------------------------------------------------------------------|

Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

14 August 2024

**1. SUBJECT: REQUEST FOR APPROVAL OF THE EIKESTAD PARKING PUBLIC PRIVATE PARTNERSHIP FEASIBILITY STUDY**

**2. PURPOSE**

For Council to approve the Eikestad Parking Public Private Partnership Feasibility Study

**3. DELEGATED AUTHORITY**

**Municipal Council.**

**4. EXECUTIVE SUMMARY**

Council had previously resolved to address parking shortages, extensive studies were commissioned and the statutory requirements, such as the Section 78 of the Systems Act and Section 33 of the MFMA process were undertaken and concluded.

The Project Feasibility Study found that the best available option is a build-operate-transfer (BOT) arrangement with a private sector operator which will be a Public Private Partnership (PPP) as defined in the Municipal PPP Regulations made under the Municipal Finance Management Act (MFMA). Refer to the Feasibility Report, **attached as APPENDIX A.**

It is proposed that the private party will raise the necessary funds and erect the facility at its own cost. The private party will operate the facility for an estimated period of approximately 25 years after which the PPP agreement will terminate and the facility will continue to be owned by the Municipality. The Municipality will then have the option to enter into a new PPP agreement with a private party, following due process, for possibly another 25 years.

Extensive consultation sessions with interested and affected parties were carried out. Initial comments from Provincial and National Treasury have been incorporated into the updated report however the Municipality is still awaiting final comments from National Treasury.

Comments received from the public have been largely addressed, some have indicated support for the initiative while others have raised concerns that relate to aspects such as alignment with municipal strategies, need for possible additional transport studies, impacts of the proposed development on culture, heritage and the fairness of PPP planning and implementation process. Refer to the Public Consultations as contained in **APPENDIX A.**

Alignment with strategies have been clarified, the community's request for further traffic studies were considered and is currently underway, and cultural and heritage concerns are addressed, for details refer to the Environmental Scoping Report as contained in **APPENDIX A.** National Treasury's robust PPP process ensures fairness and transparency throughout the planning and implementation process.

National Treasury requires formal approval of the Feasibility Study by Council, before they formally issue the Municipality with “Treasury Approval 1” (TA1) approval in terms of the PPP regulations. This will allow the process to move to the next phase which is Treasury Approval 2 (TA2) approval.

**RECOMMENDATIONS FOR CONSIDERATION FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2024-08-14: ITEM 7.6.2**

- (a) that Council takes note of the extensive consultation sessions that have occurred during the feasibility phase, for details refer to **APPENDIX A**;
- (b) that Council notes the comments received from the Stakeholders as well as the Directorate’s responses;
- (c) that Council takes note of the value for money analysis, for details refer to **APPENDIX A**;
- (d) that Council approves the Feasibility Report, attached as **APPENDIX A**, subject to final approval from National Treasury; and
- (e) that Council approves the multi-story parking as a Public Private Partnership (PPP) and allows for phase 2 of the Public Private Partnership Process to commence.

**FOR FURTHER DETAILS CONTACT:**

|                        |                                                                                              |
|------------------------|----------------------------------------------------------------------------------------------|
| <b>NAME</b>            | Shane Chandaka                                                                               |
| <b>POSITION</b>        | <i>Director</i>                                                                              |
| <b>DIRECTORATE</b>     | <i>Infrastructure Services</i>                                                               |
| <b>CONTACT NUMBERS</b> | <i>021 808 8213</i>                                                                          |
| <b>E-MAIL ADDRESS</b>  | <a href="mailto:Shane.chandaka@ Stellenbosch.gov.za">Shane.chandaka@ Stellenbosch.gov.za</a> |
| <b>REPORT DATE</b>     | <i>8 August 2024</i>                                                                         |

|     |                                                      |
|-----|------------------------------------------------------|
| 7.7 | PARKS, OPEN SPACES AND ENVIRONMENT: (PC: J WILLIAMS) |
|-----|------------------------------------------------------|

NONE

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|-----|---------------------------------------------------------------------------|
| 7.8 | PLANNING AND LOCAL ECONOMIC DEVELOPMENT AND TOURISM :(PC: CLLR C VAN WYK) |
|-----|---------------------------------------------------------------------------|

NONE

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|-----|----------------------------------------|
| 7.9 | COMMUNITY SERVICES:(PC: CLLR X KALIPA) |
|-----|----------------------------------------|

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|-------|------------------------------------------------------|
| 7.9.1 | STELLENBOSCH LOCAL DRUG ACTION COMMITTEE APPOINTMENT |
|-------|------------------------------------------------------|

Collaborator No: 771554  
 IDP KPA Ref No: Good Governance and Compliance  
 Meeting Date: 14 August 2024

**1. SUBJECT: STELLENBOSCH LOCAL DRUG ACTION COMMITTEE APPOINTMENT**

**2. PURPOSE**

To request the formal appointment of the Stellenbosch Local Drug Action Committee (LDAC).

**3. DELEGATED AUTHORITY**

For appointment by the Executive Mayor

**4. EXECUTIVE SUMMARY**

The Stellenbosch LDAC has been launched in 2022 and included the democratic and fair election of a committee. Ms L Isaacs has been removed from the committee as she resigned from her position at the ACVV Franschhoek and can thus not represent the organisation. The below committee are presented to the Executive Mayor for appointment.

**EXECUTIVE MAYORAL COMMITTEE: 2024-08-14: ITEM 7.9.1**

**RESOLVED**

that the mandated and elected members of the Stellenbosch Local Drug Action Committee, formally be appointed by the Executive Mayor.

| Legislative Requirement | Name and Surname                                                                       | Organisation                  | Service Type                               |
|-------------------------|----------------------------------------------------------------------------------------|-------------------------------|--------------------------------------------|
| Act 70 of 2008 60(3)(a) | Petro George                                                                           | DSD                           | Social Work Supervisor                     |
|                         | Cameron Isaacs                                                                         | WC Liquor Authority           | Liquor License enforcement                 |
| Act 70 of 2008 60(3)(b) | Sgt Jason Rhoda                                                                        | SAPS Stellenbosch             | Social Crime Prevention                    |
|                         | Sgt F Swartz                                                                           | SAPS Cloetesville             | Law Enforcement                            |
| Act 70 of 2008 60(3)(c) | Attempts are in the process to request Mr A Jephtha from Franschhoek to avail himself. |                               |                                            |
| Act 70 of 2008 60(3)(d) | Mandy Baartman                                                                         | WCED                          | Educational Social Worker                  |
| Act 70 of 2008 60(3)(e) | Muriel Koopstad                                                                        | ABBA Stellenbosch             | Substance Abuse counselling and Prevention |
|                         | Alison Crosbie                                                                         | The Mudita Foundation         | Substance Abuse Prevention                 |
|                         | Johann von Wielligh                                                                    | Hesketh King Treatment Centre | In patient Treatment Care                  |

|                           |                                                                                         |                                                      |                                         |
|---------------------------|-----------------------------------------------------------------------------------------|------------------------------------------------------|-----------------------------------------|
|                           | Russel Kinnear                                                                          | De Novo Treatment Centre                             | In patient Treatment Care               |
|                           | Dr George Herman                                                                        | Agnieszkas Haven Rehabilitation and Community Centre | In patient Treatment Care               |
| Act 70 of 2008 60(3)(f)   | Liesl Sassman                                                                           | DoH                                                  | Hospital Social Worker                  |
| Act 70 of 2008 60(3)(g)   | Attempts are in the process to nominate a legal liquor licence holder to join the LDAC. |                                                      |                                         |
| Act 70 of 2008 60(3)(h)   | Codie Cupido                                                                            | DoJ/NPA                                              | Court Preparation Prosecutor            |
| Act 70 of 2008 60(3)(i)   | There are no traditional authorities registered in the WC.                              |                                                      |                                         |
| Local Government          | Zingani Tsefu                                                                           | Stellenbosch Mun                                     | Law Enforcement                         |
|                           | Officer Magwaza                                                                         | Stellenbosch Mun                                     | Law Enforcement – Neighbourhood Watches |
|                           | Deputy Chief Botha                                                                      | Stellenbosch Mun                                     | Traffic Services                        |
|                           | Priscilla Napoleon                                                                      | Stellenbosch Mun                                     | Community Development                   |
| Faith Based Organisations | P Fray                                                                                  | True Vine Ministries                                 | Faith Based                             |
|                           | Andre Pretorius                                                                         | Kingdom Gang Movement                                | Faith Based                             |
|                           | Jolene Wade                                                                             | Shofar Christian Church Franschhoek                  | Faith Based                             |
| NGO's                     | Ronell Fritz                                                                            | StellCare                                            | Child and Family Services               |
|                           | ACVV Stellenbosch HQ                                                                    | Simone Hendricks-Wareley                             | Child and Family Services               |
|                           | Elza Basson                                                                             | ACVV Stellenbosch                                    | Child and Family services               |
|                           | Shereleen Layman                                                                        | Care for Kids                                        | Child Care                              |
|                           | Nathalie Skippers                                                                       | Bergzicht Training                                   | Skills Development                      |
|                           | Mervin Bailey                                                                           | Cloetesville Senior Citizens                         | Community Organisation                  |
|                           | Nanine Steenkamp                                                                        | Real Deal                                            | Community Organisation                  |
|                           | Dino Boonzaaier                                                                         | Making a Difference Development Centre               | Community Organisation                  |

**FOR FURTHER DETAILS CONTACT:**

|                        |                                       |
|------------------------|---------------------------------------|
| <b>NAME</b>            | Michelle Aalbers                      |
| <b>POSITION</b>        | Manager Community Development         |
| <b>DIRECTORATE</b>     | Community and Protection Services     |
| <b>CONTACT NUMBERS</b> | 8408                                  |
| <b>E-MAIL ADDRESS</b>  | Michelle.aalbers@ Stellenbosch.gov.za |
| <b>REPORT DATE</b>     | 26-03-2024                            |

|      |                                     |
|------|-------------------------------------|
| 7.10 | RURAL MANAGEMENT: (PC: CLLR J JOON) |
|------|-------------------------------------|

NONE

|      |                   |
|------|-------------------|
| 7.11 | MUNICIPAL MANAGER |
|------|-------------------|

NONE

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|----|------------------------------------------|
| 8. | REPORTS SUBMITTED BY THE EXECUTIVE MAYOR |
|----|------------------------------------------|

NONE

|    |                |
|----|----------------|
| 9. | URGENT MATTERS |
|----|----------------|

NONE

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

SEE PINK DOCUMENTATION

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The meeting adjourned at 11:50

**CHAIRPERSON:** .....

**DATE:** .....

**Confirmed on** .....

|    |                   |
|----|-------------------|
| 6. | STATUTORY MATTERS |
|----|-------------------|

NONE

|    |                                                                        |
|----|------------------------------------------------------------------------|
| 7. | CONSIDERATION OF ITEMS BY THE EXECUTIVE MAYOR:<br>[ALD G VAN DEVENTER] |
|----|------------------------------------------------------------------------|

|     |                                          |
|-----|------------------------------------------|
| 7.1 | PROTECTION SERVICES: (PC: CLLR J FASSER) |
|-----|------------------------------------------|

|       |                                                                                                                                                   |
|-------|---------------------------------------------------------------------------------------------------------------------------------------------------|
| 7.1.1 | APPOINTMENT AS VICE PRESIDENT AND EXECUTIVE COMMITTEE MEMBER OF THE NATIONAL INSTITUTE FOR MUNICIPAL PUBLIC SAFETY OF SOUTH AFRICA: MS JOAN FELIX |
|-------|---------------------------------------------------------------------------------------------------------------------------------------------------|

Collaborator No: 773710

IDP KPA Ref No: Good Governance and Compliance

Meeting Date: 26 September 2024

**1. SUBJECT: APPOINTMENT AS VICE PRESIDENT AND EXECUTIVE COMMITTEE MEMBER OF THE NATIONAL INSTITUTE FOR MUNICIPAL PUBLIC SAFETY OF SOUTH AFRICA: MS JOAN FELIX**

**2. PURPOSE OF REPORT**

For Council to take cognisance of the election and appointment of Ms Joan Felix as Vice President and National Council Office Bearer for 2024-2026 of the National Institute for Municipal Public Safety of South Africa (IMPS-SA).

**3. DELEGATED AUTHORITY**

Municipal Council

**4. EXECUTIVE SUMMARY**

Ms Felix has been elected and appointed as Vice President and National Council Office Bearer for 2024 -2026 of the National Institute for Municipal Public Safety of South Africa (IMPS-SA).

The appointment of Ms Felix is in line with the criteria set by SALGA for the recognition of municipal professional institutes towards the transformation of local government which embraces democracy, transparency, ethical conduct and equity.

As the Vice President and National Council Office Bearer for the 2024 - 2026 of the National Institute for Municipal Public Safety of South Africa (IMPS-SA), Ms Felix will be required to attend, at the municipalities cost, at most four (4) National Council meetings held at various municipalities during the term of office.

**5. RECOMMENDATIONS**

- (a) that Council takes cognisance of the election and appointment of Ms Felix as Vice President and National Council Office Bearer for the 2024-2026 of the National Institute for Municipal Public Safety of South Africa (IMPS-SA);
- (b) that permission be granted for Ms Felix attends the four (4) National Council meetings held annually at various municipalities in South Africa as well as any other related meetings to fulfil her duties in terms of the above;
- (c) that the attendance of the meetings be subject to prior approval by the Director Community and Protection Services in terms of his delegated authority;
- (d) that the applicable travel and subsistence allowance be paid to Ms Felix when attending meetings; and
- (e) that provision be made in future for operational budgets for this expense.

**6. DISCUSSION / CONTENTS****6.1 Background**

Ms Felix was part of the interim steering committee for the newly established IMPS-WC and formally elected as a work stream coordinator by IMPS-SA and Western Cape.

Subsequent, Ms Felix has been elected by IMPS-SA as a national council member on the 2<sup>nd</sup> and 3<sup>rd</sup> of May 2024 and elected as the 2<sup>nd</sup> Vice President for the Institute for Municipal Public Safety of Southern Africa. Ms Felix is the first female appointed to such a role within IMPS-SA.

**6.2 Discussion**

Ms Felix as the Vice president for IMPS-SA and Elected member of the executive committee for IMPS-WC will have many responsibilities in the interest of public safety and be beneficial, not just for the country, but also the province and the municipality. Some roles of this position would be:

- (a) To enhance Public Safety, Municipal Law Enforcement, Municipal Policing & Municipal Security Services within Local Governments as a profession in its own right.
- (b) to publicize and promote the image of the public safety profession.
- (c) to do research, develop training, to convene conferences, symposia, seminars, and forums and to arrange for the giving of lectures and presenting of papers on matters and problems of interest to the local government sector and members of the Institute towards encouraging stimulation, promotion, and facilitation of debate.
- (d) to represent IMPS-WC on a national level within IMPS-SA.
- (e) other requirements would be to attend a maximum of 4 national council meetings annually at various municipalities around the country as well as western cape workshops and steering committee meetings whereby the municipality is requested to bare all costs.



**6.3 Financial Implications**

Cost to attend council meetings / workshops related to IMPS-SA and IMPS-WC to be borne by the municipality and within the Directorates vote.

**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:**

None.

**6.7 Risk Implications**

None.

**6.8 Comments from Senior Management**

None requested.

**RECOMMENDATIONS FROM PROTECTION SERVICES COMMITTEE TO THE MAYORAL COMMITTEE: 2024-08-07: ITEM 5.1.2**

- (a) that Council takes cognisance of the election and appointment of Ms Felix as Vice President and National Council Office Bearer for the 2024-2026 of the National Institute for Municipal Public Safety of South Africa (IMPS-SA);
- (b) that permission be granted for Ms Felix attends the four (4) National Council meetings held annually at various municipalities in South Africa as well as any other related meetings to fulfil her duties in terms of the above;
- (c) that the attendance of the meetings be subject to prior approval by the Director Community and Protection Services in terms of his delegated authority;
- (d) that the applicable travel and subsistence allowance be paid to Ms Felix when attending meetings; and
- (e) that provision be made in future for operational budgets for this expense.

**ANNEXURES**

Letter from IMPS-SA

|                        |                                                                                          |
|------------------------|------------------------------------------------------------------------------------------|
| <b>NAME</b>            | Gary Boshoff                                                                             |
| <b>POSITION</b>        | Director                                                                                 |
| <b>DIRECTORATE</b>     | Community and Protection Services                                                        |
| <b>CONTACT NUMBERS</b> | 021 808 8437                                                                             |
| <b>E-MAIL ADDRESS</b>  | <a href="mailto:Gary.Boshoff@ Stellenbosch.gov.za">Gary.Boshoff@ Stellenbosch.gov.za</a> |
| <b>REPORT DATE</b>     | 7 June 2024                                                                              |

# **ANNEXURE A**



**SPECIAL MEETING TO EFFECT GOVERNANCE OF THE INSTITUTE, HELD IN MPUMALANGA, MBOMBELA STADIUM ON 3 MAY 2024**

**THE FOLLOWING MEMBERS WERE ELECTED AND THEIR APPOINTMENTS RATIFIED -  
NATIONAL COUNCILLORS FOR TERM 2024 - 2026**

**IN ATTENDANCE (i.t.o. CLAUSE 21 OF THE CONSTITUTION**

**MR ID MINNAAR..... (Chairperson)**

| <b>NATIONAL COUNCILLORS</b> | <b>MUNICIPALITY</b>       | <b>POLITICAL WILL COUNCILLORS</b> | <b>MUNICIPALITY</b>       |
|-----------------------------|---------------------------|-----------------------------------|---------------------------|
| <b>MABUNDA N J</b>          | TSHWANE METRO             | <b>SMITH JP ALDERMAN</b>          | CITY OF CAPE TOWN         |
| <b>MKHABELA T V</b>         | CITY OF MBOMBELA          | <b>MASUKU S ALDERMAN</b>          | EKHURULENI METRO          |
| <b>SMIT J P</b>             | TSHWANE METRO             | <b>BRESLER R COUNCILLOR</b>       | CITY OF CAPE TOWN         |
| <b>SAKATI A S</b>           | BITOU MUNICIPALITY        | <b>SCHAFFERS M MMC</b>            | SALDANHA BAY MUNICIPALITY |
| <b>DAVIDS J A</b>           | STELLENBOSCH              | <b>NQAVASHE M PORTFOLIO CHAIR</b> | CITY OF CAPE TOWN         |
| <b>FELIX J G</b>            | STELLENBOSCH MUNICIPALITY | <b>NTSABO L DEP MAYOR</b>         | OVERSTRAND MUNICIPALITY   |
| <b>BOSHOFF G B E</b>        | STELLENBOSCH MUNICIPALITY | <b>BENSON D ALDERMAN</b>          | KOUGA MUNICIPALITY        |
| <b>KITCHING C</b>           | STELLENBOSCH MUNICIPALITY |                                   |                           |
| <b>MALOTSWANA</b>           | SALDANHA BAY MUNICIPALITY | <b>VAN DYK L MMC</b>              | MOSEL BAY MUNICIPALITY    |
| <b>LACKAY B</b>             | CITY OF CAPE TOWN         | <b>MHLANA T MMC</b>               | BITOU MUNICIPALITY        |
| <b>WENTZEL L</b>            | CITY OF CAPE TOWN         | <b>TRUTER A EXECUTIVE MAYOR</b>   | SALDANHA MUNICIPALITY     |
| <b>SAPTO M</b>              | CAPE AUGHALAS             |                                   |                           |
| <b>BREEDT H</b>             | RED ANT SECURITY          |                                   |                           |
| <b>SMITH J</b>              | STADIO HIGHER LEARNING    |                                   |                           |
| <b>MLUNGU N P</b>           | MBHASHE MUNICIPALITY      |                                   |                           |

## ELECTED NATIONAL COUNCIL OFFICE BEARERS FOR THE 2024/2026 TERM OF OFFICE

Item 1:

- PRESIDENT (*Clause 24(a)*) : .....MR TV MKHABELA
- VICE PRESIDENT 1 : .....MR A SAKATI
- VICE PRESIDENT 2 : .....MRS J G FELIX

Item 2:

- EXCO MEMBERS (6) (*clause 29(1)*) :
  - Designated Members (3) :
    - ..... MR TV MKHABELA  
President
    - ..... MR A SAKATI.  
Vice President 1
    - ..... MRS J G FELIX  
Vice President 2
  - Other Members :
    - .....MR I D MINNAAR
    - .....ALDERMAN A TRUTER
    - .....MR L WENTZEL
    - MR C KITCHING ( ex officio)
    - MR L VAN DYK (ex officio)

Item 3:

NB: EXCO members elects Chairperson :

- (*Clause 29(2)*) : .....ALDERMAN A TRUTER  
CHAIRPERSON
- : .....MR I D MINNAAR  
DEPUTY-CHAIRPERSON

Item 4: Specialist Office Bearers:

- ADVISER ON PROFESSIONAL & RELATED MATTERS : .....MR L WENTZEL

|       |                                    |
|-------|------------------------------------|
| 7.1.2 | REVIEW OF DISASTER MANAGEMENT PLAN |
|-------|------------------------------------|

Collaborator No: 773711

IDP KPA Ref No: Good Governance and Compliance

Meeting Date: 26 September 2024

**1. SUBJECT: REVIEW OF DISASTER MANAGEMENT PLAN**

**2. PURPOSE**

To notify Council of the recently reviewed Disaster Management Plan.

**3. DELEGATED AUTHORITY**

Council

**4. EXECUTIVE SUMMARY**

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

**5. RECOMMENDATION**

that Council approves and adopts the revised Disaster Management Plan.

**6. DISCUSSION / CONTENTS**

**6.1. Background**

The Stellenbosch Municipality is legally obliged to prepare a Disaster Management Plan for its area according to the circumstances prevailing in the area; to co-ordinate and align the implementation of its plan with those of other organs of state and institutional role players; and to regularly review and update its plan. The municipality also consulted the local communities within its area regarding the preparation and amendment of its plan. One noteworthy change to the plan is the inclusion of a Risk Reduction Plan (Annexure F) that was a product of a collaborative effort between the Provincial Disaster Management Centre (PDMC) and Stellenbosch municipality. This Risk Reduction Plan also ensured that the municipality is fully compliant in terms of integrating risk reduction into developmental planning.

**6.2 Discussion**

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

Each municipality must:

- a) conduct a disaster risk assessment for its municipal area;
- b) identify and map risks, areas, ecosystems, communities and households that are exposed or vulnerable to physical and human induced threats;
- c) prepare a Disaster Management Plan setting out:
  - i) the way in which the concept and principles of disaster management must be applied in its municipal area, including expected climate change impacts and risks for the municipality;

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

The current Disaster Management Plan was comprehensively reviewed two years back and all of its content is still relevant, but non the less required some changes.

The following amendments was made to the existing plan:

- Updating of the key contact list, to reflect the new administrative and political office bearers (Annexure C).
- Inclusion of a Disaster Risk Reduction Plan (Annexure F) – as prescribed by the Disaster Management Act, as amended (Act No 57 of 2022) for integration of risk reduction into developmental planning.

### **6.3 Financial Implications**

As per the approved budget.

### **6.4 Legal Implications**

All actions and functions performed in line with applicable legislation.

### **6.5 Staff Implications**

This report has no additional staff implications to the municipality.

**6.6 Previous / Relevant Council Resolutions**

None.

**6.7 Risk Implications**

The risks are addressed through the contents of the report.

**6.8 Comments from Senior Management**

No comments requested.

**6.8.1 Director: Infrastructure Services**

No comments requested.

**6.8.2 Director: Planning and Economic Development**

No comments requested.

**6.8.3 Director: Protection and Community Services**

No comments requested.

**6.8.4 Director: Corporate Services**

No comments requested.

**6.8.5 Chief Financial Officer**

No comments requested.

**6.8.6 Municipal Manager**

No comments requested.

**RECOMMENDATIONS FROM PROTECTION SERVICES COMMITTEE TO THE MAYORAL COMMITTEE: 2024-08-07: ITEM 5.1.1**

that Council approves and adopts the revised Disaster Management Plan.

**ANNEXURES**

Annexure A: Reviewed Disaster Management Plan

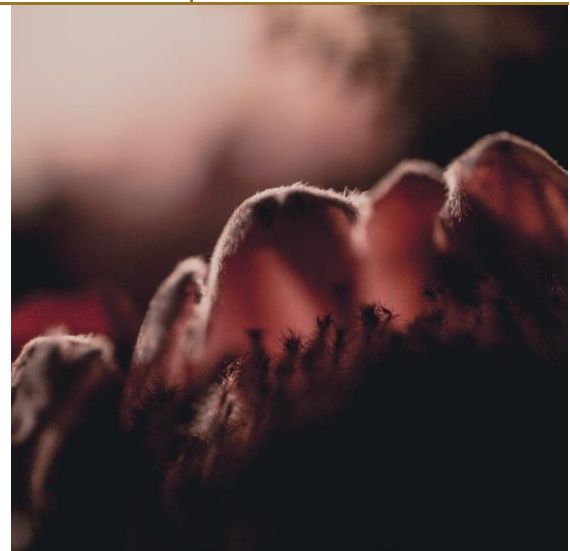
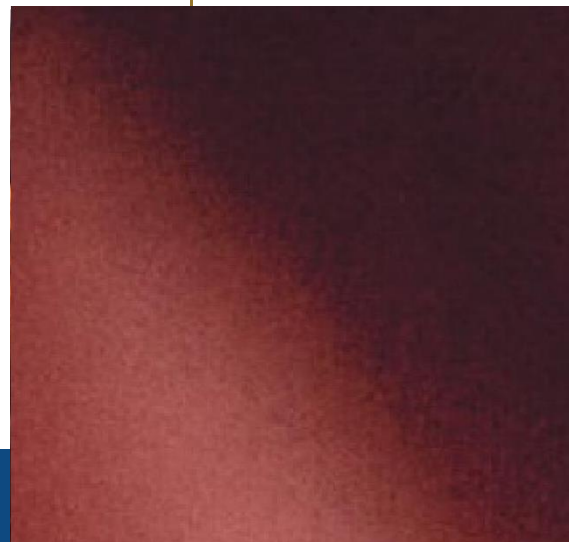
|                        |                                                       |
|------------------------|-------------------------------------------------------|
| <b>NAME</b>            | Wayne Smith                                           |
| <b>POSITION</b>        | <b>Manager: Fire Services and Disaster Management</b> |
| <b>DIRECTORATE</b>     | <b>Community and Protection Services</b>              |
| <b>CONTACT NUMBERS</b> | <b>Ext 8771</b>                                       |
| <b>E-MAIL ADDRESS</b>  | <b>wayne.smith@ Stellenbosch.gov.za</b>               |
| <b>REPORT DATE</b>     | <b>2 May 2024</b>                                     |

# **ANNEXURE A**



# MUNICIPAL DISASTER MANAGEMENT PLAN

STELLENBOSCH MUNICIPALITY



Core Plan for inclusion within the IDP  
of the Stellenbosch Municipality

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12. Annexure C: Key Stakeholders Contact List

Emergency numbers list  
Executive Mayor  
Municipal Manager  
Director: Community and Protection Services  
Director: Engineering Services  
Director: Strategic and Corporate Services  
Director: Property and Planning Development and Human Settlement  
Director: Financial Services

12.1 Community and Social Services: DSD and SASSA

12.2 Ward Councilor Contact Information

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14. Annexure E: IDP and Disaster Management Plan Integration

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## 1. INTRODUCTION

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

### 1.1 Legal Requirements

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

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

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



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

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

## 1.2 Key outcomes

This plan seeks to achieve the following key outcomes:

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

## 1.3 Linkage with the Integrated Development Plan of the Stellenbosch Municipality

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

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

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

All departments and role players submitting input to the content of the current and future IDP of the municipality are therefore urged to consider the inclusion and integration of disaster risk management into their strategies, operational planning, and project implementation. It is strongly recommended that the municipality institutes the compulsory consideration of disaster risk management in the planning and execution stages of all IDP projects.

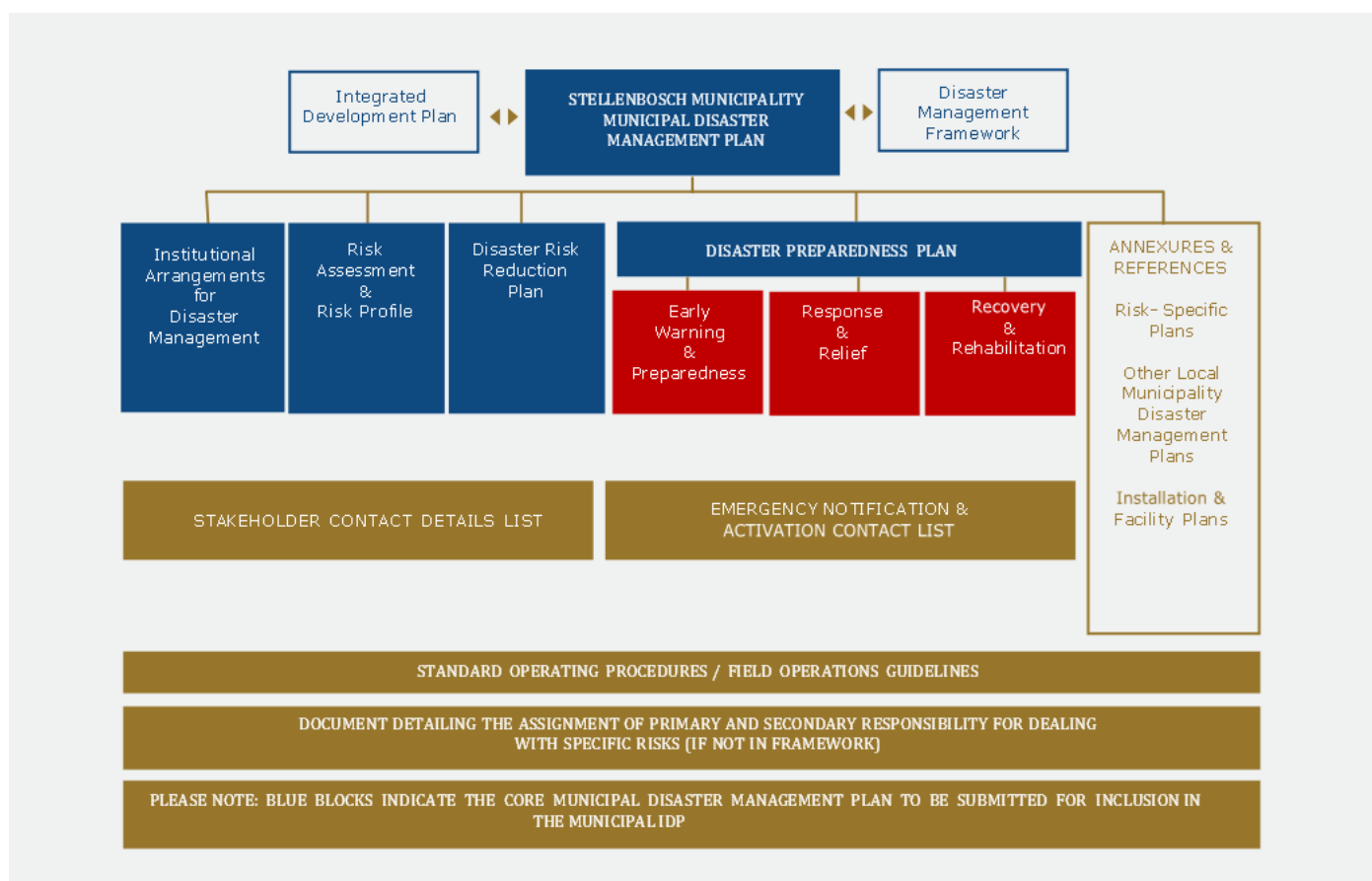
This will ensure the integration of disaster management into the IDP and will ensure that all plans and projects are focused on contributing to disaster risk reduction and disaster preparedness – thus reducing the impact of disasters on lives, property, community activities, the economy, and the environment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

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

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

## 1.5 Structure of the Plan

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



## 1.6 Definitions of abbreviations

|       |                                |       |                                       |
|-------|--------------------------------|-------|---------------------------------------|
| ASAP: | As Soon As Possible            | PDMC: | Provincial Disaster Management Centre |
| DMC:  | Disaster Management Centre     |       |                                       |
| LA:   | Local Authority                |       |                                       |
| JOC:  | Joint Operations Centre        |       |                                       |
| SAWS: | South African Weather Services |       |                                       |
| DOC:  | Disaster Operational Centre    |       |                                       |

## 2. INSTITUTIONAL ARRANGEMENTS

### 2.1 Shared Responsibility for Disaster Management

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



### 2.1.1 Nodal Points for Disaster Management

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

It is required that each municipal department within the municipality assign a person or section within the department/local municipality to be the nodal point for disaster management activities in that department.

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

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

### 2.1.2 Departments with Primary Responsibility for Specific Hazards and Disaster Risks

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

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

The plans for disaster risk reduction and preparedness compiled by these primary role players should be attached to this plan or should be referenced as supporting documentation as indicated in Figure 1: Structure of the Stellenbosch Municipal Disaster Management Plan, on page 8. These documents must be easily accessible to all relevant role players

### 2.1.3 Assignment of Responsibility to deal with Specific Disaster Management Risks (Page 15 no. 3.2)

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

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

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

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

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

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

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

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

## 2.2 Corporate Disaster Management Structure for the Stellenbosch Municipality

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

### 2.2.1 Stellenbosch Disaster Management

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

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

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

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

### 2.2.2 Municipal Disaster Management Advisory Forum

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

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

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

### 2.2.3 Interdepartmental Disaster Management Coordination

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

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

Status: Disaster Management coordination in the entire WC024 is in place to ensure effective and efficient services throughout Greater Stellenbosch.

### 2.2.4 Nodal Points for Disaster Management within Municipal Departments

Refer to sections 2.1.1 and 2.1.3 above.

### 2.2.5 Departmental Planning Groups

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

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

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

### 2.2.6 Risk Reduction Project Teams

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

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

### 2.2.7 Preparedness Planning Groups

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

### 2.2.8 Joint Response and Relief Management Teams

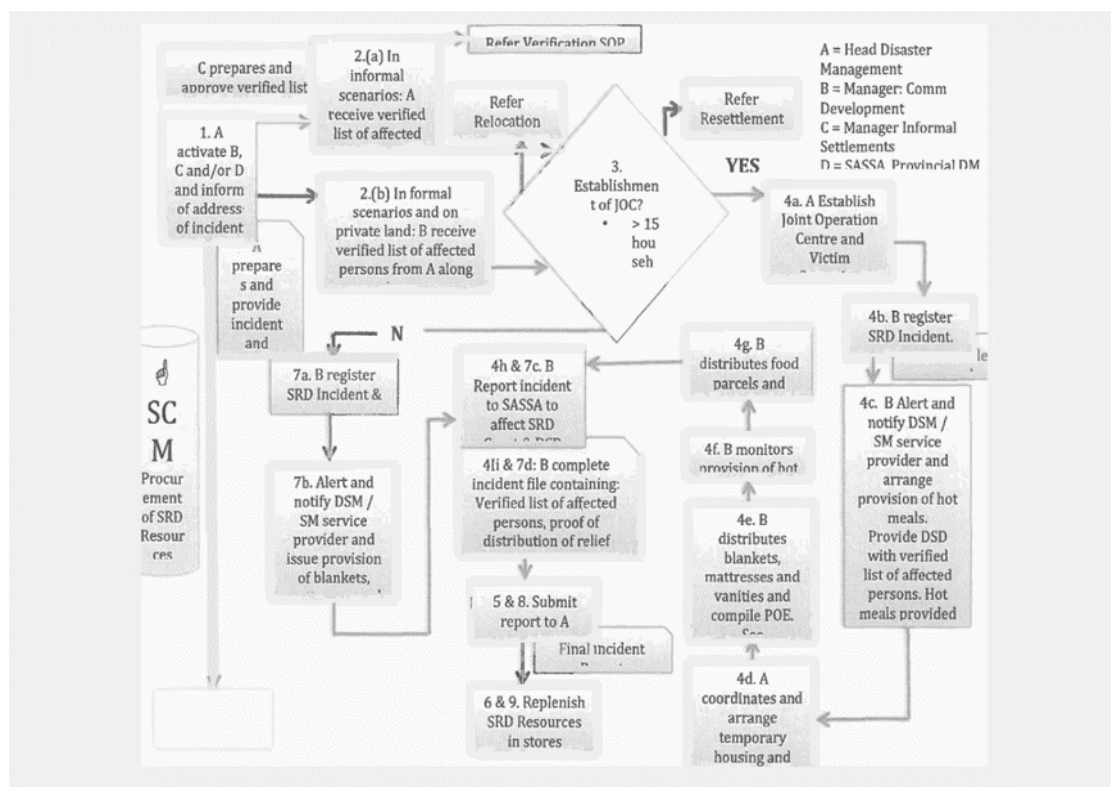
Mostly flowing from a preparedness planning group, this team is mobilized to deal with the immediate response and relief required during or immediately after major incidents and disasters. The team will normally convene in the Disaster Operations Centre (see diagram below) and must utilize the Standard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

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

### 2.2.9 Recovery and Rehabilitation Project Teams

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

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



### 2.2.10 Stellenbosch Disaster Management Communications Centre

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

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

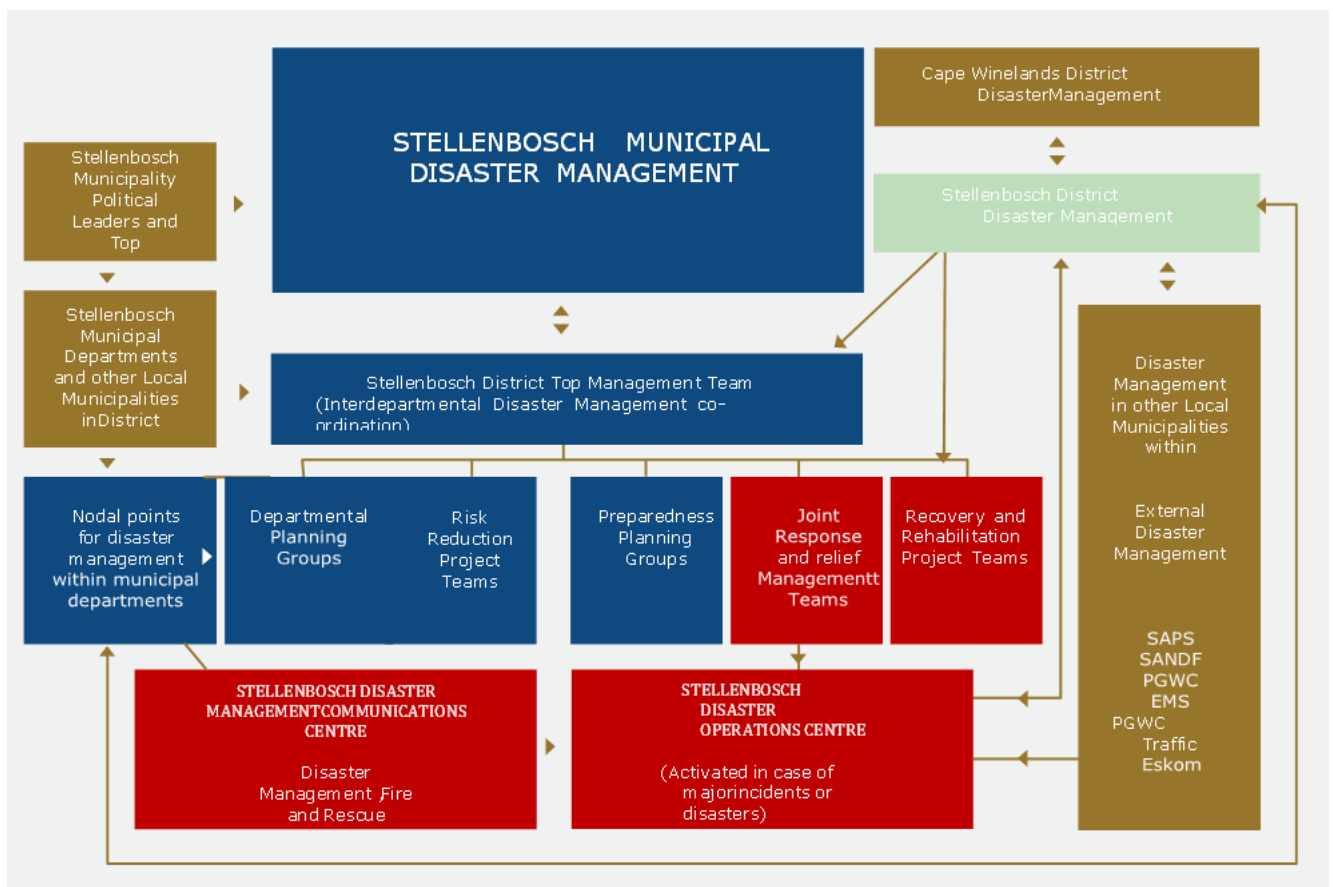
### 2.2.11 Stellenbosch Disaster Operations Centre (DOC)/ Joint Operations Centre (JOC)

Stellenbosch municipality has a purpose-built facility (mini disaster management centre) at the Stellenbosch fire brigade, from where disasters can be coordinated. The facility consists of:

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

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

FIGURE 2: MUNICIPAL DISASTER MANAGEMENT STRUCTURE



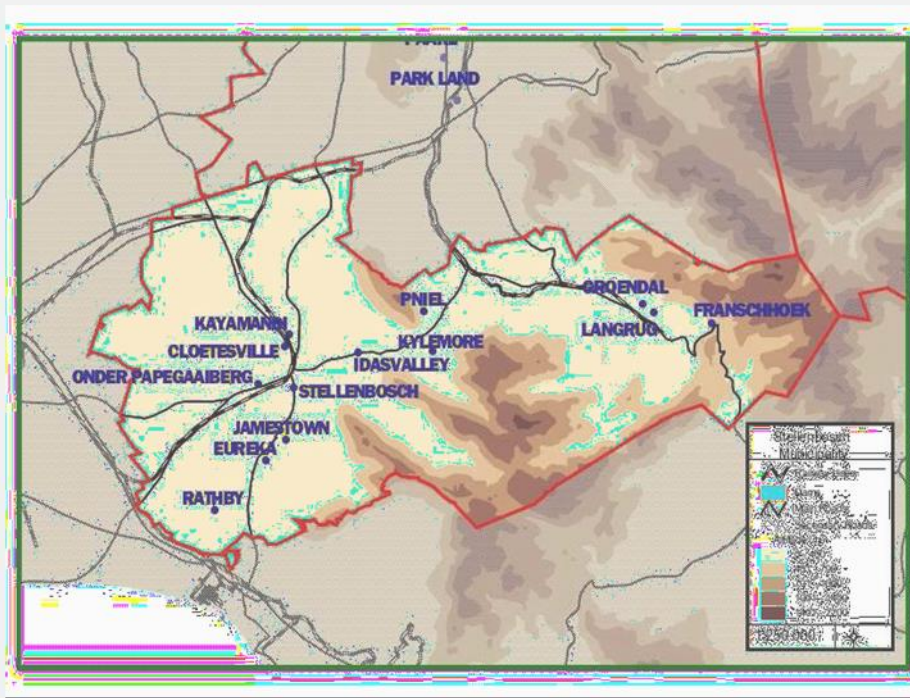


### 3. RISK ASSESSMENT

#### 3.1 Background

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

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



#### 3.2 Legal Requirements

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

Each municipality must

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

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

- effective disaster risk management and risk reduction planning.

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

### 3.3 Aim

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

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

### 3.4 Data Collection Methods

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

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

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

### 3.5 Priority Risk Identification

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

These high-priority risks include:

#### A. Inability to control urbanization

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

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

## B. Increased poverty and unemployment

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

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

## C. Access to basic services

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

Total percentage of Stellenbosch population with access to basic services:

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

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

## D. Safety and security

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

## E. Poor / no electricity

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

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

## F. Illegal dumping

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



### 3.6 Synopsis of All Identified Risks per Ward

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

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

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

### 3.7 Stellenbosch Municipality's Comment on the 2020/2021 Ward Based Risk Assessment Report:

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

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

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

### 3.8 Covid-19

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

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

The Provincial Disaster Centre was activated, which in turn propelled local municipalities, via the district forums, into action. All the local municipalities and other external role players meet regularly under the umbrella-coordinating body of the CWDM and a district-wide strategy against the Covid-19 spread was formulated. For the past couple of years we have been enjoying normality (as with the pre Covid era), with no restrictions, although we are not totally free from Covid yet. (Also see Appendix 1.3)

#### 3.8.1 Risk-adjustment Strategy

As the government gradually started easing the lockdown restrictions from level 5 to level 1 to allow for more activity, the municipality also followed suit through its risk-adjusted strategy (Appendix 1.4). During each level of lockdown, the Council's operational and service delivery responses were adjusted to allow for more activity. A risk-adjusted strategy was formulated and approved, which provided clear guidelines in terms of Council delegations, the rendering of essential services, and workplace readiness. It also

resulted in the revision of our risk register and the inclusion of Covid-19 as a strategic risk for the Council. A COVID-19 risk register was subsequently developed, which reflects the pending risks and the mitigating strategies against these risks.

### 3.9 Risk Profile of the Stellenbosch Municipality

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

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

The following risks were identified within the geographical are of Stellenbosch

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

## Municipality and their possible effects

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

### 3.9.1 Rating a Risk

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

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

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

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

## 4. DISASTER RISK REDUCTION PLANS

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

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

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

### 4.1 Risk Reduction Plans for the Stellenbosch Municipality

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

## 4.2 Risk Reduction Capacity for the Stellenbosch Municipality

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

## 5. PRE-DISASTER RISK REDUCTION AND PREPAREDNESS

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

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

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

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

### 5.1 Prevention and Risk Reduction / Mitigation Strategies

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

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

It is the responsibility of the Stellenbosch Municipality to compile proactive Disaster Risk Management programs that support disaster risk reduction and preparedness.

Integrated strategies must therefore be developed and implemented across all municipal departments, which cover disaster preparedness through the following:

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

## 5.2 Standard Operating Procedures (SOPs)

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

These SOPs will also form the basis for a more comprehensive disaster response.

## 6. PREPAREDNESS PLANS

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

### 6.1 Preparedness Plans of the Stellenbosch Municipality

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

### 6.2 Preparedness Capacity for the Stellenbosch Municipality

The organizational structure for preparedness within the municipality includes Stellenbosch Disaster Management, the Disaster Management Advisory Forum: Cape Winelands District Municipality, the top management team of the Stellenbosch Municipality, the nodal points for disaster management within municipal departments within the municipality, departmental planning groups, preparedness planning groups, Joint Response and Relief Management teams, Recovery and Rehabilitation project teams, and the Stellenbosch Municipal Fire and Rescue Services Control Centre. See Figure 2: Municipal Disaster Management Structure on page 18.

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

The Stellenbosch Fire and Rescue Services Control Centre is responsible for the operational procedures

associated with day-to-day operational responses to emergencies by municipal departments.

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

## 7. RESPONSE AND RECOVERY

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

### 7.1 Response Procedure

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

TABLE 2: STEPS IN THE RESPONSE AND RELIEF PROCEDURE

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

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

#### 7.1.1 Notification/Activation

During the notification phase, it must be ensured that management and operational staff are informed and mobilized as speedily and effectively as possible. To facilitate the foregoing, 24-hour duty and standby rosters must be kept current and available at the 24-hour communication facilities for the Provincial



Disaster Management Centre and all service communications centers that have an emergency and/or disaster response role in the province.

Such call-out lists must indicate the first-response mobilization and second-line responders. It is therefore necessary to design standardized response procedures and protocols for specific incidents and consider variables such as season, time of day, etc.

### 7.1.2 Rapid Initial Assessment

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

Rapid and effective response can also be facilitated if a standardized initial report-back includes response suggestions and needs. The rapid initial assessment must be as accurate as possible with accurate predictions of what may still occur.

### 7.1.3 Establish Response Management Structure

Once the initial response has been affected and services arrive on the scene, the process for the implementation of the secondary response must be initiated as soon as possible. This response must be based on the needs received from the scene because of the rapid assessment. This response must build on existing response levels and strengthen the deployments and actions on the scene.

#### 7.1.3.1 Structures to coordinate response.

The establishment of a structure to manage, coordinate, and integrate response actions at the scene of an incident is imperative and a priority for all services involved in an incident. Such a basic structure should be contained in a Standardized Incident Management Plan agreed to beforehand by all role-players. There are several essential elements to the structure and principles, which should always be observed.

#### 7.1.3.2 Flexible organization

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

#### 7.1.3.3 Standardized terminology

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

#### 7.1.3.4 Tactical incident management facilities/structures

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

- Outer perimeter/cordon/public exclusion zone
- Inner perimeter
- Establishing a landing zone
- Staging area

- Incident command post
- Casualty clearing post.
- Information point/media liaison
- Communications network
- Access control to the incident site and emergency infrastructure

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

#### 7.1.3.5 On-site Incident Coordination Point

This is an on-scene facility where tactical decision-making and control of inter-disciplinary coordination takes place, also known as Incident Command Post (ICP)/On-site JOC/Forward Control/Command Post (FCP). This is the single point of command for all on-site operations during the response phase of an emergency and will be located at an appropriate location at or near the scene of the emergency, normally within the outer perimeter.

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

#### 7.1.3.6 Joint incident management team/unified command

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

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

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

- Command
- Operations
- Planning
- Logistics
- Finance and Administration

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

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

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

### 7.1.3.7 Determining the primary role player for an incident or activity

#### Communications

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

### 7.1.4 Re-assess

The first particularly crucial step after the Joint Incident Management Team has been established is for them to reassess the situation. During this process, three aspects must be addressed.

#### 7.1.4.1 Re-assess resources

The team needs to establish:

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

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

When evaluating the mobilizing of additional resources, the following needs must be considered:

- the type of human resources required, i.e., skills and type of performance.
- equipment and supplies are required, and which must come first (priorities).
- who will be responsible for controlling essential supplies, which essential services are required, and/or should be restored first (priorities).
- observe and ensure that supply chain management/logistics are complied with (accountability); and
- invoking mutual aid arrangements and/or other formalized agreements.

#### 7.1.4.2 Re-assess hazard

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

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

### 7.1.4.3 Re-assess situation

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

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

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

### 7.1.5 Establish Incident Management Objectives

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

- Broad statement of intent.
- Think strategically.
- Determine risks/hazards and prioritize accordingly.
- Ensure public protection and secure the affected area.

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

### 7.1.6 Plan of Action

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

To plan effectively, the following should be considered:

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

- Protective actions (response activities)
- Protective action strategies (response management strategies)
- Incident communication planning (radios, IT, public and media)
- Develop alternatives (think beyond the normal)
- Review alternatives
- Decide on a plan of action.
- Plan rehabilitation phase
- Plan reconstruction phase

#### 7.1.7 Implementation

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

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

#### 7.1.8 Strategic Response Management Structure /Joint Operations Centre

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

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

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

#### Initial Strategic Situation Analysis

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

- Convene meeting in the JOC.
- Review the situation on available information.
- All possible role players must be identified and mobilized if not yet present.
- Identify and appoint an incident Coordinator.

- Ensure all services required have been activated and are responding to their areas of responsibility.
- Compile an initial situation report for distribution to all stakeholders – internal and external.
- Establish public notification needs.
- Establish public safety advisory needs.
- Generate a media release for public communication (WhatsApp, Bulk SMS, etc.).
- Monitor, assess, and support services on-scene.
- Establish possible resource needs.
- Evaluate resources available vs. resources possibly required.
- Establish availability of resources – consult the database.
- Establish the possible need for invoking mutual aid agreements and do initial notifications of possible support required. All relevant documents must be archived and easily accessible.
- Monitor, re-assess, and adapt strategy.

### Structures to provide relief

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

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

#### 7.1.9 Monitor/Evaluate

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

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

### 7.1.10 Close Incident and Document

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

#### 7.1.10.1 Demobilize

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

Ensure that all services have received demobilizing orders and are reporting to their workstations.

