



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref no.3/4/2/5

2025-03-31

NOTICE OF THE 30TH MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY MONDAY, 2025-03-31 AT 15:00

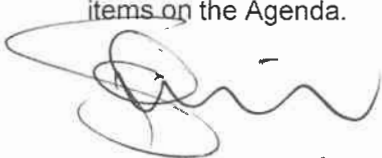
TO

The Speaker, Cllr Q Smit [Chairperson]
The Executive Mayor, Ald JS Fasser
The Deputy Executive Mayor, Cllr M Slabbert
The Council Whip, Cllr P Crawley

COUNCILLORS

RA Adams	NE Mcombring
J Andrews	XL Mdemka
Ald JC Anthony	NM Mkhontwana
R Cupido	NR Ndalasi
MM Danana	L Nkamisa
J A Davids	M Nkopane
I De Taillerfer	N Ntsunguzi
R Du Toit	N Olayi
A Ferns	GA Petersen
E Groenewald	WC Petersen
AJ Hanekom	RO Pheiffer
RB Hendrikse	WF Pietersen
SC Heneke	MG Rataza
J Joon	Ald JP Serdyn
O Jooste	SR Schäfer
X Kalipa	A Tomose
TO Kumm	RB Van Rooyen
N Mananga-Gugushe	M Van Stade
C Manuel	E Vermeulen
EP Masimini	J Williams

Notice is hereby given in terms of Section 29, read with Section 18(2) of the *Local Government: Municipal Structures Act, 117 of 1998*, as amended, that the **30TH MEETING** of the **COUNCIL** of **STELLENBOSCH MUNICIPALITY** will be held in the **COUNCIL CHAMBER, PLEIN STREET, STELLENBOSCH** on **MONDAY, 31 MARCH 2025** at **15:00** to consider the items on the Agenda.



**SPEAKER
CLLR Q SMIT**

**30TH MEETING OF COUNCIL
OF STELLENBOSCH MUNICIPALITY
2025-03-31**

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1.	OPENING AND WELCOME
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3.	COMMUNICATIONS BY THE SPEAKER
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6.	APPLICATION FOR LEAVE OF ABSENCE
7.	CONFIRMATION OF THE MINUTES OF PREVIOUS MEETING/S
7.1	29 TH COUNCIL MEETING: 2025-02-26

The minutes of the 29th Council meeting: 2025-02-26 is attached as **APPENDIX 1.**

FOR CONFIRMATION

APPENDIX 1



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref no.3/4/2/5

2025-02-26

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MINUTES

**29TH MEETING OF THE
COUNCIL OF STELLENBOSCH MUNICIPALITY**

2025-02-26 AT 10:00

**29TH MEETING OF COUNCIL
OF STELLENBOSCH MUNICIPALITY
2025-02-26**

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	SEE PINK DOCUMENTATION (In-Committee Minutes only)	

TO

The Speaker, Cllr Q Smit [Chairperson]
 The Executive Mayor, Ald JS Fasser
 The Deputy Executive Mayor, Cllr M Slabbert
 The Council Whip, Cllr P Crawley

COUNCILLORS

J Andrews (until 10:30)	XL Mdemka
Ald JC Anthony	NR Ndalasi
R Cupido	L Nkamisa
MM Danana	M Nkopane
JA Davids	N Ntsunguzi
I De Taillerfer	N Olayi
R Du Toit	GA Petersen
A Ferns	WC Petersen
E Groenewald	RO Pheiffer
AJ Hanekom	WF Pietersen
RB Hendrikse	Ald JP Serdyn
SC Heneke	SR Schäfer
J Joon	A Tomose
O Jooste	RB Van Rooyen
X Kalipa	M Van Stade
TO Kumm	E Vermeulen (until 12:00)
C Manuel	J Williams
NE Mcombring	

OFFICIALS

Municipal Manager (G Mettler)
 Chief Financial Officer (K Carolus)
 Director: Corporate Services (A De Beer)
 Director: Community and Protection Services (G Boshoff)
 Director: Infrastructure (S Chandaka)
 Director: Planning and Economic Development (A Barnes)
 Acting Chief Audit Executive (M Krige)
 Senior Administration Officer (T Samuels)

1.	OPENING AND WELCOME
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The Chairperson, Cllr Q Smit, welcomed all present at the Council meeting.