#### 7.1.10.2 Complete Review (Postmortem)

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

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

#### 7.1.10.3 Corrective Actions

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

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

## 7.2 Declaration of the State of Disaster and Disaster Classification

The Stellenbosch Municipal Council should adopt a formal policy for the declaration of a local state of disaster. Such a policy will replace this section of the plan, which provides a general description of issues surrounding the declaration of a state of disaster.

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

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

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

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

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

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

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

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

## **8. TESTING AND REVIEW OF THE PLAN**

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

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



## 9. REFERENCE DOCUMENTS

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

ANNEXURE A-E

## 10. ANNEXURE A: DISASTER PREPAREDNESS GUIDELINES

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

### 10.1 Disaster Preparedness Plan: Fire

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

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

## 10.2 Disaster Preparedness Plan: Flooding

| NO. | WHAT MUST BE DONE                                                                                 | WHO MUST DO IT                                                        | WHERE IT MUST BE DONE                   | WHEN IT MUST BE DONE                     | WHY IT MUST BE DONE                                                                          |
|-----|---------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------|-----------------------------------------|------------------------------------------|----------------------------------------------------------------------------------------------|
|     | Notify response teams (municipal engineering, SAPS, Fire, EMS, Department of Water Affairs, SAWS) | Local authority                                                       | 24-hour call centre                     | Immediately                              | To activate response teams                                                                   |
|     | Activate response teams                                                                           | Fire services, disaster management, and services standby teams        | From locations/standby positions        | Immediately                              | To assess the impact and actions required                                                    |
|     | Treat injured people                                                                              | EMS, hospital, and clinic staff                                       | First aid posts, hospitals, and clinics | ASAP                                     | To treat injuries and prevent fatalities                                                     |
|     | Identify affected and damaged area                                                                | Fire services, disaster management, and services standby teams        | In affected area                        | Immediately                              | To determine the extent of the damage to assess the affected area                            |
|     | Determine impact                                                                                  | Disaster management and services standby teams                        | In affected area                        | Immediately                              | To determine the actions and level of response required                                      |
|     | Implement appropriate emergency intervention                                                      | First responders on scene                                             | At scene                                | On arrival                               | To protect life and property and neutralize any impacting hazard                             |
|     | Activate JOC                                                                                      | Disaster and senior management of all services/jurisdictions involved | Fire services or alternative            | Immediately if a major flooding incident | To plan strategically and coordinate multi-disciplinary response, relief, and rehabilitation |
|     | Assess information                                                                                | All services                                                          | JOC                                     | Immediately                              | To plan actions                                                                              |
|     | Design a plan of action                                                                           | Disaster Management Coordination Team/JOC team                        | JOC                                     | After assessment                         | To facilitate response and relief                                                            |
|     | Implement response actions                                                                        | The disaster management team, fire services, SAPS, EMS                | Affected area                           | ASAP                                     | To prevent injury/mortality and to provide basic needs/services                              |
|     | Engage with grassroots leaders (ward/street committee, neighborhood watch)                        | Disaster Management                                                   | Identified area                         | As soon as possible                      | Support services                                                                             |
|     | Provide social relief                                                                             | Relevant stakeholders (to be specified)                               | At the affected area/relief centre      | After assessment                         | To minimize the impact on those affected by the hazard                                       |
|     | Mopping up                                                                                        | Relevant stakeholders                                                 | Affected area                           | ASAP                                     | To normalize community                                                                       |
|     | Assess the possibility of further flooding                                                        | Disaster management team, SAWS                                        | Entire area                             | Immediately                              | To minimize and/or prevent further disruption/damage                                         |

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

### 10.3 Disaster Preparedness Plan: Earthquake

| NO. | WHAT MUST BE DONE                                  | WHO MUST DO IT                   | WHERE IT MUST BE DONE                                                                                            | WHEN IT MUST BE DONE                  | WHY IT MUST BE DONE                                              |
|-----|----------------------------------------------------|----------------------------------|------------------------------------------------------------------------------------------------------------------|---------------------------------------|------------------------------------------------------------------|
|     | Notification and activation                        | Any person observing impact      | Fire 24-hour Control Centre                                                                                      | ASAP                                  | To activate response teams                                       |
|     | Activate response teams                            | Fire 24-hour Control Centre      | Fire 24-hour Control Centre                                                                                      | ASAP                                  | To assess and determine the needs                                |
|     | Activate JOC                                       | DMC                              | DMC/appropriate alternative                                                                                      | ASAP                                  | To coordinate actions                                            |
|     | Assess and establish the extent of the earthquake  | Survivors and emergency Services | In area                                                                                                          | ASAP                                  | To determine needs and strategies                                |
|     | Collaborate                                        | SA Council for Geoscience        | JOC/Area                                                                                                         | ASAP                                  | Determine magnitude, depth of quake, etc.,                       |
|     | Collate info                                       | JOC Team                         | JOC                                                                                                              | ASAP                                  | To determine priorities                                          |
|     | Determine evacuation needs                         | JOC Team                         | At affected areas                                                                                                | ASAP                                  | To provide relief to affected people                             |
|     | Establish a plan of action                         | JOC Team                         | JOC                                                                                                              | After initial assessment              | To provide relief to affected people                             |
|     | Arrange accommodation for evacuees                 | JOC Team                         | Identified halls masscare centres and tent camps as structural integrity may have been compromised by the quake. | ASAP                                  | To provide relief to affected people                             |
|     | Treat injured people                               | EMS, hospital, and clinic staff  | First aid posts, hospitals, and clinics                                                                          | ASAP                                  | To treat injuries and prevent fatalities                         |
|     | Arrange search and rescue                          | JOC Team                         | In identified areas                                                                                              | ASAP                                  | To rescue trapped people and animals                             |
|     | Arrange trauma counseling                          | JOC Team                         | Affected areas                                                                                                   | ASAP                                  | To assist all traumatized people                                 |
|     | Monitor and re-assess                              | JOC Team                         | Affected areas                                                                                                   | After initial assessment and planning | To evaluate actions                                              |
|     | Adapt planning                                     | JOC Team                         | JOC                                                                                                              | ASAP                                  | To facilitate normalization                                      |
|     | Arrange an infrastructure impact/damage assessment | JOC Team                         | Affected areas                                                                                                   | ASAP                                  | To create a report of damaged infrastructure and determine needs |

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



## 10.4 Disaster Preparedness Plan: Infrastructure Failure

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

## 10.5 Disaster Preparedness Plan: Transport Incidents

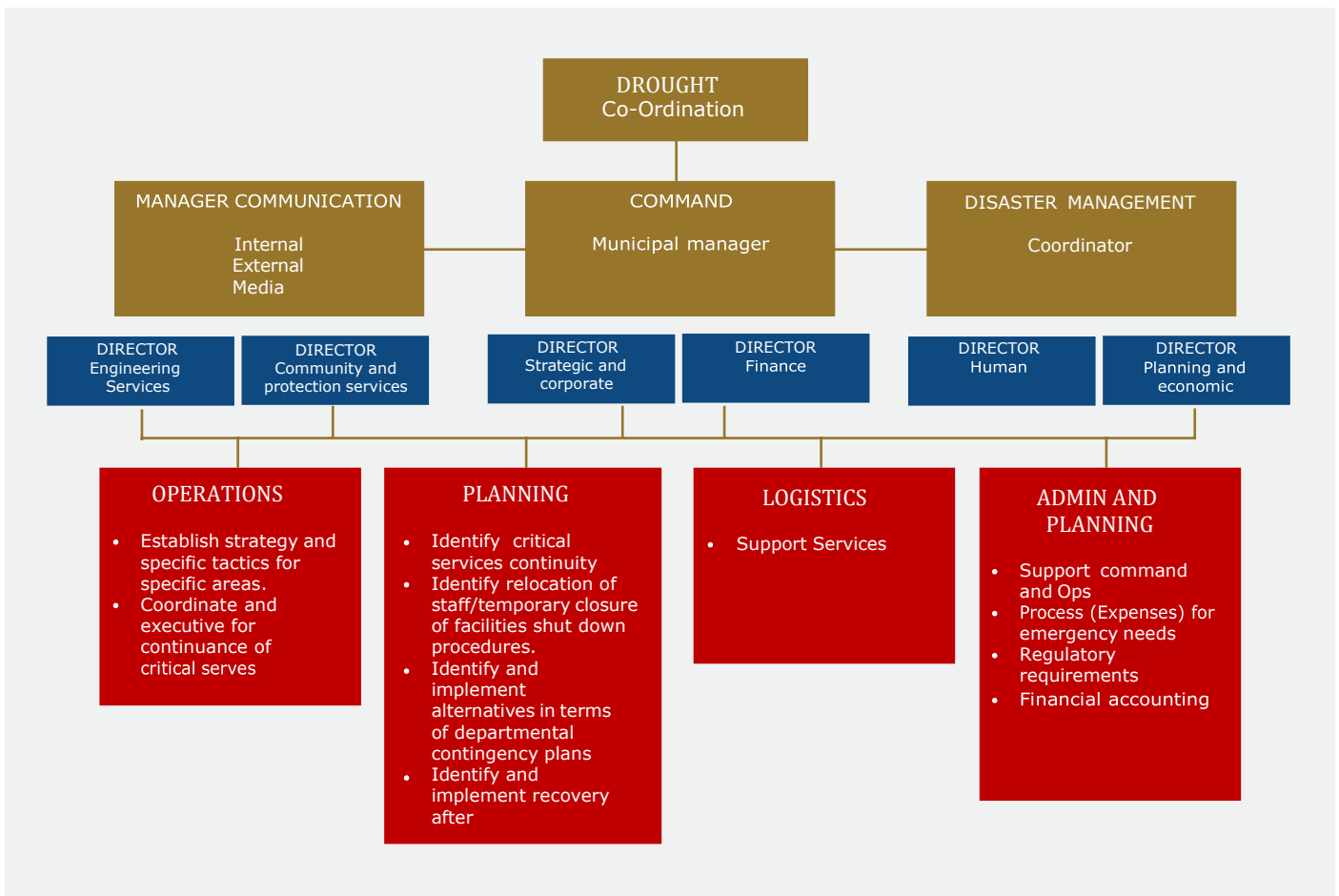
| NO. | WHAT MUST BE DONE                         | WHO MUST DO IT                      | WHERE IT MUST BE DONE                   | WHEN IT MUST BE DONE                                 | WHY IT MUST BE DONE                                              |
|-----|-------------------------------------------|-------------------------------------|---------------------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

## 10.6 Disaster Preparedness Plan: Hazardous Materials Incidents

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

|  |                                                                                                                                           |                                                 |                                                 |                                                     |                                                                                        |
|--|-------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------|-------------------------------------------------|-----------------------------------------------------|----------------------------------------------------------------------------------------|
|  | Notify DWAF                                                                                                                               | Command vehicle/<br>incident<br>management team | Command vehicle/<br>incident<br>management team | ASAP                                                | To analyze water quality                                                               |
|  | Notify and caution<br>downstream Water<br>Users<br>Association/agricultural<br>unions/local/district<br>and neighboring<br>municipalities | Command vehicle/<br>incident<br>management team | From the site (via<br>controlcentres)           | Once the nature of the spill<br>confirmed           | To prevent usage<br>of affected water                                                  |
|  | Notify DEA                                                                                                                                | Command vehicle/<br>incident<br>management team | From the site (via<br>controlcentres)           | Once the nature of the spill<br>confirmed           | Analyze water quality                                                                  |
|  | Notify Cape Nature                                                                                                                        | Command vehicle/<br>incident<br>management team | From the site (via<br>controlcentres)           | Once the nature of the spill<br>confirmed           | Analyze water quality                                                                  |
|  | Re-assessment                                                                                                                             | Command vehicle/<br>incident<br>management team | On-site                                         | Regularly during incident<br>management             | To determine the<br>effectiveness and<br>appropriateness<br>of the current<br>response |
|  | Mobilize clean-up<br>specialist.<br>If rail – The Transnet<br>recoveryunit                                                                | Command vehicle/<br>incident<br>management team | On-site                                         | If the extent of the<br>incidentrequires it         | Final clean-up                                                                         |
|  | Incident stand down                                                                                                                       | Command vehicle/<br>incident<br>management team | On-site                                         | One situation is<br>normalized and under<br>control | To close incident<br>and restore<br>normal operations                                  |
|  | On-site debriefing                                                                                                                        | Command vehicle/<br>incident<br>management team | On-site                                         | After standing down                                 | Compilation of detailed<br>incident report                                             |
|  | Final debriefing                                                                                                                          | Incident<br>management team                     | Appropriate<br>meeting venue                    | Within one week of the<br>incident                  | To learn from<br>mistakes, update<br>plans                                             |
|  | Follow-up testing of<br>soiland water                                                                                                     | DEA                                             | In situ follow-ups after<br>the incident        | As required                                         | Follow-up studies                                                                      |

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



## 10.8 Disaster Preparedness Plan: Prolonged Electricity Interruptions

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

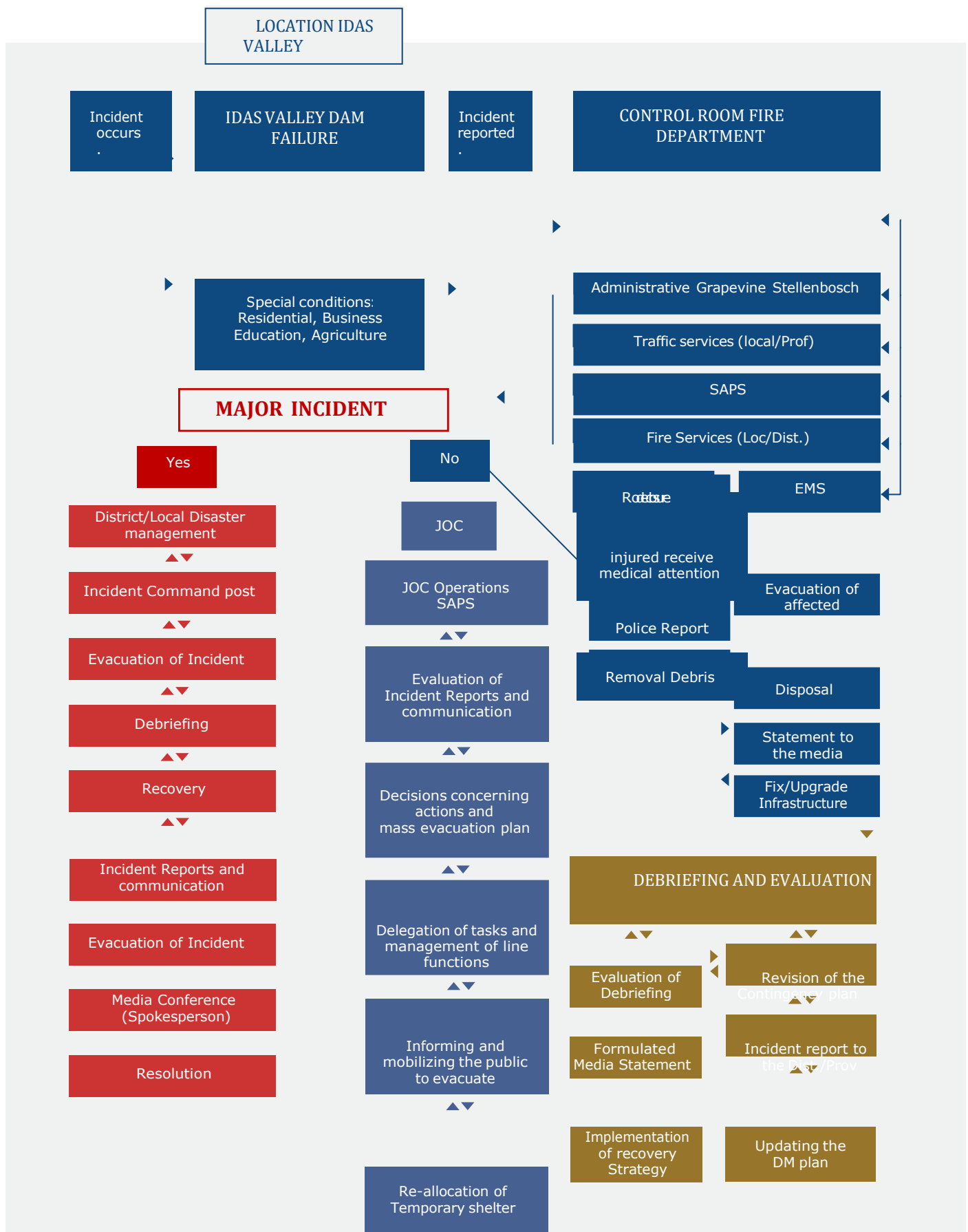
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|----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------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

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



## 10.9 DISASTER PREPAREDNESS PLANS

### IDA'S VALLEY DAM WALL FAILURE



## 11.1 Disaster Risk Project Proposals: Fire

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

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

## 11.2 Disaster Risk Project Proposals: Hazmat Incidents (HMIs)

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

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

### 11.3 Disaster Risk Project Proposals: Flooding

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

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

## 11.4 Disaster Risk Project Proposals: Earthquake

| RISK REDUCTION CATEGORY               | RISK REDUCTION PROJECT PROPOSALS                                                                                                                                                             |
|---------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| PHYSICAL PLANNING MEASURES            | 1 Identify earthquake-prone areas/geological faults.                                                                                                                                         |
|                                       | 2 Develop suitable building codes (and enforcement thereof) including those that do not build according to standards (suggest retrofitting actions such as additional strengthening braces). |
|                                       | 3 Develop zoning codes for high-risk areas.                                                                                                                                                  |
|                                       | 4 Limit development in high-risk areas.                                                                                                                                                      |
| ENGINEERING AND CONSTRUCTION MEASURES | 5 Only approve single-story buildings in high-risk areas                                                                                                                                     |
|                                       | 6 Enforce area-specific building methods/codes.                                                                                                                                              |
|                                       | 7 Design strong earthquake-resistant infrastructure/services.                                                                                                                                |
| ECONOMIC MEASURES                     | 8 Disaster relief funds from the National Government.                                                                                                                                        |
|                                       | 9 Household insurance (act of God).                                                                                                                                                          |
|                                       | 10 MOUs with suppliers of emergency materials/supplies.                                                                                                                                      |
|                                       | 11 Incentives for compliance with building codes.                                                                                                                                            |
| MANAGEMENT AND INSTITUTIONAL MEASURES | 12 Develop institutional capacity for management of incidents.                                                                                                                               |
|                                       | 13 Good response support services (police, fire department, etc.).                                                                                                                           |
|                                       | 14 Develop good evacuation plans.                                                                                                                                                            |
|                                       | 15 Plan for the relocation of people in high-risk areas.                                                                                                                                     |
|                                       | 16 Development and training for the mass casualty response team.                                                                                                                             |
|                                       | 17 Development and communication of recovery plans and strategies.                                                                                                                           |
|                                       | 18 Identify effective communication systems other than cell phones or radios.                                                                                                                |
|                                       | 19 Investigate and plan for an air evacuation system.                                                                                                                                        |
|                                       | 20 Development and training of search and rescue teams and strategies.                                                                                                                       |
|                                       | 21 Identify mass care facilities outside possible affected areas.                                                                                                                            |
|                                       | 22 Develop a mass care strategy.                                                                                                                                                             |
|                                       | 23 Develop a strategy and process for public notification and to inform communities about the risk.                                                                                          |
|                                       | 24 Develop mutual aid agreements and MOUs for identified tasks.                                                                                                                              |
|                                       | 25 Plan and develop strategies and procedures for trauma counselling.                                                                                                                        |
|                                       | 26 Plan for the management and care of emergency responders.                                                                                                                                 |
|                                       | 27 Strict enforcement of building codes in identified earthquake-prone areas.                                                                                                                |
| SOCIETAL MEASURES                     | 28 Develop robust warning systems through Geoscience to ensure the rollout of educational programs on these warning systems.                                                                 |
|                                       | 29 Awareness raising (how to act/react).                                                                                                                                                     |
|                                       | 30 Develop self-reliant communities/emergency preparedness.                                                                                                                                  |
|                                       | 31 Inclusion of programs in schools in earthquake-prone areas.                                                                                                                               |



## 11.5 Disaster Risk Project Proposals: Infrastructure Failure

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

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

## 11.6 Disaster Risk Project Proposals: Transport Incidents

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

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

12. ANNEXURE C: KEY STAKEHOLDERS CONTACT LIST

| STELLENBOSCH MUNICIPALITY                      |                                                                                                                                                                                                                                                                                                                                                                      |                                                                          |              |              |              |                                                                                    |
|------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|--------------|--------------|--------------|------------------------------------------------------------------------------------|
| NAME                                           | DEPARTMENT                                                                                                                                                                                                                                                                                                                                                           | DESIGNATION                                                              | TEL          | FAX          | CELL         | EMAIL                                                                              |
| MAYOR'S OFFICE                                 |                                                                                                                                                                                                                                                                                                                                                                      |                                                                          |              |              |              |                                                                                    |
| Cllr. Gesie van Deventer (Mrs.)                | Office of the Executive Mayor                                                                                                                                                                                                                                                                                                                                        | Executive Mayor                                                          | 021 808 8002 |              | 082 570 5681 | mayor@stellenbosch.gov.za                                                          |
| Jeremy Fasser                                  | Office of the Executive Mayor                                                                                                                                                                                                                                                                                                                                        | Deputy Mayor and Human Settlements Mayco Member                          | 021 808 8002 |              | 081 419 1233 | Jeremy.fasser@stellenboch.gov.za                                                   |
| Quintin Smit                                   | Office of the Executive Mayor                                                                                                                                                                                                                                                                                                                                        | Speaker                                                                  | 021 808 8941 |              | 082 570 5681 | Quintin.smit@stellenbosch.gov.za                                                   |
| Charlotte De Wet                               | Office of the Executive Mayor                                                                                                                                                                                                                                                                                                                                        | Personal Assistant                                                       | 021 808 8002 |              |              | charlotte.dewet@stellenbosch.gov.za                                                |
| MUNICIPAL MANAGER                              |                                                                                                                                                                                                                                                                                                                                                                      |                                                                          |              |              |              |                                                                                    |
| Geraldine Mettler (Ms)                         | Office of the Municipal Manager Function.<br>Internal Audit;Risk Management.<br>Strategic Management.<br>Responsible for Overall Leadership Management of Functions<br>Listed per Directorate                                                                                                                                                                        | Municipal Manager                                                        | 021 808 8025 | 021 808 8026 | 082 313 3063 | municipal.manager@stellenbosch.gov.za                                              |
| DIRECTORATE: COMMUNITY AND PROTECTION SERVICES |                                                                                                                                                                                                                                                                                                                                                                      |                                                                          |              |              |              |                                                                                    |
| Carli van Wyk                                  | Councillor                                                                                                                                                                                                                                                                                                                                                           | Portfolio Councillor: Protection Services (Traffic & Law Enforcement     | 021 808 8746 |              | 0791663899   | Carli.vanwyk@stellenbosch.gov.za                                                   |
| Reginald Pheiffer                              | Councillor                                                                                                                                                                                                                                                                                                                                                           | Portfolio Councillor: Protection Services (Fire and Disaster Management) | 021 808 8746 |              | 079 597 2765 | Reginald.pheiffer@stellenbosch.gov.za                                              |
| Gary Boshoff                                   | Libraries.<br>Cemeteries and Amenities.<br>Sport, Parks, and Recreation.<br>Area Cleaning.<br>Disaster Management.<br>Social Conflict Management.<br>Fire Services.<br>Traffic Services.<br>Law Enforcement.<br>Security Services.<br>Land Invasion.<br>VIP Protection.<br>By-Law Enforcement; Control Room.<br>Events Management,<br>Logistics,<br>Fleet Management | Director: Community and Protection Services                              | 021 808 8437 |              | 082 805 2926 | gary.boshoff@stellenbosch.gov.za                                                   |
| Charl Kitching                                 |                                                                                                                                                                                                                                                                                                                                                                      | Senior Manager: Community and Protection Services                        | 021 808 8815 |              | 084 887 4310 | Charl.Kitching@stellenbosch.gov.za                                                 |
| Wayne Smith                                    |                                                                                                                                                                                                                                                                                                                                                                      | Manager: Fire and Disaster                                               | 021 808 8888 | 021 883 3200 | 071 443 7337 | wayne.smith@stellenbosch.gov.za                                                    |
| Joan Felix                                     |                                                                                                                                                                                                                                                                                                                                                                      | Manager: Traffic & Law Enforcement services                              | 021 808 8447 |              | 073 182 1392 | <a href="mailto:joan.felix@stellenbosch.gov.za">joan.felix@stellenbosch.gov.za</a> |
| Shezayd Seigels (Ms)                           |                                                                                                                                                                                                                                                                                                                                                                      | Senior Disaster Coordinator                                              | 021 808 8888 | 086 574 6470 | 082 050 4834 | shezayd.seigels@stellenbosch.gov.za                                                |
| Gavin Solomons                                 |                                                                                                                                                                                                                                                                                                                                                                      | Chief: Traffic Services                                                  | 021 808 8800 | 021 808 8832 | 073 184 2169 | gavin.solomon@stellenbosch.gov.za                                                  |
| Lizel Pietersen                                |                                                                                                                                                                                                                                                                                                                                                                      | Acting Deputy Chief: Traffic Law Enforcement                             | 021 808 8800 | 021 808 8809 | 079 685 7290 | lizel.pietersen@stellenbosch.gov.za                                                |
| Zingani Thefu                                  |                                                                                                                                                                                                                                                                                                                                                                      | Deputy Chief: Law Enforcement                                            | 021 808 8937 | 021 808 8182 | 065 831 7396 | zingani.tshefu@stellenboch.gov.za                                                  |
| Daniel Jonker                                  |                                                                                                                                                                                                                                                                                                                                                                      | Chief: Law Enforcement                                                   | 021 808 8441 |              | 084 551 8932 | Daniel.jonker@stellenbosch.gov.za                                                  |

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| NAME                                           | DEPARTMENT                                                                                                                                                                                                                                                                          | DESIGNATION                                                      | TEL          | FAX          | CELL         | EMAIL                                                |
|------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------|--------------|--------------|--------------|------------------------------------------------------|
| DIRECTORATE: ENGINEERING SERVICES              |                                                                                                                                                                                                                                                                                     |                                                                  |              |              |              |                                                      |
| Shane Chandaka                                 | Transport,<br>Roads and Stormwater;<br>Water Services;<br>Mechanical Workshop.<br>Solid Waste Management.<br>Development and Project Management.<br>Drawing Office.<br>Electricity Services                                                                                         | Director: Engineering Services                                   | 021 808 8023 |              | 078 8019 628 | Shane.chandaka@stellenbosch.gov.za                   |
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| Clayton Hendricks                              |                                                                                                                                                                                                                                                                                     | Senior Manager: Solid Waste                                      | 021 808 8241 | 021 883 9874 | 073 134 4912 | Clayton.Hendricks@Stellenbosch.gov.za                |
| Johan Fullard                                  |                                                                                                                                                                                                                                                                                     | Senior Manager: Roads and Stormwater                             | 021 808 8023 | 021 883 9874 | 072 829 2779 | <a href="#">[REDACTED]</a>                           |
| Nigel Winter                                   |                                                                                                                                                                                                                                                                                     | Manager: Transport Engineering                                   | 021 808 8223 |              |              | Nigel.winter@stllenbosch.gov.za                      |
| DIRECTORATE: CORPORATE SERVICES                |                                                                                                                                                                                                                                                                                     |                                                                  |              |              |              |                                                      |
| Annalene de Beer (Ms)                          | Integrated Development Planning;<br>Corporate Strategy.<br>Performance Management.<br>Communication.<br>Inter-governmental Relations.<br>International Relations<br>Policy Management.<br>Human Resources,<br>Community Participation,<br>Information Technology,<br>Legal Services | Director: Strategic and Corporate Services                       | 021 808 8018 |              | 083 305 3685 | Annaleen.debeer@stellenbosch.gov.za                  |
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| Stuart Grobbelaar                              |                                                                                                                                                                                                                                                                                     | Manager Communications                                           | 021 808 8079 |              | 084 036 1395 | Stuart.Grobbelaar@stellenbosch.gov.za                |
| DIRECTORATE: PROPERTY AND PLANNING DEVELOPMENT |                                                                                                                                                                                                                                                                                     |                                                                  |              |              |              |                                                      |
| Anthony Barnes                                 | Develop and Implement High-level Strategic Objectives for Integrated Human Settlements Projects,                                                                                                                                                                                    | Director: Property and Planning Development and Human Settlement | 021 808 8757 |              | 082 776 1960 | <a href="#">Anthony.Barnes@stellenbosch.gov.za</a>   |
| Lester van Stavel                              | Public and Staff Rental Housing and Housing Demand Database/Waiting List.                                                                                                                                                                                                           | Manager: New Housing                                             | 021 808 8762 |              | 082 442 7709 | <a href="#">lester.vanstavel@stellenbosch.gov.za</a> |
| Johru Robyn                                    | Implement the Strategic Objectives of the Council About Informal Settlements.<br>Management of Council-owned Fixed Properties                                                                                                                                                       | Manager: Informal Housing Settlement                             | 021 808 8762 |              | 083 560 0816 | johru.robyn@stellenbosch.gov.za                      |
| Rotanda Swartbooi                              |                                                                                                                                                                                                                                                                                     | Municipal Housing: Rentals                                       | 021 808 8757 |              | 066 460 7463 | Rotanda.swartbooi@stellenbosch.gov.za                |
| Craig Alexander                                | Strategic and Effective Management of Heritage and Environmental Resources.                                                                                                                                                                                                         | Senior Manager: Planning and StrategicDevelopment                | 021 808 8196 |              | 083 461 9604 | Craig.Alexander@stellenbosch.gov.za                  |
| Bernabé de la Bat                              | Spatial Planning,<br>Heritage and Environmental Projects Planning,<br>Implementation, and Management; and Compliance of Development Applications with Relevant,Heritage,<br>Environment, and Community Development.<br>Local Economic Development and Tourism                       | Manager                                                          | 021 808 8653 |              | 082 788 3727 | Bernabe.DeLaBat@stellenbosch.gov.za                  |
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| DIRECTORATE: FINANCIAL SERVICES                |                                                                                                                                                                                                                                                                                     |                                                                  |              |              |              |                                                      |
| Kevin Carolus                                  | Financial Services<br>Revenue.<br>Expenditure.<br>Budget Office.<br>Financial Statements.<br>Supply Chain Management.<br>Asset Management                                                                                                                                           | Director: Financial Services                                     | 021 808 8528 | 021 808 8574 | 083 388 5549 | Kevin.Carolus@stellenbosch.gov.za                    |
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## 12.1 COMMUNITY AND SOCIAL SERVICES: DSD AND SASSA

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## 12.2 Ward Councillor Contact Information

| WARD COUNCILLOR            | WARD NO. | MAYCO ROLES                                                | EMAIL ADDRESS:                          |
|----------------------------|----------|------------------------------------------------------------|-----------------------------------------|
| <b>Reginald Pheiffer</b>   | Ward 1   | Protection Services                                        | Reginald.Pheiffer@stellenbosch.gov.za   |
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| <b>Roy van Rooyen</b>      | Ward 5   |                                                            | Roy.Vanrooyen@stellenbosch.gov.za       |
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| <b>Annemarie Ferns</b>     | Ward 7   |                                                            | Annemarie.Ferns@stellenbosch.gov.za     |
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| <b>Johanna Serdyn</b>      | Ward 11  |                                                            | Johannie.Serdyn@stellenbosch.gov.za     |
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| <b>Elliot Phakamisa</b>    | Ward 15  |                                                            | Elliot.Phakamisa@stellenbosch.gov.za    |
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13. ANNEXURE D: SOP: PRIMARY RELIEF ASSISTANCE

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



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

## 14. ANNEXURE E: IDP AND DISASTER MANAGEMENT PLAN INTEGRATION

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

**DISASTER RISK REDUCTION  
AND  
INTEGRATION INTO DEVELOPMENT  
PLANNING FOR THE  
STELLENBOSCH MUNICIPALITY  
2024**

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**ACRONYMS**

|          |                                                     |
|----------|-----------------------------------------------------|
| CCA      | Climate Change Adaptation                           |
| CWDM     | Cape Winelands District Municipality                |
| CWDMC    | Cape Winelands Disaster Management Centre           |
| DRR      | Disaster Risk Reduction                             |
| EPWP     | Expanded Public Works Programme                     |
| FDI      | Fire Danger Index                                   |
| FPA      | Fire Protection Association                         |
| IDP      | Integrated Development Plan                         |
| MHS      | Municipal Health Services                           |
| SDF      | Spatial Development Framework                       |
| SFDRR    | Sendai Framework for Disaster Risk Reduction        |
| UNISDR   | United Nations Office for Disaster Risk Reduction   |
| WC: PDMC | Western Cape: Provincial Disaster Management Centre |

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## 1. INTRODUCTION

The Stellenbosch Municipality is faced with several hazards that repeatedly threaten the environment, economic activity, and livelihoods of the municipal area. Only recently, the Stellenbosch Municipality has been adversely impacted by floods during 2023.

These disasters are a result of the interaction between a hazard, the vulnerability, and the capacity. They can be sudden or develop slowly. While communities are usually aware of their risks, they often wait to respond by activating their plans when disasters strike. This has seen major losses for infrastructure and property and requires a paradigm shift from a response-centric approach to a focus on Disaster Risk Reduction (DRR), which is what this plan seeks to achieve.

The United Nations Office for Disaster Risk Reduction (UNISDR) defines a DRR plan as “a document prepared by an authority, sector, organization, or enterprise that sets out goals and specific objectives for reducing disaster risks together with related actions to accomplish these objectives”. The DRR plan first outlines the risk profile of the Stellenbosch Municipality. The DRR plan then analyses the key gaps in institutional arrangements that are necessary for the coordination of DRR activities, explains how Stellenbosch Municipality can integrate DRR into developmental planning processes, and highlights the current and proposed DRR measures.

The Western Cape: Provincial Disaster Management Centre (WC: PDMC) supported the Stellenbosch Municipality in developing the DRR plan. The plan was developed in line with the Risk Reduction Planning and Integration into Integrated Development Planning Guidelines for the Western Cape.

An extensive consultation process was undertaken whereby one-on-one interviews were held with role players identified by the municipality.

### 1.1. LEGISLATIVE MANDATE

The legislative and policy mandate to develop a DRR plan emanates from international and national policy frameworks. The Sendai Framework for Disaster Risk Reduction (SFDRR) (2015-2030) calls on signatory states to prevent new and reduce existing disaster risk through the implementation of integrated and inclusive economic, structural, legal, social, health, cultural, educational, environmental, technological, political, and institutional measures that prevent and reduce hazard exposure and vulnerability to disasters, increase preparedness for response and recovery, and thus strengthen resilience. Moreover, priority three (3) of the SFDRR, encourages public and private investment in disaster risk prevention and reduction through structural and non-structural measures. These investments are critical to enhancing the economic, social, health, and cultural resilience of persons, communities, countries, and their assets, as well as the environment.

In addition, the Municipal Systems Act (Act No. 32 of 2000) mentions that a core component of an Integrated Development Plan (IDP) is a Disaster Management Plan and the Disaster Management Act, as amended (Act No. 57 of 2002), calls for the integration of risk reduction into development planning.

### 1.2. METHODOLOGY

The aim of the DRR plan is to identify measures to prevent the creation of risk and reduce current disaster risks. Furthermore, the DRR plan builds upon the Stellenbosch Municipality Ward-based Disaster Risk Assessment, which was conducted in 2020. It aims to develop DRR measures for the Disaster Risks that were already identified in the risk assessment and it is not aimed at conducting a Disaster Risk Assessment.

The methodology undertaken to develop the DRR Plan entailed a document analysis of the Stellenbosch Ward-based Disaster Risk Assessment, the Stellenbosch Municipality Disaster Management Plan, the Integrated Development Plan, the Spatial Development Framework (SDF) and the By-Laws of the municipality.

Moreover, extensive one-on-one stakeholder consultations were conducted over a period of two months with various divisions of the Stellenbosch Municipality and the Cape Winelands District Municipality. A focus group discussion was held for Wildfires with Cape Nature, the Winelands Fire Protection Association, and the Cape Winelands District Municipality Fire Services. Inputs on the current and proposed DRR measures for the hazards identified in the risk assessment were collated and documented and relevant stakeholders for implementation were identified.

### 1.3. HAZARD PROFILE FOR STELLENBOSCH MUNICIPALITY

The Stellenbosch Municipality Ward-Based Risk Assessment identified the following hazards as priority risks:

- inability to control urbanization,
- increased poverty and unemployment,
- access to basic services,
- safety and security,
- poor/no electricity, and
- illegal dumping,

During consultations with the Stellenbosch Municipality Disaster Management, it was concluded that these were risk drivers rather than disaster hazards and did not align with the Extensive List of Provincial Hazards that the WC: PDMC developed.

However, it is important to note that DRR also aims to address the risk drivers and the underlying vulnerabilities such as poverty and unemployment and measures aimed at reducing vulnerability, building resilience, and managing risk drivers contribute to reducing vulnerability to disasters for communities at risk.



An analysis of the Ward Based Risk Assessment document was then undertaken to determine which hazards were prevalent across all wards and these hazards would be the focus of the DRR plan. It was therefore agreed that the plan would focus on:

- wildfires,
- informal settlement fires,
- water pollution,
- urban and riverine flooding, and
- drought.

## **2. POLICIES AND BY-LAWS SUPPORTING DISASTER RISK REDUCTION**

This section identifies and outlines the policies and By-laws of the Stellenbosch Municipality which support DRR.

### **2.1. COMMUNITY FIRE SAFETY BY LAW**

The Community Fire Safety By-Law supports preparedness and DRR measures by locking in the following preparedness and DRR measures in Chapter 3 of the By-law:

- 12(1) When, in the opinion of the controlling authority, premises are not readily accessible from public roads, they must be provided with emergency vehicle access and, notwithstanding the provisions in the National Building Regulations (T1), it may be required to comply with the following:
- (a) an access road must be constructed so that it is capable of supporting the mass of the heaviest emergency vehicle required to cater to the risk of the premises;
  - (b) a motorized or electronically operated gate must be equipped in such a manner that access to the premises can be gained without the use of a motor or any other electronic device;
  - (c) fire lanes must be provided for all premises which are set back more than 45 meters from a public road or exceed nine meters in height and are set back over 15 meters from a public road;
  - (d) fire lanes must be at least four meters in width, the position of which must be decided upon after consultation with the controlling authority, and the area from ground level to a clearance height of four meters, above the fire lane must remain unobstructed;
  - (e) a cul-de-sac that is more than 90 meters in length, must be provided with a minimum turning circle at the closed end of the road capable of accommodating the largest emergency vehicle which is required to clear for the risk of the premises;
- (2) The design, marking, use, and maintenance of fire lanes not forming part of a public road must comply with the requirements of the controlling authority.
- (3) It is unlawful for a person to park a vehicle in or otherwise obstruct a fire lane.

The Cape Winelands District Municipality (CWDM) has a Fire Safety By-law that was adopted in 2008. The conditions set out in the By-law concur with the aforementioned Community Fire Safety By-Law.

Moreover, Chapter 4 of the Community Fire Safety By-law also makes provisions for the installation of fire extinguishers, which states that they must be provided and installed on-premises as required by the controlling authority and in accordance with the National Building Regulations (T1) and (T2).

2.2. STELLENBOSCH MUNICIPALITY BY-LAW RELATING TO STORMWATER

The By-law Relating to Stormwater aims to reduce the impact of flooding on community livelihoods and regional communities, safeguard human health, protect natural aquatic environments, and maintain recreational water quality. Table 2 below highlights some of the provisions that support the integration of DRR into development planning. The left side of the table is the section in which the measure is found, and the right elaborates on such measures.

| SECTION IN BY-LAW                                                                                                                                                                                                                                                               | DISASTER RISK REDUCTION MEASURES                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (4) Applications for permits, consent or authorization- a person who wishes to obtain a permit, consent or authorization of the municipality as contemplated in this By-law, must apply in writing and follow the applicable process as prescribed by the municipality          | (a) Applicants may be required to submit impact studies such as, but not limited to, environmental impact studies or environmental impact investigations as required in terms of national and provincial environmental legislation; and<br>(b) To establish and provide documentation indicating flood lines                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| (7) Sustainable Urban Drainage System: To advance a holistic approach to catchment development and the application of Water Sensitive Urban Design Principles, all developers, owners, professionals, and contractors must, at all times, comply with the following provisions: | (a) Determine all flood lines which may impact the development concerned, in which event the municipality, must, on written request, make available any flooding information that is on record;<br>(b) Do planning and take flood attenuation measures before any development above an existing development or in a catchment area commences;<br>(h) Construct stormwater systems before any construction on a site commences;<br>(i) Monitor and adjust the stormwater control measures taken during the construction progress, to ensure complete erosion control and appropriate runoff control<br>(k) Design elements of developments so as not to impede the drainage process or cause a flood hazard by unsafely storing storm runoff on the property; and<br>(l) Avoid concentration of flow onto downstream properties due to walls and fences around properties that cross natural drainage channels. |

Table 1 Disaster Risk Reduction measures for flooding contained within the By-Law for Stormwater (Stellenbosch Municipality)



2.3. STELLENBOSCH MUNICIPALITY BY-LAW RELATING TO WATER SERVICES

The following table gives a summary of the provisions in the By-Law Relating to Water Services that give the municipality authority to monitor and enforce these provisions in support of Disaster Risk Reduction.

| SECTION IN BY-LAW       | SECTION IN BY      | DISASTER RISK REDUCTION MEASURES                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|-------------------------|--------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Part 2 Standards, (83)- | Pollution of Water | An owner must provide and maintain approved measures to prevent the entry of any substance, which might be a danger to health or adversely affect the portability of water or affect its fitness for use, into-<br><br>(a) The water supply system; and<br>Any part of the water installation on his premises.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Part 2: Standards, (84) | Water Restrictions | (1) The municipality may for purposes of water conservation or where, in its opinion, drought conditions are imminent, by public notice –<br><br>(a) prohibit or restrict the consumption of water in the whole or part of its area of jurisdiction –<br>(i) in general or for specified purposes;<br>(ii) during specified hours of the day or on specified days; and<br>(iii) in a specified manner; and<br>(b) Determine and impose –<br>(i) a restriction on the quantity of water that may be consumed over a specified period;<br>(ii) charges additional to those determined in respect of the supply of water in excess of a restriction contemplated in subsection (1)(b)(i);<br>(iii) a general surcharge on the determined charges in respect of the supply of water; and<br>(c) impose restrictions or prohibitions on the use or manner of use or disposition of an appliance by means of which water is used or consumed, or on the connection of such appliances to the water installation. |

Table 2 Disaster Risk Reduction Measures for Water Use contained in the Water Services By-Law

2.4. INTEGRATION OF DISASTER RISK REDUCTION INTO DEVELOPMENT PLANNING PROCESSES

This section discusses the various avenues that provide an opportunity for integrating DRR into development planning processes such as the Spatial Development Framework (SDF), development approval processes and sector plans.

2.4.1. INTEGRATION OF DISASTER RISK REDUCTION INTO THE SPATIAL DEVELOPMENT FRAMEWORK

Considering that DRR can be integrated into various processes, the Spatial Development Framework offers a unique governance and policy mechanism for integration. The Stellenbosch Municipality Spatial Development Framework has seven principles which are listed below:

1. First, maintain and grow the assets of Stellenbosch Municipality’s natural environment and farming areas;
2. Second, to respect and grow the cultural heritage, the legacy of physical artefacts and intangible attributes of society inherited from past generations maintained in the present and preserved for the benefit of future generations;
3. Third, within developable areas – areas not set aside for limited development owing to their natural or cultural significance – allow future opportunities to build on existing infrastructure investment, on the opportunity inherent in these systems when reconfigured, augmented, or expanded;
4. Fourth, clarify and respect the different roles and potentials of existing settlements;
5. Fifth, address human needs – for housing, infrastructure, and facilities – clearly in terms of the constraints and opportunities related to natural assets, cultural assets, infrastructure, and the role of settlements;
6. Sixth, pursue balanced communities. All settlements should be balanced.
7. Finally, focus energy on a few catalytic areas that offer extensive opportunity and address present risk.

Unfortunately, none of the principles addresses either DRR or Climate Change Adaptation (CCA) directly or indirectly. It is imperative, that to develop sustainable spaces, the municipality integrate DRR into its planning processes in a coordinated and intentional manner.

This can be expressed through the governance and policy mechanisms of the municipality such as the SDF. Therefore, there is an opportunity to explicitly express DRR as a principle within the SDF. Moreover, spatial planning can be used to reduce people's vulnerability, by locating them closer to economic opportunities which allows them easier access to employment and services such as healthcare and education.

2.4.2. INTEGRATION OF DISASTER RISK REDUCTION INTO THE DEVELOPMENT APPROVAL PROCESS

Chapter V of the Stellenbosch Municipality By-Law on Municipal Land Use Planning (2023) has a criterion for development planning that supports the inclusion of DRR measures in planning decisions. These include the following:

- (iv) impact on safety, health, and well-being of the surrounding community;
- (vi) impact on the biophysical environment;
- (vii) whether the imposition of conditions can mitigate an adverse impact of the proposed use or development of land.

Criterion (iv) mentions the safety, health, and well-being of the surrounding community, this can also allude to ensuring communities are safe from disaster hazards which the development can exacerbate or create new risks. This gives a mandate to the municipality to ensure that the impact of new developments does not adversely impact communities. Moreover, where a development may have an adverse impact, section 66 (1) of the Stellenbosch Municipality By-Law on Municipal Land Use Planning enables the municipality to mitigate the adverse impacts of the development. Conditions that can be used to impose DRR measures upon a development include (i) requirements aimed at addressing climate change- this would specifically speak to climate-related hazards.

#### **2.4.3. OPPORTUNITIES TO INTEGRATE DISASTER RISK REDUCTION MEASURES IN DEVELOPMENT PLANNING**

The municipality can take other measures to strengthen the process of integration of DRR into its development planning processes. Measures that can be undertaken include the following:

- Conditions for new developments should include as a requirement rainwater harvesting so that sustainable development can be promoted and that residents contribute to building water resilience against future droughts.
- There is an increased pressure for urban sprawl in Stellenbosch and in particular, urban growth is threatening to move into natural areas, these developments increase fire risk and other hazards. It is therefore imperative that better and coordinated integration of DRR measures into development planning. For example, integrate Disaster Management Practitioners into spatial development planning and development approval processes is needed.
- Inclusion of the Fire Services in the Environmental Impact Assessment process and resulting in preventative and mitigating measures included in the Record of Decisions.
- Articulate that DRR and/or CCA be adopted as one of the principles of the SDF.

#### **2.4.4. OPPORTUNITIES FOR INTEGRATION OF DISASTER RISK REDUCTION MEASURES INTO SECTOR PLANS**

DRR can be integrated into sector plans to build resilience and support sustainable development, this can be done through:

- Vulnerability reduction through positioning local economic development for communities with multiple vulnerabilities;
- Integration of DRR into infrastructure projects;
- Integration of DRR into housing projects;
- Promoting conservation and sustainable water use for water services and
- Using transport plans as a means to reduce vulnerability and ensure transport services are resilient against shocks.

### 3. DISASTER RISK REDUCTION MEASURES

This section outlines the current and proposed DRR measures for the various hazards that were identified in the Stellenbosch Municipality Ward-Based Disaster Risk Assessment. These hazards include Water Pollution, Wildfire, Drought, Informal Settlement Fire, Urban Flooding, and Riverine Flooding.

#### 3.1. DISASTER RISK REDUCTION MEASURES FOR WATER POLLUTION

| TECHNOLOGICAL HAZARD                                                                                                                          |                                                                                                       |                           |
|-----------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|---------------------------|
| WATER POLLUTION                                                                                                                               |                                                                                                       |                           |
| Objective                                                                                                                                     | Reduce the incidents of water pollution and make the public aware of the importance of cleaner rivers |                           |
| Areas Affected                                                                                                                                | Various rivers in the municipal area.                                                                 |                           |
| Performance Indicators                                                                                                                        | Stellenbosch Municipality has reduced incidents of river pollution.                                   |                           |
|                                                                                                                                               | Residents are more aware of the importance of keeping their rivers clean.                             |                           |
|                                                                                                                                               | The rivers in Stellenbosch are clean.                                                                 |                           |
| PROPOSED DRR MEASURES                                                                                                                         |                                                                                                       |                           |
| DESCRIPTION                                                                                                                                   | STAKEHOLDERS                                                                                          | ESTIMATED COST OF PROJECT |
| Development of an emergency response plan for a water-borne disease outbreak.                                                                 | CWDM Municipal Health Services (MHS) and Stellenbosch Municipality                                    |                           |
| Increase capacity to fully implement the functions of Environmental Health at the District level, to strengthen ongoing monitoring of rivers. | CWDM MHS                                                                                              |                           |
| Reprioritisation of resources to focus on prevention including awareness, education and enforcement measures.                                 | CWDM MHS                                                                                              |                           |

|                                                                                                                                                                                                                     |                                                                          |                                  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|----------------------------------|
| Development of an awareness and education strategy to address behavioural issues and highlight the negative impacts of pollution on the community itself.                                                           | CWDM MHS                                                                 | Page 128                         |
| Skills development for existing staff to contribute towards improving the functionality of wastewater plants.                                                                                                       | Stellenbosch Municipality<br>Water Services                              |                                  |
| Recruitment of technical staff to increase capacity to run plants.                                                                                                                                                  | Stellenbosch Municipality<br>Water Services                              |                                  |
| Strengthen enforcement capabilities for land invasion as unplanned developments ultimately contribute to pollution as the land is not serviced.                                                                     | Stellenbosch Municipality<br>Law Enforcement and<br>Security             |                                  |
| Develop partnerships with research institutions to research alternative ways of handling wastewater and construction of wastewater treatment plants.                                                                | Stellenbosch Municipality<br>Water Services and<br>Research Institutions |                                  |
| Improve waste collection in inaccessible areas of Kayamandi and Langrug.                                                                                                                                            | Stellenbosch Municipality<br>Solid Waste Management                      |                                  |
| Establishment of a hotline or complaint system for the reporting of water pollution particularly from industrial or manufacturing sources along the Plakenbrug and Eerste River as well as in the Meulsloot system. | Stellenbosch Municipality<br>and CWDM MHS                                |                                  |
| CURRENT/KNOWN DRR MEASURES BEING IMPLEMENTED                                                                                                                                                                        |                                                                          |                                  |
| DESCRIPTION                                                                                                                                                                                                         |                                                                          | RESPONSIBLE/ IMPLEMENTING ENTITY |
| PREPAREDNESS PLANNING                                                                                                                                                                                               |                                                                          |                                  |
| A procedure is in place for the implementation of mechanisms for monitoring upon identification of increased water pollution.                                                                                       | CWDM MHS                                                                 |                                  |
| AWARENESS, EDUCATION AND TRAINING                                                                                                                                                                                   |                                                                          |                                  |
| Multi-hazard campaigns for schools are conducted within the Stellenbosch                                                                                                                                            | CWDM MHS                                                                 |                                  |

|                                                                                                              |          |
|--------------------------------------------------------------------------------------------------------------|----------|
| Municipality area.                                                                                           |          |
| Provide informal education sessions with residents about dumping during routine inspections.                 | CWDM MHS |
| <b>POLICIES AND REGULATIONS</b>                                                                              |          |
| The Municipal Health By-law is in place.                                                                     | CWDM MHS |
| <b>ENFORCEMENT</b>                                                                                           |          |
| The monitoring, reporting and enforcement of the Municipal Health By-Law with respect to dumping is ongoing. | CWDM MHS |

| HYDRO-METEOROLOGICAL HAZARDS                                                                                                |                                                                                                   |                           |
|-----------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|---------------------------|
| WILDFIRE                                                                                                                    |                                                                                                   |                           |
| Objective                                                                                                                   | To undertake measures to reduce fire load and reduce the number of uncontrolled fires.            |                           |
| Areas Affected                                                                                                              | Areas in the Wildland-Urban interface, open spaces, and rural farm areas within the municipality. |                           |
| Performance Indicators                                                                                                      | A reduction in uncontrolled fires in the Stellenbosch Municipality.                               |                           |
|                                                                                                                             | A reduction in fuel load.                                                                         |                           |
|                                                                                                                             | An increase in the number of prescribed burns completed.                                          |                           |
|                                                                                                                             | All fire breaks are regularly maintained.                                                         |                           |
| PROPOSED DRR MEASURES                                                                                                       |                                                                                                   |                           |
| DESCRIPTION                                                                                                                 | STAKEHOLDERS                                                                                      | ESTIMATED COST OF PROJECT |
| A review of the District Fire Safety By-law.                                                                                | CWDM Fire Services                                                                                |                           |
| The standardization of Fire Safety By-Laws in the province.                                                                 | WC: PDMC                                                                                          |                           |
| The review of the fire services functions in South Africa.                                                                  | Department of Cooperative Governance and Traditional Affairs                                      |                           |
| Training of firefighters for wildfire management.                                                                           | CWDM Fire Services and Stellenbosch Municipality                                                  | R100 000                  |
| Conduct regular fuel load reduction through prescribed burning and the removal of biomass during alien vegetation clearing. | CWDM Fire Services, Cape Nature, Winelands Fire Protection Association (FPA)                      |                           |
| Development of an integrated fire awareness strategy.                                                                       | CWDM Fire Services, Winelands FPA, Cape Nature, WOF and                                           |                           |

|                                                                                                                     |                                                                                                                                                            |          |
|---------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
|                                                                                                                     | Stellenbosch Municipality                                                                                                                                  | Page 131 |
| Strengthen enforcement of the current by-laws such as the Fire Safety By-Law and Community Safety By-Law.           | CWDM Fire Services and Stellenbosch Municipality                                                                                                           |          |
| Better management and compliance of land belong to the Department of Forestry, Fisheries, and the Environment.      | Department of Forestry, Fisheries and the Environment                                                                                                      |          |
| CURRENT/KNOWN DRR MEASURES BEING IMPLEMENTED                                                                        |                                                                                                                                                            |          |
| DESCRIPTION                                                                                                         | RESPONSIBLE/ IMPLEMENTING ENTITY                                                                                                                           |          |
| PREPAREDNESS PLANNING                                                                                               |                                                                                                                                                            |          |
| An Integrated Wildfire seasonal plan is in place.                                                                   | CWDM Fire Services, Stellenbosch Municipality and Winelands FPA                                                                                            |          |
| A Memorandum of Understanding between the Districts and Local Municipalities to assist with resources during fires. | CWDM Fire Services, Stellenbosch Municipality Fire and Rescue.                                                                                             |          |
| Identification, development, maintenance and mapping of strategic fire breaks.                                      | CWDM Fire Services, Stellenbosch Municipality Fire and Rescue, Winelands FPA and Cape Nature                                                               |          |
| Annual infrastructure risk assessment is conducted.                                                                 | Cape Nature                                                                                                                                                |          |
| The dissemination of early warnings and the Fire Danger Index (FDI).                                                | Cape Nature, Cape Winelands Disaster Management Centre (CWDMC), Cape Winelands Communications, Stellenbosch Municipality Fire and Rescue and Winelands FPA |          |
| An approved fire protection plan for Stellenbosch Municipality.                                                     | CWDM Fire Services and Stellenbosch Municipality Fire and Rescue                                                                                           |          |
| FDI threshold triggered preparedness activities for Cape Nature Reserves.                                           | Cape Nature                                                                                                                                                |          |
| An established Cape Winelands Veldfire Working Group for integrated planning.                                       | CWDM Fire Services, Winelands FPA, Cape Nature, Working on Fire and Stellenbosch Municipality Fire and                                                     |          |

|                                                                                                                                                                            |                                                                                 |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------|
|                                                                                                                                                                            | Rescue                                                                          |
| Annual tenders for aerial resources and ground teams for responding to fires.                                                                                              | CWDM Fire Services                                                              |
| <b>AWARENESS, EDUCATION AND TRAINING</b>                                                                                                                                   |                                                                                 |
| A partnership between Stellenbosch Municipality and Stellenbosch University for the conducting of fynbos management and climate change education and awareness in schools. | Stellenbosch Municipality Environmental Management and Stellenbosch University  |
| Established an Eco-centre for school learners concerning the natural environment.                                                                                          | Stellenbosch Municipality Environmental Management                              |
| In-house training of Expanded Public Works Program Workers (EPWP) skilled in terms of using equipment and plant identification, Invasive Alien plants for clearing.        | Stellenbosch Municipality Environmental Management                              |
| Training conducted for forest and wildfire management for response.                                                                                                        | Cape Nature                                                                     |
| Training of FPA members in wildfire response.                                                                                                                              | Winelands FPA                                                                   |
| Fire awareness programme is conducted in schools.                                                                                                                          | Cape Nature                                                                     |
| Social media fire awareness campaign is conducted.                                                                                                                         | CWDM Communications, Winelands FPA and Stellenbosch Municipality Communications |
| Ongoing awareness campaigns are conducted for fires in various communities across the municipal area.                                                                      | Stellenbosch Municipality Disaster Management                                   |
| <b>POLICIES AND REGULATIONS</b>                                                                                                                                            |                                                                                 |
| An invasive alien plan management plan is in place.                                                                                                                        | Stellenbosch Municipality Environmental Management.                             |



| HYDRO-METEOROLOGICAL HAZARDS                                                                                                                                                     |                                                                          |                           |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|---------------------------|
| DROUGHT                                                                                                                                                                          |                                                                          |                           |
| Objective                                                                                                                                                                        | To ensure water security and resilience to drought.                      |                           |
| Areas Affected                                                                                                                                                                   | The Stellenbosch Municipal area.                                         |                           |
| Performance Indicators                                                                                                                                                           | Improved preparedness for drought.                                       |                           |
|                                                                                                                                                                                  | Increased number of households with water tanks.                         |                           |
| PROPOSED DRR MEASURES                                                                                                                                                            |                                                                          |                           |
| DESCRIPTION                                                                                                                                                                      | STAKEHOLDERS                                                             | ESTIMATED COST OF PROJECT |
| An education and awareness campaign to sensitize the public, especially in informal settlement areas on water saving.                                                            | Stellenbosch Municipality,<br>CWDM Communications,<br>CWDMC              |                           |
| Capacitation of internal staff and recruitment of qualified and experienced staff must be undertaken so that water plants and borehole equipment can be well maintained.         | Stellenbosch Municipality<br>Water Services                              |                           |
| Research into the recharging of aquifers.                                                                                                                                        | Stellenbosch Municipality<br>Water Services and<br>Tertiary Institutions |                           |
| Development of an awareness, education and training strategy to address how awareness, education, and training is done to change the mindset on water use and how to save water. | Stellenbosch Municipality<br>Communications                              |                           |

|                                                                                                          |                                                                          |  |
|----------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|--|
| Inclusions of conditions for new developments to include water-saving devices and rain water harvesting. | Stellenbosch Municipality<br>Spatial Planning and Land<br>Use Management |  |
| Increase drought water tariffs to benchmark them with other municipalities.                              | Stellenbosch Municipality<br>Water Services                              |  |
| Development of a Drought Risk Management Plan.                                                           | Stellenbosch Municipality<br>Water Services                              |  |
| Upgrading of the Wemmershoek Sewerage Recycling Plant                                                    | Stellenbosch Municipality<br>Water Services                              |  |

### CURRENT/KNOWN DRR MEASURES BEING IMPLEMENTED

| DESCRIPTION                                                                                                                                          | RESPONSIBLE/ IMPLEMENTING ENTITY         |
|------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|
| <b>INFRASTRUCTURE AND PREPAREDNESS PLANNING</b>                                                                                                      |                                          |
| Installation of various boreholes equipped with containerized water treatment plant.                                                                 | Stellenbosch Municipality Water Services |
| Contingency planning for water augmentation as part of the Berg River Voelvlei Water Augmentation Scheme in the case of a water shortage or drought. | Stellenbosch Municipality Water Services |
| Installation of smart water meters in formal settlements.                                                                                            | Stellenbosch Municipality Water Services |
| Indigent leak repair programme.                                                                                                                      | Stellenbosch Municipality Water Services |
| <b>AWARENESS, EDUCATION AND TRAINING</b>                                                                                                             |                                          |
| Ongoing campaign that encourages wise water use that is done through the social media pages of the municipality.                                     | Stellenbosch Municipality Communications |
| Distribution of dam levels to role players.                                                                                                          | CWDMC Communications                     |

| TECHNOLOGICAL HAZARDS                                                                  |                                                                                                                                                                                     |                           |
|----------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| INFORMAL SETTLEMENT FIRES                                                              |                                                                                                                                                                                     |                           |
| Objective                                                                              | To build resilience by reducing the number of fire incidents in informal settlements by putting in place DRR measures that aim to protect lives and ensure sustainable livelihoods. |                           |
| Areas Affected                                                                         | Informal settlements within the Stellenbosch Municipality.                                                                                                                          |                           |
| Performance Indicators                                                                 | A substantial reduction in the occurrence of informal settlement fires.                                                                                                             |                           |
|                                                                                        | A reduction in several houses affected by informal settlement fires.                                                                                                                |                           |
| PROPOSED DRR MEASURES                                                                  |                                                                                                                                                                                     |                           |
| DESCRIPTION                                                                            | STAKEHOLDERS                                                                                                                                                                        | ESTIMATED COST OF PROJECT |
| Enforcement of land use management policy to prevent mushrooming of backyard dwellers. | Stellenbosch Municipality<br>Law Enforcement and Security                                                                                                                           |                           |
| Use fire-retardant paint on houses in informal settlements.                            | Stellenbosch Municipality<br>Disaster Management and Informal Settlement Upgrade and Management                                                                                     | R100 000                  |
| Housing projects to address informal settlements.                                      | Stellenbosch Municipality<br>Informal Settlement Upgrade and Disaster Management                                                                                                    |                           |
| Creation of an anti-land invasion unit for the municipality.                           | Stellenbosch Municipality                                                                                                                                                           |                           |

| CURRENT/KNOWN DRR MEASURES BEING IMPLEMENTED                                                                                               |                                                                                                                 |
|--------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|
| DESCRIPTION                                                                                                                                | RESPONSIBLE/ IMPLEMENTING ENTITY                                                                                |
| <b>PREPAREDNESS PLANNING</b>                                                                                                               |                                                                                                                 |
| The municipality has a program that is aimed at the prevention of illegal electricity connections.                                         | Stellenbosch Municipality Informal Settlement Upgrade and Management                                            |
| Maintenance of spaces and road reserves in informal settlements to allow for access of emergency vehicles.                                 | Stellenbosch Municipality Informal Settlement Upgrade and Management                                            |
| A preparedness and response plan for informal settlement fires has been developed.                                                         | Stellenbosch Municipality Disaster Management, Department of Social Development and Department of Home Affairs. |
| Ongoing installation of smoke alarms in high-risk vulnerable communities.                                                                  | Stellenbosch Municipality Fire Services                                                                         |
| Distribution of Fire Killa extinguishers in high-risk communities.                                                                         | Stellenbosch Municipality Fire Services                                                                         |
| Inclusion of a smoke alarm in emergency housing kits provided by the municipality                                                          | Stellenbosch Municipality Fire Services                                                                         |
| <b>AWARENESS, EDUCATION AND TRAINING</b>                                                                                                   |                                                                                                                 |
| Community workers trained in conducting ward-based disaster risk assessments which include risk assessments for informal settlement fires. | Stellenbosch Municipality Disaster Management                                                                   |
| Training of EPWP workers in disaster management to assist with post-incident recovery and awareness campaigns.                             | Stellenbosch Municipality Disaster Management                                                                   |
| Awareness campaigns and distribution of awareness materials to communities.                                                                | Stellenbosch Municipality Disaster Management                                                                   |
| Ongoing awareness campaigns for informal settlement fires through various media platforms such as social media and print media.            | Stellenbosch Municipality Communications and Western Cape Government.                                           |
| Provision of awareness materials to municipalities.                                                                                        | WC: PDMC                                                                                                        |
| <b>POLICIES AND REGULATIONS</b>                                                                                                            |                                                                                                                 |

|                                                                                                                                                                                              |                                                                                                                                                |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|
| An approved emergency housing assistance policy which covers disasters and eviction orders and makes provisions for relocation of people in the case where areas are declared uninhabitable. | Stellenbosch Municipality Informal Settlement Upgrade and Management                                                                           |
| <b>ENFORCEMENT</b>                                                                                                                                                                           |                                                                                                                                                |
| Enforcement is by Law Enforcement and red ants to prevent new informal settlements from being set up (organized informal settlements).                                                       | Stellenbosch Municipality Law Enforcement and Security and Red Ants                                                                            |
| Prevention of illegal electricity connections so that unsafe connections that can lead to informal settlement fires are reduced.                                                             | Stellenbosch Municipality Informal Settlement Upgrade and Management                                                                           |
| <b>INFRASTRUCTURE</b>                                                                                                                                                                        |                                                                                                                                                |
| Electrification of informal settlements will help reduce the occurrence of informal settlement fires as unsafe fuel sources will be eliminated.                                              | Stellenbosch Municipality Informal Settlement Upgrade and Management                                                                           |
| Interim basic services (water, and sanitation) is provided and this includes putting fire hydrants in the informal settlements.                                                              | Stellenbosch Municipality Water Services, Stellenbosch Municipality Transport, Roads and Storm Water, Stellenbosch Municipality Water Services |

**TECHNOLOGICAL HAZARDS****FLOODING**

|                               |                                                                                                                                        |
|-------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|
| <b>Objective</b>              | To reduce the impact of flooding on people, property, and infrastructure and to avoid the placement of infrastructure on a floodplain. |
| <b>Areas Affected</b>         | Stellenbosch Municipal Area                                                                                                            |
| <b>Performance Indicators</b> | A reduction in urban areas impacted by flooding                                                                                        |
|                               | An increase in community resilience to flooding                                                                                        |

**PROPOSED DRR MEASURES**

| <b>DESCRIPTION</b>                                                                                                                                                      | <b>STAKEHOLDERS</b>                                                                                                  | <b>ESTIMATED COST OF PROJECT</b> |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------|----------------------------------|
| Rebuilding roads and bridges which were washed away during 2023 floods. Improvements to infrastructure to accommodate more stormwater will be taken into consideration. | Stellenbosch Municipality<br>Transport, Roads, and<br>Stormwater                                                     |                                  |
| Development of retention ponds linked to treatment plants and new township developments to reduce run-off.                                                              | Stellenbosch Municipality<br>Waster Services and<br>Stellenbosch Municipality<br>Transport, Roads, and<br>Stormwater |                                  |

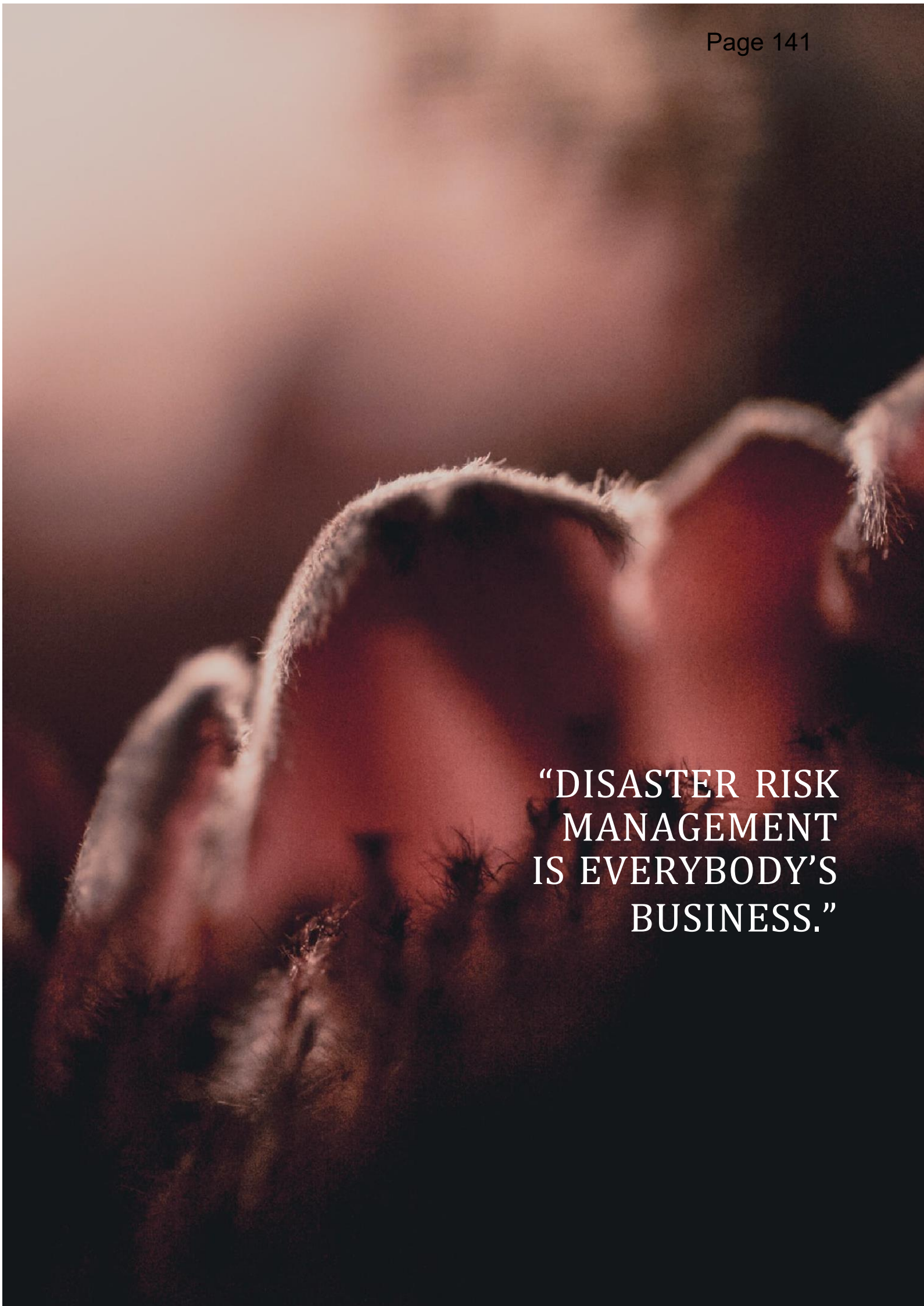
|                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                   |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|--|
| Undertake flood risk assessment studies and flood line studies to generate better risk knowledge that will inform development planning, land use development approvals and ensure appropriate preparedness and response plans are formulated.                                                                         | Stellenbosch Municipality<br>Disaster Management,<br>Stellenbosch Municipality<br>Transport, Roads and<br>Stormwater and Tertiary<br>Institutions |  |
| Create a centralized GIS portal for risk information including risk assessment mapping and Stormwater Master Plan Mapping which will assist in facilitating risk knowledge sharing, eliminate fragmented planning, and ensure standardization of risk knowledge used for planning and disaster risk and preparedness. | Stellenbosch Municipality<br>Disaster Management                                                                                                  |  |
| An interdepartmental approach to addressing and relocating communities identified to be in high-risk areas for flooding. This includes houses beneath the dam in Langrug.                                                                                                                                             | Stellenbosch Municipality<br>Informal Settlement<br>Upgrade and<br>Management.                                                                    |  |

#### CURRENT/KNOWN DRR MEASURES BEING IMPLEMENTED

| DESCRIPTION                                                                                                                                                                               | RESPONSIBLE/ IMPLEMENTING ENTITY                             |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|
| <b>PREPAREDNESS PLANNING</b>                                                                                                                                                              |                                                              |
| Updating of the Stormwater Master Plan to assess the stormwater system which includes ascertaining if it can accommodate the additional run-off and the identification of flood hotspots. | Stellenbosch Municipality Transport, Roads and<br>Stormwater |
| Inclusion of a flood risk study in the Stormwater Master Plan which includes determination of flood lines and flood modeling.                                                             | Stellenbosch Municipality Transport, Roads and<br>Stormwater |
| Continuous proactive operations including the clearing of stormwater drainage in flood hotspots upon receipt of severe weather warnings.                                                  | Stellenbosch Municipality Transport, Roads and<br>Stormwater |

|                                                                                                                                                                                        |                                                                                 |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------|
| Winter preparedness plan and operations.                                                                                                                                               | Stellenbosch Municipality Transport, Roads and Stormwater                       |
| Maintaining stormwater drainage and riverbanks as part of flood management and risk reduction                                                                                          | Stellenbosch Municipality Transport, Roads and Stormwater                       |
| <b>AWARENESS, EDUCATION AND TRAINING</b>                                                                                                                                               |                                                                                 |
| Ongoing awareness campaign that is done through social and print media platforms for flooding.                                                                                         | Stellenbosch Municipality Communications                                        |
| Flood warnings are continuously disseminated when received from South African Weather Services on various social media platforms and through WhatsApp groups.                          | Stellenbosch Municipality Communications                                        |
| Distribution of early warnings to all role players via email and social media.                                                                                                         | CWDMC and CWDM Communications                                                   |
| Flood awareness is included in ongoing campaigns.                                                                                                                                      | CWDMC                                                                           |
| Distribution of flood awareness via social media.                                                                                                                                      | Western Cape Government Department of Local Government Communications, WC: PDMC |
| Development, distribution, and provision of flood awareness materials to municipalities                                                                                                | WC: PDMC                                                                        |
| <b>POLICIES AND REGULATIONS</b>                                                                                                                                                        |                                                                                 |
| An approved emergency housing assistance policy covers disasters and eviction orders and makes provisions for relocation of people in the case where areas are declared uninhabitable. | Stellenbosch Municipality Informal Settlement Upgrade and Management            |





“DISASTER RISK  
MANAGEMENT  
IS EVERYBODY’S  
BUSINESS.”

|     |                                                       |
|-----|-------------------------------------------------------|
| 7.2 | <b>SPORTS, YOUTH AND CULTURE: [PC: CLLR J FASSER]</b> |
|-----|-------------------------------------------------------|

NONE

|     |                                                 |
|-----|-------------------------------------------------|
| 7.3 | <b>CORPORATE SERVICES: (PC: CLLR L NKAMISA)</b> |
|-----|-------------------------------------------------|

|       |                                                                                                                                          |
|-------|------------------------------------------------------------------------------------------------------------------------------------------|
| 7.3.1 | <b>RETURN ITEM: APPLICATION FOR LEASE AGREEMENT: USE OF COUNCIL-OWNED LAND FOR TELECOMMUNICATIONS BASE STATION ON FARM 1653 LA MOTTE</b> |
|-------|------------------------------------------------------------------------------------------------------------------------------------------|

Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

26 September 2024

**1. SUBJECT: RETURN ITEM: APPLICATION FOR LEASE AGREEMENT: USE OF COUNCIL-OWNED LAND FOR TELECOMMUNICATIONS BASE STATION ON FARM 1653 LA MOTTE**

**2. PURPOSE**

To provide feedback to the Mayoral Committee after the public participation process in respect of the request from SBA Towers South Africa (Pty) Ltd for the lease of a portion of Council-owned land for a new Telecommunications Base Station.

**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 delegations to approve leases for a period of three (3) years.

**4. EXECUTIVE SUMMARY**

An application has been received from SBA Towers South Africa (Pty) Ltd to lease a portion of Farm 1653 La Motte with the intention of erecting a Telecommunications Base Station. This will be a new telecommunications base station. According to the applicant there are currently no towers in a 2km radius from this property and the community of La Motte and surrounding farms are struggling with the cellphone services in the area.

To the knowledge of the administration no such need has been identified by the community during IDP meetings or in any other communication through the ward committee to the municipality.

Farm 1653 La Motte is a large portion of land which has several properties on it, some being used for municipal services and other properties being occupied by members of the public. As you drive into La Motte the proposed site is situated on your right behind the existing buildings which are being used for residential purposes. The building plans have been approved by the Planning department whilst using an old power of attorney given to them by the previous manager Property Management in 2019.

The application served before the Executive Mayoral Committee in May 2024 and was approved in principle. An Official Notice was published in Die Burger to call on the public to provide comments, objections or alternative proposals. The deadline for these comments, objections and alternative proposals was 7 August 2024 and no comments were received.

## 5. RECOMMENDATIONS

- (a) that the Executive Mayoral Committee takes note that no comments, objections or alternative proposals were received after the publication of the Official Notice;
- (b) that it is confirmed that the portion of Farm 1653 La Motte requested to lease be identified as land not needed to provide basic municipal services;
- (c) that the application to lease a portion of Farm 1653 La Motte for a new telecommunications tower be approved for 9 years 11 months; and
- (d) that the Municipal Manager be authorised to determine the market related rental after a valuator determine the fair market related rental.

## 6. DISCUSSION / CONTENT

### 6.1 Background

#### 6.1.1 Farm 1653 La Motte

Farm 1653 La Motte is a large property situated in the La Motte area just outside Franschhoek. It has several properties on it, including offices for the Infrastructure Department as well as the Fire Station. The property was donated to the Stellenbosch Municipality and is registered in the name of the Stellenbosch Municipality.

#### 6.1.2 Application from SBA Towers South Africa (Pty) Ltd and Official Notice

SBA Towers South Africa (Pty) Ltd has brought an application to lease a portion of municipal land to erect a base station. The application was approved in principle at the Mayoral Committee meeting in May 2024, further resolving that a public participation process be followed whereafter the matter should return to the Mayoral Committee meeting.

An Official Notice was published in Die Burger on 12 July 2024 calling on the public to provide comments, objections or alternative proposals before 7 August 2024. No comments, objections or alternative proposals were received. A copy of the Official Notice is attached hereto as **APPENDIX 1**.



**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.

## 6.3 Financial implications

In terms of the approved tariffs a market related rental needs to be determined by a valuator and council will have to pay for the valuation report.

## 6.4 Legal Implications

The legal implications are discussed above.

## 6.5 Staff Implications

No additional staff implications.

## 6.6 Previous / Relevant Council Resolutions

### EXECUTIVE MAYORAL COMMITTEE: 2024-05-22: ITEM 7.3.3 RESOLVED

- (a) that the request be approved in principle;
- (b) that the portion of Farm 1653 La Motte be recognized as not needed for municipal purposes; and
- (c) that the intention be advertised for comment/input/ other alternatives and return to Mayco after the Public participation.

**6.7 Risk Implications**

The risks are addressed in the item.

**6.8 Comments from Senior Management**

Item was no re-circulated as it is a return item. Information below obtained in previous round.

**6.8.1 Director: Infrastructure Services**

Our departments have perused the Item and do not have any objections to the proposal.

**6.8.2 Director: Planning and Economic Development**

No response received. Requested Directorate to specifically give feedback on requirements on Telecom Base stations.

**6.8.3 Director: Community and Protection Services**

No feedback received

**6.8.4 CFO**

No feedback received.

**6.9.5 Municipal Manager**

Supports placement of item on agenda for consideration.

**ANNEXURES:**        **Appendix 1: Official Notice**

**FOR FURTHER DETAILS CONTACT:**

|                        |                                                                                                              |
|------------------------|--------------------------------------------------------------------------------------------------------------|
| <b>NAME</b>            | <b><i>Annalene de Beer</i></b>                                                                               |
| <b>POSITION</b>        | <b><i>Director: Corporate Services</i></b>                                                                   |
| <b>DIRECTORATE</b>     | <b><i>Corporate Services</i></b>                                                                             |
| <b>CONTACT NUMBERS</b> | <b><i>021-8088073</i></b>                                                                                    |
| <b>E-MAIL ADDRESS</b>  | <b><i><a href="mailto:annalene.debeer@ Stellenbosch.gov.za">annalene.debeer@ Stellenbosch.gov.za</a></i></b> |
| <b>REPORT DATE</b>     | <b><i>2024-09-09</i></b>                                                                                     |

# **APPENDIX 1**



**STELLENBOSCH**  
STELLENBOSCH • PNIEL • FRANSCHHOEK  
MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

## OFFICIAL NOTICE

### **PROPOSED LEASE AGREEMENT: SBA TOWERS SOUTH AFRICA (PTY) LTD: A PORTION OF FARM 1653 LA MOTTE**

SBA Towers South Africa (Pty) Ltd has brought an application for a lease agreement for a new telecommunications tower on a portion of Farm 1653 La Motte.

**The Executive Mayor in consultation with the Mayoral Committee considered the matter on 2024-05-22 and resolved that:**

- The request be approved in principle;
- The portion of Farm 1653 La Motte be recognised as not needed for municipal purposes; and
- The intention be advertised for comment/input/other alternatives and return to Mayco after Public participation.

### **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 **7 August 2024** at the address or e-mail listed.

**Email:** [volande.vandenberg@stellenbosch.gov.za](mailto:volande.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**

**MUNICIPAL MANAGER: STELLENBOSCH MUNICIPALITY**



|       |                                                                                                         |
|-------|---------------------------------------------------------------------------------------------------------|
| 7.3.2 | <b>RETURN ITEM: PROPOSED RENEWAL OF LEASE AGREEMENT: FRANSCHHOEK TENNIS CLUB: ERF 1693, FRANSCHHOEK</b> |
|-------|---------------------------------------------------------------------------------------------------------|

Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

26 September 2024

**1. SUBJECT: RETURN ITEM: PROPOSED RENEWAL OF LEASE AGREEMENT: FRANSCHHOEK TENNIS CLUB: ERF 1693, FRANSCHHOEK**

**2. PURPOSE**

To provide feedback to the Executive Mayoral Committee after the public participation process was followed in the application for the renewal of the Lease Agreement of Franschhoek Tennis Club.

**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 enter into lease agreements on behalf of the municipality.

**4. EXECUTIVE SUMMARY**

Franschhoek Tennis Club and Stellenbosch Municipality concluded a 25-year Lease Agreement in 1989. The contract lapsed in 2014.

The agreement continued on a month-to-month basis as the club continued to pay.

The item served before council on more than one occasion in 2020 and 2021. A copy of the Constitution of the club that was requested which they provided.

The item served before Mayco in February 2021 and was referred back to enable Council to first deal with the sport association. That matter is now concluded, and the club has over the years requested that a longer-term lease agreement be considered. The matter was before the Executive Mayoral Committee in October 2023 where it was resolved that, *inter alia*, the lease be approved in principle for a period of 9 years 11 months subject to a public participation process being followed and that a valuator be appointed to determine the market related monthly rental payable.

An Official Notice was published in Die Burger calling on the public to provide comments, objections or alternative proposals by 6 September 2024 – **APPENDIX 1**. No comments, objections or alternative proposals were received. A valuator was also appointed to determine the market related monthly rental, and the valuation report is provided as an **APPENDIX 2** to the item.

**5. RECOMMENDATIONS**

- (a) that the Executive Mayoral Committee takes note of the Official Notice which was published in Die Burger and that no comment, input or alternative proposals were received;
- (b) that a portion of Erf 1693, Franschhoek, identified as land not needed for own use during the period for which such rights are to be granted, as provided for in Regulation 36 of the Asset Transfer Regulations;
- (c) that the Executive Mayor in consultation with the Executive Mayoral Committee approve the request for a lease agreement of 9 years 11 months;
- (d) that the Municipal Manager be authorised to determine the monthly rental payable in line with the valuation report;
- (e) that the lease be subject to the club implementing empowerment projects for disadvantaged communities and children and proof thereof be submitted to Council on an annual basis; and
- (f) that Council must consider if it wants to allow the club to only pay 10% of market rental that was determined by an independent valuer , because it is a sport club.

**6. DISCUSSION / CONTENTS****6.1 Background****6.1.1 Initial Lease Agreement**

Franschhoek Tennis Club and Stellenbosch Municipality concluded a 25-year Lease Agreement in 1989. The contract lapsed in 2014. After the appointment of the Director of Corporate Services all the lease agreements were inspected and the department was requested to get an indication from the lessee's if they are interested to continue with the leases.

**6.1.2 Application for renewal**

The tennis club re-applied for a lease for a longer term which was already approved in principle by the Executive Mayoral Committee, subject to a valuation report being obtained and the intention of Council to be advertised for public participation.

**6.2 Discussion****6.2.1 Location and context**

The Franschhoek Tennis Club is situated on erf 1693, Franschhoek, as indicated on Fig 1 and 2 below.

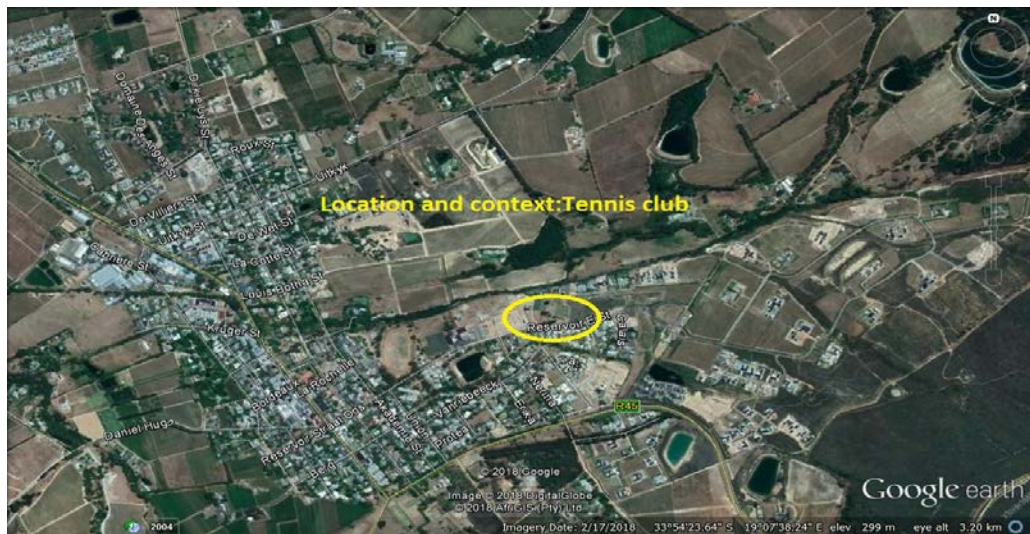


Fig 7: Location and context



Fig 8: Extent of property

## 6.2.2 Official Notice and Valuation Report

An Official Notice was published in Die Burger calling on the public to provide comments, objections or alternative proposals. The closing date for these comments, objections or alternative proposals was 6 September 2024. A copy of the Official Notice is attached hereto as **APPENDIX 1**. No comments, objections or alternative proposals were received by the administration.

A valuation report was also obtained to determine the market related monthly rental of the property. A copy of the valuation report is attached hereto as **APPENDIX 2**. In terms of the valuation report the market related monthly rental is R12 625.00.

**6.2.1 Legal requirements****6.2.2.1 Asset Transfer Regulation**

In terms of Section 34 (1) of the ATR a Municipality may grant a right to use, control or manage a capital asset only after-

- a) The Accounting officer has concluded a public participation process\*; and
- b) The municipal council has approved in principle that the right may be granted.

\*Sub regulation (1) (a) (public participation process), however, must be complied with only if-

- a) The capital asset in respect of which the right is to be granted has a value in excess of R10M\*; and
- b) A long-term right is proposed to be granted (i.e. longer than 10 years).

None of the assets has a value in excess of R10M.

In terms of Regulation 36, the municipal council must, when considering such approval, take into account:

- a) whether such asset may be required for the municipality's own use during the period for which such right is to be granted;
- b) the extent to which any compensation to be received will result in a significant economic or financial benefit to the municipality;
- c) the risks and rewards associated with such right to use; and
- d) the interest of the local community

In terms of Regulation 41, if an approval in principle has been given in terms of regulation 34 (1)(b), the municipality (read Mayco) may grant the right only in accordance with the disposal management system\* of the municipality, irrespective of:-

- a) the value of the asset; or
- b) the period for which the right is granted

\*The policy on the Management of Council owned property is deemed to be Stellenbosch Municipality's disposal management System.

**6.2.1.2 Policy on the Management of Council owned property**

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 (l) is lease contracts with existing tenants of immovable properties, not exceeding ten (10) years. Such agreements may be

renegotiated where the Executive Mayor is of the opinion that public competition would not serve a useful purpose, subject to such renewal being advertised, calling for public comment.

Further, in terms of paragraph 9.2.2.2, the reasons for any such deviation from the competitive process must be recorded.

In terms of paragraph 22.1.4 the fair market rentals will be determined by the average of the valuations sourced from service providers, unless determined otherwise by the Municipal Manager taking into account the estimated rental(s) *vis-à-vis* the cost of obtaining such valuations.

Seeing that the Franschhoek Tennis Club is a sporting body and seeing that they are responsible for the maintenance of the grounds they may receive a rebate on the market related rental provided that they are providing a service for the greater good of the community.

### **6.3 Financial Implications**

The club must pay monthly rental of R12 625.00 per month per the valuation report as well as all services rendered on the property. It must be considered if Council wants to allow the club to only pay 10% of market rental, that was determined by an independent valuer. In the past they paid 10%.

### **6.4 Legal Implications**

The recommendations contained 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:**

**EXECUTIVE MAYORAL COMMITTEE: 2021-02-17: ITEM 7.2.1**

#### **RESOLVED**

- (a) that a portion of Erf 1693, Franschhoek, be identified as land not needed for own use during the period for which such rights are to be granted, as provided for in Regulation 36 of the Asset Transfer Regulations;
- (b) that a month-to-month lease agreement be approved until the process with 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;
- (c) that the terms and conditions of the lease agreement be based on the lease agreement dated April 2010;
- (d) that the Tennis Club pay their municipal account and that the Municipal Manager be mandated to determine the lease amount;

- (e) that the Municipal Manager be mandated to take the necessary steps to ensure the drafting and finalisation of the property register and to submit it to Council by not later than December 2021; and
- (f) that the item be brought back to Council as soon as the property register has been adopted by Council.

**EXECUTIVE MAYORAL COMMITTEE: 2023-10-11: ITEM 7.3.5****RESOLVED**

- (a) That a portion of Erf 1693, Franschhoek, be identified as land not needed for own use during the period for which rights are to be granted, as provided for in Regulation 36 of the Asset Transfer Regulations;
- (b) That the Executive Mayor in consultation with the Executive Mayoral Committee, in principle approve the request for a lease agreement of 9 years 11 months subject to Council's intention be advertised for public comment/input/alternative proposals as provided for in paragraph 9.2.2 of the Property Management Policy;
- (c) That the market related rental be determined by a valuator;
- (d) That the item be returned to the Executive Mayor in consultation with the Mayoral committee after the public participation process; and
- (e) That the lease be subject to the club implementing empowerment projects for disadvantage communities and children and proof thereof be submitted to council on an annual basis.

**6.7 Risk Implications**

Risks has been addressed by the item.

**6.8 Comments from Senior Management:**

No comments were requested as this is a return item.

**6.8.2 Municipal Manager**

Supports the recommendations

**ANNEXURES****APPENDIX 1: Official Notice****APPENDIX 2: Valuation Report**

|                        |                                                                                              |
|------------------------|----------------------------------------------------------------------------------------------|
| <b>NAME</b>            | ANNALENE DE BEER                                                                             |
| <b>POSITION</b>        | <b>DIRECTOR</b>                                                                              |
| <b>DIRECTORATE</b>     | <b>CORPORATE SERVICES</b>                                                                    |
| <b>CONTACT NUMBERS</b> | <b>021-8088018</b>                                                                           |
| <b>E-MAIL ADDRESS</b>  | <a href="mailto:Annalene.deBeer@stellenbosch.gov.za">Annalene.deBeer@stellenbosch.gov.za</a> |
| <b>REPORT DATE</b>     | <b>2024-09-11</b>                                                                            |

# **APPENDIX 1**



**STELLENBOSCH**  
 STELLENBOSCH • PNIEL • FRANSCHHOEK  
 MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

**OFFICIAL NOTICE**

**PROPOSED LEASE AGREEMENT: FRANSCHHOEK TENNIS CLUB – ERF 1693  
 FRANSCHHOEK**

The Franschhoek Tennis Club has brought an application to lease Erf 1693 Franschhoek (in Reservoir Street) to continue being used as a Tennis Club. They have an existing lease agreement on a month-to-month basis.

The Executive Mayor in consultation with the Mayoral Committee considered the matter on 2023-10-11 and resolved:

- a) that a portion of Erf 1693 Franschhoek, identified as land not needed for own use during the period for which such rights are to be granted, as provided for in Regulation 36 of the Asset Transfer Regulations;
- b) that the Executive Mayor in consultation with the Executive Mayoral Committee, in principle approve the request for a lease agreement of 9 years 11 months subject to Council's intention to be advertised for public comment/input/alternative proposals as provided for in paragraph 9.2.2 of the Property Management Policy;
- c) that the market related rental be determined by a valuator;
- d) that the item be returned to the Executive Mayor in consultation with the Mayoral Committee after the public participation process; and
- e) that the lease be subject to the club implementing empowerment projects for disadvantage communities and children and proof thereof be submitted to council on an annual basis.

**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 invited 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 **6 September 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**  
**MUNICIPAL MANAGER: STELLENBOSCH MUNICIPALITY**

**DATE**



# **APPENDIX 2**

# RENTAL VALUATION REPORT

MARKET RELATED RENTAL  
VALUE OF ERF 1693  
FRANSCHHOEK TENNIS CLUB



**HCB Property Valuations**

38 Long Street  
Moorreesburg  
7310

**Tel:** 022 433 2035

**Email:** [admin@hcb.co.za](mailto:admin@hcb.co.za)

**VALUATION REPORT – RENTAL VALUATION OF ERF 1693 FRANSCHHOEK****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

**VALUATION REPORT – RENTAL VALUATION OF ERF 1693 FRANSCHHOEK****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.



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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 and inspected 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 Yolande van den Berg of Stellenbosch Municipality to attend to the valuation of the property being more commonly known as Erf 1693, Franschhoek. This property is used as the Franschhoek Tennis Club and the valuation is to determine the open market rental value of the property, as on 1 November 2023.

➤ *See Annexure 2 for Instruction*

**1.2 Date of Valuation**

The date of valuation as instructed by the client is 1 November 2023.

**1.3 Date of Inspection**

The Subject Portion was inspected on 22 January 2024.

**2. TITLE DEED DESCRIPTION****2.1 Title Deed**

The property report indicates title deed number as T104075/2001.

**2.2 Description**

The property can be described as “Erf 1693, Franschhoek Tennis Club, 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 full erf extent of the subject property is 11 090m<sup>2</sup>.

**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.

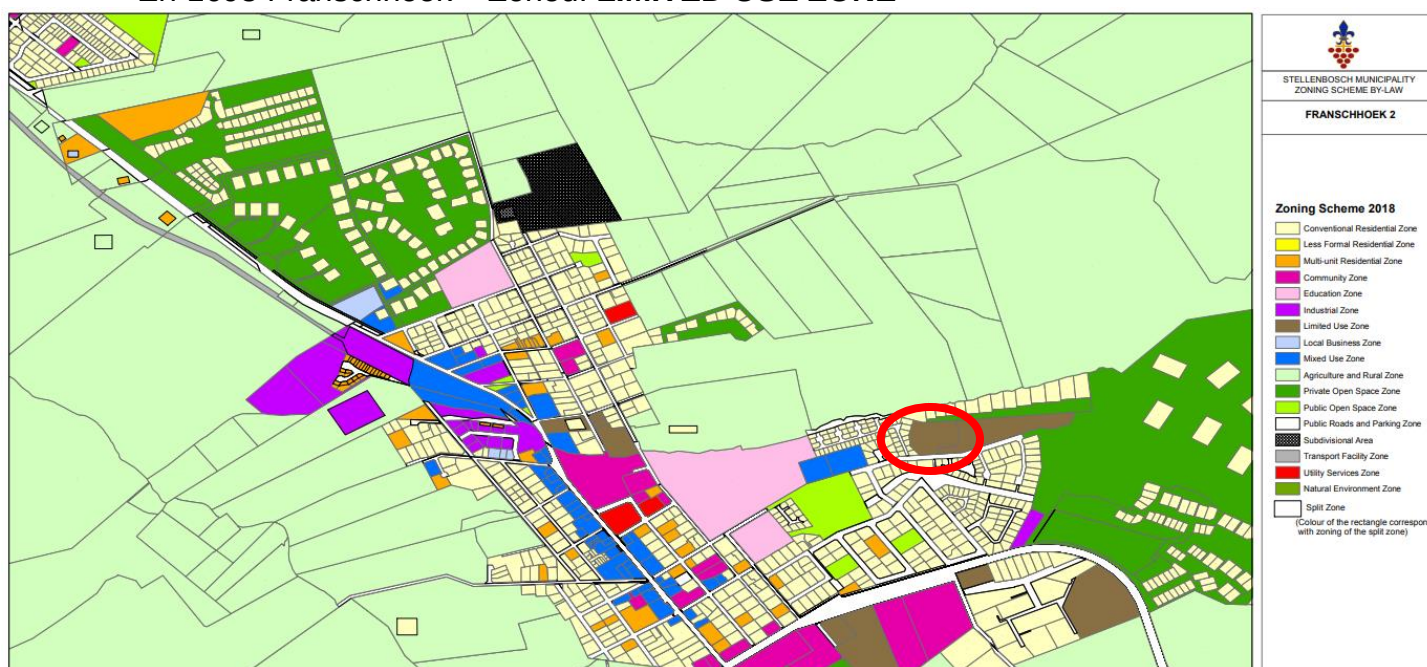
## 3. LOCAL, PROVINCIAL AND CENTRAL GOVERNMENT INFORMATION

### 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 (January 2024).  
Erf 1693 Franschhoek – Zoned: **LIMITED USE ZONE**



#### 231. Land use within this zone

(1) The following land uses are permitted in this zone:

| Primary Uses                                                                                                                          | Additional Uses                                        | Consent Uses                                           |
|---------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|--------------------------------------------------------|
| <ul style="list-style-type: none"> <li>Dwelling house and/or</li> <li>Limited to existing lawful uses at commencement date</li> </ul> | <ul style="list-style-type: none"> <li>None</li> </ul> | <ul style="list-style-type: none"> <li>None</li> </ul> |

*Please note this zoning was not confirmed by Stellenbosch Municipality, and should this be incorrect, this report will be amended.*



#### 4. PHYSICAL DESCRIPTION

##### 4.1 Land

The land is well maintained and in good condition. It has a slight slope, which led to two tennis courts and the clubhouse on one layer, and two tennis courts on another, spilt by elevation. It is located on Reservoir Street and is easily accessible.



Above as Indication of elevation in ground conditions.

➤ See Annexure 3 for Locality Map / Aerial Photo

##### 4.2 Improvements

The Subject Property is improved with a clubhouse consisting of brick walls, zinc plated roofing and aluminium windows. It is well maintained. There are also 4 tennis courts on the subject property with wired fences.

Improvement Extents are as follows:

- Club House 84m<sup>2</sup>
- 4 Tennis Courts

**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.

Due to the zoning, I believe highest and best use is Recreational Activity as currently used.

## VALUATION REPORT – RENTAL VALUATION OF ERF 1693 FRANSCHHOEK

**7.2 Comparable Properties**

Residential Vacant Sales calculates to  $\pm$  R4 500-00/m<sup>2</sup>.

Adjusted for size, the sales calculate to R2 200-00/m<sup>2</sup>

Additional adjustment for zoning usage was done and my opinion is that the value of the land is R1 500-00/m<sup>2</sup>.

| Erf  | Area        | Sale Price    | Date       | Extent              |
|------|-------------|---------------|------------|---------------------|
| 1378 | Franschhoek | R3 000 000-00 | 2022/02/04 | 800m <sup>2</sup>   |
| 1379 | Franschhoek | R2 925 000-00 | 2022/01/20 | 800m <sup>2</sup>   |
| 3847 | Franschhoek | R3 300 000-00 | 2023/05/27 | 624m <sup>2</sup>   |
| 614  | Franschhoek | R4 600 000-00 | 2022/06/30 | 1 249m <sup>2</sup> |



Comparable Sales – Yellow

Subject Property - Red

**7.3 Conclusion**

When determining the Market Related Valuation of the Subject portion, the following was taken into consideration:

|                                          |   |   |                |
|------------------------------------------|---|---|----------------|
| 4 Tennis Courts (R 225 000-00 per court) | @ | R | 900 000-00     |
| Clubhouse                                | @ | R | 400 000-00     |
| Land                                     | @ |   | R15 000 000-00 |

It is my opinion that the Open Market Value of the subject property on 1 November 2023 is **R16 300 000-00**, taking into consideration sales and after adjusting for time, location, zoning, and usage.

When Determining the Market Related Rental of the Subject Portion, the following was concluded:

Rental cannot be calculated on total market value as the lease is not applicable to the whole land.

The Tennis Club only utilizes the tennis courts and clubhouse. It is my opinion that a rental be determined on a value of:

|                       |   |              |
|-----------------------|---|--------------|
| Tennis Courts:        | R | 900 000-00   |
| Clubhouse:            | R | 400 000-00   |
| Land used (±2 500m²): | R | 3 750 000-00 |

**Total: R5 050 000-00**

Calculations conclude that R5 050 000-00 Market Value with a 3% Rate of return amounts to R151 500-00 annual rental income and **R12 625-00 monthly rental income.**

It is my opinion that the Open Market Rental Value of the subject property on 1 November 2023 is **R12 625-00 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 Total Market Value of the Subject Property is R16 300 000-00 (Sixteen Million Three Hundred Thousand Rand) and the monthly rental of the subject portion of 1 November 2023 to be R12 625-00 (Twelve Thousand Six Hundred and Twenty-five Rand Per Month)**



---

**Hendrik Coenraad Botha**  
**Professional Valuer**  
**Registration Number: 5601**

27 January 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: 13 February 2020

PERIOD OF VALIDITY: 28 January 2020 - 30 June 2024

  
 JF Cloete  
 President

REGISTRATION No: 5601

  
 MC Seola  
 Registrar



|                                                             |
|-------------------------------------------------------------|
| VALUATION REPORT – RENTAL VALUATION OF ERF 1693 FRANSCHHOEK |
|-------------------------------------------------------------|

**10.2      Annexure 2 – Instructions**

Dear Helen,

Please see attached information for request for quotation.

I look forward to hearing from you.



*Kind regards,*

**Yolande van den Berg**

Head: Contract Management

**Corporate Services**

---

T: +27 21 808 8073 | Fax 021-886 7319

Plein Street, Stellenbosch, 7600

[www.stellenbosch.gov.za](http://www.stellenbosch.gov.za)



**From:** Yolande van den Berg  
**Sent:** Thursday, November 30, 2023 12:31 PM  
**To:** Helen Louwrens <[helen@hcbval.co.za](mailto:helen@hcbval.co.za)>  
**Subject:** ACCEPTANCE OF QUOTATIONS

Dear Helen,

I hereby confirm that we accept the following quotations:

- 266 – Erf 9190 Technopark
- 267 – Erf 23 Franschhoek
- 268 – Erf 2885 Franschhoek
- 269 – Erf 1693 Franschhoek

I trust you find this to be in order and look forward to receiving your valuation reports.