2.	MAYORAL ADDRESS
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- Must extend a heartfelt thank you and appreciation to our Disaster management team, especially the firefighters of both Stellenbosch and Cape Winelands District Municipality, who work tirelessly to put out the fire in the Banhoek Valley, while smaller fires were also extinguished successfully. We appreciate your support, hard work and dedication to ensure the safety and protection of lives, property, pets and other valuables.
- Ons is bewus gemaak van bedrieglike boodskappe wat op WhatsApp sirkuleer van individue wat valslik beweer dat hulle munisipale amptenare is. Hulle beweer hulle besoek huise om munisipale dienste te ontkoppel. Hierdie boodskappe word NIE deur die munisipaliteit of enige amptelike verteenwoordiger gemagtig nie. Verifieer inligting altyd direk met die munisipaliteit. Blokkeer en rapporteer onmiddellik sulke boodskappe.
- On 11 February 2025, Minister T Simmers visited Stellenbosch for a meeting with me, the Municipal Manager and various officials. The purpose of the meeting was to discuss key infrastructure projects in the area. More engagements like this must and will take place to unlock opportunities to improve the lives of all the residents.
- Op 10 Februarie 2025 is weereens bewys watter goeie samewerking kan bestaan met Nasionale Regeringsdepartemente. Die Minister van Binnelandse Sake, Min Leon Schreiber, het vining ingespring om te sorg dat inwoners die slim ID Kaart ontvang wat alle besittings in die vernietigende brand op Nuwejaarsdag in Kayamandi verloor het. Dit is die eerste stap om te help dat die inwoners weer hulle lewens kan hervat.
- This is a call to emerging farmers. As part of the commitment of Stellenbosch Municipality to support emerging farmers, proposals are invited from individuals interested in sustainable farming opportunities. Please consult the municipal website for all the details about the exact location of the parcels of land, as well as the application forms and more detail about the types of preferred agricultural activities.
- Raadslede word gereeld oorval deur lede van die publiek oor opleidingsgeleenthede. Dit is daarom dat ek almal aanmoedig om gereeld met die Departement van Gemeenskapsontwikkeling van die munisipaliteit te skakel oor opleidingskursusse en meer. Nader ook die wykskantore gereeld om kennisgewingsborde na te gaan. Maar as lede van die publiek moet u ook weet dat toewyding en volharding getoets word indien u as suksesvolle kandidaat vir opleiding aanvaar word. Moenie geleenthede weggooi nie.
- In my first Mayco speech of 2025, I welcomed all the new first year students to our beautiful town. My plea is now that all students support our "Give Responsibly" campaign. This is a longstanding initiative encouraging residents, businesses and students to make a meaningful difference by giving responsibly. Instead of giving cash to people on the streets, we urge everyone to give a Give Responsibly Coupon - a R10 coupon that guarantees a person in need a warm bed, a shower, a hot meal and access to social services at the

Stellenbosch Night Shelter. Thank you to the residences who participated in the recent drive, and we challenge the other residences to also get involved.

- Die Afvalbestuurspan van die munisipaliteit het 'n inisiatief waar hulle met skole, veral graad 6 en 7 leerders saamwerk vir 'n skoolbewusmaking rondom skoonmaak en skoon omgewing. Hierdie inisiatief moedig jong persone aan om verantwoordelikheid vir hul omgewing te neem, die impak van vermorsing te verstaan en die belangrikheid van die minimalisering van afval te aanvaar. Kontak die Afvalbestuurspan indien u graag wil hê hulle moet 'n skool in u area besoek.
- It is great to announce that the municipality completed another 178 service sites in Kayamandi. Roads, pipelines and underground infrastructure have been installed. This means top construction can commence in the next 3 months.

3.	COMMUNICATIONS BY THE SPEAKER
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- 3 Amendments were received on the following items:
Item 10.4.1
Item 16.1
Item 16.2
- Congratulations to Cllrs WC Petersen and A Hanekom who celebrated their birthdays on 8 February and 21 February respectively.

4.	COMMUNICATIONS BY THE MUNICIPAL MANAGER
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- The Municipal Manager acknowledged the important work done by the firefighters over the past week. She expressed appreciation on behalf of Council, the Administration and the citizens of Stellenbosch for the firefighters' tireless efforts in protecting the community and their courageous commitment to fighting fires and saving lives. Recognition was also given to the firefighters for their assistance provided to Drakenstein and other areas affected by veld and mountain fires. The community was urged to exercise caution when lighting braai fires and to be vigilant in their surroundings, as a small spark can lead to significant devastation and loss of life, especially during the dry and windy season.
- International Women's Day will be celebrated on 8 March and Human Rights Day on 21 March respectively. The National Theme for Human Rights Day is around "All humans, all equal". Stellenbosch, however, will have a Title Deed Restoration Programme and a handover.

5.	DISCLOSURE OF INTERESTS
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NONE

6.	APPLICATION FOR LEAVE OF ABSENCE
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6.1 The following applications for leave of absence were approved in terms of the Rules of Order By-Law of Council:-

Cllr R Adams	-	26 February 2025
Cllr N Mananga-Gugushe	-	26 February 2025
Cllr EP Masimini	-	26 February 2025
Cllr NM Mkhontwana	-	26 February 2025
Cllr MG Rataza	-	26 February 2025

6.2 Permission was granted to Councillors J Andrews and E Vermeulen to leave the meeting earlier (10:30 and 12:00 respectively).

7.	CONFIRMATION OF THE MINUTES OF PREVIOUS MEETING/S
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7.1	28TH COUNCIL MEETING: 2025-01-29
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The minutes of the 28th Council meeting: 2025-01-29 **were confirmed as correct without any changes.**

8.1	STATUTORY MATTERS
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8.1	MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR JANUARY 2025
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Collaborator No:

IDP KPA Ref No:

Good Governance and Compliance

Meeting Date:

19 February 2025 and 26 February 2025

1. SUBJECT: MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR JANUARY 2025

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 the Council. In compliance thereto, this report presents to the Council the SCM deviations that occurred during January 2025.