*Kind regards,*

**Yolande van den Berg**

Head: Contract Management

**Corporate Services**

---

T: +27 21 808 8073 | Fax 021-886 7319

Plein Street, Stellenbosch, 7600

[www.stellenbosch.gov.za](http://www.stellenbosch.gov.za)





## VALUATION REPORT – RENTAL VALUATION OF ERF 1693 FRANSCHHOEK



# 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](mailto: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:                                                    | Erf 1693                                                       |
| Town/Region:                                                        | Franschhoek                                                    |
| Owner:                                                              | Stellenbosch Municipality                                      |
| Zoning and Usage:                                                   | Tennis Club                                                    |
| Date of Valuation:                                                  | 15/11/2023                                                     |
| Reason for valuation:                                               | To determine Market Related value<br>AND Market Related Rental |
| Any other information<br>you feel is pertinent to<br>the valuation: |                                                                |
| Expected Delivery<br>Date:                                          | As soon as possible.                                           |

Should you have any questions or concerns contact:

Helen: 081 4733 707 / [helen@hcbval.co.za](mailto:helen@hcbval.co.za)

Coenraad: 083 663 2140 / [coenraad@hcb.co.za](mailto:coenraad@hcb.co.za)

**Annexure 3 – Locality Map / Aerial Photo**





## VALUATION REPORT – RENTAL VALUATION OF ERF 1693 FRANSCHHOEK

## 10.3 Annexure 4 – Property report



Hcb Valuations - Moorreesburg  
Helen Louwrens

E-mail: helenlowrens@gmail.com  
Cell: 081 473 3707

Tel: 022 433 2035



Tel: 012 433 2035  
Email: admin@hcb.co.za  
PO Box 247, Moorreesburg, 7313



| PROPERTY INFORMATION |                    |                  |                         |
|----------------------|--------------------|------------------|-------------------------|
| Erf                  | 1693               | GPS              | 19.128422°E 33.907818°S |
| Township             | FRANSCHHOEK        | Extent           | 11 090 m²               |
| Address              |                    | Cadastral extent | 11 086 m²               |
| Suburb               | FRANSCHHOEK ESTATE | Usage            | Business                |
| Municipality         | STELLENBOSCH       | Type             |                         |
| Province             | WESTERN CAPE       | Zoning           |                         |
|                      |                    | Zoning Desc      |                         |

| MUNICIPAL VALUATION |             |
|---------------------|-------------|
| Total Value         | R 3 772 000 |
| Valuation Year      | 2021        |

| SALE INFORMATION |                  |             |              |
|------------------|------------------|-------------|--------------|
| Owner            | MUN STELLENBOSCH | Title Deed  | T104075/2001 |
| Sale Price       | -                | Bond Holder | -            |
| Sale Date        | -                | Bond Amount | -            |
| Registered       | 2001/12/21       | Sale Type   | -            |



10.6 Annexure 6 – Photos of Subject Portion





VALUATION REPORT – RENTAL VALUATION OF ERF 1693 FRANSCHHOEK



**10.7 Annexure 7 – Rental Valuation Certificate****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](mailto:admin@hcb.co.za)***Valuation Certificate***

Client: Stellenbosch Municipality  
Erf Number: 1693  
Title Deed Number: T104075/2001  
Area/Town: Franschhoek  
Owner: Mun Stellenbosch  
Date of Valuation: 1 November 2023  
Reference Number: FH/TC/1693  
Rental Valuation Amount: R12 625-00/Month  
Zoning: Limited Use Zone

**Comments:**

This Valuation Certificate must be read in conjunction with the attached Valuation Report.

**Hendrik Coenraad Botha**  
**Professional Valuer**  
**Registration Number: 5601**

|       |                                                                                                             |
|-------|-------------------------------------------------------------------------------------------------------------|
| 7.3.3 | POSSIBLE REVIEW AND RESCISION OF COUNCIL RESOLUTION ON THE FUTURE USE OF ERF 9194 STELLENBOSCH (TECHNOPARK) |
|-------|-------------------------------------------------------------------------------------------------------------|

Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

26 September 2024

**1. SUBJECT: POSSIBLE REVIEW AND RESCISION 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 alai* 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 do 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.

## 5. RECOMMENDATION

For consideration.

## 6. DISCUSSION / CONTENTS

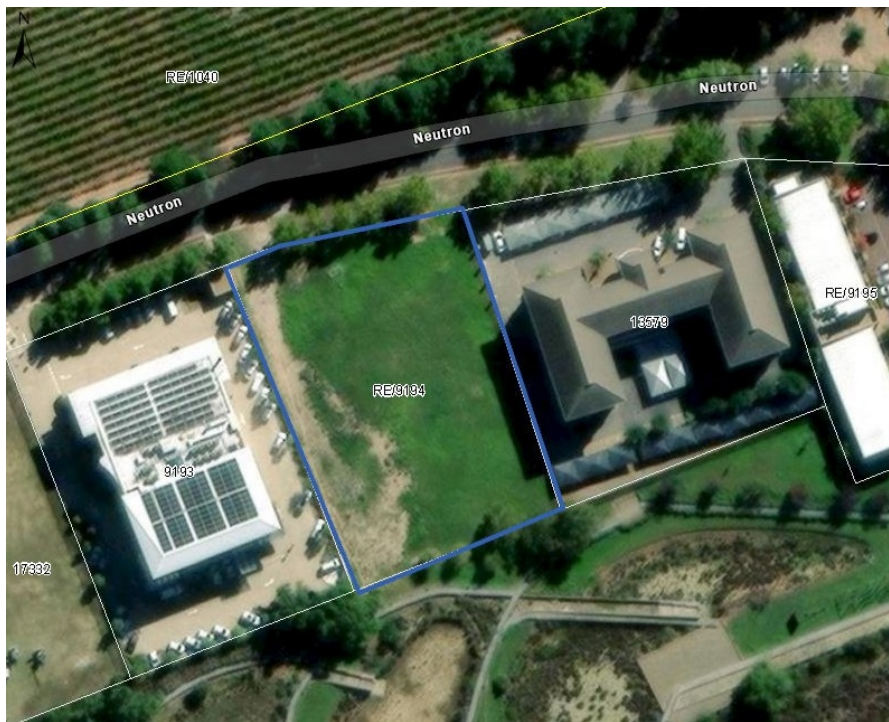
### 6.1.1 Background

Erf 9194 Stellenbosch was purchased from the Municipality in February 2008 for a price of R8 436 000.00 after a tender process was followed. 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." 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.

### 6.1.2 Property description and Location

Erf 9194 Stellenbosch is situated in Neutron Street in Technopark next to the offices of Bester Voer & Graan as per Fig. 1 and Fig. 2 below.



**Fig 1: Location and Context****Fig 2: Extent of Property**

## 6.2 DISCUSSION

In February 2019 Council resolved to repurchase the property and that the property *be earmarked for empowerment of local black entrepreneurs within the Stellenbosch Municipality*. The Council resolution does not provide any further details on what Council's intentions are with the property and it is therefore difficult for the administration to implement the Council Resolution. Should the intention be to sell the property Council will have to review and rescind the 2019 resolution and first resolve that the property is not needed to provide the minimum basic level of municipal services and secondly resolve on the manner in which the disposal should take place.

If Council is not of the intention of disposing of the property then guidance should be given on the way forward with the property.

## 6.3. Legal Implications

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

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

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

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

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

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

### 6.3.2 Municipal Asset Transfer Regulations(ATR)

In terms of Regulation 5 of the ATR :-

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

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

- (b) *the municipal council—*

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

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

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

\* i.e. in excess of R50M

### 6.3.3 Property Management Policy

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

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

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

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

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

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

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

- ii) *Qualified tenders/call for proposals will be appropriate where the Immoveable property ownership position is complex or the development proposals for the Immoveable property are insufficiently identified or otherwise incapable of detailed specification at the pre-tender stage.*
  - iii) *Call for proposals on a build-operate transfer (B.O.T) basis will be used if a developer is required to undertake the construction, including the financing, of a facility on Municipal-owned land, and the operation and maintenance thereof. The developer operates the facility over a fixed term during which it is allowed to charge facility users appropriate fees, rentals and charges not exceeding those proposed in its bid or as negotiated and incorporated in the contract, to enable the developer to recover its investment and operating and maintenance expenses in the project. The developer transfers the facility to the municipality at the end of the fixed term.*
- b) *The nature of the formal tender process is that a legally binding relationship is formed between the parties when the Municipality accepts a tender in writing. It is essential therefore, that every aspect of the disposal is specified in the tender documents. The tender documents could include a contract for sale or lease which could be completed with the tenderer's details, the tender price and be signed by the tenderer. A binding legal agreement is created upon the acceptance in writing of a tender by the Municipality.*
- c) *Such a process may, depending on the nature of the transaction, include a two-stage or two-envelope bidding process (proposal call) in terms of which only those bidders that meet the pre-qualification criteria specified in the first stage are entitled to participate in the second stage.*

#### **6.4 Financial Implications**

In the event that Council is of the intention to dispose of the property a valuator will have to be appointed to determine the market related value of the property. The Municipality will have to carry the costs of the valuator. The successful bidder will carry the costs of the registration of the property. If the property is sold through a tender it will return to Council for a final decision.

#### **6.5 Staff Implications**

No additional staff implications.

#### **6.6 Previous / Relevant Council Resolutions**

**24<sup>th</sup> COUNCIL MEETING: 2019 – 02 – 27 : ITEM 8.2.6**

##### **RESOLVED**

- b) 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;
- c) That Council makes provision for the purchase of the property within 2019/2020 budget; and
- d) That the Municipal Manager be mandated to investigate and report back to Council at the March 2019 Council meeting as to whether outstanding municipal debt should be recovered.

**6.7 Risk Implications**

If the property is not sold it will remain vacant and could possibly be subject to illegal occupation, as it is currently already an informal parking lot for the overflow cars in Technopark.

**6.8 Comments from Senior Management**

No comments requested at this stage.

**Municipal Manager**

Notes the content of the item.

**FOR FURTHER DETAILS CONTACT:**

|                        |                                                                                                |
|------------------------|------------------------------------------------------------------------------------------------|
| <b>NAME</b>            | <b>Annalene De Beer</b>                                                                        |
| <b>POSITION</b>        | <b>Director</b>                                                                                |
| <b>DIRECTORATE</b>     | <b>Corporate Services</b>                                                                      |
| <b>CONTACT NUMBERS</b> | <b>021-8088189</b>                                                                             |
| <b>E-MAIL ADDRESS</b>  | <a href="mailto:annalene.debeer@ Stellenbosch.gov.za">annalene.debeer@ Stellenbosch.gov.za</a> |
| <b>REPORT DATE</b>     | <b>2024 – 09 – 09</b>                                                                          |

|       |                                      |
|-------|--------------------------------------|
| 7.3.4 | REPORT ON ERF 286 GROENDAL (LE ROUX) |
|-------|--------------------------------------|

Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

26 September 2024

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

Is 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.

## 5. RECOMMENDATIONS

- (a) that Council takes note of the challenges that is experienced with Kabouterland; and
- (b) For consideration.

## 6. DISCUSSION / BACKGROUND

### 6.1 Background

Erf 286 Groendal (Le Roux) is an unregistered erf which has been sub-divided from Erf 233 Groendal (Le Roux), acquired from the Western Cape Government in terms of Section 19 of the Western Cape Housing Development Act, but not registered in the name of any entity yet. Erf 233 Groendal (Le Roux) is registered in the name of the Municipality and the administration is in the process of finalising the registration of Erf 286 Groendal also in the name of the Municipality. As the property is still unregistered it falls within the mother erf and is therefore already the property of the Municipality. The reason for the registration as a separate property is because the Kabouterland creche, was built on it since at least the early 2000's.

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 stops, and no registration takes place. 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. 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. Efata requires the lease agreement in order to be registered as an ECD. 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. Kabouterland was able to register as an ECD without owning the property or without having a formal lease agreement. We did make enquiries as to how this was allowed however, we have not been able to ascertain what documentation they filed in order to be compliant.

## 6.2. DISCUSSION

### 6.2.1 Location and context

The property is located at 25 Stiebeuel Street, Groendal as indicated in Fig. 1 and Fig. 2. Take note that the imaging does not yet reflect the second phase that Efata is currently occupying.

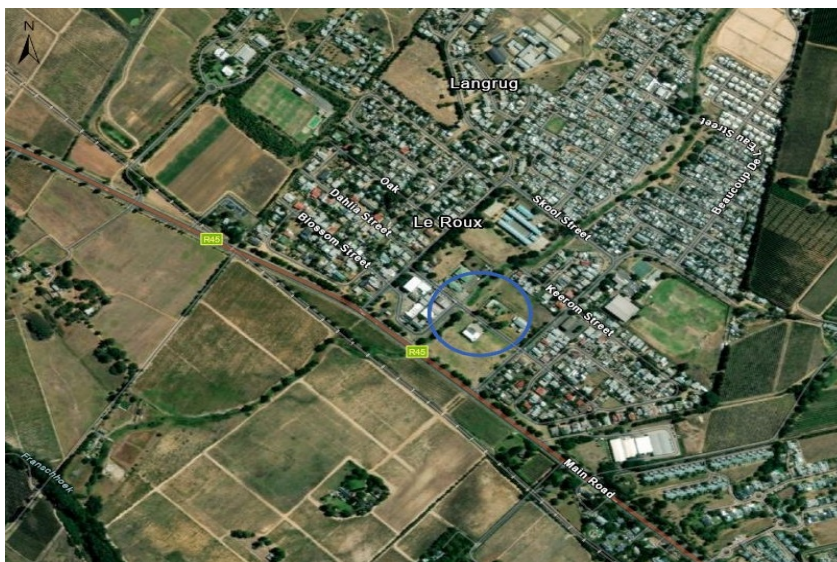


Fig 1. Location



**Fig 2. View of Property**

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. They have cancelled several meetings at the last minute. 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.

We have several emails and correspondence on file between the Municipality and Kabouterland which can be made available on request, however the information in the correspondence is provided in the item.

### **6.2.3 Ownership**

The ownership of the property's vests with Stellenbosch Municipality.

### **6.3 Financial Implications**

Currently neither of the ECD's are paying any rent for the use of the property. Although the buildings were donated, they should still be paying for the use of the land and all services. The Municipality is carrying the costs for the registration of the property.

There is also an implication for the capital expenditure for the Community and Protections Services Department in that they are not able to spend the money on the upgrades, although they have already paid the consultants to attend to draw up the specs as well as the building plans.

**6.4 Legal Implications**

Should Council decide to place Kabouterland on terms and they do not comply with the requirements set out by Council then the legal department will have to appoint attorneys to follow an eviction process. This will affect the children currently attending the ECD.

**6.5 Staff Implications**

No additional staff implications.

**6.6 Previous / Relevant Council Resolutions****COMMUNITY SERVICES COMMITTEE: 2001-03-12: ITEM 3.1****RECOMMENDED:**

- a) That Council approve the signing of a trilateral agreement, dealing with the issues as set out in the report;
- b) That the maintenance of the building be referred for consideration as an additional expense on the 2001/2002 operating budget;
- c) That Council consider providing bridging finance only until the R70 000.00 contribution by Mr McGahey is paid with the selling of unit number 70; and
- d) That the recommendations be referred to Council via the Executive Committee Meeting.

**FIRST EXECUTIVE COMMITTEE: 2001-03-20: ITEM 3.5****RECOMMENDED:**

That the recommendations (a), (c) and (d) be accepted subject to the following amendments / additions:

- a) That the operational costs of the creche not be the responsibility of Council initially or in future pending further investigation;
- b) That the necessary provision for maintenance funds be made by the lessee; and
- c) That the lessee submit audited financial statements to Council on an annual basis.

**COUNCIL: 2001-03-27: ITEM 6.5****RESOLVED (nem con)**

That the Executive Committee recommendations be approved.

**6.7 Risk Implications**

Kabouterland will continue to use the premises without paying and further refusing access to the Municipality as well as the staff and children of Efata.

**6.8 Comments from Senior Management**

No comments have been requested as we seek guidance on how to proceed.

**6.8.1 Municipal Manager**

Supports the recommendations.

**FOR FURTHER DETAILS CONTACT:**

|                        |                                                                                                |
|------------------------|------------------------------------------------------------------------------------------------|
| <b>NAME</b>            | <b>Annalene de Beer</b>                                                                        |
| <b>POSITION</b>        | <b>Director</b>                                                                                |
| <b>DIRECTORATE</b>     | <b>Corporate Services</b>                                                                      |
| <b>CONTACT NUMBERS</b> | <b>021-8088018</b>                                                                             |
| <b>E-MAIL ADDRESS</b>  | <a href="mailto:annalene.debeer@ Stellenbosch.gov.za">annalene.debeer@ Stellenbosch.gov.za</a> |
| <b>REPORT DATE</b>     | <b>2024-09-09</b>                                                                              |

|            |                                                  |
|------------|--------------------------------------------------|
| <b>7.4</b> | <b>FINANCIAL SERVICES: (PC: CLLR JC ANTHONY)</b> |
|------------|--------------------------------------------------|

NONE

|     |                                         |
|-----|-----------------------------------------|
| 7.5 | HUMAN SETTLEMENTS: (PC: CLLR R DU TOIT) |
|-----|-----------------------------------------|

|       |                                                                                                                                                           |
|-------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7.5.1 | B/SM 102/21: APPROVAL OF PROPOSED CONCEPT SITE DEVELOPMENT PLANS FOR THE DEVELOPMENT OF ERF 412 (INCLUDING ERF 217) AND ERF 284, GROENDAL, FRANSCHHOEK 26 |
|-------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|

Collaborator No: 773727  
IDP KPA Ref No: Good Governance and Compliance  
Meeting Date: 26 September 2024

**1. SUBJECT: B/SM 102/21: APPROVAL OF PROPOSED CONCEPT SITE DEVELOPMENT PLANS FOR THE DEVELOPMENT OF ERF 412 (INCLUDING ERF 217) AND ERF 284, GROENDAL, FRANSCHHOEK**

**2. PURPOSE**

Is for Council to express their preference in terms of the proposed concept site development plans for Erf 412 (including Erf 217) and Erf 284, Groendal, Franschhoek. The preferred concept site development plans will then be used for the subsequent tender Request for Proposals.

**3. DELEGATED AUTHORITY**

Council.

**4. EXECUTIVE SUMMARY**

In order to follow a tender Request for the Proposals for the development on Erf 412 (including Erf 217) and Erf 284, Groendal, Franschhoek the Section: Housing Development appointed a service provider to design conceptual site development plan options for Erf 412 (including Erf 217) and Erf 284, Groendal, Franschhoek.

The preferred concept site development plans will be used in the tender Request for Proposals in the procurement process. In other words, Council's preference will be used by all the bidders as the guiding/ benchmark concept site development plans for the submission of their costing. The costing will form part of the tender Request for Proposals of the procurement process which will contain the specific bid specifications.

On 19 April 2022, the Executive Mayoral Committee resolved, that this item stands over for further discussion with the two ward Councillors concerned. During the process of consultation with the affected Ward Councillors, a meeting with the Franschhoek Chambers of Commerce and Franschhoek Heritage & Ratepayers Association were held on 11 November 2022. Subsequently to the meeting, a memorandum (attached as **ANNEXURE 1**) was received from the representatives at the meeting regarding the proposed development of Erf 412 (including Erf 217) and Erf 284, Groendal.

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**5. RECOMMENDATIONS**

- (a) that Council selects the most suitable Conceptual Subdivisional Plan for Erf 412 (including Erf 217) as depicted in options 1-6 (see **ANNEXURE 2**);
- (b) that Council selects the most suitable Conceptual Subdivisional Plan for and Erf 284, Groendal, Franschhoek as depicted in options 1-4 (see **ANNEXURE 3**);
- (c) that Council should note that the regulatory processes for obtaining development rights on Erf 412 (including Erf 217) and Erf 284, Groendal, Franschhoek can impact on the final Site Development Plan and yield of opportunities; and
- (d) that if Council has any further comments pertaining to the concept Site Development Plan mentioned in (a) and (b) above, the input/s will be incorporated to form part of the Request for Proposals.

**6. DISCUSSION/ CONTENTS****6.1 BACKGROUND**

Erf 412 (including Erf 217) and Erf 284, Groendal are located along Santa Rose Street in Groendal, a suburb of Franschhoek, next to the R45 (see figure 1 below). The two sites fall within an area characterised by medium to high-density residential, as well as non-residential and light industrial uses.

Erf 217 forms a legal part of Erf 412, hence these two erven should be seen as one in terms of this process.

Various studies have been undertaken over the years regarding the development of Erf 412 (including Erf 217) and Erf 284, Groendal. The outcome of these studies was, that the two properties should be developed for high density residential units but also include businesses (light industrial) opportunities. The studies also included extensive public participation processes. Erf 412 has been rezoned to subdivisional area during 2016 allowing for general residential, local authority and general business.

Erf 217 was subdivided from Erf 412 for widening of the road on La Provence Street. However, for this project, Erf 217 will be consolidated once again with Erf 412 for the purpose of the development proposed. The initial plans for Erf 284 were to develop an old age home or retirement village, but due to financial constraints, this never materialised.

The Sections Property Management and Housing Development undertook a process to formulate a Request for Proposal in line with the approved Council decision on 2020-03-31: Item 5.4.1. A service provider was appointed during April 2021 to design different site development plan options for Council to consider a preferred option, where after the procurement process would commence.





**Figure 1:** Site location

## 6.2 DISCUSSION

An agenda item served at Mayco on 13 April 2022 and was referred back for further consultation with Ward Councillors and Ward Committees. The Section: Housing Development engaged with the Ward Councillors and Ward Committee on 2 June 2022 where the different options was workshopped as well with professional input from different stakeholders on the architectural and aesthetical design parameters and guidelines for Franschhoek. The Ward Councillors liaised with the Ward Committee and on 11 November 2022. An enquiry was raised during these discussions with respect to ownership of Erf 284 and was referred to Directorate: Corporate Services that responded under the heading: Comments from Senior Management (6.9.3).

The tender, Request for Proposal will take all inputs/comments from affected Ward Councillors and Community into account when the specifications on the Call for Proposals are finalised. Subsequent, to awarding the tender the item will again serve before Council for a final decision on the disposal of the erven. After Council's final decision, the processes for obtaining development rights must be completed which will involve further public participation/ further specialist studies around the technical issues on Erf 412 (including Erf 217) and Erf 284, Groendal, Franschhoek. Council should note that the processes for obtaining development rights and the adherence to development related norms and standards as stipulated by regulations such as the Stellenbosch Municipal Planning By-Law and Zoning Scheme might influence the final site development plan and the yield of housing opportunities for the development of Erf 412 (including Erf 217) and Erf 284, Groendal, Franschhoek.

By presenting these different concept site development plans as options, Council can express their view of their preference, by commenting on what they would prefer on the final site development plan and yield. These comments can then also be submitted as part of the processes that still have to unfold in terms of obtaining development rights.

The need for bringing the item to Council is therefore:

- That Council decide on the preferred Concept Site Development Plan options for Erf 412 (including Erf 217) and Erf 284, Groendal, Franschhoek; and
- Councils' preference in terms of the concept site development plans will be used by the administration as the benchmark Site Development Plan, against which the potential Bidders would have to cost the proposal. The costing of the proposal along with other prescribed procurement considerations will be used in the final adjudication process for the appointment of a turnkey developer, to design and construct Erf 412 (including Erf 217) and Erf 284, Groendal, Franschhoek.

Having said this, Council, and the administration and the Developer need to be aware that the concept site development plan used in the tender Request for Proposals of the procurement process is exactly that – a concept Site Development Plan with yield and not a final Site Development Plan with yield – as the process for obtaining development rights can still impact on the final Site Development Plan and yield.

The preferred bidder will be appointed as a Turnkey Developer / Implementing Agent of the property on the basis that, it shall at all times act as an independent contractor and in accordance with the scope of its appointment detailed herein, account for the entire cost of the development and for its own profit and/or loss.

#### **6.2.1.1 The Development proposal(s)/concept**

Council is hereby requested to select the preferred conceptual Site Development Plan for Erf 412 (including Erf 217) (option 1 - 6 attached as **ANNEXURE 2**) and Concept Site Development Plan for Erf 284 (option 1 – 4 as **ANNEXURE 3**).

#### **6.2.1.2 Correction on the legend as described on the layout options**

In accordance with the comments received from the Manager: Land Use Management, all legends on all the plans attached as **ANNEXURE 2** and **ANNEXURE 3** will be renamed from Site Development Plans to Conceptual Subdivisional Plans.

The tables below illustrate the comparison between the different options for Erf 412 (including Erf 217) and Erf 284, Groendal, Franschhoek.



| Table 1:                                             |                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                       |                                                                                                                          |                                                                                             |                                                                                             |                                                                                                                                                                 |
|------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ERF 412 (INCLUDING ERF 217): (More Business Related) |                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                       |                                                                                                                          |                                                                                             |                                                                                             |                                                                                                                                                                 |
|                                                      | OPTION 1                                                                                                                                                                                                                                                                                         | OPTION 2                                                                                                                                                                              | OPTION 3                                                                                                                 | OPTION 4                                                                                    | OPTION 5                                                                                    | OPTION 6                                                                                                                                                        |
| Erf 217 area (m <sup>2</sup> )                       | 388 m <sup>2</sup>                                                                                                                                                                                                                                                                               | 388 m <sup>2</sup>                                                                                                                                                                    | 388 m <sup>2</sup>                                                                                                       | 388 m <sup>2</sup>                                                                          | 388 m <sup>2</sup>                                                                          | 388 m <sup>2</sup>                                                                                                                                              |
| Erf 412 area (m <sup>2</sup> )                       | 11 204 m <sup>2</sup>                                                                                                                                                                                                                                                                            | 11 204 m <sup>2</sup>                                                                                                                                                                 | 11 204 m <sup>2</sup>                                                                                                    | 11 204 m <sup>2</sup>                                                                       | 11 204 m <sup>2</sup>                                                                       | 11 204 m <sup>2</sup>                                                                                                                                           |
| Less Library area (m <sup>2</sup> )                  | 1 400 m <sup>2</sup>                                                                                                                                                                                                                                                                             | 1 400 m <sup>2</sup>                                                                                                                                                                  | 1 400 m <sup>2</sup>                                                                                                     | 1 400 m <sup>2</sup>                                                                        | 1 400 m <sup>2</sup>                                                                        | 1 400 m <sup>2</sup>                                                                                                                                            |
| Erf 412 & Erf 217 development area (m <sup>2</sup> ) | 10 192 m <sup>2</sup>                                                                                                                                                                                                                                                                            | 10 192 m <sup>2</sup>                                                                                                                                                                 | 10 192 m <sup>2</sup>                                                                                                    | 10 192 m <sup>2</sup>                                                                       | 10 192 m <sup>2</sup>                                                                       | 10 192 m <sup>2</sup>                                                                                                                                           |
| Current Land Uses                                    | <u>Erf 412:</u> Subdivisional Area Overlay Zone<br><u>Erf 217:</u> Public Roads and Parking                                                                                                                                                                                                      | <u>Erf 412:</u> Subdivisional Area Overlay Zone<br><u>Erf 217:</u> Public Roads and Parking                                                                                           | <u>Erf 412:</u> Subdivisional Area Overlay Zone<br><u>Erf 217:</u> Public Roads and Parking                              | <u>Erf 412:</u> Subdivisional Area Overlay Zone<br><u>Erf 217:</u> Public Roads and Parking | <u>Erf 412:</u> Subdivisional Area Overlay Zone<br><u>Erf 217:</u> Public Roads and Parking | <u>Erf 412:</u> Subdivisional Area Overlay Zone<br><u>Erf 217:</u> Public Roads and Parking                                                                     |
| Does current zoning allow for proposed Use           | <u>Erf 412:</u> Yes<br><u>Erf 217:</u> No                                                                                                                                                                                                                                                        | <u>Erf 412:</u> Yes<br><u>Erf 217:</u> No                                                                                                                                             | <u>Erf 412:</u> Yes<br><u>Erf 217:</u> No                                                                                | <u>Erf 412:</u> Yes<br><u>Erf 217:</u> No                                                   | <u>Erf 412:</u> Yes<br><u>Erf 217:</u> No                                                   | <u>Erf 412:</u> Yes<br><u>Erf 217:</u> No                                                                                                                       |
| Proposed Land Uses                                   | Conventional Residential, Mixed Uses                                                                                                                                                                                                                                                             | Conventional Residential, Mixed Uses                                                                                                                                                  | Conventional Residential, Mixed Uses                                                                                     | Mixed Use Zone                                                                              | Mixed Use Zone                                                                              | Mixed Use Zone                                                                                                                                                  |
| Housing Typologies / Business Typologies Proposed    | Freestanding Units (Single or Double Storey), Semi-detached units (Single or Double Storey) & Flats (above ground floor)                                                                                                                                                                         | Freestanding Units (Single or Double Storey), Semi-detached units (Single or Double Storey) & Flats (above ground floor)                                                              | Freestanding Units (Single or Double Storey), Semi-detached units (Single or Double Storey) & Flats (above ground floor) | Business premises on ground floor, offices on 1 <sup>st</sup> floor.                        | Business premises on ground floor, offices on 1 <sup>st</sup> floor. Kentucky or McDonalds  | Filling station with convenience store & wimpy, Business premises on ground floor, offices on 2 <sup>nd</sup> floor. Kentucky or McDonalds with a drive through |
| Bedrooms                                             | <u>Erven 1 to 4:</u> 2- or more bedrooms.<br><u>Erven 5 to 12:</u> Freestanding Units (2-or more bedrooms or Semi-detached units (2-unit Duplexes; 2 bedroom).<br><u>Erf 13:</u> +-20 x flats (1 or 2-bedroom) on first floor,<br><u>Erf 14:</u> +-10 x flats (1or 2-bedroom) on the first floor | <u>Erven 5 to 16:</u> (2-Unit Duplexes; 1 or 2-bedrooms),<br><u>Erf 1:</u> +-9 x flats (1 or 2-bedroom) on first floor,<br><u>Erf 4:</u> +-11 x flats (1 or 2-bedroom) on first floor | <u>Erven 2 and 5:</u> +-22 x flats (1 or 2-bedroom) on first floor<br><u>Erven 6 to 23:</u> 2 bedroom                    | N/A                                                                                         | N/A                                                                                         | N/A                                                                                                                                                             |
| Number of dwelling units / Number of businesses erfs | 42                                                                                                                                                                                                                                                                                               | 32                                                                                                                                                                                    | 40                                                                                                                       | 3                                                                                           | 4                                                                                           | 4                                                                                                                                                               |

| <b>Table 1: (Continued)</b>                                                            |                                                                                                                |                                                                                                                |                                                                                                                |                                                                                     |                                                                          |                                                                          |
|----------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|--------------------------------------------------------------------------|--------------------------------------------------------------------------|
| <b>ERF 412 (INCLUDING ERF 217) (More Business Related)</b>                             |                                                                                                                |                                                                                                                |                                                                                                                |                                                                                     |                                                                          |                                                                          |
|                                                                                        | <b><u>OPTION 1</u></b>                                                                                         | <b><u>OPTION 2</u></b>                                                                                         | <b><u>OPTION 3</u></b>                                                                                         | <b><u>OPTION 4</u></b>                                                              | <b><u>OPTION 5</u></b>                                                   | <b><u>OPTION 6</u></b>                                                   |
| <b>Freestanding Housing Units</b>                                                      | 4                                                                                                              | 0                                                                                                              | 0                                                                                                              | N/A                                                                                 | N/A                                                                      | N/A                                                                      |
| <b>Semi-detached Housing Units</b>                                                     | 8                                                                                                              | 12                                                                                                             | 0                                                                                                              | N/A                                                                                 | N/A                                                                      | N/A                                                                      |
| <b>Flats (Housing)</b>                                                                 | 30                                                                                                             | 20                                                                                                             | 22 (40m <sup>2</sup> - 1 or 2 bedroom)                                                                         | N/A                                                                                 | N/A                                                                      | N/A                                                                      |
| <b>3 Unit Duplexes</b>                                                                 | N/A                                                                                                            | N/A                                                                                                            | 18 (2 bedroom)                                                                                                 | N/A                                                                                 | N/A                                                                      | N/A                                                                      |
| <b>Density:</b>                                                                        |                                                                                                                |                                                                                                                |                                                                                                                |                                                                                     |                                                                          |                                                                          |
| <b>Gross density (du/ha)</b>                                                           | 41                                                                                                             | 31                                                                                                             | 39                                                                                                             | N/A                                                                                 | N/A                                                                      | N/A                                                                      |
| <b>Net density (du/ha)</b>                                                             | 55                                                                                                             | 41                                                                                                             | 41                                                                                                             | N/A                                                                                 | N/A                                                                      | N/A                                                                      |
| <b>Building lines:</b>                                                                 | Proposed 0m building line for 1 x common boundary (per erf) to allow for Semi-detached Units (2-Unit Duplexes) | Proposed 0m building line for 1 x common boundary (per erf) to allow for Semi-detached Units (2-Unit Duplexes) | Proposed 0m building line for 1 x common boundary (per erf) to allow for Semi-detached Units (2-Unit Duplexes) | As specified in the Mixed Use Zone. 3m building line proposed on La Provence Street | As specified in the Mixed Use Zone                                       | As specified in the Mixed Use Zone                                       |
| <b>Internal road widths proposed:</b>                                                  | 10m and 6m                                                                                                     | 10m and 6m                                                                                                     | 10m and 6m                                                                                                     | 10m and 7m                                                                          | 10m and 7m                                                               | 10m and 7m                                                               |
| <b>Internal circulation proposed:</b>                                                  | Two-way on the 10m road and one-way vehicle circulation on the 6m roads.                                       | Two-way on the 10m road and one-way vehicle circulation on the 6m roads.                                       | Two-way on the 10m road and one-way vehicle circulation on the 6m roads.                                       | Two-way on the 10m road and one-way vehicle circulation on the 7m roads.            | Two-way on the 10m road and one-way vehicle circulation on the 7m roads. | Two-way on the 10m road and one-way vehicle circulation on the 7m roads. |
| <b>Proposed road ownership</b>                                                         | Public Roads                                                                                                   | Public Roads                                                                                                   | Public Roads                                                                                                   | Public Roads                                                                        | Public Roads                                                             | Public Roads                                                             |
| <b>Parking</b>                                                                         | Onsite parking                                                                                                 | Onsite parking                                                                                                 | Onsite parking                                                                                                 | Onsite parking                                                                      | Onsite parking                                                           | Onsite parking                                                           |
| <b>Parking bays required in terms of Stellenbosch Municipality Zoning Scheme Bylaw</b> | <b>139</b>                                                                                                     | <b>106</b>                                                                                                     | <b>126</b>                                                                                                     | <b>164</b>                                                                          | <b>126</b>                                                               | <b>101</b>                                                               |
| <b>Parking bays provided:</b>                                                          | 144                                                                                                            | 137                                                                                                            | 170                                                                                                            | 146                                                                                 | 150                                                                      | 117                                                                      |
| <b>Nearest road intersection:</b>                                                      | Stiebeuel Street (±70m from access road centre line)                                                           | Stiebeuel Street (±70m from access road centre line)                                                           | Stiebeuel Street (±70m from access road centre line)                                                           | Stiebeuel Street (±70m from access road centre line)                                | Stiebeuel Street (±70m from access road centre line)                     | Stiebeuel Street (±70m from access road centre line)                     |

**Table 1:** Six (6) options for Erf412 (including Erf 217)

| <b>Table 2:</b>                                   |                                                                                                                 |                                                                                 |                                                                                                                 |                                                                                                                 |
|---------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|
| <b>ERF 284 (More Residential Related)</b>         |                                                                                                                 |                                                                                 |                                                                                                                 |                                                                                                                 |
|                                                   | <b><u>OPTION 1</u></b>                                                                                          | <b><u>OPTION 2</u></b>                                                          | <b><u>OPTION 3</u></b>                                                                                          | <b><u>OPTION 4</u></b>                                                                                          |
| <b>Erf 284 area (size)</b>                        | 5731m <sup>2</sup>                                                                                              | 5731m <sup>2</sup>                                                              | 5731m <sup>2</sup>                                                                                              | 5731 m <sup>2</sup>                                                                                             |
| <b>Current Land Uses</b>                          | Community Zone                                                                                                  | Community Zone                                                                  | Community Zone                                                                                                  | Community Zone                                                                                                  |
| <b>Does current zoning allow for proposed Use</b> | NO                                                                                                              | NO                                                                              | NO                                                                                                              | NO                                                                                                              |
| <b>Proposed Land Uses</b>                         | Conventional Residential                                                                                        | Conventional Residential                                                        | Conventional Residential                                                                                        | Conventional Residential                                                                                        |
| <b>Housing Typologies Proposed</b>                | Freestanding Units and/or Semi-detached units and/or 2-Unit Duplexes                                            | Freestanding Units and 2-storey flats                                           | Freestanding Units and/or Semi-detached units and/or 2-Unit Duplexes                                            | 2-Unit & 4-Unit Duplexes                                                                                        |
| <b>Bedrooms</b>                                   | 2 or more per unit                                                                                              | 1- or 2-bedroom flats. 2 or more bedrooms for single dwelling units.            | 2 or more per unit                                                                                              | 2 or more per unit                                                                                              |
| <b>Number of dwelling units</b>                   | 18                                                                                                              | 42                                                                              | 22                                                                                                              | 40                                                                                                              |
| <b>Gross density (du/ha)</b>                      | 31                                                                                                              | 73                                                                              | 38                                                                                                              | 69                                                                                                              |
| <b>Net density (du/ha)</b>                        | 46                                                                                                              | 107                                                                             | 48                                                                                                              | 88                                                                                                              |
| <b>Building lines:</b>                            | Proposed 0m building line for 1 x common boundary (per erf) to allow for Semi-detached Units or 2-Unit Duplexes | As proposed in Zoning Scheme By-Law                                             | Proposed 0m building line for 1 x common boundary (per erf) to allow for Semi-detached Units or 2-Unit Duplexes | Proposed 0m building line for 1 x common boundary (per erf) to allow for Semi-detached Units or 2-Unit Duplexes |
| <b>Internal road widths proposed:</b>             | 10m access, 8m and 6m                                                                                           | 10m access, 8m and 6m                                                           | 10m cul-de-sac. Circle has a 10m radius.                                                                        | 10m cul-de-sac. Circle has a 10m radius.                                                                        |
| <b>Internal circulation Proposed:</b>             | Two-way on the 10m road and one-way vehicle circulation on the 8m and 6m roads.                                 | Two-way on the 10m road and one-way vehicle circulation on the 8m and 6m roads. | Two-way vehicle circulation                                                                                     | Two-way vehicle circulation                                                                                     |
| <b>Proposed road ownership</b>                    | Public Roads                                                                                                    | Public Roads                                                                    | Public Roads                                                                                                    | Public Roads                                                                                                    |
| <b>Parking</b>                                    | Onsite parking                                                                                                  | Onsite parking                                                                  | Onsite parking                                                                                                  | Onsite parking                                                                                                  |
| <b>Parking bays</b>                               | 36                                                                                                              | 68                                                                              | 44                                                                                                              | 80                                                                                                              |
| <b>Nearest road intersection:</b>                 | La Provence / Keerom Street (±55m from the access road centre line)                                             | La Provence / Keerom Street (±55m from the access road centre line)             | La Provence / Keerom Street (±55m from the access road centre line)                                             | La Provence / Keerom Street (±55m from the access road centre line)                                             |

Table 2: Four (4) options for Erf 284

It should be noted that in order to obtain development rights in accordance with the relevant legislation, amendments might occur on the final approved site development plan. This might result in a variance of between 10% to 30%.

### **6.3 Way forward after Council has determined the preferred conceptual Site Development Plans**

After Council has selected the preferred conceptual Site Development Plans for the different erven as indicated in Table 1 and Table 2, as well as **ANNEXURES 2 and 3** attached, all the bidders will have the opportunity to submit their Financial Proposals and Feasibility based on the proposal selected by Council. Bidders will also be required to provide a price breakdown for all professional fees to obtain development rights (Business and Residential Rights as per the different options presented in Table 1 and Table 2). The construction cost of a housing unit per square meter and cost of internal civil- and electrical services per site must be included in the submission.

This tender will be evaluated in terms of the Supply Chain Management Policy and the Preferential Procurement Regulations, 2017 that was promulgated by the Minister of Finance on 20 January 2017 in Government Gazette No 40553. Thereafter, Council will then enter into a Land Availability Agreement with the successful bidder who will service the land and build the necessary top structures as indicated in the tender document.

### **6.4 Financial Implications**

There will be publication costs, and the income will depend on the proposals received. The final income will only be known after the outcome of the bidding process when that is reported to Council.

### **6.5 Legal Implications**

The recommendations contained in this report comply with Council's policies and all applicable legislation. See paragraph 6.2.1, *supra*.

### **6.6 Staff Implications**

No additional staff implications are required.

### **6.7 Previous / Relevant Council Resolutions**

**EXECUTIVE MAYORAL COMMITTEE: 2022-04-19: ITEM 7.4.1**

### **RESOLVED**

that this item stands over for further discussion with the two Councillors concerned in the wards.

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**COUNCIL ITEMS FOR CONSIDERATION BY THE EXECUTIVE MAYOR UNDER DELEGATED AUTHORITY: 2020-03-31: ITEM 5.4.1****RESOLVED**

- a) that Council identify Erven 412 and 284, Le Roux, as land not needed to provide the minimum level of basic municipal services;
- b) that Council authorise the Administration to follow a public Call-for-Proposal, based on the points system as set out in paragraph 6.2.9;
- c) that Council approve the discounted sales prices as set out in paragraph 6.2.6 subject to the sales restrictions set out in paragraph 6.2.7;
- d) that Council approve the qualifying criteria set out in paragraph 6.2.8;
- e) that Council approve the discounted bulk infrastructure contribution set out in paragraph 6.2.10; and
- f) that following the conditional awarding of the bid to the bidder(s) scoring the highest points, an item be submitted to Council to make a final decision on the disposal of the land.

**6.8 Risk Implications**

Risk implications are addressed in the item.

**6.9 Comments from Senior Management**

Comments from Senior Management is reflected in the executive summary.

**6.9.1 Director: Planning & Economic Development**

It is advisable that the plans submitted in the report be referred to as Conceptual Subdivisional Plans and not Site Development Plans.

Erf 284, Le Roux is unregistered (subdivision approved on 04/01/1977), indicated as zoned Community Zone and will require an application for rezoning and subdivision as a minimum to be submitted, processed and approved. Alternatively, application for departures may be required with detail proposals.

Erf 217, Franschoek is set aside for road widening purposes and is therefore zoned Public Road and Parking Zone. Should the intend be to use this for any other use an application for rezoning and closure of a public road must be submitted.

The consolidation of Erf 412 and 217, Le Roux will require an application for rezoning, subdivision if required and closure of a public place.

The development proposals for Erf 412, Le Roux must take into consideration the prescripts of the Scenic Route Overlay Zone and in specific Urban Scenic Route 11, as it aims to provide a mechanism to mitigate the impact of new developments on the architectural aesthetics of the settlement, with particular reference to how development interacts and interface with the road.

**6.9.2 Director: Infrastructure Services**

Item supported. The developer must familiarise themselves with the Municipal Fiscal Powers and Functions Amendment Act (Act 4 of 2024) that indicates how Development Charges (DC) must be utilised by all municipalities. It is important to note that the DC policy gets amended on an annual basis. Therefore, the approved Council policy applicable will be utilised by the Directorate: Infrastructure Services to determine any DC discounts once the project is at planning/implementation stage. Any discounts can therefore just be allowed as per the approved Council policy.

Please be aware that there is a municipal sewer line along the northern boundary of Erf 284. Try and avoid any erven or structures along this boundary. The Manager: Development indicated that a public road over the sewer line can however be considered.

**6.9.3 Director: Corporate Services**

Stellenbosch Municipality is the registered owner of Erf 233, Le Roux. This property was subdivided and some of the new erven have already been transferred into the names on the different owners. This property was acquired from the Western Cape Government in terms of Section 19 of the Western Cape Housing Development Act.

Erf 284 forms part of the subdivision however it has not been officially registered as a separate property at the Registrar of Deeds, which in effect means that the property still forms part of the mother erf, and the Stellenbosch Municipality is therefore the legal owner.

The problem on this property is that a group called Franschhoek “Bejaardesorg Vereniging” is claiming that the property was bought by them from the Franschhoek Municipality in 1997. They have provided some documentation, and they have also built a structure on the property. They have not been able to provide sufficient proof that this was a legitimate transaction which was finalised and as stated above the ownership vested with the Western Cape Government up until 2013. If the Franschhoek Municipality entered into an agreement, they had no right to sell the property.

**6.9.4 Chief Financial Officer**

Supports the content of the item, as per the previous Council decision dated Executive Mayoral Committee: 2022-04-19: Item 7.4.1, no further comments were received.

**6.9.5 Director: Community Safety**

Supports the content of the item, as per the previous Council decision dated Executive Mayoral Committee: 2022-04-19: Item 7.4.1

**ANNEXURES:**

**Annexure 1:** Franschhoek Chambers of Commerce and Franschhoek Heritage & Ratepayers Association

**Annexure 2:** Conceptual Site Development layouts of Erven 412 and 217, Groendal, Franschhoek

**Annexure 3:** Conceptual Site Development layouts of Erf 284, Groendal, Franschhoek

**FOR FURTHER DETAILS, CONTACT:**

|                        |                                             |
|------------------------|---------------------------------------------|
| <b>NAME</b>            | <b>Lester van Stavel</b>                    |
| <b>POSITION</b>        | <b>Manager: Housing Development</b>         |
| <b>DIRECTORATE</b>     | <b>Planning and Economic Development</b>    |
| <b>CONTACT NUMBERS</b> | <b>021- 808 8462</b>                        |
| <b>E-MAIL ADDRESS</b>  | <b>lester.vanstavel@stellenbosch.gov.za</b> |
| <b>REPORT DATE</b>     | <b>05.09.2024</b>                           |

# **ANNEXURE 1**



**Memorandum**

**From:** Councillors Wilhelmina Petersen and Reginald Pheiffer, Adv Wilfred Moses, Irmela Alberts and Barry Phillips.

**To:** Lester van Stavel and others to whom it may concern in Stellenbosch Municipality

**Subject:** Development Proposals for Erfs 412 and 217, Franschhoek

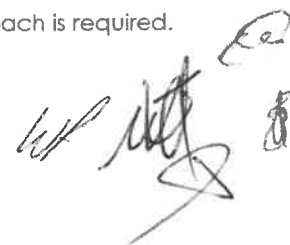
**Date:**  January 2023

**1. Our Interests in these development proposals**

- Cllr Wilhelmina Petersen is the Councillor for Ward 2 which includes Erfs 412, 217 and 284 and Cllr Reginald Pheiffer is the Councillor for Ward 1 which includes Franschhoek Village.
- Advocate Wilfred Moses is a resident of Groendal, a member of the Ratepayers Committee of the Franschhoek Heritage & Ratepayers Association (FHRPA) and Chairperson of the Franschhoek Chamber of Commerce with over xx members most of whose businesses are located in the vicinity of Erfs 412 and 217.
- Irmela Alberts and Barry Phillips are co-chairs of the FHRPA. It has over 200 members as residents, ratepayers and business owners in the Franschhoek Valley and is registered as an interest group with Stellenbosch Municipality and with Heritage Western Cape as the Conservation Body for the Franschhoek Valley.

**2. Reasons for this Memorandum**

- 2.1 It is common cause that the long overdue development of Erfs 412, 217 and 284 is of critical importance for Groendal in that it can provide much needed housing and entrepreneurial opportunities and if sensitively developed can uplift Groendal for the benefit of current and future generations.
- 2.2 The development of Erfs 412 and 217 is also of critical importance for Franschhoek Village. Situated at its entrance, the visual impact of any development of them will be very high. As is now well known, it was included in TIME Magazine's "Top 50 Destinations in the World" for 2022. This further enhancement of its reputation is invaluable as a marketing tool in bringing more visitors to Franschhoek and, therefore, helps to maintain and increase entrepreneurial and employment opportunities.
- 2.3 In the municipality's 2019 Zoning Scheme, the R45 from the R310 intersection at Allee Bleu to the Roux Street intersection is designated as a Rural Scenic Route Overlay Zone. The north west side past Groendal is part of an Urban Scenic Route Overlay Zone and the south east side continues as part of an Urban Scenic Route Overlay Zone. The R45 is also classified as a Scenic Drive in the municipality's 2019 Conservation Management Scheme as Grade IIIa for most of the way from the Allee Bleu R45/R310 intersection to the R45/Robertsylei Road intersection and from there to Roux Street as Grade II.
- 2.4 After the Scenic Drive through the Franschhoek Valley, the level of expectation approaching Franschhoek will be high. First impressions matter. Erfs 412 and 217 are at the gateway to the village. It is, therefore, essential the architecture and layout of a development of them does not detract from that expectation. A creative and imaginative approach is required.



2.5 In this memorandum we set out some of the objectives, parameters and guidelines which, in our opinion, should be applied in evaluating tenders for the development of Erf 412.



Figure 1



Figure 2

*Erf 412 from near the Roux Street/R45 intersection*



Figure 3 – Erf 412 from cnr R45/La Provence St.



Figure 4 – Erf 412 from cnr La Provence/Stiebevel St.

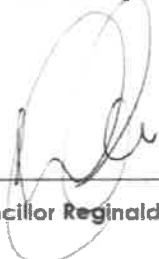
### 3. Development Objectives

The objectives of a development of Erfs 412 and 217 should be to;

- a) provide affordable residential units for rent, purchase or rent to purchase by local GAP PDIs employed locally in the public or private sectors or self-employed;
- b) provide commercial units for rent, purchase or rent to purchase for existing and start-up businesses owned and operated by local PDIs the sizes, types and rents or purchase prices of which have been discussed with the Franschhoek Chamber of Commerce;
- c) in the construction phase apply a "Franschhoek First" policy in employment and in the appointment of sub-contractors similar to that applied by TCTA in the construction phase of the Berg River Dam Project 2003 to 2007;
- d) create a social, residential and economic hub that will uplift the wider area in which it is located;
- e) create an aesthetically pleasing entrance to the village of Franschhoek consistent with the design parameters and guidelines below;
- f) achieve these objectives through a vehicle with a BEE component.

#### 4. Design Parameters and Guidelines

- a) The design should be architecturally appropriate – i.e. non-industrial looking buildings;
- b) The overall design should respond to the immediate area with inherent vernacular precedents – Victorian & Cape Dutch typologies – without being historical copies and with an approved colour scheme;
- c) There should be an overall Master Plan with symmetrically planned entry and exit points;
- d) Views towards the west (across the R 45) to be capitalised upon with shops responding to this interface.
- e) There should be varied building scale and roof form to create more interesting street elevations as opposed to very long or similar building forms with an unvaried elevation;
- f) There should be colonnades with roofed verandas or stoeps to protect pedestrians from the summer sun and winter rains;
- g) There should be a prominent outdoor component in a central open space with shade trees with shops and residences opening onto this space;
- h) Having regard to the proximity of Erfs 412 and 217 to the adjacent residential areas and the level of car ownership in those areas, consideration should be given to a departure to allow a lesser number of parking bays than prescribed in the Municipal Zoning Scheme
- i) Such parking bays as are strictly necessary must be in small parcels on the outside of the development to limit their visibility from the R45 and so there can be a fully pedestrianised green space component, a public square or courtyard on the inside with shade trees;
- j) Whatever zoning the development or parts of it may have, the height of any building must be limited to two storeys.



Councillor Reginald Pheiffer



Councillor Wilhelmina Petersen

For and on behalf of  
Franschhoek Chamber of Commerce

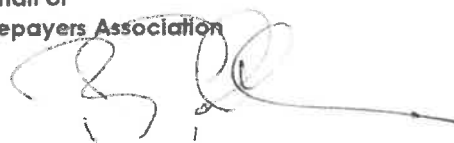


Adv Wilfred Moses = Chairperson

For and on behalf of  
Franschhoek Heritage & Ratepayers Association



Irmela Alberts: Co-chairperson



Barry Phillips: Co-Chairperson

# **ANNEXURE 2**

# OPTION 1 (Buildings & Parking)

| DESCRIPTION                                                                                                               | NOTES                       |
|---------------------------------------------------------------------------------------------------------------------------|-----------------------------|
| Erf 412, Le Roux, FHK                                                                                                     | ±11,204m <sup>2</sup>       |
| Erf 217, Le Roux, FHK                                                                                                     | ±388m <sup>2</sup>          |
| less Library area                                                                                                         | ±1,400m <sup>2</sup>        |
| <b>Erf 412: Total Developable Area</b>                                                                                    | <b>±10,192m<sup>2</sup></b> |
|  Number of Dwelling Units (incl Flats) | 42                          |
|  Number of Mixed Use Buildings         | 2                           |
| Gross Density (du/ha)                                                                                                     | ±41                         |
| Net Density (du/ha)                                                                                                       | ±55                         |
|  Number of Parking Bays                | 144                         |

## BUILDINGS & HOUSING TYPOLOGIES

- Erven 1 to 4 can accommodate Single or Double Storey Freestanding Units (2-or more bedrooms). Floor areas can vary from ±72m<sup>2</sup> to ±144m<sup>2</sup> (and more in some cases).
- Erven 5 to 12 can accommodate Freestanding Units (2-or more bedrooms or Semi-detached Units (2-Unit Duplexes; 2-bedrooms). Floor areas can vary from ±36m<sup>2</sup> to ±72m<sup>2</sup>.
- Erf 13 can accommodate businesses on the ground floor and ±20 x flats (1 or 2-bedroom) on the 1st floor. Total floor area is ±2,000m<sup>2</sup> (Ground floor businesses - 1000m<sup>2</sup> and 1st floor flats - 1000m<sup>2</sup>).
- Erf 14 can accommodate businesses on the ground floor and ±10 x flats (1 or 2-bedroom) on the 1st floor. Total floor area is ±1,500m<sup>2</sup> (Ground floor businesses - 750m<sup>2</sup> and 1st floor flats - 750m<sup>2</sup>).
- Floor areas for flats can vary between ±40m<sup>2</sup> to ±60m<sup>2</sup>.
- Height: Single Storey for flats. Single and/or Double Storey for other units.
- Building Lines (indicated as a **RED Dashed line**):
  - 0m building line is proposed for 1 x common boundary (for erven 5 to 12) to accommodate Semi-detached Units or 2-Unit Duplexes.
  - 1m building line on other common boundaries (Erven 1 to 12)
  - 2m street building line on erven up to 250m<sup>2</sup> (Erven 2 to 12)
  - 3m street building line on erven between 250m<sup>2</sup> and 500m<sup>2</sup> (Erf 1)
  - 0m (and 4.5m) street & common boundary building lines for the business uses (and other buildings) on Erven 13 and 14 is allowed. However, the location of the buildings on Erven 13 and 14 are at least 5m and 6m from the erf boundaries respectively.
- Parking:
  - Parking bay dimensions are 2.5m x 5m.
  - 2 x Onsite Parking Bays per erf (Erven 1 to 12).
  - 72 x Onsite Parking Bays on Erf 13.
  - 48 x Onsite Parking Bays on Erf 14.

## SHEETS

- Sheet 1: Layout, Erf Numbers & Dimensions
- Sheet 2: Proposed Zonings
- Sheet 3: Buildings & Parking
- Sheet 4: Buildings & Building Lines



### CLIENT / OWNER INFORMATION

STELLENBOSCH MUNICIPALITY

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### DRAWING TITLE

CONCEPT SDPs FOR ERF 412

| PLAN NUMBER | SCALE        | SHEET SIZE | SHEET NUMBER |
|-------------|--------------|------------|--------------|
| 1           | Not to scale | A4         | 3 of 4       |

### PROJECT NAME

CONCEPT SITE DEVELOPMENT PLANS FOR ERVEN 412, 217 & 284, LE ROUX, FRANSCHHOEK

### DRAWING TITLE CODES

BP: Base Plan  
CP: Consolidation Plan  
LP: Locality Plan  
LUP: Land Use Plan  
SDP: Site Development Plan  
SLP: Site Layout Plan  
SUB: Subdivision Plan  
ZP: Zoning Plan

### DRAWING DISCIPLINE CODES

TRP: Town & Regional Planning  
TP: Transportation Planning

### DRAWING STATUS CODES

D: Draft  
F: Final

### DRAWING NUMBER

21P003-TRP-SDP412(1)-20210621-D1

### PROFESSIONAL PLANNERS & PROJECT MANAGERS

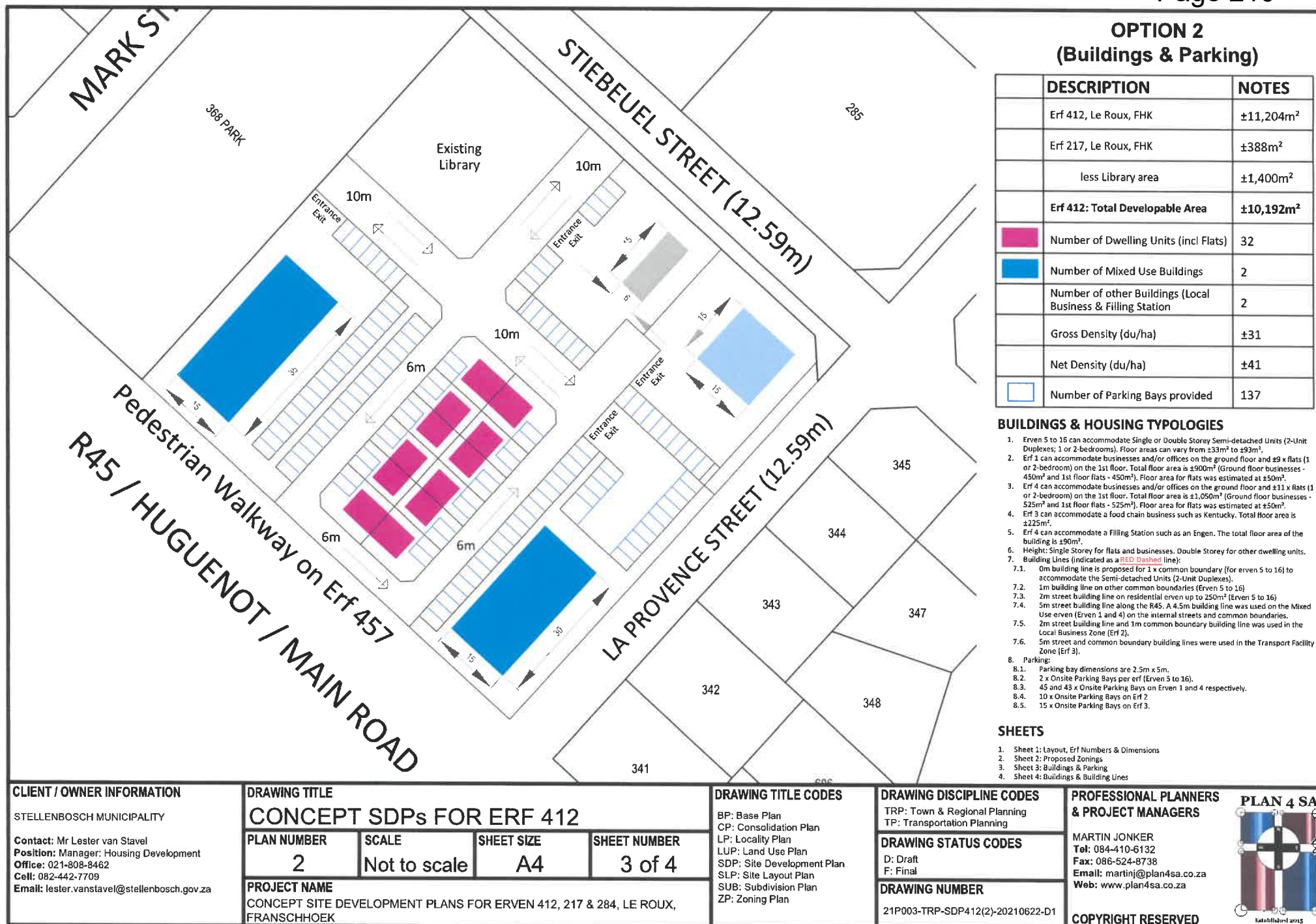
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### PLAN 4 SA







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# DRAWING TITLE

CONCEPT SDPs FOR ERF 412

| PLAN NUMBER | SCALE        | SHEET SIZE | SHEET NUMBER |
|-------------|--------------|------------|--------------|
| 2           | Not to scale | A4         | 3 of 4       |

# PROJECT NAME

CONCEPT SITE DEVELOPMENT PLANS FOR ERVEN 412, 217 & 284, LE ROUX, FRANSCHHOEK

# DRAWING TITLE CODES

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CP: Consolidation Plan  
LP: Locality Plan  
LUP: Land Use Plan  
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ZP: Zoning Plan

# DRAWING DISCIPLINE CODES

TRP: Town & Regional Planning  
TP: Transportation Planning

# DRAWING STATUS CODES

D: Draft  
F: Final

# DRAWING NUMBER

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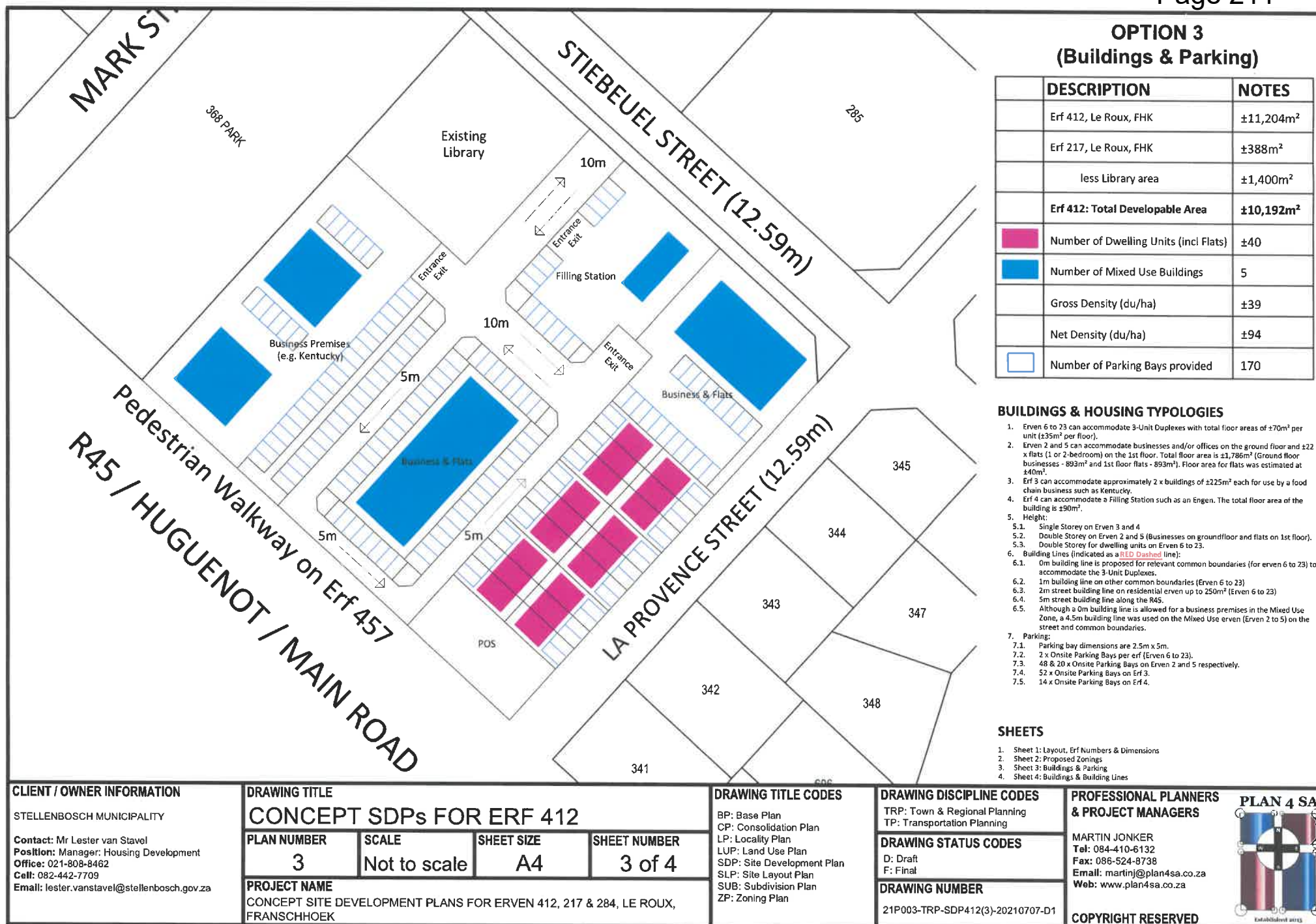
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**DRAWING TITLE****CONCEPT SDPs FOR ERF 412**

| PLAN NUMBER | SCALE        | SHEET SIZE | SHEET NUMBER |
|-------------|--------------|------------|--------------|
| 3           | Not to scale | A4         | 3 of 4       |

**PROJECT NAME**

CONCEPT SITE DEVELOPMENT PLANS FOR ERVEN 412, 217 & 284, LE ROUX,  
FRANSCHHOEK

**DRAWING TITLE CODES**

BP: Base Plan  
 CP: Consolidation Plan  
 LP: Locality Plan  
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**DRAWING DISCIPLINE CODES**

TRP: Town & Regional Planning  
 TP: Transportation Planning

**DRAWING STATUS CODES**

D: Draft  
 F: Final

**DRAWING NUMBER**

21P003-TRP-SDP412(3)-20210707-D1

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## OPTION 4 (Buildings & Development Parameters)

### ERF 1 (±1974m<sup>2</sup>)

- Proposed Zoning: Mixed Use Zone
- Proposed Land Uses: Business premises on ground floor, offices on 1st floor
- Coverage:
  - Permitted: 85%
  - Proposed: ±636m<sup>2</sup> (32%)
- Height:
  - Permitted: 6 storeys
  - Proposed: 2 storeys
- Estimated Floor Areas: ±1272m<sup>2</sup> calculated for 2 storeys
- Building Lines: As specified in the Mixed Use Zone. 3m building line proposed on La Provence Street.
- Parking Bays:
  - Dimensions: 2.5m x 5m
  - Required: 51
  - Provided: 36
  - A departure on the number of parking bays might be required. However, if a single storey building is constructed then the number of parking bays will be more than enough.

### ERF 2 (±2498m<sup>2</sup>)

- Proposed Zoning: Mixed Use Zone
- Proposed Land Uses: Business Premises on the ground floor and offices on the 1st floor.
- Coverage:
  - Permitted: 85%
  - Proposed: ±711m<sup>2</sup> (28%)
- Height:
  - Permitted: 6 storeys
  - Proposed: 2 storeys
- Estimated Floor Areas: ±1422m<sup>2</sup> calculated for 2 storeys
- Building Lines: As specified in the Mixed Use Zone.
- Parking Bays:
  - Dimensions: 2.5m x 5m
  - Required: 57
  - Provided: 51
  - A departure on the number of parking bays might be required. However, if a single storey building is constructed then the number of parking bays will be more than enough.

### ERF 3 (±2865m<sup>2</sup>)

- Proposed Zoning: Mixed Use Zone
- Proposed Land Uses: Business Premises on the ground floor and offices on the 1st floor.
- Coverage:
  - Permitted: 85%
  - Proposed: ±1078m<sup>2</sup> (28%)
- Height:
  - Permitted: 6 storeys
  - Proposed: 2 storeys
- Estimated Floor Areas: ±1215m<sup>2</sup> calculated for 2 storeys
- Building Lines: As specified in the Mixed Use Zone.
- Parking Bays:
  - Dimensions: 2.5m x 5m
  - Required: 86
  - Provided: 59
  - A departure on the number of parking bays might be required. However, if a single storey building is constructed then the number of parking bays will be more than enough.

### SHEETS

- Sheet 1: Site Layout, Erf Numbers & Zonings
- Sheet 2: Buildings & Development Parameters



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### DRAWING TITLE

## CONCEPT SDPs FOR ERF 412

| PLAN NUMBER | SCALE        | SHEET SIZE | SHEET NUMBER |
|-------------|--------------|------------|--------------|
| 1           | Not to scale | A4         | 2 of 2       |

### PROJECT NAME

CONCEPT SITE DEVELOPMENT PLANS FOR ERVEN 412 & 217, LE ROUX, FRANSCHHOEK

### DRAWING TITLE CODES

BP: Base Plan  
 CP: Consolidation Plan  
 LP: Locality Plan  
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### DRAWING DISCIPLINE CODES

TRP: Town & Regional Planning  
 TP: Transportation Planning

### DRAWING STATUS CODES

D: Draft  
 F: Final

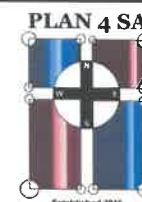
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21P003-TRP-SDP412(1)-20240426-F

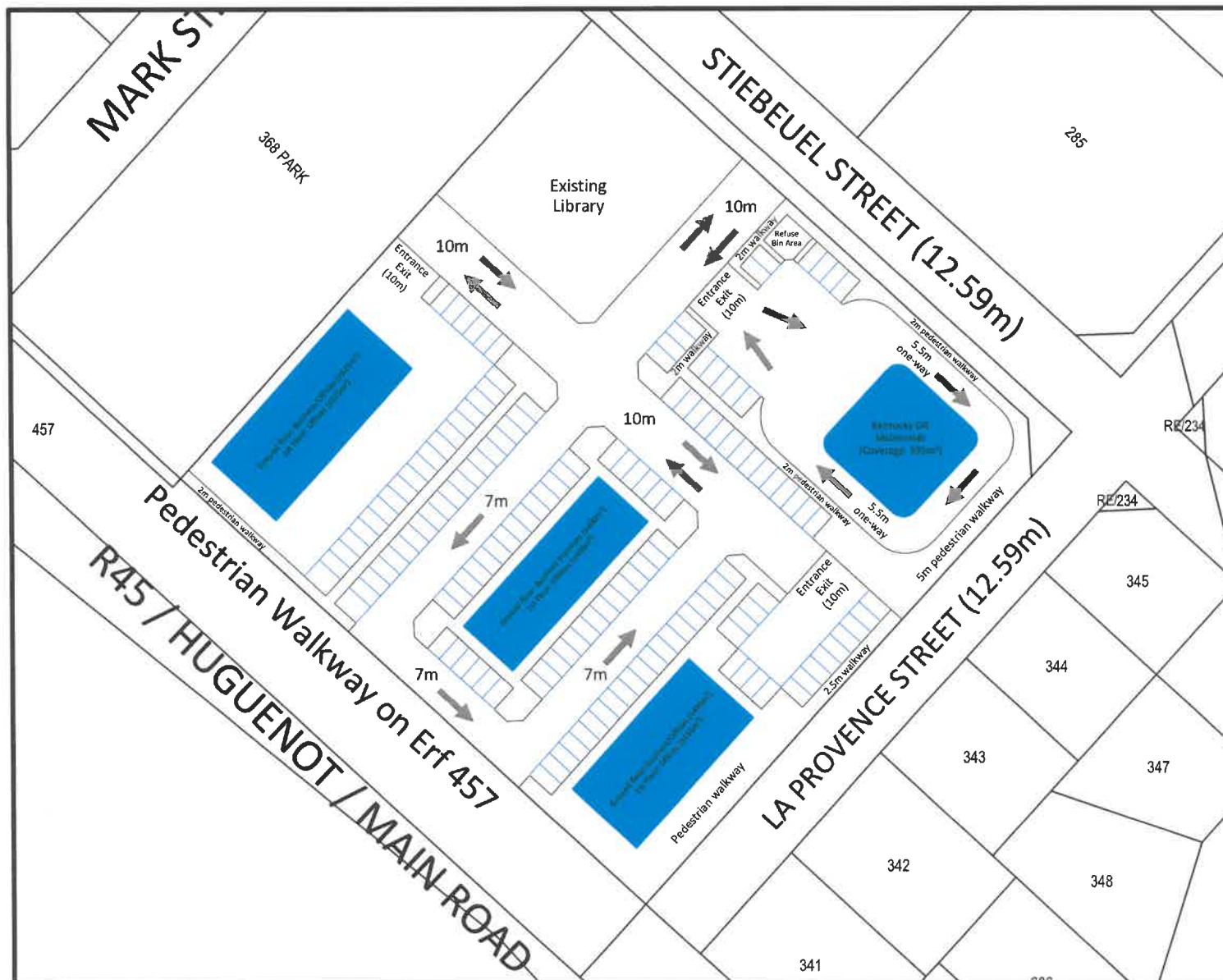
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## OPTION 5 (Buildings & Development Parameters)

### ERF 1 (±1818m²)

- Proposed Zoning: Mixed Use Zone
- Proposed Land Uses: Business premises, with Offices on the 1st Floor.
- Coverage:
  - Permitted: 85%
  - Proposed: ±450m² (25%)
- Height:
  - Permitted: 6 storeys
  - Proposed: 2 storeys
- Estimated Floor Areas: ±900m²
- Building Lines: As specified in the Mixed Use Zone.
- Parking Bays:
  - Dimensions: 2.5m x 5m
  - Required: 36
  - Provided: 37

### ERF 2 (±2500m²)

- Proposed Zoning: Mixed Use Zone
- Proposed Land Uses: Kentucky OR McDonalds.
- Coverage:
  - Permitted: 85%
  - Proposed: ±395m² (16%)
- Height:
  - Permitted: 6 storeys
  - Proposed: 1 storeys
- Estimated Floor Areas: ±395m²
- Building Lines: As specified in the Mixed Use Zone.
- Parking Bays:
  - Dimensions: 2.5m x 5m
  - Required: 16
  - Provided: 29

### ERF 3 (±2173m²)

- Proposed Zoning: Mixed Use Zone
- Proposed Land Uses: Business Premises, with Offices on the 1st Floor.
- Coverage:
  - Permitted: 85%
  - Proposed: ±525m² (24%)
- Height:
  - Permitted: 6 storeys
  - Proposed: 2 storeys
- Estimated Floor Areas: ±1050m²
- Building Lines: As specified in the Mixed Use Zone.
- Parking Bays:
  - Dimensions: 2.5m x 5m
  - Required: 42
  - Provided: 44

### ERF 4 (±1237m²)

- Proposed Zoning: Mixed Use Zone
- Proposed Land Uses: Business premises & Offices
- Coverage:
  - Permitted: 85%
  - Proposed: ±400m² (32%)
- Height:
  - Permitted: 6 storeys
  - Proposed: 2 storeys
- Estimated Floor Areas: ±800m²
- Building Lines: As specified in the Mixed Use Zone.
- Parking Bays:
  - Dimensions: 2.5m x 5m
  - Required: 32
  - Provided: 40

### SHEETS

- Sheet 1: Site Layout, Erf Numbers & Zoning
- Sheet 2: Buildings & Development Parameters

### CLIENT / OWNER INFORMATION

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### DRAWING TITLE

## CONCEPT SDPs FOR ERF 412

| PLAN NUMBER | SCALE        | SHEET SIZE | SHEET NUMBER |
|-------------|--------------|------------|--------------|
| 2           | Not to scale | A4         | 2 of 2       |

### PROJECT NAME

CONCEPT SITE DEVELOPMENT PLANS FOR ERVEN 412 & 217, LE ROUX, FRANSCHHOEK

### DRAWING TITLE CODES

BP: Base Plan  
CP: Consolidation Plan  
LP: Locality Plan  
LUP: Land Use Plan  
SDP: Site Development Plan  
SLP: Site Layout Plan  
SUB: Subdivision Plan  
ZP: Zoning Plan

### DRAWING DISCIPLINE CODES

TRP: Town & Regional Planning  
TP: Transportation Planning

### DRAWING STATUS CODES

D: Draft  
F: Final

### DRAWING NUMBER

24P003-TRP-SDP412(2)-20240426-F

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### OPTION 6 (Buildings & Development Parameters)

**ERF 1 ( $\pm 1672\text{m}^2$ )**

1. Proposed Zoning: Mixed Use Zone with Consent for a Filling Station
2. Proposed Land Uses: Filling Station with Convenience Store & Wimpo
3. Coverage:
  - 3.1. Permitted: 85%
  - 3.2. Proposed:  $\approx 620m^2$  (37%)
4. Height:
  - 4.1. Permitted: 2 storeys
  - 4.2. Proposed: Single Storey
5. Estimated Floor Areas:  $\approx 660m^2$
6. Building Lines: As specified in the Mixed Use Zone.
7. Parking Bays:
  - 7.1. Dimensions: 2.5m x 5m
  - 7.2. Required: 12
  - 7.3. Provided: 15

**ERF 2 ( $\pm 1262\text{m}^2$ )**

1. Proposed Zoning: Mixed Use Zone
2. Proposed Land Uses: Business Premises on the ground floor and offices on the 2nd floor.
3. Coverage:
  - 3.1. Permitted: 85%
  - 3.2. Proposed:  $\pm 408\text{m}^2$  (32%)
4. Height:
  - 4.1. Permitted: 6 storeys
  - 4.2. Proposed: 2 storeys
5. Estimated Floor Areas:  $\pm 816\text{m}^2$
6. Building Lines: As specified in the Mixed Use Zone.
7. Parking Bays:
  - 7.1. Dimensions:  $2.5\text{m} \times 5\text{m}$
  - 7.2. Required: 33
  - 7.3. Provided: 44

**ERF 3 ( $\pm 2398\text{m}^2$ )**

1. Proposed Zoning: Mixed Use Zone
2. Proposed Land Uses: Business Premises on the ground floor and offices on the 2nd floor.
3. Coverage:
  - 3.1. Permitted: 85%
  - 3.2. Proposed:  $\pm 450\text{m}^2$  (19%)
4. Height:
  - 4.1. Permitted: 6 storeys
  - 4.2. Proposed: 2 storeys
5. Estimated Floor Areas:  $\pm 900\text{m}^2$
6. Building Lines: As specified in the Mixed Use Zone.
7. Parking Bays:
  - 7.1. Dimensions:  $2.5\text{m} \times 5\text{m}$
  - 7.2. Required: 36
  - 7.3. Provided: 30

ERF 4 ( $\pm 2498\text{m}^2$ )

1. Proposed Zoning: Mixed Use Zone
2. Proposed Land Uses: Kentucky OR McDonalds with drive through service
3. Coverage:
  - 3.1. Permitted: 85%
  - 3.2. Proposed: ±496m<sup>2</sup> (20%)
4. Height:
  - 4.1. Permitted: 6 storeys
  - 4.2. Proposed: Single Storey
5. Estimated Floor Area: ±496m<sup>2</sup>
6. Building Lines: As specified in the Mixed Use Zone.
7. Parking Bays:
  - 7.1. Dimensions: 2.5m x 5m
  - 7.2. Required: 20
  - 7.3. Provided: 28

## SHEETS

1. Sheet 1: Site Layout, Erf Numbers & Zonings
2. Sheet 2: Buildings & Development Parameters

**CLIENT / OWNER INFORMATION**

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**DRAWING TITLE**

## CONCEPT SDPs FOR ERF 412

PLAN NUMBER

3

SCALE

Not to scale

**SHEET SIZE**

A4

SHEET NUMBER

2 of 2

PROJECT NAME

CONCEPT SITE DEVELOPMENT PLANS FOR ERVEN 412 & 217, LE ROUX,  
FRANSCHHOEK

### DRAWING TITLE CODES

BP: Base Plan  
CP: Consolidation Plan  
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### DRAWING DISCIPLINE CODES

TRP: Town & Regional Planning  
TP: Transportation Planning

### DRAWING STATUS CODES

D: Draft  
F: Final

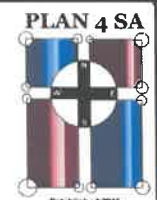
DRAWING NUMBER

24P003-TRP-SDP412(3)-20240426-F

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# **ANNEXURE 3**



### OPTION 1 (Layout, Erf Numbers & Parking)

|  | DESCRIPTION                       | NOTES                |
|--|-----------------------------------|----------------------|
|  | Erf 284, Le Roux, FHK             | 5,731m <sup>2</sup>  |
|  | Conventional Residential Zone     | ±3,838m <sup>2</sup> |
|  | Public Roads & Parking Zone       | ±1,893m <sup>2</sup> |
|  | Number of Erven (excluding Roads) | 18                   |
|  | Number of Dwelling Units          | 18                   |
|  | Gross Density (du/ha)             | 31                   |
|  | Net Density (du/ha)               | 47                   |
|  | Number of Parking Bays            | 36                   |

#### GENERAL NOTES

- Distances are shown in meters. Distances are estimates and need to be confirmed by a Land Surveyor.

#### ERVEN

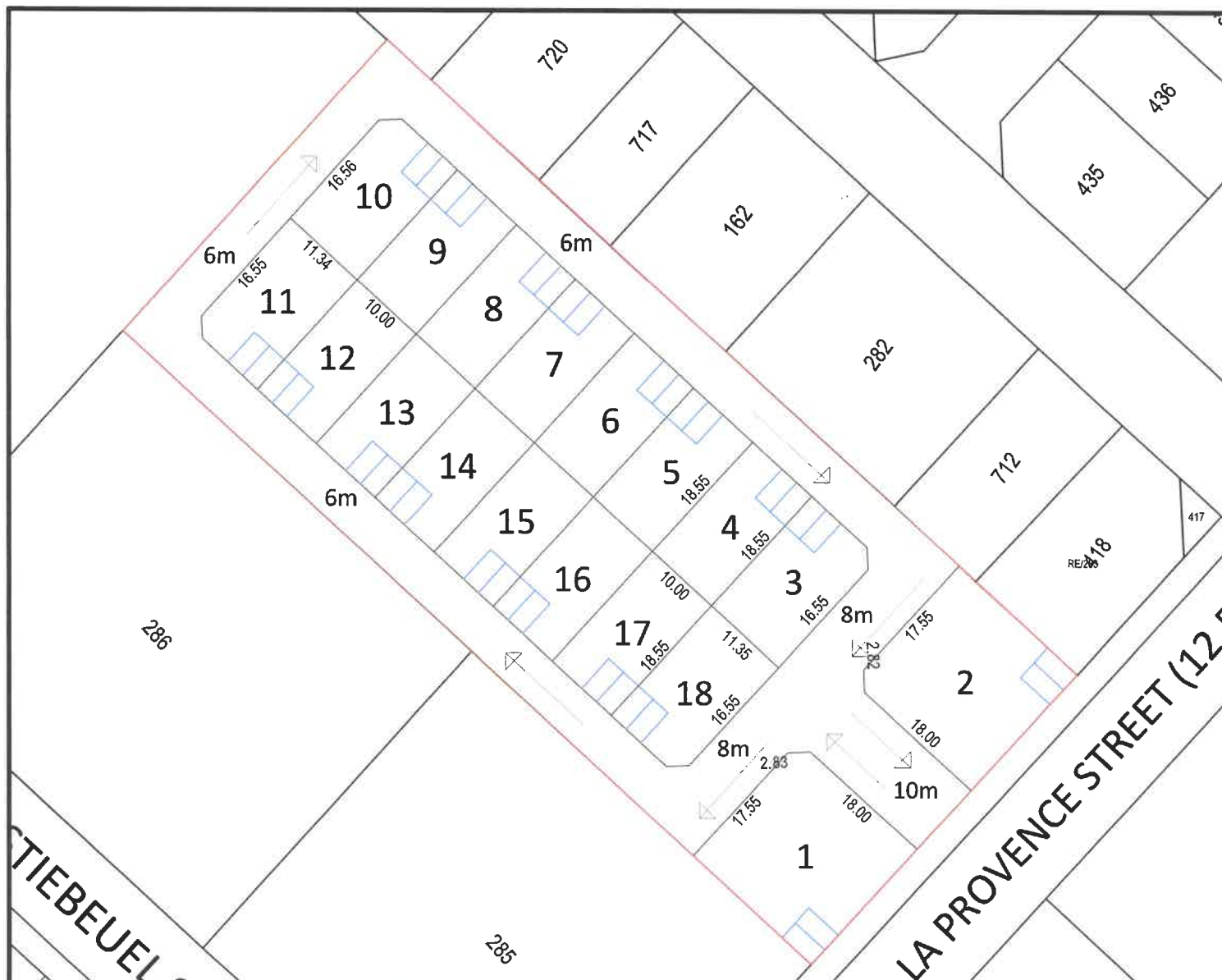
- Erven are numbered from 1 to 18
- Erf sizes vary between ±185m<sup>2</sup> and ±389m<sup>2</sup>.
- Coverage vary between ±130m<sup>2</sup> and ±233m<sup>2</sup>

#### HOUSING TYPOLOGIES

- Erven can accommodate Freestanding Units, Semi-detached Units and/or 2-Unit Duplexes. An example of the location of these units are shown on the plan (Magenta colour)
- Dwelling units can include 2 and/or more bedrooms
- Dwelling unit floor areas: Can vary between ±60m<sup>2</sup> and ±192m<sup>2</sup>
- Height: Single Storey and/or 2-Storeys
- Building Lines (indicated as a RED Dashed line):
  - 0m building line is proposed for 1 x common boundary (per erf) to accommodate Semi-detached Units or 2-Unit Duplexes.
  - 1m building line on other common boundaries
  - 2m street building line on erven up to 250m<sup>2</sup>
  - 3m street building line on erven between 250m<sup>2</sup> and 500m<sup>2</sup>
- Parking:
  - 2 x Onsite Parking Bays per erf.
  - Parking bay dimensions are 2.5m x 5m

#### ROADS & ACCESS

- Access to the development is obtained from La Provence Street.
- Internal road widths are 10m, 8m and 6m.
- Internal Circulation: Two-way traffic at 10m access road and one-way traffic on the 6m and 8m road portions.
- Nearest road intersection: La Provence / Keerom Street (±55m from access road centre line)



#### CLIENT / OWNER INFORMATION

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#### DRAWING TITLE

CONCEPT SDPs FOR ERF 284

#### PLAN NUMBER

1

#### SCALE

Not to scale

#### SHEET SIZE

A4

#### SHEET NUMBER

1 of 2

#### PROJECT NAME

CONCEPT SITE DEVELOPMENT PLANS FOR ERVEN 412, 217 & 284, LE ROUX, FRANSCHHOEK

#### DRAWING TITLE CODES

BP: Base Plan  
CP: Consolidation Plan  
LP: Locality Plan  
LUP: Land Use Plan  
SDP: Site Development Plan  
SLP: Site Layout Plan  
SUB: Subdivision Plan  
ZP: Zoning Plan

#### DRAWING DISCIPLINE CODES

TRP: Town & Regional Planning  
TP: Transportation Planning

#### DRAWING STATUS CODES

D: Draft  
F: Final

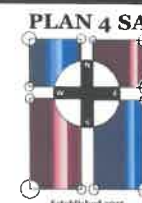
#### DRAWING NUMBER

21P003-TRP-SDP1-20210619-Rev D1

#### PROFESSIONAL PLANNERS & PROJECT MANAGERS

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## OPTION 2 (Layout, Erf Numbers & Parking)

|  | DESCRIPTION                       | NOTES                |
|--|-----------------------------------|----------------------|
|  | Erf 284, Le Roux, FHK             | 5,731m <sup>2</sup>  |
|  | Multi-Unit Residential Zone       | ±3,912m <sup>2</sup> |
|  | Public Roads & Parking Zone       | ±1,819m <sup>2</sup> |
|  | Number of Erven (excluding Roads) | 3                    |
|  | Number of Dwelling Units          | 42                   |
|  | Gross Density (du/ha)             | 73                   |
|  | Net Density (du/ha)               | 107                  |
|  | Number of Parking Bays            | 68                   |

### GENERAL NOTES

- Distances are shown in meters. Distances are estimates and need to be confirmed by a Land Surveyor.

### ERVEN

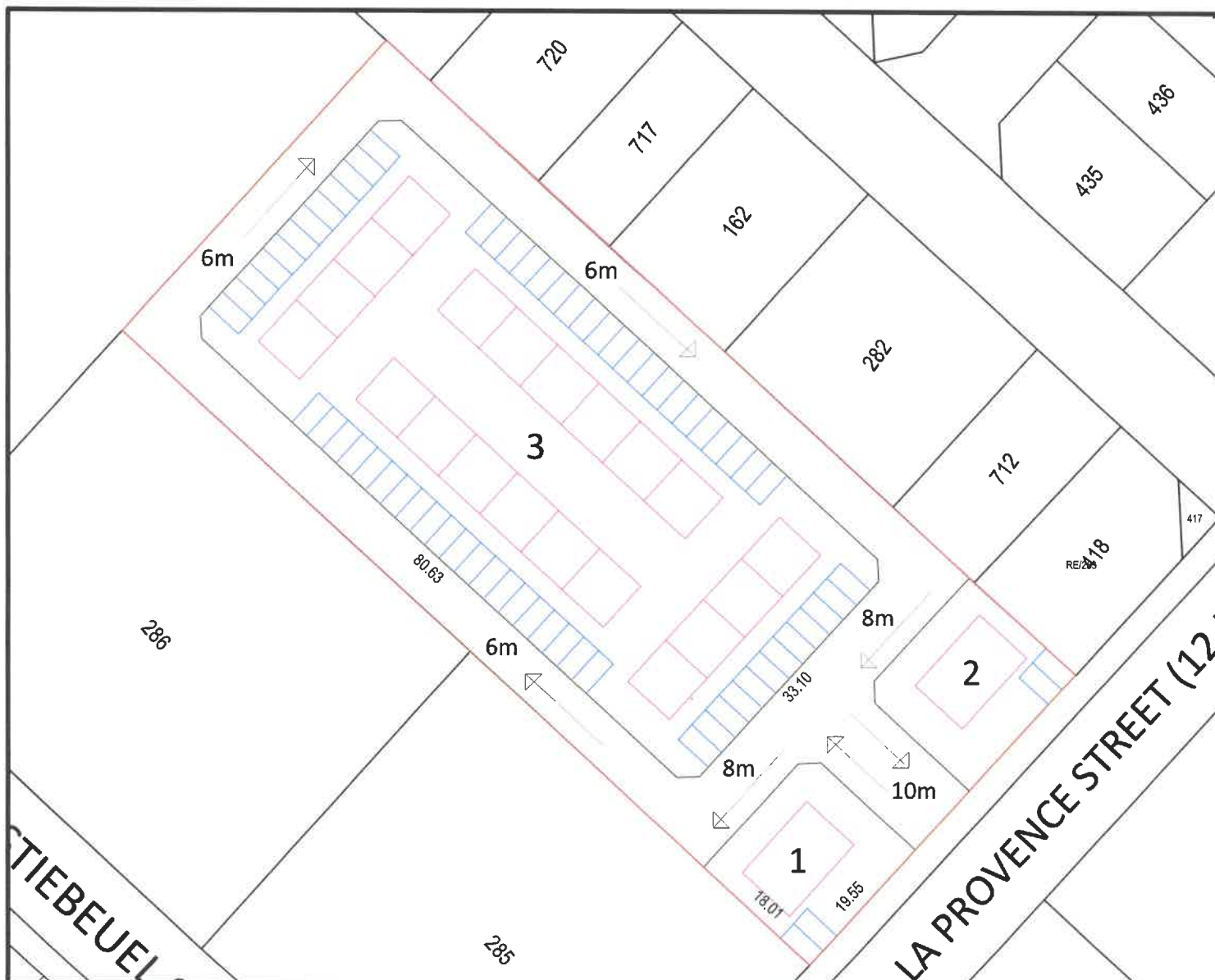
- Erven 1 and 2 are numbered 1 to 3.
- Erven 1 and 2 is ± 389m<sup>2</sup> each and Erf 3 is ± 3134m<sup>2</sup> in size.
- Max Coverage allowed on Erf 1 and 2 is ± 233m<sup>2</sup> each and ± 1567m<sup>2</sup> on Erf 3.

### HOUSING TYPOLOGIES

- Erven 1 and 2 can accommodate Single or Double Storey Freestanding Units, whilst 2-Storey Flats of ± 49m<sup>2</sup> per unit is proposed for Erf 3. An example of the location of these units are shown on the plan (Magenta colour)
- Freestanding Dwelling Units can include 2 or more bedrooms. Flats can include 1 or 2 bedrooms.
- Dwelling unit floor areas: Can vary between ± 96m<sup>2</sup> and ± 192m<sup>2</sup> for the Freestanding Dwelling Units. The 40 x Flats can have a total floor area of ± 1960m<sup>2</sup> if calculated at 49m<sup>2</sup> per dwelling unit.
- Height: Single or Double Storey for the Freestanding Units and 2-Storey Flats.
- Building Lines (Indicated as a RED Dashed line):
  - As proposed by the Zoning Scheme By-Law
- Parking:
  - 2 x Onsite Parking Bays per erf for Freestanding Dwelling Units.
  - 1.5 x Onsite Parking Bays per Flat (1 or 2 bedroom units)
  - Parking bay dimensions are 2.5m x 5m

### ROADS & ACCESS

- Access to the development is obtained from La Provence Street.
- Internal road widths are 10m, 8m and 6m.
- Internal Circulation: Two-way traffic at 10m access road and one-way traffic on the 6m and 8m road portions.
- Nearest road intersection: La Provence / Keerom Street (± 55m from access road centre line)



### CLIENT / OWNER INFORMATION

STELLENBOSCH MUNICIPALITY

Contact: Mr Lester van Stavel  
Position: Manager: Housing Development  
Office: 021-808-8462  
Cell: 082-442-7709  
Email: lester.vanstavel@stellenbosch.gov.za

### DRAWING TITLE

CONCEPT SDPs FOR ERF 284

| PLAN NUMBER | SCALE        | SHEET SIZE | SHEET NUMBER |
|-------------|--------------|------------|--------------|
| 2           | Not to scale | A4         | 1 of 2       |

### PROJECT NAME

CONCEPT SITE DEVELOPMENT PLANS FOR ERVEN 412, 217 & 284, LE ROUX, FRANSCHHOEK

### DRAWING TITLE CODES

BP: Base Plan  
CP: Consolidation Plan  
LP: Locality Plan  
LUP: Land Use Plan  
SDP: Site Development Plan  
SLP: Site Layout Plan  
SUB: Subdivision Plan  
ZP: Zoning Plan

### DRAWING DISCIPLINE CODES

TRP: Town & Regional Planning  
TP: Transportation Planning

### DRAWING STATUS CODES

D: Draft  
F: Final

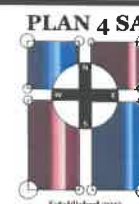
### DRAWING NUMBER

21P003-TRP-SDP1-20210619-Rev D1

### PROFESSIONAL PLANNERS & PROJECT MANAGERS

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|  | DESCRIPTION                       | NOTES                |
|--|-----------------------------------|----------------------|
|  | Erf 284, Le Roux, FHK             | 5,731m <sup>2</sup>  |
|  | Conventional Residential Zone     | ±4,524m <sup>2</sup> |
|  | Public Roads & Parking Zone       | ±1,207m <sup>2</sup> |
|  | Number of Erven (excluding Roads) | 22                   |
|  | Number of Dwelling Units          | 22                   |
|  | Gross Density (du/ha)             | 38                   |
|  | Net Density (du/ha)               | 49                   |
|  | Number of Parking Bays            | 44                   |

1. Distances are shown in meters. Distances are estimates and need to be confirmed by a Land Surveyor.

1. Erven is numbered from 1 to 22
2. Erf sizes vary between  $\pm 150\text{m}^2$  and  $\pm 289\text{m}^2$ .
3. Coverage vary between  $\pm 105\text{m}^2$  and  $\pm 173\text{m}^2$

1. Erven can accommodate Freestanding Units, Semi-detached Units and/or 2-Unit Duplexes. An example of the location of these units are shown on the plan (**Magenta** colour)
2. Dwelling units can include 2 and/or more bedrooms
3. Dwelling unit floor areas: Can vary between  $\pm 56\text{m}^2$  and  $\pm 140\text{m}^2$
4. Height: Single Storey and/or 2-Storeys
5. Building Lines (indicated as a **RED Dashed** line):
  - 5.1. 0m building line is proposed for 1 x common boundary (per erf) to accommodate Semi-detached Units or 2-Unit Duplexes.
  - 5.2. 1m building line on other common boundaries
  - 5.3. 2m street building line on erven up to  $250\text{m}^2$
  - 5.4. 3m street building line on erven between  $250\text{m}^2$  and  $500\text{m}^2$
6. Parking:
  - 6.1. 2 x Onsite Parking Bays per erf.
  - 6.2. Parking bay dimensions are  $2.5\text{m} \times 5\text{m}$

1. Access to the development is obtained from La Provence Street.
2. Internal road width is 10m ending in a turning circle with a 10m radius.
3. Internal Circulation: Two-way traffic.
4. Nearest road intersection: La Provence / Keerom Street (±55m from access road centre line)



## OPTION 4 (Layout, Erf Numbers & Parking)

|  | DESCRIPTION                       | NOTES                |
|--|-----------------------------------|----------------------|
|  | Erf 284, Le Roux, FHK             | 5,731m <sup>2</sup>  |
|  | Conventional Residential Zone     | ±4,524m <sup>2</sup> |
|  | Public Roads & Parking Zone       | ±1,207m <sup>2</sup> |
|  | Number of Erven (excluding Roads) | 40                   |
|  | Number of Dwelling Units          | 40                   |
|  | Gross Density (du/ha)             | ±69                  |
|  | Net Density (du/ha)               | ±88                  |
|  | Number of Parking Bays            | 80                   |

### GENERAL NOTES

- Distances are shown in meters. Distances are estimates and need to be confirmed by a Land Surveyor.

### ERVEN

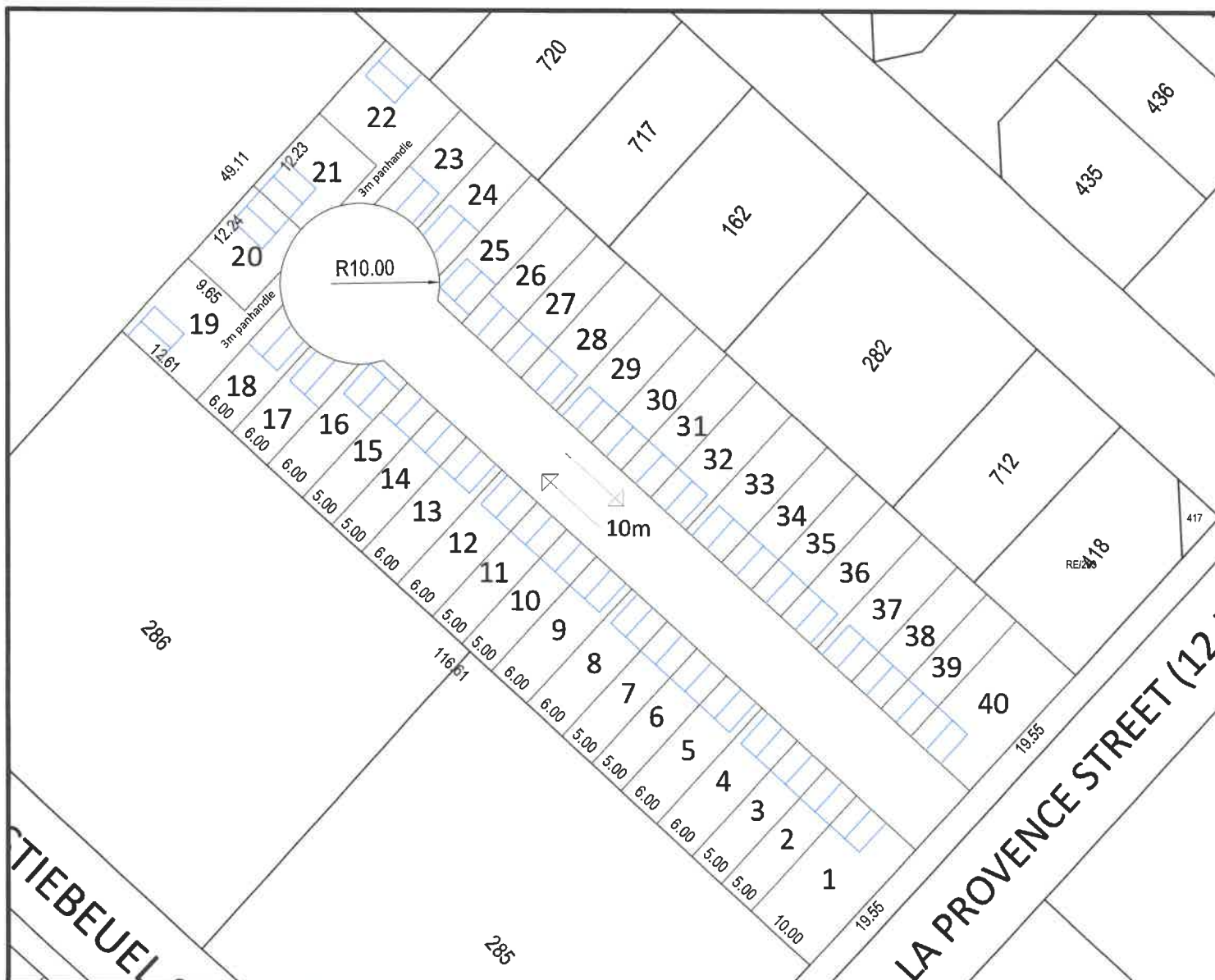
- Erven is numbered from 1 to 40.
- Erf sizes vary between ±90m<sup>2</sup> and ±195m<sup>2</sup>.
- Coverage vary between ±63m<sup>2</sup> and ±137m<sup>2</sup>.

### HOUSING TYPOLOGIES

- Erven 1 to 16 and 25 to 40 accommodate 4-Unit Duplexes. Erven 17 to 24 accommodate 2-Unit Duplexes. An example of the location of these units are shown on the plan (Magenta colour).
- Dwelling units can include 2 and/or more bedrooms.
- Dwelling unit floor areas: Vary between ±60m<sup>2</sup> and ±72m<sup>2</sup> in total (Ground Floor & First Floor: ±30m<sup>2</sup> to ±36m<sup>2</sup> each).
- Height: Single Storey and/or 2-Storeys. 2-Storeys recommended.
- Building Lines (indicated as a RED Dashed line):
  - Erven 17-24: 0m building line is proposed for 1 x common boundary (per erf) to accommodate 2-Unit Duplexes.
  - Erven 1-16, 25-40: 0m common boundary building lines to accommodate 4-Unit Duplexes.
  - 1m building line on other common boundaries.
  - 3m rear building line proposed on Erven 22-40 to accommodate sewerage line of adjacent properties.
  - 2m street building line on all erven up to 250m<sup>2</sup>.
- Parking:
  - 2 x Onsite Parking Bays per erf.
  - Parking bay dimensions are 2.5m x 5m.

### ROADS & ACCESS

- Access to the development is obtained from La Provence Street.
- Internal road width is 10m ending in a turning circle with a 10m radius.
- Internal Circulation: Two-way traffic.
- Nearest road intersection: La Provence / Keerom Street (±55m from access road centre line).



### CLIENT / OWNER INFORMATION

STELLENBOSCH MUNICIPALITY

Contact: Mr Lester van Stavel  
Position: Manager: Housing Development  
Office: 021-808-8462  
Cell: 082-442-7709  
Email: lester.vanstavel@ Stellenbosch.gov.za

### DRAWING TITLE

## CONCEPT SDPs FOR ERF 284

| PLAN NUMBER | SCALE        | SHEET SIZE | SHEET NUMBER |
|-------------|--------------|------------|--------------|
| 4           | Not to scale | A4         | 1 of 2       |

### PROJECT NAME

CONCEPT SITE DEVELOPMENT PLANS FOR ERVEN 412, 217 & 284, LE ROUX, FRANSCHHOEK

### DRAWING TITLE CODES

BP: Base Plan  
CP: Consolidation Plan  
LP: Locality Plan  
LUP: Land Use Plan  
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### DRAWING DISCIPLINE CODES

TRP: Town & Regional Planning  
TP: Transportation Planning

### DRAWING STATUS CODES

D: Draft  
F: Final

### DRAWING NUMBER

21P003-TRP-SDP-20210706-Rev D1

### PROFESSIONAL PLANNERS & PROJECT MANAGERS

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### PLAN 4 SA



|     |                                             |
|-----|---------------------------------------------|
| 7.6 | INFRASTRUCTURE SERVICES : (PC : R PHEIFFER) |
|-----|---------------------------------------------|

|       |                                                                               |
|-------|-------------------------------------------------------------------------------|
| 7.6.1 | STATUS REPORT ON THE ALTERNATIVE ENERGY GENERATION PROGRAMME – SEPTEMBER 2024 |
|-------|-------------------------------------------------------------------------------|

Collaborator No: 773774  
 IDP KPA Ref No: Good Governance and Compliance  
 Meeting Date: 26 September 2024

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

**2. PURPOSE**

For Council to note the progress of the Municipality's as well as Provincial Government initiatives regarding the loadshedding mitigation which is underway to reduce the impact of electricity loadshedding in the Municipality.

**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, meeting 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 they Eskom's Loadshedding Committee can take it into consideration. A revised application was submitted to Eskom on 22 August 2024.

**4.2** A tender for the possible purchase of 20MW of electricity from an Independent Power Producer (IPP), that was advertised closed on 28 March 2024 and is currently at evaluation and adjudication phase. The tender evaluation report served at the BEC for a second time on the 26<sup>th</sup> of August 2024 and was approved with recommendations. The evaluation report with the BEC recommendations is scheduled to serve at the BAC on the 6<sup>th</sup> of September 2024.

**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 will commence in September 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 Franshoek 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 submitted by the appointed contractor responsible 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 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 of 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 submitted and presented to the user department by the consultant on the 26 August 2024. There were certain recommendations made by the user department which the consultant is adding to the proposal before submission to the AEG Committee.

#### **4.6 Provincial Initiatives**

##### **4.6.1 Provincial Initiative to Establish a 50MW Solar Plant**

- Feasibility Study has been completed and is currently presented to various internal structures including Council. The 50 MW MIPPP item has served at Council in August 2024.
- The 50 MW MIPPP item that served at council received the go-ahead to proceed to the next stage.
- The Transactional Advisory Team "Cresco" met with Stellenbosch Municipality and Eskom to determine the next procurement steps. It was agreed in the meeting that an Expression of Interest will be advertised, the advert was placed on the 7<sup>th</sup> of September 2024.
- On the 24<sup>th</sup> of July 2024 the office of the Premier drafted 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 Cresco team met with the Municipality to scrutinize the Eskom response in detail. Cresco was alarmed by the response from Eskom. No proper answers were given 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 Cresco and Pegasys attended by the Municipality, the different steps (technical, financial and legal) were discussed and considered. A risk assessment was suggested, which must include legal and finance elements must be formulated 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 January 2025.
- Eskom's stance is a concern for Pegasys and Cresco 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 Cresco which will be served in the next Council's Alternative Enenergy 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. This could result in wasteful and fruitless expenditure. Updates on the project are crucial to keep Council informed. The Premier was asked to intervene on behalf of the Municipality.

#### **4.6.2 Provincial Project: Municipal Pooled Buying initiative:**

Following Stellenbosch' input after reviewing the Pool Buying report it was recently indicated by Province that this project has been put on hold until further notice.

## **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.

## **6.2.2 Proposed Load Curtailment Strategy**

Taking the above into consideration the following load shedding mitigation strategies are being facilitated.

## **6.2.3 Municipal Initiatives**

### **6.2.3.1 Appointment of Alternative Energy Independent Power Producers (IPP's)**

A tender for the possible purchase of 20MW of electricity from an Independent Power Producer (IPP), that was advertised closed on 28 March 2024 and is currently at evaluation and adjudication phase.

Possible second Tender: Three sites were identified by Stellenbosch Municipality with the view to establishing 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 this tender will only be advertised once the evaluation and adjudication of the 20 MW IPP tender process have been concluded.

### **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, Gholf 66 kV & 11 kV, Jan Marais 11 kV, Markotter 66 kV & 11 kV, Suidwal 66 kV & 11 kV, University 11 kV and Cloetessville 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.

### **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) to ensure continued service delivery is underway.

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 submitted and presented to the user department by the consultant on the 26 August 2024. There were certain recommendations made by the user department which the consultant is adding to the proposal before submission 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 EPCs. 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 completed and registered on the SANEDI website.

### **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 the Remote Switching control room which is required to enable self loadshedding.

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 same to Management for consideration and approval.

**6.6. Previous / Relevant Council Resolutions****23<sup>RD</sup> 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.

**16<sup>TH</sup> COUNCIL MEETING: 2023-08-23: ITEM 11.6.3****NOTED**

The progress of the Alternate Energy Generation initiatives and studies.

**20<sup>TH</sup> 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 currently being evaluated. The PGWC were requested to submit their concerns in writing to the Municipality.

- Various engagements were held between the Municipal specialist service provider (Lyners), Municipal officials, Provincial Government Transactional Advisory consortium (Cresco) and the Provincial Government's Project Manager (Pegasys).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 finalised at present.
- To enable self-loadshedding, a significant capital investment will be required. The Department is implementing in phases 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's service provider 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:**

|                        |                                                                                                                                                                                                       |
|------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>NAME</b>            | <b><i>Nombulelo Zwane / Mark Benson</i></b>                                                                                                                                                           |
| <b>POSITION</b>        | <b><i>Senior Manager: Electrical Services</i></b>                                                                                                                                                     |
| <b>DIRECTORATE</b>     | <b><i>Infrastructure Services</i></b>                                                                                                                                                                 |
| <b>CONTACT NUMBERS</b> | <b><i>021 808 8770/ 021 808 8333</i></b>                                                                                                                                                              |
| <b>E-MAIL ADDRESS</b>  | <b><i><a href="mailto:nombulelo.zwane@ Stellenbosch.gov.za">nombulelo.zwane@ Stellenbosch.gov.za</a> / <a href="mailto:mark.benson@ Stellenbosch.gov.za">mark.benson@ Stellenbosch.gov.za</a></i></b> |
| <b>REPORT DATE</b>     | <b><i>18 September 2024</i></b>                                                                                                                                                                       |

|     |                                             |
|-----|---------------------------------------------|
| 7.7 | <b>PARKS AND OPEN SPACES: (PC: N OLAYI)</b> |
|-----|---------------------------------------------|

NONE

|     |                                                                                   |
|-----|-----------------------------------------------------------------------------------|
| 7.8 | <b>PLANNING AND LOCAL ECONOMIC DEVELOPMENT AND TOURISM :(PC: CLLR M SLABBERT)</b> |
|-----|-----------------------------------------------------------------------------------|

|       |                                                                                                                                                                                               |
|-------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7.8.1 | <b>TO PROVIDE FEEDBACK TO COUNCIL FOR THE APPROVAL OF THE PROPOSED SITE TO PILOT THE BICYCLE PARK AND WALK FACILITIES INITIATIVE WITHIN THE WC024 AREA FOR A PERIOD OF TWELVE (12) MONTHS</b> |
|-------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Collaborator No: 774011  
 IDP KPA Ref No: Good Governance and Compliance  
 Meeting Date: 26 September 2024

**1. SUBJECT:TO PROVIDE FEEDBACK TO COUNCIL FOR THE APPROVAL OF THE PROPOSED SITE TO PILOT THE BICYCLE PARK AND WALK FACILITIES INITIATIVE WITHIN THE WC024 AREA FOR A PERIOD OF TWELVE (12) MONTHS**

**2. PURPOSE**

Is to provide feedback to Council for the approval of the proposed site to pilot the Bicycle Park and Walk Facilities concept within the WC024 for a period of twelve (12) months.

**3. DELEGATED AUTHORITY**

Municipal Council.

**4. EXECUTIVE SUMMARY**

Stellenbosch Municipality aims is to promote and prioritise Non-Motorised Transport (NMT), in line with the outcomes from the IDP consultative processes and as part of the Municipality's and National Government's Strategic Planning.

The objective is to change the character of the Central Business District and the behaviour of motorists to create 'living streets' that would prioritise pedestrians and cyclists.

**5. RECOMMENDATIONS**

- (a) that Council takes note of the site that has been identified for the Bicycle Park and Walk Pilot;
- (b) that Council approves the proposed site to pilot the Bicycle Park and Walk facilities initiative for a period of twelve (12) months;
- (c) that building plans be submitted by STF in accordance with the National Building Regulations (NBR) and Standards Act, 103 of 1977 for the proposed structure;

- (d) that the necessary wayleaves applications be submitted (if applicable);
- (e) that an application for electricity connection be submitted to the electrical services (if applicable);
- (f) that an application for signage be submitted to Heritage for approval;
- (g) that a new agreement be drawn up between Stellenbosch Municipality and Stellenbosch Trail Fund as the current MOU will not be extended for the purpose of the Bicycle Park and Walk Facilities;
- (h) that milestones be put in place for the submission of the above-mentioned items within the 12-month trial period; and
- (i) that failure to adhere to the above-mentioned conditions will result in the pilot to be terminated and the facility to be removed with remedial action.

## **6. DISCUSSION / CONTENTS**

### **6.1 Background**

The Municipality's Comprehensive Integrated Transport Plan lists the portion or full pedestrianisation of streets in the Central Business District (CBD) as a strategic transport intervention.

A proposal by Stellenbosch Trail Fund (STF) to pilot the Bicycle Park and Walk Facilities within the Central Business District of Stellenbosch was approved by Council during the 18<sup>th</sup> Council Meeting on 29 November 2023.

### **6.2 Discussion**

Subsequent to the approval by Council, various consultation sessions took place between Stellenbosch Municipality and Stellenbosch Trail Fund to discuss suitable sites for the facilities and determine the requirements and roles and responsibilities of the relevant parties to ensure the successful implementation of the concept.

#### **6.2.1 The proposed Site**

The proposed site that has been identified is situated on a portion of Erf 1973 and Erf 1974, in the parking area of the Eikestad Mall on Andringa Street (see attached as **APPENDIX 1**). The site has been identified as the most suitable due to the following reasons:

- a) The identified site is located along the planned NMT network;
- b) The site is located close to amenities;
- c) The site consists of a large area which is already paved;
- d) No parking bays will need to be forfeited due to the facility;
- e) The site has existing walls of functional value.

The following concern was raised regarding the proposed site:

- a) There is an ongoing Public Private Partnership between Stellenbosch Municipality and Eikestad Mall for the development of an extended parking lot.



**6.2.2 The proposed design**

The Clearvu fence which was previously installed at the Landbou Saal will be erected at the identified site (see attached as **APPENDIX 2**). The fence will be fastened to the decommissioned toilets for stabilization. If the need should arise for the facility to be moved or removed, STF will implement the necessary remedial measures.

The structure must have the following components to comply with the Municipality's regulations and by-laws:

- a) A solid foundation and stabilization to ensure that the facility can withstand extreme weather conditions and comply with safety regulations;
- b) Make provision for site clearance due to the adjacent car parking; sidewalks for pedestrians and storm water drainage;
- c) Must be heritage compliant as the facility falls within the Heritage Overlay Zone; and
- d) Must have height restrictions in compliance with the NBR Act.

To ensure the successful implementation of the Bicycle Park and Walk Pilot it is essential that the approved building plans are obtained and that a Memorandum of Understanding is signed by both parties.

**6.3 Financial Implications**

No financial implications

**6.4 Legal Implications**

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

**6.5 Staff Implications**

No staff implications at this point.

**6.6 Previous / Relevant Council Resolutions:**

18<sup>th</sup> Council Meeting: 2023/11/29: ITEM 11.8.5

RESOLVED (nem con)

- a) that Council approve the request to pilot the initiative of Bicycle Park and Walk Facilities concept; and
- b) that further consultation and engagement with Stellenbosch Trail Fund take place to identify more suitable Bicycle Park and Walk sites.

**6.7 Risk Implications**

None

**6.8 Comments from Senior Management**

The following Directorates were consulted: Infrastructure; Community Protection Services; Corporate Services and Finance.

No comments received.

**APPENDICES**

Appendix 1: Proposed site for the Bicycle Park and Walk Facility;

Appendix 2: Proposed design of the Bicycle Park and Walk Facility

**FOR FURTHER DETAILS CONTACT:**

|                        |                                                                                            |
|------------------------|--------------------------------------------------------------------------------------------|
| <b>Name</b>            | <i>Joh-ne Jansen</i>                                                                       |
| <b>Position</b>        | <i>Senior Economic Development Officer</i>                                                 |
| <b>Directorate</b>     | <i>Planning and Economic Development</i>                                                   |
| <b>Contact Numbers</b> | <i>021 808 8144</i>                                                                        |
| <b>E-mail Address</b>  | <a href="mailto:joh-ne.jansen@ Stellenbosch.gov.za">joh-ne.jansen@ Stellenbosch.gov.za</a> |
| <b>Report Date</b>     | <i>19 September 2024</i>                                                                   |

|            |                                               |
|------------|-----------------------------------------------|
| <b>7.9</b> | <b>COMMUNITY SERVICES:(PC: CLLR X KALIPA)</b> |
|------------|-----------------------------------------------|

NONE

# **APPENDIX 1**

## PROPOSED SITE FOR THE BICYCLE PARK AND WALK FACILITY



Situated inside the parking area opposite McDonalds.

Location:

33°56'08.1"S 18°51'39.1"E

# **APPENDIX 2**

PROPOSED DESIGN: CLEARVU FENCE PREVIOUSLY INSTALLED AT THE LANDBOU  
SAAL



|      |                                                         |
|------|---------------------------------------------------------|
| 7.10 | RURAL MANAGEMENT AND ENVIRONMENT: (PC: CLLR J WILLIAMS) |
|------|---------------------------------------------------------|

|        |                                                                 |
|--------|-----------------------------------------------------------------|
| 7.10.1 | STELLENBOSCH MUNICIPALITY NATURE RESERVE AND NATURE AREA BY-LAW |
|--------|-----------------------------------------------------------------|

Collaborator No: 773712

IDP KPA Ref No: Good Governance and Compliance

Meeting Date: 26 September 2024

**1. SUBJECT: STELLENBOSCH MUNICIPALITY NATURE RESERVE AND NATURE AREA BY-LAW**

**2. PURPOSE**

A Draft Stellenbosch Municipality Nature Reserve and Nature Area By-Law (August 2024) (**ANNEXURE A**) has been prepared to give effect to the rights contained in Section 24 of the Constitution of the Republic of South Africa (1996) and numerous other legislations. The purpose of this item is to acquire Council's approval to advertise and request public comment on the above draft by-law.

**3. DELEGATED AUTHORITY**

Council of Stellenbosch Municipality.

**4. EXECUTIVE SUMMARY**

Stellenbosch Municipality owns a number of properties throughout the WC024 area. Among these properties are areas formally declared as nature reserves and areas historically used for forestry, nature areas. These areas cover an area of approximately 2 850 ha of vacant land managed by the Section: Environmental Management (Directorate: Community and Protection Services, Department: Community Services).

A Draft Stellenbosch Municipality Nature Reserve and Nature Area By-Law (August 2024) has been prepared to give effect to the right contained in Section 24 of the Constitution of the Republic of South Africa (1996), the municipality's responsibilities as prescribed by the National Environmental Management: Protected Area Act (57 of 2003), the National Environmental Management: Biodiversity Act (10 of 2004) and the Veld and Forest Fire Act, among other legislation, and to ensure that Stellenbosch Municipality's nature reserves and nature areas are managed and used in a responsible- and sustainable manner.

**5. RECOMMENDATIONS**

- (a) that Council approves the Draft Stellenbosch Municipality Nature Reserve and Nature Area By-Law (August 2024) to be advertised for public input; and
- (b) that the inputs received during the above public participation process be worked into a final Draft Stellenbosch Municipality Nature Reserve and Nature Area By-Law to be presented to Council for approval.

**6. DISCUSSION / CONTENTS****6.1 Background**

Stellenbosch Municipality owns a number of properties throughout the WC024 area. Among these properties are areas formally declared as nature reserves and areas historically used for forestry. These areas include:

- Papegaaiberg Nature Reserve
- Mont Rochelle Nature Reserve
- Jan Marais Nature Reserve
- Idas Valley Dam Nature Area
- Botmaskop Nature Area
- Paradyskloof Nature Area
- Louwsbos Nature Area
- Wemmershoek Nature Area
- Purgatory Nature Area

These areas cover an area of approximately 2 850 ha of vacant land managed by the Section: Environmental Management (Directorate: Community and Protection Services, Department: Community Services).

**6.2 Discussion**

Since 2017 Stellenbosch Municipality has made a concrete effort to put measures in place to ensure that the above areas are managed in accordance with applicable legislation and best practice. To this effect, Council has adopted the following policy and plans:

- Stellenbosch Environmental Management Framework
- Stellenbosch Municipality Invasive Alien Plant Management Plan
- Stellenbosch Municipality Integrated Fire Management Plan
- Papegaaiberg Nature Reserve Environmental Management Plan
- Paradyskloof Nature Area Environmental Management Plan
- Mont Rochelle Nature Reserve Environmental Management Plan
- Idas Valley / Botmaskop Nature Area Environmental Management Plan

Until now, however, Stellenbosch Municipality have not had a dedicated Nature Reserve and Nature Area By-Law addressing place specific challenges. The approval of this item will be the first step in putting such a by-law in place.

The attached draft by-law deals with, among other, the:

- a) Powers and responsibilities of the municipality in relation to its nature reserves and nature areas
- b) Use of biological resources in nature reserves or nature areas
- c) Access to nature reserves or nature areas
- d) Restricted activities
- e) Prohibited activities
- f) Compliance and enforcement

**6.3 Financial Implications**

There are no direct financial implications should the recommendations as set out in the report be accepted. The purpose of this item is to acquire Council's approval to advertise and request public comment on the draft by-law. Other than advertisement



fees the execution of the below recommendation will have no financial implications to Council.

Environmental Management and Law Enforcement will be responsible for enforcing the by-law on adoption thereof.

**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. Environmental Management and Law Enforcement will be responsible for enforcing the by-law on adoption thereof.

**6.6 Previous / Relevant Council Resolutions:**

There are no previous Council Resolutions in this regard.

**6.7 Risk Implications**

This report has no risk implications for the Municipality.

**6.8 Comments from Senior Management:**

This item was circulated to all directorates on the 6<sup>th</sup> of August 2024 with a request for comment to be submitted by 23 August 2024. The following inputs were received:

**6.8.1 Director: Infrastructure Services**

No objection to the advertisement of the by-law

**6.8.2 Director: Planning and Economic Development**

No comment received.

**6.8.3 Director: Community and Protection Services**

No comment received.

**6.8.4 Director: Corporate Services**

Recommendations supported.

**6.8.5 Chief Financial Officer**

No comment received.

**6.8.6 Municipal Manager**

No comment received.

**ANNEXURES**

**Annexure A:**

Draft Stellenbosch Municipality Nature Reserve and Nature Area By-Law (August 2024)

# **ANNEXURE A**

## STELLENBOSCH MUNICIPALITY

### NATURE RESERVE AND NATURE AREA BY-LAW

Draft: August 2024

Stellenbosch Municipality, in terms of Section 156(2) of the Constitution of the Republic of South Africa, 1996, hereby enacts as follows:

#### Table of contents

#### **CHAPTER 1: INTRODUCTORY PROVISIONS**

1. Definitions
2. Application

#### **CHAPTER 2: POWERS AND RESPONSIBILITIES OF THE MUNICIPALITY**

3. Functions
4. Commercial, community and visitor activities
5. Rangers
6. Notices
7. Recreational areas inside nature reserves or nature areas

#### **CHAPTER 3: THE USE OF BIOLOGICAL RESOURCES IN NATURE RESERVES OR NATURE AREAS**

8. Use of biological resources
9. Community based natural resource utilization
10. Authorization for use of biological resources

#### **CHAPTER 4: ACCESS TO NATURE RESERVES OR NATURE AREAS**

11. Access to nature reserves or nature areas by user of biological resources
12. Admission
13. Points of entry and exit
14. Proof of entry
15. Safe entering
16. Staying overnight
17. Times of entry and travel
18. Maximum number of visitors

#### **CHAPTER 5: RESTRICTED ACTIVITIES**

19. Activities which may have an adverse effect in a nature reserve or nature area
20. Specified activities
21. Research and monitoring
22. Interference with soil or substrate
23. Bioprospecting
24. Buildings and improvements
25. Land and airspace
26. Water areas
27. Removal and dumping in water areas

## CHAPTER 1: INTERPRETATION AND OBJECTIVES

### 1. Definitions

In this by-law, unless the context indicates otherwise –

**“adverse effect”** means any actual or potential impact on the environment that impairs, or would impair the environment or any aspect of it to an extent that is more than trivial or insignificant;

**“aircraft”** means any object driven or propelled, or which glides on or over the surface of a nature reserve or nature area, wholly or partly by mechanical or electrical power, in order to move through the airspace above a nature reserve or nature area;

**“animal”** means any organism whose taxonomical classification belongs to the kingdom ANIMALIA.

**“authorised official”** or **“ranger”** means an employee of the Stellenbosch Municipality responsible for carrying out any duty or function or exercising any power in terms of this By-Law and includes employees delegated to carry out or exercise such duties, functions or powers;

**“the Act”** means the National Environmental Management: Protected Areas Act (57 of 2003);

**“biological resource”** means any resource consisting of;

- (a) a living or dead animal, plant or other organism of an indigenous species;
- (b) a derivative of such an animal, plant or other organism, as defined in Section 1 of the Biodiversity Act or
- (c) any genetic material of such animal, plant or other organism, as defined in Section 1 of the Biodiversity Act;

**“bioprospecting”** has the meaning assigned to it in Section 1 of the Biodiversity Act;

**“code of conduct”** means a written set of specific rules for the use of a specific nature reserve or nature area by users which are not contrary to this By-Law;

**“Council”** means the council of the Stellenbosch Municipality, being a Council as provided for in terms of section 18 of the Local Government: Municipal Structures Act (117 of 1998), or any committee, any sub-council or councillor of Council, acting under delegated or sub-delegated authority of the Council.

**“domestic animal”** means any horse, pony, mule, donkey, cattle, pig, sheep, goat, camel, reptile, dog, cat, rabbit, and any other livestock, exotic animal or pet;

**“management plan”** means a plan drafted and submitted to the MEC in compliance with Section 39(2) of the Act; whereas a management plan has been prepared for a nature area, this means a plan drafted and submitted to the Council of Stellenbosch Municipality;

**“model aircraft”** means any miniature aircraft not capable of or intended for the conveying of persons, which is controlled from a remote location and includes recreational/toy drones;

of such areas, against which water may periodically or seasonally rise, and which is also owned or managed by the municipality;

**“Remotely Piloted Aircraft System” (RPAS)** means an unmanned aircraft which is piloted from a remote pilot station and includes the Remotely Piloted Aircraft System commonly referred to as drones.

**“species”** means a kind of animal, plant or other organism that does not normally interbreed with individuals of another kind, and includes any subspecies, cultivar, variety, geographic race, strain, hybrid or geographically separate population;

**“specimen”** means—

- (a) any living or dead animal, plant or other organism;
- (b) a seed, egg, gamete or propagule or part of an animal, plant or other organism capable of propagation or reproduction or in any way transferring genetic traits;
- (c) any derivative of any animal, plant or other organism; or
- (d) any goods which—
  - (i) contain a derivative of an animal, plant or other organism; or
  - (ii) from an accompanying document, from the packaging or mark or label, or from any other indications, appear to be or to contain a derivative of an animal, plant or other organism;

**“stormwater system”** means both the constructed and natural facilities, including pipes, culverts, watercourses and their associated floodplains, whether over or under public or privately-owned land used or required for the management, collection, conveyance, temporary storage, control, monitoring, treatment, use and disposal of stormwater;

**“vehicle”** means anything defined as a motor vehicle in terms of the National Road Traffic Act (93 of 1996); or any conveyance designed or adapted principally to travel on wheels or tracks;

**“water area”** means the water and the bottom or floor of any natural lake, river or stream, dam, impoundment or wetland or any part thereof, situated within a nature reserve or nature area, and includes the water and the land between the lowest line and the highest line to which the water-level of such a natural lake, river or stream, dam, impoundment or wetland or any part thereof may recede or rise at any time;

**“written authorisation”** means written consent issued by an authorised official or ranger of the municipality in terms of this By-Law, and includes any permit issued in terms of Section 15(1) or identification card issued in terms of Section 5(5).

## 2. Application

This By-Law applies to any area which is –

- (a) proclaimed or recognized as a protected area in terms of the Act; or
- (b) managed as a nature area.

#### **4. Commercial, community and visitor activities**

- (1) The municipality may, in terms of a management plan, set aside a part of a nature reserve or nature area, as an area in which a particular activity may be undertaken by visitors to a nature reserve or nature area, communities or interest groups, and must display a notice at the entrance to the nature reserve or nature area in which such area is described, provided that the activity does not compromise the purpose for which the nature reserve or nature area was established.
- (2) The municipality may, in terms of a management plan, set aside a part of a nature reserve or nature area, as an area in which a commercial activity may be undertaken by an authorised vendor, and must display a notice at the entrance to the nature reserve or nature area in which such area is described and at the place the commercial activity is undertaken;
- (3) The municipality may, in consultation with PAAC's, user or interest groups and other interested and affected parties develop codes of conduct for specific activities authorised within a nature reserve or nature area.

#### **5. Rangers**

- (1) The municipality may appoint rangers for a nature reserve and nature area and set in writing any prerequisites, terms, conditions or restrictions on any such appointments.
- (2) The municipality must issue any duly appointed ranger with a written authorisation and an identification card.
- (3) The ranger must, when performing any responsibility with regards to this By-Law, have in his/her possession their identification card or written authorization.
- (4) A ranger may issue verbal or written instructions to visitors relating to compliance with this By-Law in terms of the conditions of their written authorization.

#### **6. Notices**

- (1) In relation to a nature reserve or nature area, the municipality may from time to time and by means of a notice displayed at the entrance to or at, other relevant places of a nature reserve or nature area—
  - (a) set aside any land or water area;
  - (b) designate any land or water area as a recreational area;
  - (c) designate any land or water area for a purpose other than recreation;
  - (d) prohibit or restrict the use and access of any person, vehicle, vessel, domestic animal, species or specimen to any land or water area or part thereof; or
  - (e) designate the times and conditions during which and subject to which any sports or other activities may be practised or performed on such land or water area.
- (2) A notice may impose conditions in relation to the participation in or undertaking of any activity in a nature reserve or nature area and the municipality may vary or revoke a notice at any time by a subsequent notice.

**10. Authorization for use of biological- or natural resources**

- (1) A written authorization or written agreement as contemplated in Sections 4, 8 or 9, must—
  - a) not be in conflict with the purpose for which a nature reserve or nature area was established;
  - b) define the land or water area within which the use of the biological- or natural resources is granted;
  - c) indicate the period for which the right contemplated in Sections 4, 8 and 9 is granted; and
  - d) determine the limits to the use of the biological resources.
- (2) The municipality may demarcate the land or water area contemplated in subsection 10(1)(b) in a manner it deems fit.
- (3) An authorization granted in terms of Sections 4, 8 or 9 may not interfere with the exercise of any authorization which has been granted to another person in respect of the area contemplated in subsection 10(1)(b).
- (4) An authorization granted in terms of Sections 4, 8 or 9 must include a stipulated notice period for cancellation of the right or amendment of the conditions granting the right.
- (5) The municipality may cancel an authorization granted in terms of Sections 4, 8 or 9 in respect of the area or part thereof, if such area or part thereof is required for conservation purposes or for purposes approved by the municipality.
- (6) The municipality may cancel an authorization granted in terms of Sections 4, 8 or 9 if the conditions set by the municipality are not complied with by the relevant person or group, or if the resource or any other component of the nature reserve or nature area is threatened.
- (7) The municipality may instruct a holder of an authorization contemplated in Sections 4, 8 or 9 to cease all activities immediately, and take any remedial action if the aforementioned holder of the written authorization is found or deemed to be in contravention of any conditions stipulated in the written authorization.
- (8) The municipality may at any time cancel or suspend such authorization contemplated in Sections 4, 8 and 9 in the event of an emergency, disaster, threat to life or safety, threat to the environment, or in any circumstance where the authorized official deems the ongoing activity to be detrimental in any way to the nature reserve or nature area.

**CHAPTER 4: ACCESS TO NATURE RESERVES AND NATURE AREAS****11. Access to nature reserves and nature areas by user of biological- or natural resources**

- (1) The holder of a written authorisation granted in terms of Sections 4, 8 or 9 above may, subject to any condition contained in the written authorisation, use a road or path identified by the municipality, for the reasonable exercise of a written authorisation to use biological resources- or natural resources: Provided that -



**13. Points of entry and exit**

- (1) No person may, other than in open access areas of a nature reserve or nature reserve, or subject to the provisions of Section 11, enter or leave a nature reserve or nature area at any place other than through the designated points of entry or exit, without the written authorisation of the municipality.
- (2) Where a public road, pathway or cycle path passes through a nature reserve or nature area-
  - (a) no written authorisation is required by a person to travel through the nature reserve or nature area on such public road, pathway, or cycle path to a destination outside the nature reserve or nature area in question; and
  - (b) no person may -
    - (i) leave such public road, pathway or cycle path;
    - (ii) enter into a nature reserve or nature area from such public road, pathway or cycle path other than in compliance with Section 12(1).
- (3) No person may fly an aircraft, over a nature reserve or nature area, at a height below 1500ft above ground level without the written authorisation from the municipality.
- (4) No person may land, or attempt to land, an aircraft in a nature reserve or nature area without the prior written authorisation from the municipality.
- (5) No person may fly a RPAS over a nature reserve or nature area or land such RPAS in a nature reserve or nature area without the written authorisation from the municipality.
- (6) Subsection 13(4) and (5) does not apply-
  - (a) in the case of an emergency; or
  - (b) to a person acting on the instructions of a ranger.
- (7) An aircraft performing an emergency landing as per subsection 13(6)(a) above, must report such emergency landing and the nature thereof, in writing, to the municipality before the aircraft is removed from the nature reserve or nature area, within a reasonable time, depending on the nature of the emergency.

**14. Proof of entry**

- (1) Where a written authorisation, or entry permit, is required for entry to a nature reserve or nature area, a person who enters the nature reserve or nature area in a vehicle or on foot, must ensure that the written authorisation or entry permit is in his or her possession, and available for inspection at all times until he or she leaves the nature reserve or nature area.
- (2) Where a written authorisation is issued for overnighting in a nature reserve, the written authorisation must be displayed at all times in the vehicle in accordance with subsection 14(3) while he or she is overnighting in or near the vehicle.

- (c) intentionally disturb any species or specimen;
  - (d) feed any species or specimen;
  - (e) use any recording of any species or specimen or the imagery or scent of a species or specimen to attract animals;
  - (f) lure, bait or attract by any means or for any purpose or intention any species or specimen;
  - (g) cut, damage, remove or destroy or be in possession of any plant or any part thereof, including dry wood;
  - (h) hunt, capture or kill any living animal by any means, method or device whatsoever, including searching, pursuing, driving, lying in wait, luring, alluring, discharging a missile or projectile or injure with intent to hunt, catch, capture or kill any such animal;
  - (i) gather, collect or pluck any specimen;
  - (j) pick parts of, or cut, chop off, uproot, damage or destroy, any specimen;
  - (k) possess or exercise physical control over any specimen;
  - (l) grow, breed or in any other way propagate any specimen or cause it to multiply;
  - (m) sell or otherwise trade in, buy, receive, give, donate or accept as a gift, or in any way acquire or dispose of any specimen; or
  - (n) angle, attempt to angle, catch or attempt to catch fish other than in an area designated for such purpose.
- (2) No person within a nature reserve or nature area may—
- (a) intentionally or negligently cause pollution;
  - (b) deface cultural heritage resources; or
  - (c) harm, or cause death to any individual specimen or population of any species without the prior written authorisation of the municipality.
- (3) No person may, within a nature reserve or nature area place, throw, dump, or release into the environment any refuse, rubbish, used containers, effluent, toilet waste, or any objectionable material in areas other than those designated fit for this purpose by the municipality.
- (4) No person may spoil or ruin any equipment, furniture or structure located within a nature reserve or nature area by affixing thereto, in any way, papers, placards or notices, or by cutting, writing, stamping, painting, drawing or marking thereon;
- (5) No person may start or keep a fire or commit any acts whereby a fire may be caused within a nature reserve or nature area, except an official or person duly authorised to do so;
- (6) No person may consume alcohol or drugs within a nature reserve or nature area, nor enter a nature reserve or nature area under the influence of alcohol or drugs.

## **20. Specified activities**

- (1) No person may undertake any of the following activities in a nature reserve or nature area except with written authorisation from the municipality and in accordance with an approved environmental management plan for the specified activity:

**23. Bioprospecting**

No person may undertake any manner or form of bioprospecting in a nature reserve or nature area without the prior written authorisation of the municipality other than subject to such conditions as determined by the municipality.

**24. Buildings and improvements**

- (1) Building developments and improvements in a nature reserve or nature area are subject to prior approval and written authorisation from the municipality, and any relevant legislation.
- (2) No person may in a nature reserve or nature area, without prior written authorisation of the municipality, erect, construct or transform or cause to be erected, constructed or transformed any building, structure (temporary or permanent) or any other improvement, including but not limited to a building or structure of any kind, jetty, dock, pier, landing stage, landing float, anchor buoy, raft, fence or any obstruction, bridge, pontoon, road or crossing in respect of a building or immovable property.

**25. Land and airspace**

No person may in a nature reserve and nature area, except with the prior written authorisation of the Municipality-

- (a) engage in the sport of climbing rock faces;
- (b) engage in the sport of paragliding, parachuting or abseiling;
- (c) land or take off in, or attempt to land or take off in, any aircraft, helicopter, glider, hang glider, paraglider or hot air balloon;
- (d) launch or fly a hot air balloon;
- (e) fly model aircraft, RPAS or gliders;
- (f) engage in the sport of any kind of boarding, including sandboarding, windsurfing, kitesurfing or sailboarding
- (g) operate any motorised vehicle for recreational purposes;
- (h) launch or propel, a missile or flare into the airspace above a nature reserve unless such activity is a bona fide emergency; or
- (i) possess, ignite or use any fireworks.

**26. Water areas**

- (1) No person may, without the written authorisation of the municipality, launch, or use a vessel on a dam, reservoir, lake, river or other body of water in a nature reserve or nature area unless the water has been set aside by the municipality for the use of vessels.
- (2) No person may carry out any repairs, servicing, testing, painting of any vessel in a water area in a nature reserve or nature area unless the prior written authorisation by the municipality has been obtained.

- (f) tamper with, deface, damage, remove or in any other way interfere with a nature reserve- or nature area boundary fence or object demarcating the boundary of a nature reserve or nature area.
- (2) No person may -
- (a) intentionally or negligently cause a fire or discard any burning object in any place where it may set fire to any other object or otherwise act in a manner likely to cause a fire, other than at a place where the making of a fire is permitted by the municipality;
  - (b) smoke in a nature reserve or nature area, other than in areas designated for smoking; or
  - (c) discharge any firework.

## **CHAPTER 6: PROHIBITED ACTIVITIES**

### **32. Prohibitions relating to vehicles**

- (1) No person driving a vehicle in a nature reserve or nature area may-
  - (a) drive, park, or stop in such a manner that constitutes a nuisance, disturbance, inconvenience or danger to any other person or vehicle;
  - (b) drive, park or stop in any manner that causes an obstruction;
  - (c) block the pathway of a management operation or emergency vehicle;
  - (d) park a vehicle in a place other than in a place designated for that purpose by the municipality;
  - (e) drive or park anywhere except on a designated road or designated parking area;
  - (f) drive or operate any vehicle in a reckless or negligent manner, or deliberately or intentionally disregard the safety of any person, species, specimen or property of whatever nature;
  - (g) drive a vehicle off designated roads or tracks, except in an area set aside by the municipality for that purpose; or
  - (h) drive a vehicle for recreational purposes, including, but not limited to, 4x4ing, off-roading, quad biking and motor biking in any area not demarcated for such recreational activity.
- (2) The municipality may restrict or preclude the use of any vehicle or vehicle type within a nature reserve or nature area or section of a nature reserve or nature area.
- (3) No person may enter or travel in a nature reserve or nature area except in a vehicle that conforms to the dimensions and other requirements determined by the municipality.

### **33. Littering and pollution**

- (1) No person may, in a nature reserve or nature area-
  - (a) deposit or leave any litter which is either industrial or domestic, regardless of whether that litter is biodegradable or non-biodegradable, except in an area or receptacle provided for that purpose;
  - (b) deposit or leave any litter, bottle, broken glass, china, pottery, plastic article, rubbish, refuse, seeds, fruit or vegetable matter or other waste material, except in an area or receptacle provided for that purpose;

- (2) No person may, in a nature reserve or nature area, intentionally obstruct, disturb, interrupt or annoy any other person utilising the nature reserve or nature area in compliance with this By-Law.
- (3) No person may discharge a firearm within a nature reserve or nature area, except-
  - (a) if that person is authorised by the municipality thereto;
  - (b) for the discharge of a blank by a life-guard during an organized competition or by any other person authorised by the municipality, during a sports meeting in a water area; or
  - (c) in connection with the collection of specimens for scientific purposes, subject to the written authorisation of the municipality;
- (3) No person may, in a nature reserve or nature area, throw, roll or discharge any stone, rock, boulder, substance, projectile or missile to endanger any person, species or specimen.
- (4) No person may, in a nature reserve or nature area, prevent, hinder or obstruct a ranger in the exercise of his duties in terms of this By-Law.

## **CHAPTER 7: FEES AND TARIFFS**

### **35. Fees and tariffs**

- (1) The municipality shall annually determine the fees and tariffs applicable for—
  - (a) access to nature reserves or nature areas;
  - (b) the use of any amenity, service, facility, entertainment venue, film show or performance presented or provided or rendered by or on behalf of the municipality, at or in a nature reserve or nature area; and
  - (c) the operation of any commercial activity;
  - (d) costs associated with any remedial action undertaken by the municipality due to non-compliance with the By-law.
- (2) The municipality may recover costs associated with remedial action undertaken due to non-compliance with the By-law.
- (3) The municipality may suspend the payment of entrance fees on any specific day as it may deem fit.

## **CHAPTER 8: COMPLIANCE AND ENFORCEMENT**

### **36. Rangers**

- (1) The municipality may appoint any member of staff as a ranger.
- (2) Any duly appointed ranger must be in possession of the prescribed staff identification card when exercising any power in terms of this By-Law and must, upon request, produce such card.

- (i) which is concerned in or is on reasonable grounds believed to be concerned in an offence in terms of this By-Law;
  - (ii) which may afford evidence of an offence in terms of this By-Law; or
  - (iii) which is intended to be used or is on reasonable grounds believed to be intended to be used in the commission of an offence in terms of this By-Law.
- (6) A person who so requests may, if possible, make a copy of an article to be removed or seized in terms of this section.
- (7) When a ranger removes or seizes an article, the ranger must issue a receipt to the owner or person in control thereof and, if possible, return the article as soon as practicable after achieving the purpose for which the article was removed or seized.
- (8) A ranger must exercise their powers and functions with strict regard for decency and order, and with regard for each person's right to dignity, freedom, security and privacy.
- (9) Notwithstanding the provisions of this By-Law, and subject to any other applicable legislation, a ranger may —
  - (a) launch, operate or use any vehicle or vessel upon any recreational water or in any nature reserve for the purpose of providing an emergency, rescue or transport service, to provide a municipal service, to ensure compliance with this By-law, or for the purpose of undertaking research, monitoring or conducting a survey;
  - (b) do anything in a nature reserve or nature area in the exercise of a lawful power or duty; and
  - (c) in any nature reserve or nature area, use prohibited means of fishing, hunt any animal, and collect biological specimens in order to eradicate, control, or collect information for the control, monitoring and research of such organisms in the course of their duties.

### **38. Compliance Notice**

- (1) The municipality or appointed ranger may serve a written compliance notice on a person if there are reasonable grounds for believing that the person is in contravention of this By-Law.

The compliance notice must-

- (a) describe the conduct constituting a contravention of this By-Law;
- (b) indicate which provision of this By-Law or condition of approval is contravened;
- (c) where relevant, state that the unlawful conduct constitutes an offence and indicate the penalty;
- (d) where relevant, be issued together with a fine;
- (e) instruct the person to cease the unlawful conduct;
- (f) where relevant, impose conditions which must be complied with and specify the steps to be taken to comply;
- (g) state that a failure to comply with the notice constitutes an offence and indicate the penalty; and
- (h) state that, in the event of non-compliance with the notice, the municipality may take one or more of the following measures-

- (3) The ranger must cause an impounded vehicle to be taken to a designated pound where it must be retained and dealt with in terms of this section.
- (4) The municipality must release the impounded vehicle, items or goods to the owner upon presentation of proof of ownership if, in relation to the offence contemplated in subsection 39(1) –
  - (a) a criminal charge is not laid, or a fine or a notice of intention to prosecute is not issued within 72 hours of the impoundment; or
  - (b) the criminal case against all accused persons is disposed of because –
    - (i) the charges are withdrawn;
    - (ii) the accused persons are acquitted; or
    - (iii) the accused persons are convicted and either the impoundment fee and any fine, costs and damages are paid.
- (5) An impounded vessel, vehicle, items or goods is forfeited to the municipality and becomes the property of the municipality if –
  - (a) a court orders such forfeiture; or
  - (b) the lawful owner of the vehicle, items or goods cannot be traced within 90 days of such impoundment after reasonable efforts to trace the owner have not been successful.
- (6) If any payment contemplated in subsection 39(4)(b)(iii) is not made within such time as the municipality may determine, and if no appeal has been lodged at the expiry of the time limit for an appeal, the municipality may sell an impounded vehicle, items or goods and deal with any net proceeds in accordance with subsection 39(7).
- (7) Any net proceeds from the sale of an impounded vessel, vehicle, items or goods must be applied as follows and in this order:
  - (a) the recovery of costs incurred by the municipality during forfeiture and impoundment;
  - (b) the payment of the impoundment fee, and any fine, costs or damages ordered by a court in relation to an offence contemplated in subsection 39(1); and
  - (c) return to the person who lawfully owned the vessel, vehicle, items or goods at the time of the impoundment except where the vessel, vehicle, items or goods was forfeited to the municipality.
- (8) The municipality may determine an impoundment fee and designate a pound contemplated in this section.

## **CHAPTER 9: OFFENCES AND PENALTIES**

### **40. Offences**

Any person who -

- (a) contravenes a provision of this By-Law;
- (b) contravenes any conditions, restrictions or prohibitions imposed in terms of this By-Law;

**42. Appeals**

Any person may appeal against an administrative decision taken by the municipality or ranger in terms of this By-Law in accordance with the provisions of Section 62 of the Local Government: Municipal Systems Act (32 of 2000).

**43. Delegation**

A function, power or duty conferred on the municipality in terms of this By-Law may be delegated or sub-delegated to an employee of the municipality in accordance with the system of delegation adopted by Council in accordance with Section 59 of the Local Government: Municipal Systems Act (32 of 2000).

**44. Indemnity**

- (1) The municipality and appointed rangers are not liable for any loss sustained by or damage caused to a person by an act or omission in good faith relating to the performance of a duty under this By-Law, unless gross negligence is proved.
- (2) Any person making use of a public amenity shall do so at his/her own risk, Council shall not be liable for the death of or any injury to persons or any loss of or damage to any property of visitors, unless gross negligence is proved.

**45. Repeal of by-laws**

The provisions of any by-laws previously promulgated by the municipality or by any of the disestablished municipalities now incorporated in the municipality are hereby repealed as far as they relate to matters provided for in this by-law.

**46. Short title and Commencement**

This By-Law is called the Stellenbosch Municipality: Nature Reserve By-Law and comes into operation on promulgation in the Provincial Gazette.



Annexure A:

Pictograms

## ANNEXURE A

|    |                                   |  |     |                                |  |
|----|-----------------------------------|--|-----|--------------------------------|--|
| 1  | Stay on boardwalk                 |  | 109 | Do not pick flora              |  |
| 2  | Stay on pathways                  |  | 110 | Useful plants                  |  |
| 3  | Hiking / Walking                  |  | 111 | Unique vegetation              |  |
| 4  | Guided walk                       |  | 112 | Nature appreciation            |  |
| 5  | Trail running                     |  | 113 | Do not damage fauna or flora   |  |
| 6  | Scenic views                      |  | 114 | General fauna                  |  |
| 7  | Pathway                           |  | 115 | Bird viewing                   |  |
| 8  | Dog free running area             |  | 116 | Birdhide                       |  |
| 9  | Dogs on leash                     |  | 117 | Do not feed the animals        |  |
| 10 | No dogs allowed                   |  | 118 | Photos allowed                 |  |
| 11 | Poop scoop area                   |  | 119 | Discovery trail                |  |
| 12 | No driftlines                     |  | 120 | Whale watching                 |  |
| 13 | Bag limits                        |  | 121 | Horse riding                   |  |
| 14 | Size limits                       |  | 122 | Camping                        |  |
| 15 | Beware of falling branches        |  | 123 | 4 X 4                          |  |
| 19 | Fires in demarcated areas         |  | 91  | Swimming allowed               |  |
| 20 | Braais allowed                    |  | 92  | Swimming is dangerous          |  |
| 21 | No fires                          |  | 93  | No swimming                    |  |
| 22 | No fires or gas braais            |  | 94  | Windsurfing                    |  |
| 23 | No overnighting                   |  | 95  | Water skiing                   |  |
| 24 | No alcohol                        |  | 96  | Boat launch                    |  |
| 25 | No firearms                       |  | 97  | Motorboating                   |  |
| 26 | No hunting                        |  | 98  | Sailing                        |  |
| 27 | No dumping                        |  | 99  | No sailing                     |  |
| 28 | No sand-mining                    |  | 100 | Natural pool                   |  |
| 29 | No music                          |  | 101 | Boma                           |  |
| 30 | Playground                        |  | 102 | Power boats allowed            |  |
| 31 | No smoking                        |  | 103 | No power boats                 |  |
| 32 | Do not leave valuables in vehicle |  | 104 | Electric boats allowed         |  |
| 33 | Safeguard valuables               |  | 105 | No electric boats              |  |
| 37 | Fishing                           |  | 73  | Wheelchair access              |  |
| 38 | Fishing with permit only          |  | 74  | Parking                        |  |
| 39 | No fishing                        |  | 75  | Visitors parking               |  |
| 40 | No treble hooks                   |  | 76  | No parking                     |  |
| 41 | No fishing off bridges            |  | 77  | Information                    |  |
| 42 | No fishing at night               |  | 78  | Speed limit                    |  |
| 43 | No fishing with nets              |  | 79  | No access                      |  |
| 44 | No prawn pumping                  |  | 80  | No vehicles                    |  |
| 45 | No bait collection                |  | 81  | No off-road vehicles           |  |
| 46 | No use of live bait               |  | 82  | No mountain bikes              |  |
| 47 | No lobster fishing                |  | 83  | No driving on sand dunes       |  |
| 48 | Conservation office               |  | 84  | Canoeing allowed               |  |
| 49 | Beach                             |  | 85  | No canoeing                    |  |
| 50 | No boats of any kind allowed      |  | 86  | Jet skis prohibited            |  |
| 51 | Wind surfing                      |  | 87  | No water skiing                |  |
| 55 | Restrooms                         |  | 55  | Restrooms                      |  |
| 56 | Female restroom                   |  | 56  | Female restroom                |  |
| 57 | Male restroom                     |  | 57  | Male restroom                  |  |
| 58 | Restaurant                        |  | 58  | Restaurant                     |  |
| 59 | Picnic area                       |  | 59  | Picnic area                    |  |
| 60 | Use litterbins                    |  | 60  | Use litterbins                 |  |
| 61 | Bin free area Do not litter       |  | 61  | Bin free area Do not litter    |  |
| 62 | Education facilities              |  | 62  | Education facilities           |  |
| 63 | Overnight education facilities    |  | 63  | Overnight education facilities |  |
| 64 | Accommodation                     |  | 64  | Accommodation                  |  |
| 65 | Permit needed                     |  | 65  | Permit needed                  |  |
| 66 | Beware of snakes                  |  | 66  | Beware of snakes               |  |
| 67 | Kite surfing                      |  | 67  | Kite surfing                   |  |
| 68 | No kite surfing                   |  | 68  | No kite surfing                |  |
| 69 | No mooring of vessels             |  | 69  | No mooring of vessels          |  |

| NO. | INTERPRETATION OF SYMBOL          | BETEKENIS VAN SIMBOOL                        | INTSINGISELO YOMQONDISO                         |
|-----|-----------------------------------|----------------------------------------------|-------------------------------------------------|
| 1   | Stay on boardwalk                 | Bly op plankpad                              | Hamba kwibhulorho yabahambi ngeenyawo           |
| 2   | Stay on pathways                  | Bly op voetpaai                              | Hamba kwiindlelana zenyawo                      |
| 3   | Hiking / walking                  | Staproete                                    | Kuyahayikwa/kuyahanjwa                          |
| 4   | Guided walk                       | Begeleide staproete                          | Uhambo olukhokhelwayo                           |
| 5   | Trail running                     | Drafroete                                    | Umzila wokubaleka                               |
| 6   | Scenic views                      | Mooi uitsig                                  | Umbono obukekayo                                |
| 7   | Pathway                           | Voetpad                                      | Indlela yeenyawo                                |
| 8   | Dog free-running area             | Gebied vir loslopende honde                  | Ummandla wokubaleka izinja ezingabotshelelwanga |
| 9   | Dogs on leash                     | Honde aan leiband                            | Izinja ezibotshelelwayo                         |
| 10  | No dogs allowed                   | Geen honde toegelaat nie                     | Azivumelekanga izinja                           |
| 11  | Poop scoop area                   | Bollieskoppie-gebied                         | Ummandla wokukha ilindle lezinja                |
| 12  | No driftlines                     | Dryflyne verbode                             | Azikho iintambo zokuloba                        |
| 13  | Bag limits                        | Sakbeperrings                                | Imida yengxowa                                  |
| 14  | Size limits                       | Groottebeperrings                            | Ubukhulu bomda                                  |
| 15  | Beware of falling branches        | Pasop vir vallende takke                     | Lumkela amasebe awayo                           |
| 16  | Restaurant                        | Restaurant                                   | Irestyurenti                                    |
| 17  | No camping                        | Kamp verbode                                 | Akuvumelekanga ukukhempisha                     |
| 18  | No hiking/walking                 | Stap verbode                                 | Akuhayikwa/akahanjwa                            |
| 19  | Fires in demarcated areas         | Vuurmaak in afgebakende gebiede              | Imililo kwimmandla ekhethiweyo                  |
| 20  | Braais allowed                    | Braaiers toegelaat                           | Ukoja kuvumelekile                              |
| 21  | No fires                          | Vuurmaak verbode                             | Akubaswa mililo                                 |
| 22  | No fires or gas braais            | Vuurmaak en gasbraaiers verbode              | Akubaswa mililo okanye iizitovu zerhasi         |
| 23  | No overnighting                   | Oornagverblyf verbode                        | Akulalwa                                        |
| 24  | No alcohol                        | Alkohol verbode                              | Akuselwa tywala                                 |
| 25  | No firearms                       | Vuurwapens verbode                           | Imipu ayivumelekanga                            |
| 26  | No hunting                        | Jag verbode                                  | Akuzingelwa                                     |
| 27  | No dumping                        | Afvalstorting verbode                        | Akulahlwa nkunkuma                              |
| 28  | No sand-mining                    | Sandmynery verbode                           | Akwembiwa santi                                 |
| 29  | No music                          | Musiek verbode                               | Awuvumelekanga umculo                           |
| 30  | Playground                        | Speelgrond                                   | Indawo yokudlala/ibala lokudlala                |
| 31  | No smoking                        | Rook verbode                                 | Akutshaywa                                      |
| 32  | Do not leave valuables in vehicle | Moenie kosbare items in voertuig los nie     | Musa ukushiya izinto zexabiso emotweni          |
| 33  | Safeguard valuables               | Beveilig kosbare items                       | Zigade izinto ezixabisekileyo                   |
| 34  | Café                              | Kafee                                        | Ikhefi                                          |
| 35  | Administration office             | Administrasiekantoor                         | I-ofisi yolawu                                  |
| 36  | No lighting matches / fires       | Vuurmaak / aansteek van vuurhoutjies verbode | Akulayitwa imatshisi / imililo                  |
| 37  | Fishing                           | Hengel                                       | Ukuloba                                         |
| 38  | Fishing with permit only          | Hengel slegs met permit                      | Kulotywa ngemvume kuphela                       |
| 39  | No fishing                        | Hengel verbode                               | Akulotywa                                       |
| 40  | No treble hooks                   | Drie-angelhoeke verbode                      | Akukho magwegwe okuloba                         |
| 41  | No fishing off bridges            | Hengel van brug af verbode                   | Akulotywa ngakwiibhlorho                        |
| 42  | No fishing at night               | Hengel snags verbode                         | Akulotywa ebusuku                               |
| 43  | No fishing with nets              | Hengel met nette verbode                     | Akulotywa ngeminatha                            |
| 44  | No prawn pumping                  | Pomp van garnale verbode                     | Akuvumelekanga ukumpontshwa kweeprawn           |

|     |                              |                                    |                                                 |
|-----|------------------------------|------------------------------------|-------------------------------------------------|
| 89  | Nature garden                | Natuurtuin                         | Igadi yotyani                                   |
| 90  | Unique flora and fauna       | Unieke flora en fauna              | Izityalo kunye nezilwanyana ezizodwa            |
| 91  | Swimming allowed             | Swem toegelaat                     | Kuvumelekile ukuqubha                           |
| 92  | Swimming is dangerous        | Gevaarlike swemgebied              | Kuyingozi ukuqubha                              |
| 93  | No swimming                  | Swem verbode                       | Akuqujwa                                        |
| 94  | Windsurfing                  | Seilplankry                        | Ukusefa                                         |
| 95  | Water skiing                 | Waterski                           | Umdlalo wokutyibiliza emanzini                  |
| 96  | Boat launch                  | Boot-tewaterlating                 | Ukuphehlelelwa kwezikhephe                      |
| 97  | Motor boating                | Motorbootry                        | Ukuqhuba isikhephe                              |
| 98  | Sailing                      | Seiljagry                          | Ukuhamba ngenqanawa                             |
| 99  | No sailing                   | Seiljagry verbode                  | Akuhanjwa ngenqanawa                            |
| 100 | Natural pool                 | Natuurpoel                         | Ipuli eyenziwe ngendalo yokusingqongileyo       |
| 101 | Boma                         | Boma                               | Ibhoma                                          |
| 102 | Power boats allowed          | Kragbote toegelaat                 | Izikhephe ezinesantya esiphezulu zivumelekile   |
| 103 | No power boats               | Kragbote verbode                   | Azivumelekanga izikhephe ezinesantya esiphezulu |
| 104 | Electric boats allowed       | Elektriese bote toegelaat          | Zivumelekile izikhephe zombane                  |
| 105 | No electric boats            | Elektriese bote verbode            | Azivumelekanga izikhephe zombane                |
| 106 | Water bottle                 | Waterbottel                        | Ibhotile yamanzi                                |
| 107 | Sun hat                      | Sonhoed                            | Isigqoko selanga                                |
| 108 | Tortoises                    | Skilpaaie                          | Ufudo                                           |
| 109 | Do not pick flora            | Moenie flora pluk nie              | Musa ukuzithatha izityalo                       |
| 110 | Useful plants                | Nuttige plante                     | Izityalo ezibalulekileyo                        |
| 111 | Unique vegetation            | Unieke plantegroei                 | Izityalo ezahlukileyo                           |
| 112 | Nature appreciation          | Natuurwaardering                   | Ukuxabisa indalo                                |
| 113 | Do not damage fauna or flora | Moenie fauna of flora beskadig nie | Musa ukuzimoshisa izilwanyana okanye izityalo   |
| 114 | General fauna                | Algemene fauna                     | Izilwanyana ezizintlobo zonke                   |
| 115 | Bird viewing                 | Voëlkyk                            | Ukubukela iintaka                               |
| 116 | Bird hide                    | Voëlskuiling                       | Indlwana yokubukela iintaka                     |
| 117 | Do not feed the animals      | Moenie diere voer nie              | Musa ukutyisa izilwanyana                       |
| 118 | Photos allowed               | Foto's toegelaat                   | Ifoto zivumelekile                              |
| 119 | Discovery trail              | Ontdekkingsroete                   | Ukufunyanwa komkhondo                           |
| 120 | Whale watching               | Walviskyk                          | Ukubukela umnenga                               |
| 121 | Horse riding                 | Perdry                             | Ukukhwela ihashe                                |
| 122 | Camping                      | Kampering                          | Ukumisa inkampu                                 |
| 123 | 4x4                          | 4x4                                | 4x4                                             |
| 124 | Cellphone                    | Selfoon                            | Iseleula                                        |

Annexure B:

NEMA Admission of Guilt Fines Regulations

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**GOVERNMENT NOTICE**

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**DEPARTMENT OF ENVIRONMENTAL AFFAIRS****No. R. 574****15 July 2011****NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998:  
ADMISSION OF GUILT FINES REGULATIONS**

I, Bomo Edith Edna Molewa, Minister of Water and Environmental Affairs has under section 34G of the National Environmental Management Act, 1998 (Act No. 107 of 1998), made the regulations in the Schedule.

**BOMO EDITH EDNA MOLEWA****MINISTER OF WATER AND ENVIRONMENTAL AFFAIRS****SCHEDULE****Definitions**

1. In these Regulations any word or expression to which a meaning has been assigned in the Act, the Protected Areas Act or the Protected Areas Regulations, as the case may be, shall have the meaning so assigned and, unless the contents otherwise indicates—

“Protected Areas Act” means the National Environmental Management: Protected Areas Act, 2003 (Act No. 57 of 2003);

“Protected Areas Regulations” means the Regulations for the Proper Administration of Special Nature Reserves, National Parks and World Heritage Sites promulgated under section 86 of the Protected Areas Act and published in *Government Gazette* No. R. 1061 of 28 October 2005;

“the Act” means the National Environmental Management Act, 1998 (Act No. 107 of 1998).

TABLE 1

## OFFENCES IN TERMS OF PROTECTED AREAS REGULATIONS

| 1          | 2                                                                                                                                                                                                                                                                                        | 3         |
|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| Regulation | Description of offence                                                                                                                                                                                                                                                                   | Fine      |
| 4(1)(a)    | Introduction of any species or specimen, or part thereof, into a special nature reserve, national park or world heritage site without prior written consent of a management authority, license, permit or receipt.                                                                       | R 1500,00 |
| 4(1)(c)    | Intentionally disturbing any species or specimen in a special nature reserve, national park or world heritage site without prior written consent of a management authority, license, permit or receipt.                                                                                  | R 1000,00 |
| 4(1)(d)    | Feeding any species or specimen in a special nature reserve, national park or world heritage site without prior written consent of a management authority, license, permit or receipt.                                                                                                   | R 500,00  |
| 4(1)(f)    | Removal of any wood, sand, gravel, stone, sea shell, guano or other material without prior written consent of a management authority, license, permit or receipt.                                                                                                                        | R 2500,00 |
| 4(1)(i)    | Significantly altering or changing the sense of place, or any environmental, cultural or spiritual values in a special nature reserve, national park or world heritage site without prior written consent of a management authority, license, permit or receipt.                         | R 1500,00 |
| 8(3)       | Entering or remaining in a special nature reserve, national park or world heritage site that has been closed without the permission of the management authority.                                                                                                                         | R 1000,00 |
| 9(1)       | Entering or remaining in a special nature reserve, national park or world heritage site or part thereof without paying an entrance fee as determined by the management authority.                                                                                                        | R 1000,00 |
| 9(2)       | Entering or remaining within the boundaries of accommodation or recreational facilities in a special nature reserve, national park or world heritage site without paying the fees determined for such accommodation or facilities or without the permission of the management authority. | R 1000,00 |
| 10(1)      | Entering or leaving a special nature reserve, national park or world heritage site at any place other than through an official point of entry or exit without the written permission                                                                                                     | R 1500,00 |

|          |                                                                                                                                                                                                                                                                                                                                                                          |           |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
|          | heritage site in a way that causes an obstruction or blocks the pathway of a management operation or emergency vehicle.                                                                                                                                                                                                                                                  |           |
| 16(1)(c) | Parking a vehicle in a special nature reserve, national park or world heritage site in a place other than a place designated for that purpose.                                                                                                                                                                                                                           | R 500,00  |
| 16(1)(d) | Driving or parking in a special nature reserve, national park or world heritage site in an area other than a designated road or place.                                                                                                                                                                                                                                   | R 1000,00 |
| 16(1)(e) | Driving a vehicle in a special nature reserve, national park or world heritage site causing damaging or acting in a manner that could cause damage of any nature whatsoever, including damage to any roads, plants or animals.                                                                                                                                           | R 1000,00 |
| 16(2)    | Entering or being in a special nature reserve, national park or world heritage site in a vessel that does not comply with requirements of management authority's internal rules, subject to the provisions of the Merchant Shipping Act.                                                                                                                                 | R 2500,00 |
| 17       | Using a vessel in a water area of a special nature reserve, national park or world heritage site without obtaining a permit from the management authority.                                                                                                                                                                                                               | R2500.00  |
| 18(1)    | Using a vehicle or vessel which is propelled by a propeller above the water in a water area.                                                                                                                                                                                                                                                                             | R 2500,00 |
| 18(2)    | Painting a vessel in a water area without the prior written approval of the management authority.                                                                                                                                                                                                                                                                        | R 1000,00 |
| 18(3)    | Disposing of any liquid or solid waste, including motor oil, into a water area other than in places specifically designated by the management authority therefore.                                                                                                                                                                                                       | R 2500,00 |
| 18(4)    | Intentionally obstructing, disturbing, interrupting or annoying any other person engaged in the proper use of the special nature reserve, national park or world heritage site.                                                                                                                                                                                          | R 1000,00 |
| 18(5)    | Throwing, rolling or discharging a stone, substance or missile, in a special nature reserve, national park or world heritage site, to endanger any person, specimen or species in the a special nature reserve, national park or world heritage site.                                                                                                                    | R 1000,00 |
| 18(6)    | Defacing, painting, writing on, cutting names or letters in, or otherwise making marks or affixing bills on trees, rocks, gates, fences, buildings, signs or other property, or in any other manner spoiling features, buildings or facilities in a special nature reserve, national park or world heritage site without written permission of the management authority. | R 2500,00 |



|       |                                                                                                                                                                                                                                                   |           |
|-------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
|       | device or other noisy equipment in a special nature reserve, national park or world heritage site without the written permission of the management authority.                                                                                     |           |
| 22(b) | Constructing or erecting any booth, marquee or other structure in a special nature reserve, national park or world heritage site without the written permission of the management authority.                                                      | R 1000,00 |
| 22(c) | Organizing or causing to be organized, attending or participating in any public meeting, demonstration or gathering in a special nature reserve, national park or world heritage site without the written permission of the management authority. | R 2500,00 |
| 25(2) | Launching, or using a vessel on a dam, reservoir, lake, river, or other body of water in a special nature reserve, national park or world heritage site without the permission of the management authority.                                       | R 1500,00 |
| 26(a) | Bathing, swimming or diving in any area in a special nature reserve, national park or world heritage where such bathing, swimming or diving is not permitted.                                                                                     | R 1000,00 |
| 28    | Handling, touching or using in any manner a life-saving rope, buoy or other life-saving apparatus installed in or maintained in or at a water area, or doing anything which will impede the proper working of such life-saving apparatus.         | R 500,00  |
| 29(1) | Water skiing in a water area other than in a place and at times permitted by the management authority.                                                                                                                                            | R 1500,00 |
| 30(a) | Engaging in sport of climbing rock faces in a national park or world heritage site without the written permission of the management authority.                                                                                                    | R 2500,00 |
| 30(b) | Engaging in the sport of parachuting or abseiling in a national park or world heritage site without the written permission of the management authority.                                                                                           | R 2500,00 |
| 30(c) | Using a hang glider or any other kind of glider in a national park or world heritage site without the written permission of the management authority.                                                                                             | R 2500,00 |
| 30(d) | Launching or flying a hot air balloon in a national park or world heritage site without the written permission of the management authority.                                                                                                       | R 2500,00 |
| 30(e) | Flying model planes or gliders in a national park or world heritage site without the written permission of the management authority.                                                                                                              | R 2500,00 |
| 30(f) | Engaging in the sport of any kind of boarding in a national park or world heritage site without the written permission of the management authority.                                                                                               | R 2500,00 |
| 30(h) | Driving a vehicle off-road or off designated roads or tracks in a national park or world heritage site without the written permission of the management authority.                                                                                | R 2500,00 |
| 34(1) | Conducting scientific research in a special nature reserve, national park or world heritage site without the written                                                                                                                              | R 1500,00 |

|              |                                                                                                                                                                                                                                                                                                             |                  |
|--------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|
|              | vegetable matter or other waste material in an area or receptacle other than an area or receptacle provided for that purpose.                                                                                                                                                                               |                  |
| 40(b)        | Depositing, discharging or leaving any noxious, smelly, offensive or polluting substance, matter or thing in a special nature reserve, national park or world heritage site.                                                                                                                                | R2500,00         |
| 40(c)        | Depositing or leaving any offal, dead species or specimen or dung in a special nature reserve, national park or world heritage site.                                                                                                                                                                        | R 2000,00        |
| 40(d)        | Depositing any domestic garbage, in a special nature reserve, national park or world heritage site, in a receptacle other than in any receptacle provided for litter.                                                                                                                                       | R 2000,00        |
| 40(e)        | Intentionally breaking any article of glass, china, pottery, plastic or other brittle material in a special nature reserve, national park or world heritage site.                                                                                                                                           | R 2000,00        |
| 43(a)        | Offering any show or entertainment, conducting any business or trade or collecting any money from the public, in a special nature reserve, national park or world heritage site without the prior written consent of the management authority.                                                              | R 2000,00        |
| 43(e)        | Lighting or causing any open fire to be started or making use of an open fire in the special nature reserve, national park or world heritage site, other than in a fireplace or container made available for that purpose by the management authority or without the authority of the management authority. | R 2500,00        |
| 43(f)        | Placing, throwing, dumping or letting out any refuse, rubbish or used containers in a special nature reserve, national park or world heritage site.                                                                                                                                                         | R2000,00         |
| 43(h)        | Carrying on any agricultural or gardening activities in a special nature reserve, national park or world heritage site without prior written approval of management authority.                                                                                                                              | R 2500,00        |
| 43(i)        | Allowing any species or specimen to graze in or enter upon a special nature reserve, national park or world heritage site without the prior written approval of the management authority.                                                                                                                   | R 1500,00 (2500) |
| 43(j)        | Placing, displaying or distributing any advertisement, promotional material or notice anywhere in a special nature reserve, national park or world heritage site without the prior written permission of the management authority.                                                                          | R 1500,00        |
| 43(k)        | Affixing to or, in any manner whatsoever, making on any tree or object not belonging to that person any name, letter, figure, symbol, mark, picture, sign or notice or otherwise damaging any tree or other object, in a special nature reserve, national park or world heritage site.                      | R 2500,00        |
| 43(m)        | Playing any radio, compact disc player, music system, musical instrument or in any way causing any noise in a manner likely to disturb any species or specimen or other person in a special nature reserve, national park or world heritage site.                                                           | R 2000,00        |
| 43(n)        | Behaving in an offensive, improper, indecent or disorderly manner in a special nature reserve, national park or world heritage site.                                                                                                                                                                        | R 1500,00        |
| 45(2)(b)(ii) | Possessing or exercising control over a specimen of an alien or listed invasive species in a special nature reserve, national park or world heritage site without the written authorisation of the                                                                                                          | R2500,00         |

|        |                                                                                                                                  |
|--------|----------------------------------------------------------------------------------------------------------------------------------|
| 7.10.2 | <b>EXTENSION OF CURRENT LEASE AGREEMENT WITH 7 YEARS 11 MONTHS: STELLENBOSCH UNIVERSITY FARM 502 BH 1 AND BH 2, STELLENBOSCH</b> |
|--------|----------------------------------------------------------------------------------------------------------------------------------|

Collaborator No: 774098  
 IDP KPA Ref No: Good Governance and Compliance  
 Meeting Date: 26 September 2024

**1. SUBJECT: EXTENSION OF CURRENT LEASE AGREEMENT WITH 7 YEARS 11 MONTHS: STELLENBOSCH UNIVERSITY FARM 502 BH 1 AND BH 2, STELLENBOSCH**

**2. PURPOSE**

To consider the application from Dr. Leslie Van Rooi on behalf of Stellenbosch University for the extension of their lease agreement to a 9 years 11 months period.

**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**

On 1 June 2023 a lease agreement was concluded between Stellenbosch Municipality and the Stellenbosch University in relation to farm 502 BH 1 and BH 2.

The current lease agreement is expiring 30 July 2025, and the applicant has therefore applied to have the lease extended to 9 years 11 months.

The applicants have been using the premises for just over a year and they have used their own funds for land preparation, planting operations and fertilisation. Since the commencement of their lease, they have created seventy-nine (79) employment opportunities for individuals within the WC024 area.

**5. RECOMMENDATIONS**

- (a) that Farm 502 BH 1 and BH 2, be identified as land not needed for any other municipal service;
- (b) that the lease be extended by 7 years and 10 months, resulting in a total lease term of 9 years and 11 months; and
- (c) that the monthly rental structure be maintained as specified in the existing lease agreement (see **APPENDIX A**).

**6. DISCUSSION / CONTENT****6.2 Background****6.2.1 Previous lease agreements:**

On 1 June 2023 a two-year (2) lease agreement was concluded between Stellenbosch Municipality and the Stellenbosch University in relation to Farm 502 BH 1 and BH 2.

The current lease agreement is set to expire on 30 July 2025. The applicant has requested a new lease term of 9 years and 11 months. However, the lease can only be extended by 7 years and 10 months, as any lease exceeding 9 years and 11 months would need to be registered as a long-term lease with the Deeds Office. A copy of the current lease agreement is attached hereto as **APPENDIX B**.

**6.1.2 Application from Stellenbosch University**

The application filed by Dr. Leslie Van Rooi is attached hereto as **APPENDIX C**. The application indicates that they request a lease agreement for 9 years 11 months.

**6.2 DISCUSSION****6.2.1 Location and context**

The property under discussion is situated on Annandale Road on Farm 502 BH, Stellenbosch.

**6.2.2 Property description**

Farm 502 BH 1 and BH 2 measuring 5 hectares in size with 2 hectares of water and is zoned for agricultural use (**Appendix D**)



Fig 1: Location and Context

### 6.3 Financial implication

The previous lease was concluded for R 4 091.52 per annum with an annual escalation measured against the basis of the inflation forecasts, Consumer Price Index (CPI).

### 6.4 Legal requirements

#### 6.4.1 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*:-

- f) whether the capital asset may **be required for the municipality's own use** during the period for which the right is to be granted;
- g) 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;

- h) the (possible) risks and rewards associated with the use in relation to the municipality's interests;
- i) Any comments received from the local community, and
- j) Compliance with the legislative regime applicable to the proposed granting of the right.

#### **6.4.2 Policy for the Management of Municipal Agricultural Land**

In terms of paragraph 4.1.10 of the Policy, the guiding principles are to create an enabling environment to users of the land to participate meaningfully in agricultural activities:

*4.1.10.1 Promote entrepreneurship.*

*4.1.10.2 Contribute to food production and economic opportunities.*

*4.1.10.3 Leverage the expertise and markets of existing commercial farmers to assist emerging farmers through partnerships and/or shareholding especially new entrants.*

#### **6.5 STAFF IMPLICATIONS**

No additional staff implications

#### **6.6 RISK IMPLICATIONS**

This report has no risk implications for the Municipality.

#### **6.7 PREVIOUS COUNCIL RESOLUTIONS:**

**12<sup>th</sup> COUNCIL MEETING: 2022-10-26: ITEM 11.10.1**

**RESOLVED (majority vote with 2 abstentions)**

- (a) That Council take note of the fact no submissions were received on the notice published to express the municipality's intention of following an appropriate process for the consideration of the application from Stellenbosch University for a short-term lease agreement for Erf 502, Lynedoch where they are involved in a project assessing the potential value of seven technologies to enhance the productivity of emerging farmers;
- (b) that the Municipal Manager be authorised to conclude the contract or agreement after above is finalised in terms of the applicable Act/Regulation;
- (c) that the Municipal Manager be mandated to determine the monthly rental amount;
- (d) that farm No.502BH, Stellenbosch Division, be identified as land not needed for Municipal Services;
- (e) that the importance of the study be noted as it will enhance the sustainability of emerging farmers and other farmers as far as possible; and

- (f) that Stellenbosch University enter into an agreement with the Municipality and be responsible for the payment of all services.

**8<sup>th</sup> COUNCIL MEETING: 2023-03-29: ITEM 11.10.1**

**RESOLVED (NEM CON)**

- (a) That farm No.502BH, Stellenbosch Division, be identified as land not needed for Municipal services;  
That the importance of the study be noted as it will enhance the sustainability of emerging farmers;
- (b) That Council in-principle agrees to make the property available to the Stellenbosch University as they will deliver a function in Lynedoch for the benefit of the emerging farmers;
- (c) That the intention of Council to lease the property to the Stellenbosch University for a period of (3) three years be advertised for public comment / input;
- (d) That the item be returned to the Executive Mayor, in consultation with the Mayoral Committee, for a final decision, once the public participation process has been completed;
- (e) That the Municipal Manager be mandated to determine a monthly rental amount; and
- (f) That Stellenbosch University enter into an agreement with the Municipality and be responsible for the payment of all services.

**APPENDICES:**

**Appendix A:** Monthly rental structure

**Appendix B:** Current lease agreement

**Appendix C:** Stellenbosch University Application

**Appendix D:** Size and Layout for 502 BH 1 and BH 2

|                        |                                                                                        |
|------------------------|----------------------------------------------------------------------------------------|
| <b>NAME</b>            | <b>Mark Harris</b>                                                                     |
| <b>POSITION</b>        | <b>Senior: Economic Development Officer</b>                                            |
| <b>DIRECTORATE</b>     | <b>Corporate Services</b>                                                              |
| <b>CONTACT NUMBERS</b> | <b>(021) 808-8159</b>                                                                  |
| <b>E-MAIL ADDRESS</b>  | <a href="mailto:mark.harris@ Stellenbosch.gov.za">mark.harris@ Stellenbosch.gov.za</a> |
| <b>REPORT DATE</b>     | <b>2024-09-10</b>                                                                      |

# **APPENDIX A**



month written notice, in which event the **LESSOR** will have no claim for compensation or otherwise against the **LESSEE**.

**5. RENT**

5.1 The rent shall be

5.1.1 R 340.96 per month (Inclusive of VAT) from 1 June 2023;

5.1.2 shall thereafter, on an annual basis escalate by CPI based on the 12 months from 01<sup>st</sup> July to 30<sup>th</sup> June of the previous year;

**6. PAYMENTS**

6.1 The rent payable by the **LESSEE** to the **LESSOR** in terms of this Agreement shall be payable monthly in advance.

6.2 The **LESSOR** shall have the right, notwithstanding any instruction given by the **LESSEE**, to appropriate any amount paid by the **LESSEE** hereunder to whatsoever indebtedness of the **LESSEE** as the **LESSOR** may decide upon in its absolute discretion.

**7. RATES**

7.1 It is specifically recorded that the **LESSEE** will be responsible for the payment of rates and taxes on the property as levied from time to time.

**8. ADDITIONAL CHARGES**

8.1 It is specifically recorded that the **LESSEE** will, in addition to the rent and rates, be responsible for the cost of water, electricity and all other services used on the property.

**9. INSURANCE**

9.1 It is specifically agreed that the **LESSEE** is responsible for insurance of any kind.

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# **APPENDIX B**

# LEASE AGREEMENT

Entered into by and between

## **STELLENBOSCH MUNICIPALITY**

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

**Municipal Manager**, being duly authorised

(herein after called the **LESSOR**)

AND

## **STELLENBOSCH UNIVERSITY**

Herein represented by **HAI Lombard** in his capacity as **Chief Director: Finance**

being duly authorised

(herein after called the **LESSEE**)

For the lease of Lease Farms 502 BH1 & BH2

(herein after called the **PROPERTY**)

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## AGREEMENT OF LEASE

### 1. PARTIES

1.1 The parties to this lease are:-

1.1.1 (Stellenbosch Municipality) ("the **LESSOR**"); and

1.1.2 (Stellenbosch University) ("the **LESSEE**").

### 2. INTERPRETATION

2.1 In this lease agreement, except in a context indicating that some other meaning is intended,

2.1.1 "**the Lease Period**" means the period for which this lease subsists, including any period for which it is renewed;

2.1.2 "**month**" means a calendar month, and more specifically;

2.1.2.1 in reference to a number of months from a specific date, a calendar month commencing on that date or the same date of any subsequent month; and

2.1.2.2 in any other context, a month of the calendar, that is, one of the 12 months of the calendar, and "monthly" has the corresponding meaning;

2.1.3 "**the parties**" means the parties to this lease, and "party" means one of them;

2.1.4 "**the PROPERTY**" means Lease Farm 502 BH1 and BH2, with improvements, meaning 7,928 hectares;

2.1.5 "**the Rates**" means the assessment rates payable on the **PROPERTY**;

2.1.6 "**the Premises**" has the same meaning as the **PROPERTY**;

2.1.7 "**year**" means a period of 12 consecutive months, and "yearly" refers to a year commencing on the date on which the lease comes into operation or any anniversary of that date;



- 2.1.8 references to notices, statements and other communications by or from the **LESSOR** include notices by or from the **LESSOR's** agent;
  - 2.1.9 expressions in the singular also denote the plural, and *vice versa*;
  - 2.1.10 words and phrases denoting natural persons refer also to juristic persons, and *vice versa*; and
  - 2.1.11 pronouns of any gender include the corresponding pronouns of the other genders.
- 2.2 Any provision of this lease imposing a restraint, prohibition or restriction on the **LESSEE** shall be so construed that the **LESSEE** is not only bound to comply therewith but is also obliged to procure that the same restraint, prohibition or restriction is observed by everybody occupying or entering the Premises or any other part of the **PROPERTY** through, under, by arrangement with, or at the invitation of, the **LESSEE**, including (without limiting the generality of this provision) its Associates and the directors, members, officers, employees, agents, customers and invitees of the **LESSEE** or its Associates.
- 2.3 Clause headings appear in this lease for purposes of reference only and shall not influence the proper interpretation of the subject matter.
- 2.4 This lease shall be interpreted and applied in accordance with South African law.

### 3. LETTING AND HIRING

- 3.1 The **LESSOR** lets and the **LESSEE** hires the Farm 502 BH1 and BH2 on the terms of this lease for *bona fide* farming purposes only.

### 4. DURATION

- 4.1 This lease shall come into operation on 01 June 2023 and shall subsist until 30 July 2025, notwithstanding the date of signature hereof.
- 4.2 Notwithstanding the above, should the **LESSOR** require the property for any *bona fide* municipal purposes, this agreement can be terminated by giving the **LESSEE** 2 months written notice, in which event the **LESSEE** will have no claim for compensation or otherwise against the **LESSOR**.
- 4.3 Notwithstanding the above, should the **LESSEE** want to terminate the agreement for whatever reason, it can do so by giving the **LESSOR** 3

A handwritten signature in black ink, appearing to be 'A. J. B.', located in the bottom right corner of the page.

month written notice, in which event the **LESSOR** will have no claim for compensation or otherwise against the **LESSEE**.

**5. RENT**

5.1 The rent shall be

5.1.1 R 340.96 per month (Inclusive of VAT) from 1 June 2023;

5.1.2 shall thereafter, on an annual basis escalate by CPI based on the 12 months from 01<sup>st</sup> July to 30<sup>th</sup> June of the previous year;

**6. PAYMENTS**

6.1 The rent payable by the **LESSEE** to the **LESSOR** in terms of this Agreement shall be payable monthly in advance.

6.2 The **LESSOR** shall have the right, notwithstanding any instruction given by the **LESSEE**, to appropriate any amount paid by the **LESSEE** hereunder to whatsoever indebtedness of the **LESSEE** as the **LESSOR** may decide upon in its absolute discretion.

**7. RATES**

7.1 It is specifically recorded that the **LESSEE** will be responsible for the payment of rates and taxes on the property as levied from time to time.

**8. ADDITIONAL CHARGES**

8.1 It is specifically recorded that the **LESSEE** will, in addition to the rent and rates, be responsible for the cost of water, electricity and all other services used on the property.

**9. INSURANCE**

9.1 It is specifically agreed that the **LESSEE** is responsible for insurance of any kind.

A handwritten signature in black ink, appearing to be 'A. G. M.', located in the bottom right corner of the page.

**10. SUB-LETTING AND RELATED MATTERS**

10.1 The **LESSEE** shall not, without the **LESSOR's** prior written consent:

- 10.1.1 sub-let the whole or any part of the **PREMISES** or cede, assign, transfer, alienate, or otherwise dispose of any of its rights and/or obligations under this Lease or pledge or hypothecate this Lease;
- 10.1.2 give up, for either a definite period or at all, occupation or possession of the **PREMISES** or any part thereof to any person or permit any person whether as licensee, sub-tenant, agent, occupier, custodian or otherwise to take possession or occupation of the **PREMISES** or any part thereof either for a definite period or at all.

10.2 Should the **LESSEE** wish to sub-let the whole or any part of the **PREMISES** at any time during the currency of the Lease, then the **LESSEE** shall apply to the **LESSOR** in writing for its consent thereto given, in regard to the proposed sub-lease, the name of the sub-tenant, the guarantors if any of the sub-tenant date of commencement, the duration of the proposed sub-lease, the exact premises and the consideration payable there under. The **LESSOR** at its option may:

- 10.2.1 consent to the sub-lease, in which case the **LESSEE** may on receipt of written confirmation by the **LESSOR** sub-let the **PREMISES** or part thereof as the case may be in accordance with the written application submitted to the **LESSOR** in terms of this Clause 10.2, or
- 10.2.2 provided the proposed sub-tenant wishes to lease the whole of the **PREMISES**, give the **LESSEE** written notice of its intention to enter into a direct lease with the proposed sub-tenant in which event on the commencement date of the new written lease entered into between the **LESSOR** and the proposed sub-tenant this Lease shall be cancelled and of no further force or effect, provided that such cancellation shall in no way detract from the **LESSOR's** rights to enforce performance of any obligations of the **LESSEE** arising, prior to the date of cancellation, or the **LESSOR's** rights to recover arrear payments from the **LESSEE**.

**11. MAINTENANCE BY THE LESSOR**

11.1 It is specifically recorded that the **LESSOR** has no maintenance obligations with regard to the property.



## 12. OBLIGATIONS OF LESSEE

- 12.1 The **LESSEE** shall remove alien and/or invasive plants, failure of which will lead to the municipality removing such plants and the **LESSEE** will reimburse such costs to the municipality.
- 12.2 The **LESSEE** shall not without the prior written consent of the **LESSOR**, which shall not be unreasonably withheld, store, harbour or use, or permit the storage, harbouring or use in the **PROPERTY** of any goods, chattels, furniture, fixture, fittings or effects which are subject to any hire purchase or lease agreement and which are not the **LESSEE**'s own **PROPERTY**.
- 12.3 The **LESSEE** must create fire-path for preventing fire spreading to neighbouring farms and must refrain from keeping materials that is conducive to fire hazards.
- 12.4 The **LESSEE** must comply with all relevant National and Provincial legislations.
- 12.5 It is specifically recorded that the **LESSEE** had requested to lease the property as part of a project to assess the value of seven technologies to enhance the productivity of emerging farmers. This technology will be transferred to the other small farmers in the area and the **LESSEE** will further introduce these farmers to market opportunities and provide training and workshops to these farmers.
- 12.6 Should the **MUNICIPALITY** be of the view that the **LESSEE** is not actively using the farm for the above purposes the **MUNICIPALITY** may cancel this Agreement and allocate the lease area to someone else, after having followed due process.
- 12.7 Any installations done on the farm will at the termination of the lease agreement be donated to the Small Farmers also situated on Farm 502 BH.
- 12.7 Before cancelling this Agreement as a result of not optimally using it, the **LESSEE** will be given a reasonable period to rectify the situation. Any such notice of non-compliance or under performance shall be in writing and must spell out the remedial actions to be taken by the **LESSEE** within the specified timeframe(s), failing which the Agreement may be cancelled.

## 13. IMPROVEMENTS

- 13.1 The **LESSEE** shall not make any improvements to the Premises without the **LESSOR**'s prior written consent, but the **LESSOR** shall not withhold its consent unreasonably to an alteration or addition which is not structural.

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- 13.2 If the **LESSEE** does improve the Premises in any way, whether in breach of clause 13.1 or not, the **LESSEE** shall, if so required in writing by the **LESSOR**, restore the Premises on the termination of this lease to their condition as it was prior to such alteration, addition or improvement having been made. The **LESSOR**'s requirement in this regard may be communicated to the **LESSEE** at any time, but not later than the (30<sup>th</sup>) day after the **LESSEE** has delivered up the Premises pursuant to the termination of this lease; and clause 13.2 shall not be construed as excluding any other or further remedy which the **LESSOR** may have in consequence of a breach by the **LESSEE** of clause 13.1.
- 13.3 Save for any improvement which is removed from the Premises as required by the **LESSOR** in terms of clause 10.2, all improvements made to the Premises shall belong to the **LESSOR** and may not be removed from the Premises at any time. The **LESSEE** shall not, whatever the circumstances, have any claim against the **LESSOR** for compensation for any improvement to the Premises, unless such improvements were made with the **LESSOR**'s prior written consent which compensation shall be limited to the costs of the improvement, or as otherwise agreed to in writing by the **LESSOR**, nor shall the **LESSEE** have a right of retention in respect of any improvements.

#### 14. LESSOR'S RIGHTS OF ENTRY AND CARRYING OUT OF WORKS

- 14.1 The **LESSOR**'s representatives, agents, servants and contractors may at all reasonable times, without thereby giving rise to any claim or right of action on the part of the **LESSEE** or any other occupier of the Premises
- 14.1.1 enter the leased Premises in order to inspect them, to carry out any necessary repairs, replacements, or other works, or to perform any other lawful function in the *bona fide* interests of the **LESSOR** or any of the occupiers of the **PROPERTY**; or
- 14.1.2 carry out elsewhere on the **PROPERTY** any necessary repairs, replacements, or other works, but the **LESSOR** shall ensure that this right is exercised with due regard for, and a minimum of interference with, the beneficial enjoyment of the Premises by those in occupation thereof.

#### 15. DAMAGE TO OR DESTRUCTION OF PREMISES

- 15.1 If the Premises are destroyed or so damaged that they can no longer be beneficially occupied, this lease shall terminate when that happens unless the parties agree in writing otherwise.

- 15.2 If the Premises are significantly damaged but can still be beneficially occupied, this lease shall remain in force and the **LESSOR** shall repair the damage without undue delay but the rent shall be abated so as to compensate the **LESSEE** fairly for the effects of the damage and repair work on the enjoyment of the Premises. Failing agreement on such abatement or on the applicability of this clause to any particular circumstances, the matter shall be referred to an expert appointed by the parties jointly or, if they do not agree on such appointment, nominated by the President for the time being of The Institute of Estate Agents of South Africa, and the decision of such expert shall be final and binding. The expert's fees and disbursements, including any inspection costs, shall be borne and paid by the parties in equal shares. Pending determination of the abatement the **LESSEE** shall continue to pay the full rent for the Premises as if they had not been damaged and as soon as the matter has been resolved the **LESSOR** shall make the appropriate repayment to the **LESSEE**.
- 15.3 If any damage to the Premises or the destruction thereof is caused by an act or omission for which either party is responsible in terms of this lease or in law, the other party shall not be precluded by reason of any of the foregoing provisions of this clause from exercising or pursuing any alternative or additional right of action or remedy available to the latter party under the circumstances (whether in terms of this lease or in law).

## 16. SPECIAL REMEDY FOR BREACH

- 16.1 Should the **LESSEE** default in any payment due under this lease or be in breach of its terms in any other way, and fail to remedy such default or breach within (30) days after receiving a written demand that it be remedied, the **LESSOR** shall be entitled, without prejudice to any alternative or additional right of action or remedy available to the **LESSOR** under the circumstances, to cancel this lease with immediate effect, be repossessed of the Premises, and recover from the **LESSEE** damages for the default or breach and the cancellation of this lease.
- 16.2 In the event of the **LESSOR** having cancelled this lease justifiably but the **LESSEE** remaining in occupation of the Premises, with or without disputing the cancellation, and continuing to tender payments of rent and any other amounts which would have been payable to the **LESSOR** but for the cancellation, the **LESSOR** may accept such payments without prejudice to and without affecting the cancellation, in all respects as if they had been payments on account of the damages suffered by the **LESSOR** by reason of the unlawful holding over on the part of the **LESSEE**.

A handwritten signature in black ink, appearing to be a stylized 'A' followed by a flourish.

**17. DOMICILIA AND NOTICES**

17.1 The parties choose as their *domicilia citandi et executandi* the addresses mentioned in clause 17.2, provided that such *domicilium* of either party may be changed by written notice from such party to the other party with effect from the date of receipt or deemed receipt by the latter of such notice.

**17.2**

**17.2.1 The LESSOR:**

Town Hall Complex  
Plein Street  
STELLENBOSCH

Email: [municipal.manager@ Stellenbosch.gov.za](mailto:municipal.manager@ Stellenbosch.gov.za)

**17.2.2 The LESSEE:**

University of Stellenbosch  
  
Admin B Building  
  
Victoria Street  
  
Stellenbosch

Email: [gmw@sun.co.za](mailto:gmw@sun.co.za)

17.3 Any notice, acceptance, demand or other communication properly addressed by either party to the other party at the latter's *domicilium* in terms hereof for the time being and sent by prepaid registered post shall be deemed to be received by the latter on the 5th business day following the date of posting thereof. This provision shall not be construed as precluding the utilisation of other means and methods (including telefacsimile) for the transmission or delivery of notices, acceptances, demands and other communications, but no presumption of delivery shall arise if any such other means or method is used.

**18. WHOLE AGREEMENT**

18.1 This is the entire agreement between the parties.

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

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

Handwritten signatures of the parties, appearing to be 'JGM' and 'JGM'.

**19. NON-WAIVER**

- 19.1 Neither party shall be regarded as having waived, or be precluded in any way from exercising, any right under or arising from this lease by reason of such party having at any time granted any extension of time for, or having shown any indulgence to, the other party with reference to any payment or performance hereunder, or having failed to enforce, or delayed in the enforcement of, any right of action against the other party.
- 19.2 The failure of either party to comply with any non-material provision of this lease shall not excuse the other party from performing the latter's obligations hereunder fully and timeously.

**20. WARRANTY OF AUTHORITY**

- 20.1 The person signing this lease on behalf of the **LESSOR** expressly warrants his authority to do so.

**21. SALE OF PREMISES**

- 21.1 The validity of this lease shall not in any way be affected by the transfer of the Premises from the **LESSOR** pursuant to a sale thereof. It shall accordingly, upon registration of transfer of the Premises into the name of the purchaser, remain of full force and effect save that the purchaser shall be substituted as **LESSOR** and acquire all rights and be liable to fulfil all the obligations which the **LESSOR**, as **LESSOR**, enjoyed against or was liable to fulfil in favour of the **LESSEE** in terms of the lease.

**22. BREACH**

- 22.1 Should any payment of rent or any other amount due hereunder not be paid on or before due date or should the **LESSEE** commit or suffer or permit the commission of a breach of any of the other terms of this Lease, whether or not such breach goes to the root of this contract, and fail to remedy such breach within 7 (seven) days after having been required in writing to do so, or should the **LESSEE** be placed in liquidation, whether provisional or final and whether voluntary or compulsory, or under judicial management, whether provisional or final, or under sequestration, whether provisional or final, or should the **LESSEE** effect a general compromise with its creditors or any other arrangements with its creditors necessitated by the inability of the **LESSEE** to pay its debts, or should the **LESSEE** commit any act which is, or would if committed by a natural person be, an act of insolvency in terms of Section 8 of the Insolvency Act, 1936, as



amended, the **LESSOR** shall be entitled but not obliged, notwithstanding any previous waiver or anything to the contrary herein provided and without prejudice to any other rights of the **LESSOR** in terms of this Lease or in law, to cancel this Lease forthwith, eject the **LESSEE** from the PREMISES and recover from the **LESSEE** any damages suffered by the **LESSOR** as well as all amounts which became due for payment by the **LESSEE** hereunder prior to the date of such cancellation.

22.2 Notwithstanding anything to the contrary herein contained, it is specifically recorded that in the event of that **LESSEE** failing at any time to comply with any of its obligations in terms of this lease, the **LESSOR** shall be entitled, but not obliged, and without prejudice to any other rights of the **LESSOR** in terms of this Lease or in Law arising from such breach, to carry out such obligations on behalf of the **LESSEE** and to incur any costs in connection therewith and to claim immediate reimbursement from the **LESSEE** of all such costs.

22.3 In the event of the **LESSOR** instructing its attorneys to take measures for the enforcement of any of the **LESSOR's** rights under this Lease the **LESSEE** shall pay to the **LESSOR** on demand such collection legal and other costs, on the attorney and client scale, as shall be lawfully charged by such action in respect of or arising from the measures to taken by the said attorneys.

SIGNED at STELLENBOSCH on this 28<sup>th</sup> of August 2023 in  
the presence of the undersigned witnesses

**Witnesses:**

1 [Signature]  
2 [Signature]  
(Signatures of witnesses)

[Signature]  
(Signature of **LESSOR**)

SIGNED at Stellenbosch on this 10 of August 2023  
in the presence of the undersigned witnesses

**Witnesses:**

1 .....

2 L Seeliger

(Signatures of witnesses)

[Signature]

(Signature of **LESSEE**)

[Signature] [Signature]

# APPENDIX C



Dear Stellenbosch Municipality Council

**Re: Request by University of Stellenbosch for an extension of the lease on the Farm 502 BH1 and BH2**

1. The University of Stellenbosch and Stellenbosch Municipality, on 28 August 2023, entered into a Lease Agreement in respect of agricultural land on Farm 502 BH1 and BH2 in Lynedoch ("the Property") ("the Lease Agreement"). The Lease Agreement was entered into for the period 1 June 2023 to 31 July 2025.
2. The purpose of this correspondence is to request the extension of the Lease Agreement for an additional 9 (nine) year and 11 (eleven) month period.
3. The aforementioned request is premised on:
  - 3.1. the anticipated date for completion of the project entitled: "Revenue diversification pathways in Africa through bio-based and circular agricultural innovation" ("the DIVAGRI Project") funded by European Commission through its Research Executive Agency, for which the Property is being used by University Stellenbosch in collaboration with the FPSU Stellenbosch Secondary Cooperative Limited, commonly referred to as the Farmer Production Support Unit ("the FPSU"). The aims of the DIVAGRI Project is to empower and uplift small farmers in Stellenbosch; and
  - 3.2. further sustainability and social impact research on the Property building on the outcomes of the DIVAGRI Project.
4. The DIVAGRI Project has made great strides in empowering small farmers in Lynedoch to become part of bioeconomy, training them in bio-based technologies that promote the circular economy, reduce waste, minimize agricultural water use and address other issues of climate change. The FPSU and participating farmers have acted as co-researchers, adapting and developing the technology as the research project has progressed.

Social Impact & Transformation  
 +27 21 808 0993 · lbvr@sun.ac.za · www.sun.ac.za  
 Private Bag X1 · Privaat Sak X1 · Matieland 7602 · South Africa · eMzantsi Afrika · Suid-Afrika

forward together · sike-siya phambili · saamvorentoe



5. Like the FPSU and participating farmers, the Stellenbosch Municipality has also been a partner in this research project and we would like to further develop this beneficial partnership between the FPSU, the participating farmers, the University and the Municipality. Continued research subsequent to the conclusion of the DIVAGRI Project at the Property will promote sustainable land reform and give and provide an opportunity to build on the agricultural training facilities that have been initiated so that even more farmers can benefit.
6. We would be delighted if you would assist us in this regard by allowing us to extend the lease for the 9 (nine) year and 11 (eleven) month period.
7. We thank you for taking the time to consider our request and look forward to hearing from you in this regard.

Kind regards



---

Dr Leslie Van Rooi

Senior Director: Social Impact & Transformation

Date: 19 July 2024

# 20240719 SU Request for Extension of Lease Agreeemnt

Final Audit Report

2024-07-19

|                 |                                             |
|-----------------|---------------------------------------------|
| Created:        | 2024-07-19                                  |
| By:             | Olof Abram Esterhuizen (ollof@sun.ac.za)    |
| Status:         | Signed                                      |
| Transaction ID: | CBJCHBCAABAIEa6wIxRAVUXv6SUKPy9Mp2OW_dtlDeG |

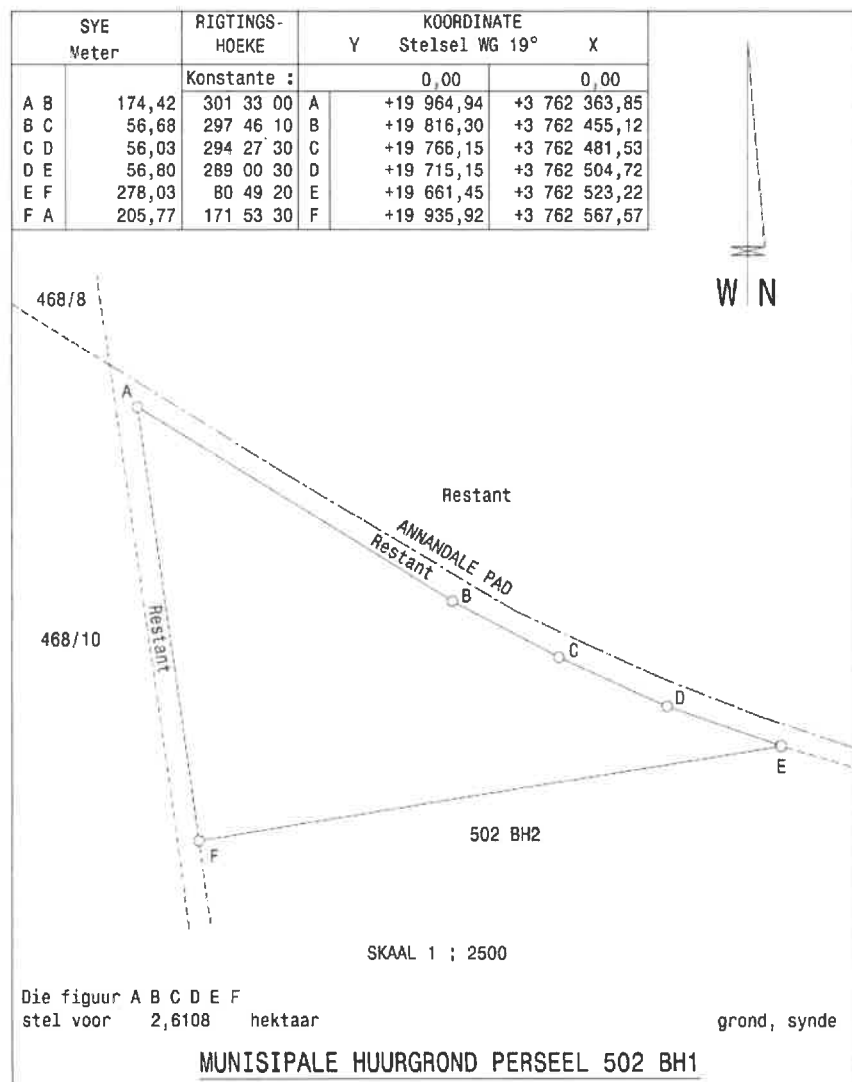
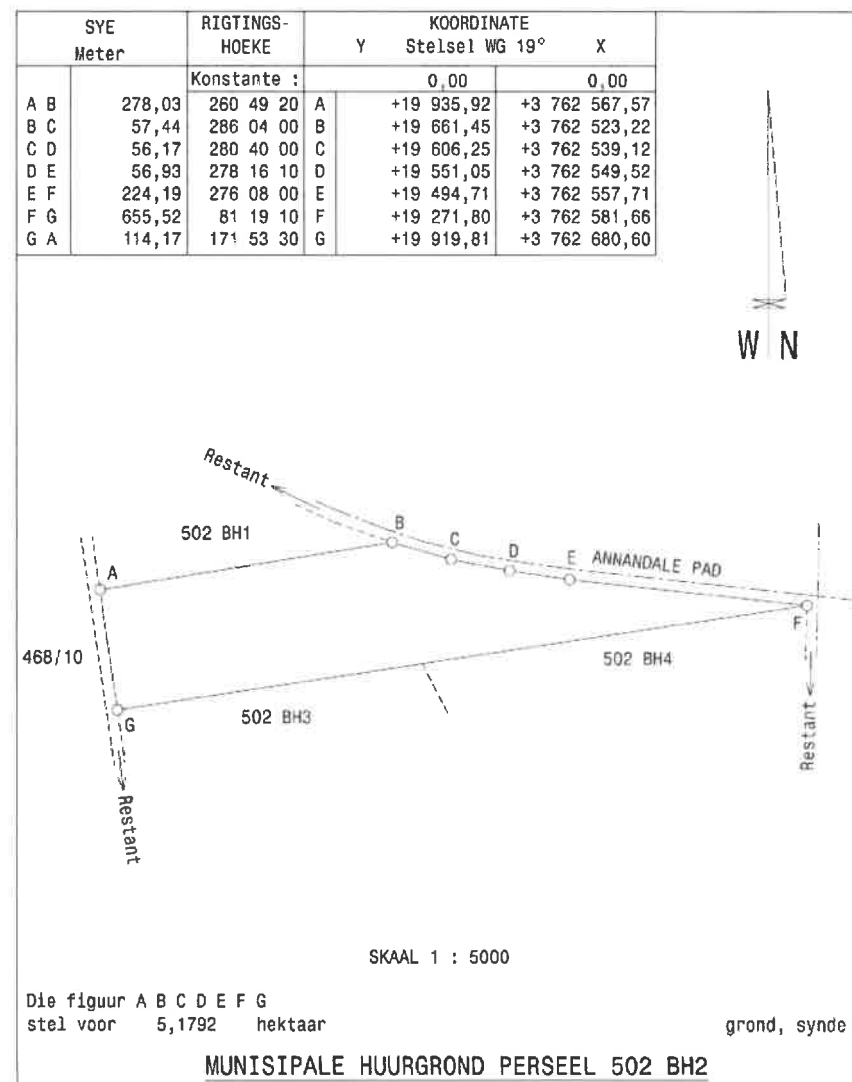
## "20240719 SU Request for Extension of Lease Agreeemnt" History

-  Document created by Olof Abram Esterhuizen (ollof@sun.ac.za)  
2024-07-19 - 5:48:12 AM GMT- IP address: 102.182.118.203
-  Document emailed to lbvr@sun.ac.za for signature  
2024-07-19 - 5:49:07 AM GMT
-  Email viewed by lbvr@sun.ac.za  
2024-07-19 - 5:54:30 AM GMT- IP address: 146.232.65.147
-  Signer lbvr@sun.ac.za entered name at signing as Leslie  
2024-07-19 - 5:58:36 AM GMT- IP address: 146.232.65.147
-  Document e-signed by Leslie (lbvr@sun.ac.za)  
Signature Date: 2024-07-19 - 5:58:38 AM GMT - Time Source: server- IP address: 146.232.65.147
-  Agreement completed.  
2024-07-19 - 5:58:38 AM GMT



# APPENDIX D

## Appendix D





|      |                   |
|------|-------------------|
| 7.11 | MUNICIPAL MANAGER |
|------|-------------------|

|        |                                                                                                                                          |
|--------|------------------------------------------------------------------------------------------------------------------------------------------|
| 7.11.1 | FEEDBACK RECEIVED FROM TWO 2021-2022 GRANT IN AID (GIA) RECIPIENTS INDICATING CONTRAVENTIONS OF THE APPROVED GIA POLICY AND SIGNED MOA'S |
|--------|------------------------------------------------------------------------------------------------------------------------------------------|

Collaborator No: 773632  
 IDP KPA Ref No: Good Governance and Compliance  
 Meeting Date: 26 September 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 the 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 indicate 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 tocks). 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.

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 in 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**.

### 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:**

**43<sup>RD</sup> 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;

**8<sup>TH</sup> COUNCIL MEETING: 2022-10-26: ITEM 13.1**

The Speaker RULED that this matter be withdrawn.

**9<sup>TH</sup> 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.

**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.

**6.8.3 Chief Financial Officer:**

Agree with the recommendations.

**6.8.4 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:** 20<sup>th</sup> Council Meeting 21-02-2024 minutes

**FOR FURTHER DETAILS CONTACT:**

|                        |                                      |
|------------------------|--------------------------------------|
| <b>NAME</b>            | Michelle Aalbers                     |
| <b>POSITION</b>        | Manager Community Development        |
| <b>DIRECTORATE</b>     | Community and Protection Services    |
| <b>CONTACT NUMBERS</b> | 8408                                 |
| <b>E-MAIL ADDRESS</b>  | Michelle.aalbers@stellenbosch.gov.za |
| <b>REPORT DATE</b>     | 26-03-2024                           |

# **ANNEXURE 1**





**STELLENBOSCH**  
STELLENBOSCH • PNIEL • FRANSCHHOEK  
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

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**



**STELLENBOSCH**  
STELLENBOSCH • PNIEL • FRANSCHHOEK  
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

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**



**STELLENBOSCH**  
 STELLENBOSCH • PNIEL • FRANSCHHOEK  
 MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

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

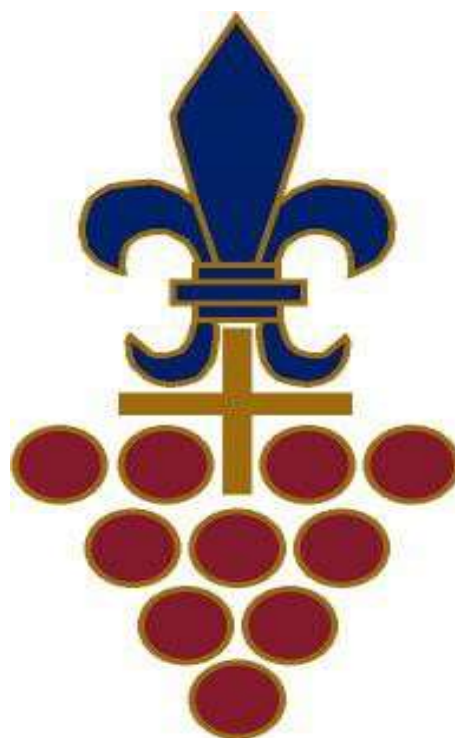


M Aalbers  
Manager Community Development  
Stellenbosch Municipality

# **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**

|          |                                                                                                                                                |        |                       |        |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------|--------|-----------------------|--------|
| <b>A</b> | <b>REGISTERED NAME OF ORGANISATION</b>                                                                                                         |        |                       |        |
|          |                                                                                                                                                |        |                       |        |
| <b>B</b> | <b>DATE AND YEAR IN WHICH THE ORGANISATION WAS FOUNDED:</b><br>(include a brief description of the business or activities of the organization) |        |                       |        |
|          |                                                                                                                                                |        |                       |        |
|          |                                                                                                                                                |        |                       |        |
|          |                                                                                                                                                |        |                       |        |
|          |                                                                                                                                                |        |                       |        |
| <b>C</b> | <b>ADDRESS OF REGISTERED ORGANISATION</b>                                                                                                      |        |                       |        |
|          | <b>PHYSICAL ADDRESS</b>                                                                                                                        |        | <b>POSTAL ADDRESS</b> |        |
|          |                                                                                                                                                |        |                       |        |
|          |                                                                                                                                                |        |                       |        |
|          |                                                                                                                                                |        |                       |        |
|          |                                                                                                                                                |        |                       |        |
|          | <b>CODE:</b>                                                                                                                                   |        | <b>CODE:</b>          |        |
| <b>D</b> | <b>CONTACT DETAILS</b><br>(Details of the person to contact regarding this GIA application)                                                    |        |                       |        |
|          | <b>NAME &amp; SURNAME:</b>                                                                                                                     |        |                       |        |
|          | <b>POSITION:</b>                                                                                                                               |        |                       |        |
|          | <b>TEL:</b>                                                                                                                                    | (    ) | <b>FAX:</b>           | (    ) |
|          | <b>MOBILE:</b>                                                                                                                                 |        | <b>ALTERNATIVE:</b>   |        |
|          | <b>EMAIL ADDRESS:</b>                                                                                                                          |        |                       |        |

|                                                                                                                                                                     |                            |            |  |           |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|------------|--|-----------|
| <b>E REGISTRATION:</b>                                                                                                                                              |                            |            |  |           |
| <b>Is the organization a NP/NG Organisation?</b>                                                                                                                    |                            | <b>YES</b> |  | <b>NO</b> |
| <b>If YES, please provide the Registration Number:</b><br>(Attach a copy of the registration certificate or proof of other affiliation where applicable)            |                            |            |  |           |
| <b>F BOARD/COMMITTEE MEMBERS OF THE ORGANISATION:</b><br>(List ALL Board/Committee Members of the Organisation) Insert a separate page if the space is not enough). |                            |            |  |           |
| <b>1</b>                                                                                                                                                            | <b>NAME &amp; SURNAME:</b> |            |  |           |
|                                                                                                                                                                     | <b>POSITION:</b>           |            |  |           |
|                                                                                                                                                                     | <b>ADDRESS:</b>            |            |  |           |
|                                                                                                                                                                     |                            |            |  |           |
|                                                                                                                                                                     | <b>CONTACT NUMBER:</b>     |            |  |           |
| <b>2</b>                                                                                                                                                            | <b>NAME &amp; SURNAME:</b> |            |  |           |
|                                                                                                                                                                     | <b>POSITION:</b>           |            |  |           |
|                                                                                                                                                                     | <b>ADDRESS:</b>            |            |  |           |
|                                                                                                                                                                     |                            |            |  |           |
|                                                                                                                                                                     | <b>CONTACT NUMBER:</b>     |            |  |           |
| <b>3</b>                                                                                                                                                            | <b>NAME &amp; SURNAME:</b> |            |  |           |
|                                                                                                                                                                     | <b>POSITION:</b>           |            |  |           |
|                                                                                                                                                                     | <b>ADDRESS:</b>            |            |  |           |
|                                                                                                                                                                     |                            |            |  |           |
|                                                                                                                                                                     | <b>CONTACT NUMBER:</b>     |            |  |           |
| <b>4</b>                                                                                                                                                            | <b>NAME &amp; SURNAME:</b> |            |  |           |
|                                                                                                                                                                     | <b>POSITION:</b>           |            |  |           |
|                                                                                                                                                                     | <b>ADDRESS:</b>            |            |  |           |
|                                                                                                                                                                     |                            |            |  |           |
|                                                                                                                                                                     | <b>CONTACT NUMBER:</b>     |            |  |           |

|   |                 |  |  |
|---|-----------------|--|--|
| 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: |  |  |

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|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|------------|--|-----------|--|
| 10                                                                                                                                                                                                  | <b>NAME &amp; SURNAME:</b>                                                                                                                                                                        |  |  |            |  |           |  |
|                                                                                                                                                                                                     | <b>POSITION:</b>                                                                                                                                                                                  |  |  |            |  |           |  |
|                                                                                                                                                                                                     | <b>ADDRESS:</b>                                                                                                                                                                                   |  |  |            |  |           |  |
|                                                                                                                                                                                                     |                                                                                                                                                                                                   |  |  |            |  |           |  |
|                                                                                                                                                                                                     | <b>CONTACT NUMBER:</b>                                                                                                                                                                            |  |  |            |  |           |  |
| <b>G PREVIOUS FUNDING:</b>                                                                                                                                                                          |                                                                                                                                                                                                   |  |  |            |  |           |  |
|                                                                                                                                                                                                     | <b>Have you successfully applied and received Stellenbosch Municipal Grant-In-Aid funding previously?</b>                                                                                         |  |  |            |  |           |  |
|                                                                                                                                                                                                     | <b>If yes for which financial year?</b>                                                                                                                                                           |  |  |            |  |           |  |
|                                                                                                                                                                                                     | <b>What amount was received?</b>                                                                                                                                                                  |  |  |            |  |           |  |
|                                                                                                                                                                                                     | <b>Did you submit Financial Reports for the funds received?</b>                                                                                                                                   |  |  |            |  |           |  |
|                                                                                                                                                                                                     | <b>Do you receive any other sources of funding?</b><br>(If YES please provide details)                                                                                                            |  |  |            |  |           |  |
|                                                                                                                                                                                                     |                                                                                                                                                                                                   |  |  |            |  |           |  |
|                                                                                                                                                                                                     |                                                                                                                                                                                                   |  |  |            |  |           |  |
|                                                                                                                                                                                                     |                                                                                                                                                                                                   |  |  |            |  |           |  |
| <b>H CATEGORY A:</b><br>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) |                                                                                                                                                                                                   |  |  |            |  |           |  |
|                                                                                                                                                                                                     | <b>HEALTH</b>                                                                                                                                                                                     |  |  |            |  |           |  |
|                                                                                                                                                                                                     | <b>ENVIRONMENT</b>                                                                                                                                                                                |  |  |            |  |           |  |
|                                                                                                                                                                                                     | <b>SOLID WASTE</b>                                                                                                                                                                                |  |  |            |  |           |  |
|                                                                                                                                                                                                     | <b>SOCIAL DEVELOPMENT</b>                                                                                                                                                                         |  |  |            |  |           |  |
|                                                                                                                                                                                                     | <b>SPORTS &amp; RECREATION</b>                                                                                                                                                                    |  |  |            |  |           |  |
|                                                                                                                                                                                                     | <b>CATEGORY B:</b><br>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) |  |  |            |  |           |  |
|                                                                                                                                                                                                     | <b>NIGHT SHELTER</b>                                                                                                                                                                              |  |  |            |  |           |  |
|                                                                                                                                                                                                     | <b>OTHER</b> (Please specify)                                                                                                                                                                     |  |  |            |  |           |  |
|                                                                                                                                                                                                     |                                                                                                                                                                                                   |  |  |            |  |           |  |
|                                                                                                                                                                                                     |                                                                                                                                                                                                   |  |  |            |  |           |  |
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|                                                                                                                                                                                                     |                                                                                                                                                                                                   |  |  |            |  |           |  |
| <b>I REQUEST FOR FUNDING:</b>                                                                                                                                                                       |                                                                                                                                                                                                   |  |  |            |  |           |  |
|                                                                                                                                                                                                     | <b>Is funding required for the ensuing year?</b>                                                                                                                                                  |  |  | <b>YES</b> |  | <b>NO</b> |  |
|                                                                                                                                                                                                     | <b>Is funding required for a specific project?</b><br>(If YES attach details separately)                                                                                                          |  |  | <b>YES</b> |  | <b>NO</b> |  |
|                                                                                                                                                                                                     | <b>Is funding required for general support?</b><br>(If YES, attach a copy of the Organisation's Overall Budget)                                                                                   |  |  | <b>YES</b> |  | <b>NO</b> |  |
|                                                                                                                                                                                                     | <b>Budgeted amount requested</b>                                                                                                                                                                  |  |  |            |  |           |  |
|                                                                                                                                                                                                     | <b>Duration of project?</b>                                                                                                                                                                       |  |  |            |  |           |  |



|                                          |                                                                                                                                                                                                                                                                                                                                                                                                |  |        |  |        |  |
|------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--------|--|--------|--|
| <b>If Category B Application</b>         |                                                                                                                                                                                                                                                                                                                                                                                                |  |        |  |        |  |
| Total amount requested for 3 year period |                                                                                                                                                                                                                                                                                                                                                                                                |  |        |  |        |  |
| Annual amounts requested:                | Year 1                                                                                                                                                                                                                                                                                                                                                                                         |  | Year 2 |  | Year 3 |  |
| <b>J</b>                                 | <b>SERVICE FOCUS</b>                                                                                                                                                                                                                                                                                                                                                                           |  |        |  |        |  |
|                                          | <b>Ward number/s in which services are delivered:</b>                                                                                                                                                                                                                                                                                                                                          |  |        |  |        |  |
|                                          | <b>Which Ward Priority/ies are addressed through the service:</b><br>(Please provide details below)                                                                                                                                                                                                                                                                                            |  |        |  |        |  |
|                                          |                                                                                                                                                                                                                                                                                                                                                                                                |  |        |  |        |  |
|                                          |                                                                                                                                                                                                                                                                                                                                                                                                |  |        |  |        |  |
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|                                          |                                                                                                                                                                                                                                                                                                                                                                                                |  |        |  |        |  |
|                                          | <b>Which Municipal Strategic Goal/s is linked to the services:</b><br>(Please mark with a X)                                                                                                                                                                                                                                                                                                   |  |        |  |        |  |
|                                          | Valley of Possibility                                                                                                                                                                                                                                                                                                                                                                          |  |        |  |        |  |
|                                          | Safe Valley                                                                                                                                                                                                                                                                                                                                                                                    |  |        |  |        |  |
|                                          | Dignified Living                                                                                                                                                                                                                                                                                                                                                                               |  |        |  |        |  |
|                                          | Good Governance and Compliance                                                                                                                                                                                                                                                                                                                                                                 |  |        |  |        |  |
|                                          | Green and Sustainable Valley                                                                                                                                                                                                                                                                                                                                                                   |  |        |  |        |  |
| <b>K</b>                                 | <b>THE FOLLOWING MUST BE ATTACHED TO THIS APPLICATION: (Category A and B applications)</b><br>(Please use this form as a check-list, to ensure that you comply to the specified requirements)                                                                                                                                                                                                  |  |        |  |        |  |
| <b>1</b>                                 | <b>AUDITED FINANCIAL STATEMENTS</b><br>(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) |  |        |  |        |  |
| <b>2</b>                                 | <b>ORGANISATIONAL CONSTITUTION</b><br>(A signed and dated copy of the Organisation's Constitution, as well as a signed copy of the <b>Minutes of the AGM/Special Meeting</b> , to verify the acceptance of the Constitution.)                                                                                                                                                                  |  |        |  |        |  |
| <b>3</b>                                 | <b>PROJECT PROGRAMME/BUSINESS PLAN</b><br>(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;                                                                                                                                                                                                                                                                                                                                                              |  |        |  |        |  |
|                                          | ❖ Reference independent of the applicant and its executive/board or committee members.                                                                                                                                                                                                                                                                                                         |  |        |  |        |  |
| <b>4</b>                                 | <b>SIGNED AND STAMPED CREDITOR CONTROL FORM</b><br>(An original signed copy of a correctly completed Creditors Control form of the Stellenbosch Municipality)                                                                                                                                                                                                                                  |  |        |  |        |  |
| <b>5</b>                                 | <b>ACCOUNT ON EXPENDITURE FOR PRECEDING FUNDING</b><br>(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.                                                                                                         |  |        |  |        |  |
| <b>6</b>                                 | <b>PROOF OF REGISTRATION/AFFILIATION</b><br>(Attach a copy of the organisation's Registration Certificate of Affiliation)                                                                                                                                                                                                                                                                      |  |        |  |        |  |

|                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <b>L REQUIREMENTS CATEGORY B APPLICATIONS</b><br>(Please note that Category B applications <b>MUST</b> adhere to the following requirements and those listed under section K, except where indicated otherwise.) |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |  |
| <b>1</b>                                                                                                                                                                                                         | <b>AUDITED FINANCIAL STATEMENTS</b><br>A copy of the latest audited financial statements must be included in the application. Category B applications <b>MUST</b> submit their latest audited financial statements. Statements signed off by the treasurer, chairperson or other delegated party will not be accepted.                                                                                                                                                                                           |  |
| <b>2</b>                                                                                                                                                                                                         | <b>THREE YEAR BUSINESS PLAN</b><br>See the requirements for the business plan as listed under section K as guideline. NOTE: Category B applications <b>MUST</b> 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.                                                              |  |
| <b>M FORMAT FOR FEEDBACK REPORT</b><br>(Please ensure that your feedback of previous funding received, includes the following)                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |  |
| <b>1</b>                                                                                                                                                                                                         | Narrative report on the project including numbers reached, outcomes reached, evaluation of the project indicating successes and failures/lessons learned.                                                                                                                                                                                                                                                                                                                                                        |  |
| <b>2</b>                                                                                                                                                                                                         | Pictures of the project/program.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  |
| <b>3</b>                                                                                                                                                                                                         | Financial report on expenditure regarding previous donation separate from the annual financial statements. (Attach proof of expenditure).                                                                                                                                                                                                                                                                                                                                                                        |  |
| <b>N THE FOLLOWING SHALL APPLY:</b>                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |  |
| <b>1</b>                                                                                                                                                                                                         | 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.                                                                                                                                                                                                                                                                                                      |  |
| <b>2</b>                                                                                                                                                                                                         | 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.                                                                                                                                                                                                                                                                                                  |  |
| <b>3</b>                                                                                                                                                                                                         | Applicants must in their submission clearly indicate/specify and motivate what the funds will be utilized for.                                                                                                                                                                                                                                                                                                                                                                                                   |  |
| <b>4</b>                                                                                                                                                                                                         | The Grant-In-Aid must be exclusively utilized for the purpose defined and the successful applicant must submit the necessary undertaking to this effect.                                                                                                                                                                                                                                                                                                                                                         |  |
| <b>5</b>                                                                                                                                                                                                         | Applicants must in their submission satisfy the Council of their ability to execute the project successfully.                                                                                                                                                                                                                                                                                                                                                                                                    |  |
| <b>6</b>                                                                                                                                                                                                         | Organisations who have already received financial or other assistance from the Council during the previous financial year <b>MUST</b> specify same in their application.                                                                                                                                                                                                                                                                                                                                         |  |
| <b>7</b>                                                                                                                                                                                                         | No funding will be considered for political groupings, churches or ratepayers organisations.                                                                                                                                                                                                                                                                                                                                                                                                                     |  |
| <b>8</b>                                                                                                                                                                                                         | 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.                                                                                                                                                                                                                                                                                                                           |  |
| <b>9</b>                                                                                                                                                                                                         | Projects outside the boundaries of the Council will not be considered.                                                                                                                                                                                                                                                                                                                                                                                                                                           |  |
| <b>10</b>                                                                                                                                                                                                        | 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.                                                                                                                                                                              |  |
| <b>11</b>                                                                                                                                                                                                        | Subsequent requests from the applicants to cover overspending on projects will not be considered.                                                                                                                                                                                                                                                                                                                                                                                                                |  |
| <b>12</b>                                                                                                                                                                                                        | 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.                                                                                                                                                                                                                                                                                                                                                                                                    |  |
| <b>13</b>                                                                                                                                                                                                        | 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.                                                                                                                                                                                                                                                                                                         |  |
| <b>14</b>                                                                                                                                                                                                        | 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.                                                                                                                                                                                                                                                         |  |
| <b>15</b>                                                                                                                                                                                                        | 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.                                                                                                                                                                                                                        |  |
| <b>16</b>                                                                                                                                                                                                        | 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).                                                                                              |  |
| <b>17</b>                                                                                                                                                                                                        | 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).                                                                                                                                                                                                                                                                                                                      |  |

|                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>O DECLARATION OF INTEREST:</b>                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 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: |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Name &amp; Surname:</b>                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Designation:</b>                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Name &amp; Surname:</b>                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Designation:</b>                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>P UNDERTAKING:</b>                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|                                                                                                                                                                                                                                                                                             | <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 _____<br/>20      .</p> <p>_____<br/><b>Chairperson/Authorised Representative      Secretary/Duly Authorised Signatory</b></p> |
| <b>PLEASE TAKE NOTE:</b><br>(Completed application forms, together with all the required supporting documentation must be posted to):                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|                                                                                                                                                                                                                                                                                             | <p><b>The Director: Planning &amp; Economic Development</b><br/><b>P O Box 17</b><br/><b>Stellenbosch</b><br/><b>7599</b></p> <p><b>Or hand delivered to:</b></p> <p><b>The Manager: Community Development</b><br/><b>58 Andringa Street</b><br/><b>Stellenbosch</b><br/><b>7600</b></p> <p><b>The submission of applications closes at 13H00 on the closing date as per the advertisement.</b></p> <p><b>PLEASE NOTE: Neither LATE nor INCOMPLETE applications shall be considered.</b></p>                                                                                                                                                                                                                                                                             |



# 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 8<sup>th</sup> (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](http://www.uhike.co.za)  
[info@uhike.co.za](mailto: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.

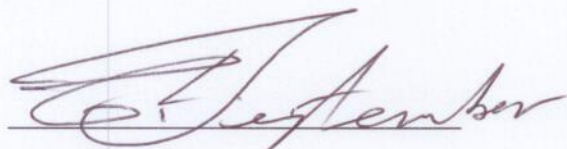
Ubuntu Hiking does great and inspiring work in the disadvantaged and the broader Stellenbosch Communities. We fully understand and respect the Grand-in-Aid Policy and are now better informed with regards to the rules and obligations.

Kindly have a look at our past hikes on our website ([www.uhike.co.za](http://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





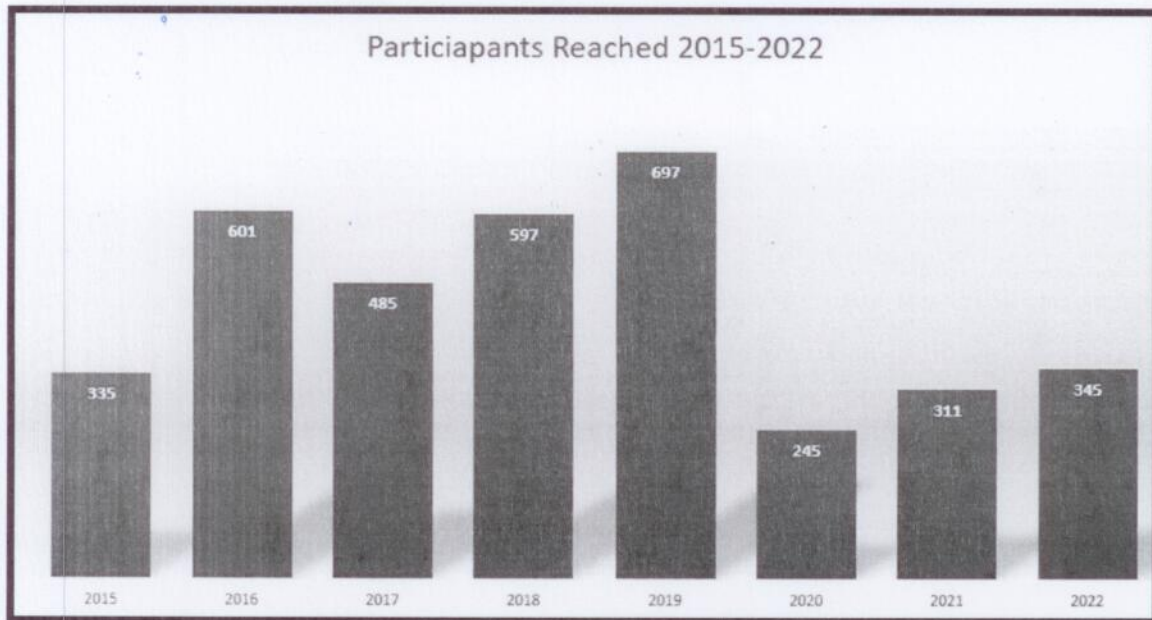
### Ubuntu Hiking 2021/2022 Budget Summary

| 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                                                       |
| <b>Total</b>                                                                                                                   |         | <b>R44 150</b>                                                                                                                                  |

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

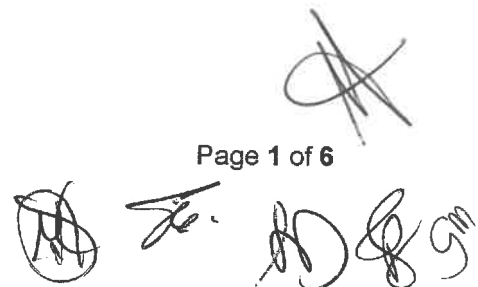
And

**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                | : | <b>280082096</b>              |
| Name of financial institution | : | <b>STANDARD BANK</b>          |
| Name of account holder        | : | <b>FRANSCHHOEK RUGBY CLUB</b> |
| Branch code                   | : | <b>051001</b>                 |
| Type of account               | : | <b>CHEQUE ACCOUNT</b>         |

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.

Handwritten signatures and initials are present at the bottom right of the page, including a large signature, a signature with 'JL' initials, a signature with 'Gm' initials, and another signature.

## 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 cursive 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.

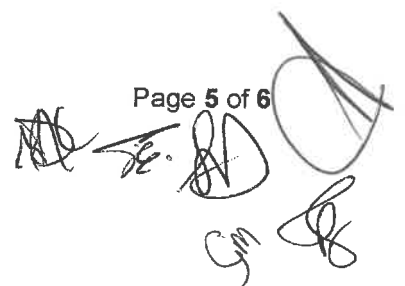
10.3 Any notice given in terms of this Agreement shall be in writing and shall-

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 8<sup>th</sup> (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.

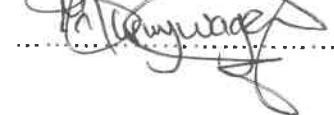
The bottom right corner of the page contains several handwritten signatures and initials. There are three distinct signatures, some appearing to be in ink and others in pencil, along with various initials and a large circular mark that looks like a stylized 'O' or a signature flourish.

# 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.

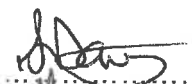
Signed at Stellenbosch on this 30<sup>th</sup> day of **June 2021**.

  
.....  
For the **MUNICIPALITY**

WITNESS: 1.   
2. 

Signed at Stellenbosch on this 21<sup>th</sup> 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)*

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**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 30<sup>th</sup> of June 2022.

Should you require any additional information please do not hesitate to contact our office.

Yours faithfully,



**Tax Shop Franschhoek (Pty) Ltd**  
Per: Frederik G Kotzé

Contact details:

Telephone: 021 876 2676  
Cell: 082 8040764  
Email: [franschhoek@taxshop.co.za](mailto: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.

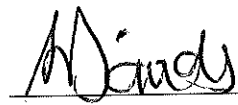
The directors are also responsible for the company's system of internal financial controls. This is designed to provide reasonable, but not absolute, assurance as to the reliability of the financial statements, and to adequately safeguard, verify and maintain accountability of assets, and to prevent 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<br>2 Main Road<br>Franschhoek<br>Western Cape<br>7690 |
| Business address                            | Suite 3 La Rue Des Roses Building<br>2 Main Road<br>Franschhoek<br>Western Cape<br>7690 |
| Postal address                              | Suite 3 La Rue Des Roses Building<br>2 Main Road<br>Franschhoek<br>Western Cape<br>7690 |
| Bankers                                     | Standard Bank Limited                                                                   |
| Accountant                                  | Tax Shop Franschhoek (Pty) Ltd<br>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

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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](http://www.taxshop.co.za)

[franschhoek@taxshop.co.za](mailto: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<br>months ended<br>31 December<br>2020 |
|-------------------------------------|-------|---------------|---------------------------------------------------|
|                                     | Notes | 2021<br>R     | R                                                 |
| <b>ASSETS</b>                       |       |               |                                                   |
| Non-current assets                  |       | -             | -                                                 |
| Current assets                      |       | 36 284        | 6 892                                             |
| Bank and cash balances              | 2     | 36 284        | 6 892                                             |
| <b>Total assets</b>                 |       | <b>36 284</b> | <b>6 892</b>                                      |
| <b>EQUITY AND LIABILITIES</b>       |       |               |                                                   |
| 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        | -                                                 |
| <b>Total equity and liabilities</b> |       | <b>36 284</b> | <b>6 892</b>                                      |

## FRANSCHHOEK RUGBY CLUB NPC

DETAILED INCOME STATEMENT  
FOR THE YEAR ENDED 31 DECEMBER 2021

|                                                      | 2021      | for the 14<br>months ended<br>31 December<br>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                                        |
| <b>2. Bank and cash balances</b>             |               |                                          |
| 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                                        |
| <b>4. Funds received</b>  |               |                                          |
| 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         |
| <b>Total Trading Income</b> | <b>173,065.00</b> |

### Cost of Sales

|                            |                  |
|----------------------------|------------------|
| Canteen Stock              | 28,463.29        |
| Cost of Goods Sold         | 1,590.00         |
| <b>Total Cost of Sales</b> | <b>30,053.29</b> |

### 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           |
| <b>Total Other Income</b>                     | <b>45,462.54</b> |

### 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          |
| <b>Total Operating Expenses</b> | <b>166,066.78</b> |
| <b>Net Profit</b>               | <b>22,407.47</b>  |

# **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,

**Tax Shop Franschhoek (Pty) Ltd**  
Per: Frederik G Kotzé

Contact details:

Telephone: 021 876 2676

Cell: 082 8040764

Email: [franschhoek@taxshop.co.za](mailto: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                                                        |
|--------------------------------|----------------|-------------------------------------------------------------------|-----------|------------------|------------------|-----------------|---------------|-------------|--------------------------------------------------------------------------|
| <b>Municipality Fund</b>       |                |                                                                   |           |                  |                  |                 |               |             |                                                                          |
| <b>Opening Balance</b>         |                |                                                                   |           | <b>0,00</b>      | <b>0,00</b>      | <b>0,00</b>     | <b>0,00</b>   | <b>0,00</b> |                                                                          |
| 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                         |
| <b>Total Municipality Fund</b> |                |                                                                   |           | <b>39 609,54</b> | <b>40 000,00</b> | <b>390,46</b>   | <b>390,46</b> | <b>0,00</b> |                                                                          |
| <b>Closing Balance</b>         |                |                                                                   |           | <b>0,00</b>      | <b>390,46</b>    | <b>390,46</b>   | <b>0,00</b>   | <b>0,00</b> |                                                                          |
| <b>Total</b>                   |                |                                                                   |           | <b>39 609,54</b> | <b>40 000,00</b> | <b>(390,46)</b> | <b>390,46</b> | <b>0,00</b> |                                                                          |

# **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<br>BALANCE | GROSS      | TAX |
|--------------------------|----------------|-------------------------------------------------------------------|-----------|----------|-----------|--------------------|------------|-----|
| <b>Municipality Fund</b> |                |                                                                   |           |          |           |                    |            |     |
| <b>Opening Balance</b>   |                |                                                                   |           | -        | -         | -                  | -          | -   |
| 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<br>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)    | -        |
| <b>Total Municipality Fund</b> |             |                            |           | <b>39,609.54</b> | <b>40,000.00</b> | <b>390.46</b>      | <b>390.46</b> | <b>-</b> |
| <b>Closing Balance</b>         |             |                            |           | <b>-</b>         | <b>390.46</b>    | <b>390.46</b>      | <b>-</b>      | <b>-</b> |
| <b>Total</b>                   |             |                            |           | <b>39,609.54</b> | <b>40,000.00</b> | <b>(390.46)</b>    | <b>390.46</b> | <b>-</b> |





Standard Bank

Transaction record/  
Transaksiererekord

|                  |                          |
|------------------|--------------------------|
| AUTOBANK A541    | CASH WITHDRAWAL<br>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. 1962/002/30/09) Authorised financial services provider  
of Bank van Suid-Afrika (Ink. nom. 1962/002/30/09) Oorheersende finansiële diensterenkwaliteits

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.sagovernment.gov.za](http://www.sagovernment.gov.za)

Samsung Galaxy Tab A7 Lite (T225) 8.7" 32GB LTE



Tablet

Samsung

SM-T225NZALAF

4.6 52 Reviews

R 2,988

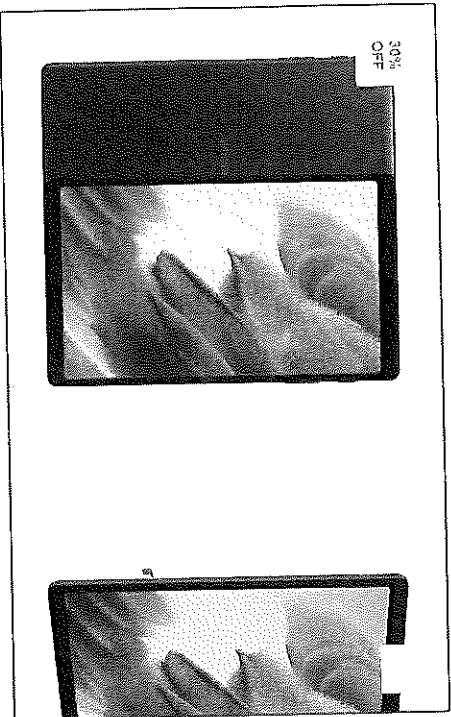
FREE DELIVERY

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) | DIS | SINGL INC | PACK INC | VAT | TOTAL EXC | TOTAL INC |
|----------------|----------------------------------|-------------|-----|-----------|----------|-----|-----------|-----------|
| 1              |                                  |             |     |           |          |     |           |           |
| 06009636904632 | POWEROX M1 WALKIE TALKIE         | 1215.66     |     | 699.00    | 599.00   | 02  | 1398.00   |           |
| 1              |                                  |             |     |           |          |     |           |           |
| 06009711570165 | SMARTSOCKET USB ADAPTOR 8 AMP    | 390.43      |     | 449.00    | 449.00   | 02  | 449.00    |           |
| 1              |                                  |             |     |           |          |     |           |           |
| 09415886887811 | POWERPOX TRIPLE EURO ADAPTER     | 21.74       |     | 25.00     | 25.00    | 02  | 25.00     |           |
| 1              |                                  |             |     |           |          |     |           |           |
| 06009185770626 | MAKRO MULTIPUSE CHECKOUT BAG 24L | 0.86        |     | 0.86      | 0.86     | 00  | 0.86      |           |

| QTY            | UNIT/PK                          | WEIGHT (Kg) |     |           |           |
|----------------|----------------------------------|-------------|-----|-----------|-----------|
| BARCODE        | DESCRIPTION                      |             |     |           |           |
| DIS            | SINGL 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    |       |         |        |         |
| 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](http://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<sup>a</sup> 300.00  
Pump No. : 03  
Attendant : NOXOLO

Clicks ClubCard  
0200571990353  
Points earned for fuel purchases  
[www.clicks.co.za](http://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<br><i>Sold by Life Online SA</i>                   | R 1199.00 |
| 1 |  Velbon Tripod For Photo or Video<br><i>Sold by Golden Power Batteries</i>            | R 879.00  |
| 1 |  F6 FHD 1080P Night Vision Digital Video Camera<br><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  
12H28TRANSACTION DATE  
BUSINESS DATE2022-06-30  
2022-06-30

FROM ACCOUNT

\*\*\*\*\*2096

AMOUNT WITHDRAWN

R-4,060.00

AVAILABLE FUNDS  
ACCOUNT BALANCER 634.77  
R 634.77

APPLICATION ID

A0000000041010

APPLICATION NAME

Debit MasterCard

TVR  
CVR8000040000  
601003220000





## STATEMENT

Franschhoek Rugby Club

**Statement Date**  
31 Mar 2022

**Tax Shop Franschhoek (Pty) Ltd**
**Account Number**
**Telephone number**  
021 876 2676

**VAT 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        |
| <b>BALANCE DUE</b> |                               |               |           |        |          | <b>5,685.15</b> |

**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 |             |         |

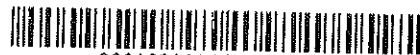
-----VAT REG NO. 4070204096-----  
V VITALITY HEALTHYFOOD CASH BACK ITEM

Liquor Lic.: WCP/036277/032166  
PLEASE RETAIN AS YOUR GUARANTEE  
CUSTOMER CARE LINE: 0860 30 30 30  
WEBSITE: [www.picknpay.co.za](http://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



2

Alicia accounts- 021 876 4234  
Email- bronwenalbotphysio@gmail.com

Bronwen Talbot Physiotherapy  
BHF Practice No. 0720000625442

48 Artisans Village  
Cabriere Street  
Franschhoek  
7690

| Date / time | Codes / NAPP | Patient / Description     | In hosp? | ICD    | Doc.No | Qty | Amount | Outstanding |
|-------------|--------------|---------------------------|----------|--------|--------|-----|--------|-------------|
| 28/05/2021  | 03           | Diago Jacobs 11/12/1990   |          |        |        |     |        |             |
|             | 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      |

Page: 1 of 1  
Date: 28/05/2021  
Account No.: 000193  
Doc.No: AB00002958

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 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  
PLEASE ADVISE US IF YOU WANT A RECEIPT MAILED TO YOU

PAID  
thank you



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 |
|-------------|--------------|-----------------------|----------|-----|--------|-----|--------|-------------|
|-------------|--------------|-----------------------|----------|-----|--------|-----|--------|-------------|

10 Charles Williams 28/12/1996  
Attended by: Mrs Bronwen Talbot: Rooms [11]

|          |          |                          |                |        |        |  |  |
|----------|----------|--------------------------|----------------|--------|--------|--|--|
| 701      | 501 0010 | Rehabilitation           | S22.30, W19.99 | 167.00 | 167.00 |  |  |
|          | 501 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 255355,  
Acct 62772899088 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

thank you

PAID

|                       |                    |
|-----------------------|--------------------|
| 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](http://www.picknpay.co.za)

THANK YOU FOR SHOPPING WITH US.

SMART SHOPPER  
 Smart Shopper card # \*\*\*\*\*9982



Outstanding Invoices

5000 00  
 en ml sent  
 Vrijmoedert Bond

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)

101 310

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) Oorwagde finansiële dienster verskaffer

|                  |                  |
|------------------|------------------|
| CASH WITHDRAWAL  | AUTOBANK A541    |
| 10H24            |                  |
| 2021-09-15       | TRANSACTION DATE |
| 2021-09-15       | BUSINESS DATE    |
| *****2096        | FROM ACCOUNT     |
| R-5,000.00       | AMOUNT WITHDRAWN |
| R 42,216.88      | AVAILABLE FUNDS  |
| R 42,216.88      | ACCOUNT BALANCE  |
| A0000000041010   | APPLICATION ID   |
| Debit Mastercard | APPLICATION NAME |
| 8000040000       | TVR              |
| 601003220000     | CVR              |

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.: FRASNCHOEK 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.: FRASNCHOEK 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

Cashier Aslam  
Till No 1 Slip No# 26575  
Date and Time: 08:22 09-02-22

-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



17 TEXTILE DIRECT PAIRL 7646

TEL 011 870 1056

TEL 011 870 1056

TEL 011 870 1056

TEL 011 870 1056

TEL 011 870 1056

Item 1

#00541238121 4

Diamond Chips 1x1kg

12 X 19.00

#0054123809544

Frozen Valley Chips 1kg

8 X 17.00

#0000000007428

Fritos 24x25g

#00160951080468

Niknaks 50x20g

4 X 40.00

#00600980445000

Sauceland Bbq Sauce 2lt

#00600980445077

Sauceland S/Chilli 2lt

#00600980445010

Sauceland Tom Sauce 2lt

#00600156500903

D Lite Oil 2l

4 X 55.00

#00000000001563

Jive 6x2lt

#00600968182234

One-Up Carrier Bag 24lt

3 X 0.80

#00600968182234

One-Up Carrier Bag 24lt

3 X 0.80

37 Total

Taxable 15% VAT

15% 15% VAT

Taxable ZERO RATED

Tendered

CARD

228.00

136.00

40.00

160.00

45.00

52.00

30.00

220.00

62.00

2.40

0.80

976.20

341.04

51.16

564.00

976.20

976.20



WHERE YOU GET MORE FOR LESS

17 TEXTILE STREET PAARL 4643

TEL: (021) 870 1656

TAX INVOICE

VAT NUMBER 4430196347

TILL TUPPAARLOS

|                         |                 |        |
|-------------------------|-----------------|--------|
| Clerk 1                 | #00544900000906 | 66.00  |
| Coke 2l                 | 2 X 22.00       |        |
| Jive 6x2lt              | #00000000001563 | 60.00  |
| Doritos 24x45g          | #00000000007635 | 140.00 |
| Peco Chips 8/BEQ 50x22g | #00600064578445 | 39.00  |
| Nikna's 50x20g          | #00160651080468 | 40.00  |
| SIMBA CHIPS 24x36g      | #00000000007541 | 140.00 |
| D Lite 61l 2l           | #00600066500903 | 165.00 |
| Bulk Manager 2          |                 |        |
| VOID                    | #00544900000906 |        |
| Coke 2l                 |                 | -22.00 |
| Clerk 1                 | #00160918800412 | 70.00  |
| Tex Mint 24s            | #00600103700349 | 46.00  |
| Quilich Liquid Punch 1x | 2 X 23.00       |        |
| Sauce and Jam Sauce 2lt | #00600680445010 | 30.00  |
| Sauce and Jam Sauce 2lt | #00600680445010 | 30.00  |
| Gad Lunch Bar 1x24s     | #00160066503386 | 70.00  |
| Gadbury Fuffies 30s     | #00762220177090 | 65.00  |
| Seeo Ity Ma 1x500g      | #00600456000061 | 2.20   |
|                         | #00600478400187 |        |

|                                     |                 |
|-------------------------------------|-----------------|
| <del>2 X 23.00</del>                | 45.00           |
| <del>#00600980445010</del>          |                 |
| <del>Sauce and Jam Sauce 2lt</del>  | 30.00           |
| <del>#00600980445010</del>          |                 |
| <del>Sauce and Jam Sauce 2lt</del>  | 30.00           |
| <del>#00160706503386</del>          |                 |
| <del>Cad Lunch Bar 1x24s</del>      | 70.00           |
| <del>#00762220477090</del>          |                 |
| <del>Cadbury Fuffies 30s</del>      | 65.00           |
| <del>#00600459000061</del>          |                 |
| <del>Seepo Ityiwa 1x500g</del>      | 2.20            |
| <del>#00600478400187</del>          |                 |
| <del>Crackles Asst 1kg</del>        | 50.00           |
| <del>#00600708738918</del>          |                 |
| <del>Domestos 6H/4rdy 2x750ml</del> | 40.00           |
| <del>#00600304100286</del>          |                 |
| <del>Sul Vinegar 6 750ml</del>      | 6.00            |
| <del>#00547258809547</del>          |                 |
| <del>Frozen Valley Chips 2.5k</del> | 135.00          |
| <del>3 X 45.00</del>                |                 |
| <del>#00547258812544</del>          |                 |
| <del>Diamond Chips 1x1kg</del>      | 228.00          |
| <del>12 X 19.00</del>               |                 |
| <b>36 Total</b>                     | <b>1,400.20</b> |
| Taxable 15% VAT                     | 758.43          |
| 15% 15% VAT                         | 113.77          |
| Taxable ZERO RATED                  | 528.00          |
| Tendered                            | <b>1,400.20</b> |
| <b>CARD</b>                         | <b>1,400.20</b> |

Wednesday 9-2-2022 16:23:00  
#000113 L0001

Receive Regular Promotional Updates  
by joining us on...  
Facebook, Instagram @tupcashandcarry  
Whatsapp: 063 065 6777  
or Visit.. [www.tuponline.co.za](http://www.tuponline.co.za)  
Email: [info@tuponline.co.za](mailto:info@tuponline.co.za)  
Please Check your Goods - No Refunds  
Retain till 11/11/2022



Banking Details: Medicare Emergency Medical Response CC,  
FNB Business Cheque Account, Account No: 62694799324, BC: 250655



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

| Item Code                             | Description                               | Quantity | Unit | Price  | Disc. | Amount   |
|---------------------------------------|-------------------------------------------|----------|------|--------|-------|----------|
| BLSE                                  | Basic Life Support Paramedic with Jumpbag | 1.00     | HRS  | 900.00 |       | 900.00 N |
| Times: 12:00-18:00<br>Date 12/02/2022 |                                           |          |      |        |       |          |
| SUB TOTAL                             |                                           |          |      |        |       | R 900.00 |
| GRAND TOTAL                           |                                           |          |      |        |       | R 900.00 |

\*\*\* CASH ON DELIVERY. DO NOT DELIVER WITHOUT COLLECTING PAYMENT \*\*\*

Notes

|                                         |                         |
|-----------------------------------------|-------------------------|
| 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                       |                         |
| Our Account No. 20744                   |                         |
| Our Reference Danielle Riffel Rugby day |                         |
| Our Contact Garth Van Zyl               |                         |

# INVOICE

The electronic version of this document is the original Tax Invoice and any hard copy made is deemed a copy.

Franschhoek Rugby Club  
Franschhoek Sportsground  
Franschhoek 7690

**MEDICARE EMR**  
*The Pulse of Franschhoek*



Medicare Emergency Medical Response CC  
Unit 56 B Village Artsan, 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

⑥

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/  
 Transaksieskieding

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 diensteraaksteler

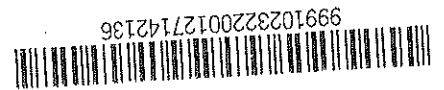


\*\*\*\*\*714213 3220 32200015 12 05.03.22 08:30\*\*\*\*\*  
**68**  
**5166 9946 9224 0603 37**  
 ELECTRICITY PIN

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\*\*\*\*\*

Smart Shopper card # \*\*\*\*\*4841  
 Rands earned: R3.77  
 Rands left to spend: R80.96

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 0.00  
 TAXABLE VAL 754.99  
 VAT VAL 98.48  
 TOTAL ITEMS: 4  
 TAX INVOICE: 804.99

DEBIT MasterCar 804.99  
 TENDER: 804.99  
 DUE VAT INCL 804.99  
 CARD-N004270748322  
 DEL. TAX EXEMPT UTILITY 50.00e  
 BUTCHERY 165.00  
 HOTDOG ROLL EA 49.99  
 HC 540.00

CASHIER: Masanda Mzuzwana  
 FRANSCHHOEK  
 021 876 2075/6

**Pick n Pay**



99910232200127059373

\*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 0.00  
 TAXABLE VAL 259.03  
 VAT VAL 0.00

TOTAL ITEMS: 14  
 B71605  
 Debit MasterCar 1,985.86  
 TENDER: 1,985.86

DUE VAT INCL 1,985.86  
 LARGE CARRIER BAG 0.85  
 \*\* Less cash-off -5.33  
 SIMBA CHEESE & ONION 132g 16.99  
 PNP R/S PEANUTS & RAISINS 45 51.99  
 ENDERMINTS ORIGINAL 100g 16.29  
 ENDERMINTS SPEARMINT 100g 16.29  
 \*\* Less cash-off -5.33  
 SIMBA CHIPS CHAKALAKA 120g 16.99  
 \*\* Less cash-off -5.33  
 SIMBA CHIPS SALTI&WINEGAR 132 16.99  
 \*\* Less cash-off -5.33  
 SIMBA CHILLI BILTONG 132g 16.99  
 \*\* Less cash-off -5.33  
 SIMBA CREAMY CHEDDAR 120g 16.99  
 \*\* Less cash-off -5.33  
 SIMBA CHIPS CHEESE&ONION 120 16.99  
 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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 CUST  
 M  
 THA  
 If y  
 You

V VITALI  
 # ZERO-R  
 # NON-S  
 VAT INCL

CASHIER:  
 DELI



Standard Bank

Transaction record/  
Transaksier rekord

ELECTRONIC ACCOUNT PAYMENT  
A/C BANK 2541 17H09

TRANSACTION DATE 2022-03-01  
SETTLEMENT DATE 2022-03-01

ACCOUNT 1000002096  
AMOUNT PAID R 1600.00

CORPORATE NAME WP RUGBY FOOTBALL  
WP RUGBY FOOTBALL  
WP RUGBY FOOTBALL

APPLICATION ID A0000000041010  
APPLICATION NAME e-It MasterCard  
IVR 8000040000  
EVR 201003220000

The Standard Bank of South Africa Limited Reg. No. 1952/000789/09. Authorised financial services provider.  
Die Standard Bank van Suid-Afrika Beperk Reg. no. 1952/000789/09. Omgelaptes finansiële dienstaanbieder.

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](http://www.sacoronavirus.co.za)



Share

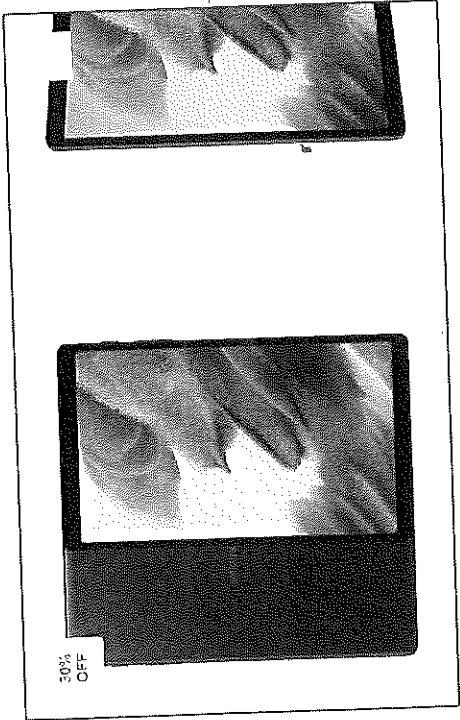
### Samsung Galaxy Tab A7 Lite (T225) 8.7" 32GB LTE

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

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 (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/<br>NOT SUPPORTED/<br>APPROVED | SIGNATURE/COMMENTS | DATE       |
| DIRECTOR COMMUNITY AND<br>PROTECTION SERVICES | SUPPORTED/<br>NOT SUPPORTED              | COMMENTS:<br>      | 27/11/2023 |
| CFO                                           | SUPPORTED/<br>NOT SUPPORTED              | COMMENTS:          |            |
| MUNICIPAL MANAGER                             | SUPPORTED/<br>NOT SUPPORTED              | COMMENTS:          |            |
| MMC                                           | SUPPORTED/<br>NOT SUPPORTED              | COMMENTS:<br>      | 28/11/2023 |
| EXECUTIVE MAYOR                               | APPROVED/<br>NOT APPROVED                | COMMENTS:<br>      | 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   | <b>COMMUNITY SERVICES:(PC: CLLR X KALIPA)</b>                                                                                                   |
| 7.9.1 | <b>FEEDBACK RECEIVED FROM TWO 2021-2022 GRANT IN AID (GIA) RECIPIENTS INDICATING CONTRAVENTIONS OF THE APPROVED GIA POLICY AND SIGNED MOA'S</b> |

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**)

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**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:**

|                        |                                       |
|------------------------|---------------------------------------|
| <b>NAME</b>            | Michelle Aalbers                      |
| <b>POSITION</b>        | Manager Community Development         |
| <b>DIRECTORATE</b>     | Community and Protection Services     |
| <b>CONTACT NUMBERS</b> | 8408                                  |
| <b>E-MAIL ADDRESS</b>  | Michelle.aalbers@ Stellenbosch.gov.za |
| <b>REPORT DATE</b>     | 21-02-2024                            |

# **ANNEXURE 18**



## MINUTES

20<sup>TH</sup> 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 &amp; 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

20<sup>TH</sup> 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.

**20<sup>TH</sup> 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:**

|                        |                                       |
|------------------------|---------------------------------------|
| <b>NAME</b>            | Michelle Aalbers                      |
| <b>POSITION</b>        | Manager Community Development         |
| <b>DIRECTORATE</b>     | Community and Protection Services     |
| <b>CONTACT NUMBERS</b> | 8408                                  |
| <b>E-MAIL ADDRESS</b>  | Michelle.aalbers@ Stellenbosch.gov.za |
| <b>REPORT DATE</b>     | 29-11-2023                            |

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|    |                                          |
|----|------------------------------------------|
| 8. | REPORTS SUBMITTED BY THE EXECUTIVE MAYOR |
|----|------------------------------------------|

NONE

|    |                |
|----|----------------|
| 9. | URGENT MATTERS |
|----|----------------|

NONE

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

SEE PINK DOCUMENTATION