29TH COUNCIL MEETING: 2025-02-26: ITEM 8.1

NOTED

that there were no deviations approved for the month of January 2025.

FOR FURTHER DETAILS CONTACT:

NAME	Dalleel Jacobs
POSITION	Senior Manager SCM
DIRECTORATE	Finance
CONTACT NUMBERS	021 808 8137
E-MAIL ADDRESS	Dalleel.Jacobs@ Stellenbosch.gov.za
REPORT DATE	03 February 2025

8.2	GRANTS ADJUSTMENTS BUDGET 2024/2025
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Collaborator No:

IDP KPA Ref No:

Good Governance and Compliance

Meeting Date:

19 February 2025 and 26 February 2025

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

To table the adjustments budget for the 2024/2025 financial year to Council for approval. The adjustments budget arises from the additional allocation, as per the letter received from the Department of Cooperative Governance for the Municipal Disaster Response Grant (MDRG), dated 12 February 2025.

3. DELEGATED AUTHORITY**FOR APPROVAL BY MUNICIPAL COUNCIL****4. EXECUTIVE SUMMARY**

Approval was granted for additional funding for the Municipal Disaster Response Grant (MDRG) for infrastructure damages due to the impact of floods that occurred in 2024. Attached as **APPENDIX 1** is an executive summary by the Accounting Officer.

29TH COUNCIL MEETING: 2025-02-26: ITEM 8.2

During deliberations on the matter, the ANC requested a caucus, which the Speaker allowed.

When the meeting resumed, it was

RESOLVED (majority vote with 1 abstention)

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

FOR FURTHER DETAILS CONTACT:

NAME	MONIQUE STEYL
POSITION	SENIOR MANAGER: FINANCIAL MANGEMENT SERVICES
DIRECTORATE	FINANCIAL SERVICES
CONTACT NUMBERS	021 808 8512
E-MAIL ADDRESS	Monique.Steyl@ Stellenbosch.gov.za
REPORT DATE	17 February 2025

9.	ITEMS FOR NOTING
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9.1	REPORT/S BY THE EXECUTIVE MAYOR
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NONE

9.2	REPORT/S BY THE SPEAKER
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NONE

9.3	REPORT/S BY THE MUNICIPAL MANAGER [MS G METTLER]
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NONE

10.	CONSIDERATION OF ITEMS BY THE EXECUTIVE MAYOR: [ALD J FASSER]
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10.1	PROTECTION SERVICES: [PC: CLLR J WILLIAMS]
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NONE

10.2	SPORTS, YOUTH AND CULTURE: [PC: CLLR TO KUMM]
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NONE

10.3	CORPORATE SERVICES: (PC: CLLR L NKAMISA)
10.3.1	APPLICATION TO CEDE LEASE AGREEMENT TO IHS TOWERS SOUTH AFRICA (PTY) LTD: USE OF COUNCIL-OWNED LAND FOR EXISTING TELECOMMUNICATIONS BASE STATION ON PORTION 14 OF FARM 1674, PAARL (PNIEL SPORTS FIELD)

Collaborator No: 770300
IDP KPA Ref No: Good Governance
Meeting Date: 24 July 2024 and 26 February 2025

1. **SUBJECT: APPLICATION TO CEDE LEASE AGREEMENT TO IHS TOWERS SOUTH AFRICA (PTY) LTD: USE OF COUNCIL-OWNED LAND FOR EXISTING TELECOMMUNICATIONS BASE STATION ON PORTION 14 OF FARM 1674, PAARL (PNIEL SPORTS FIELD)**

2. **PURPOSE**

For Council-to consider the request from IHS Towers South Africa (Pty) Ltd for the cession of the current lease agreement with MTN of portion 14 of Farm 1674, Paarl for an existing 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 delegation to consent to the cession of a lease agreement is with Council.

4. **EXECUTIVE SUMMARY**

A lease agreement was entered into between the Municipality and MTN on 27 September 2016 with a lease commencement date of 1 July 2015 for a period of five years with the option to renew for a further five years. The option to renew was exercised and the second five year term started on 1 July 2020. The current lease agreement does not allow for a cession of the agreement and IHS Towers South Africa (Pty) Ltd has now brought an application to lease a portion of municipal land as they have taken over the tower from MTN. There is already an existing telecommunications tower. Although the contract does not make provision for a cession the parties can agree to amend the agreement and cede the rest of the agreement to HIS towers. No public participation process was followed in 2015 or 2020. The current contract is valid until 30 June 2025. Should HIS towers want to continue with the lease beyond 30 June 2025 they will have to apply for a new lease and then the provisions of the asset transfer regulations will be followed. The amount of time left on this agreement does not trigger the provisions in the asset transfer regulations.

29TH COUNCIL MEETING: 2025-02-26: ITEM 10.3.1**RESOLVED** (majority vote with 2 abstentions)

- (a) that Council confirms that the portion of Portion 14 of Farm 1674 Paarl (Pniel) on which the current telecommunication tower is situated is not needed for basic municipal Services;
- (b) that Council approves that the contract with MTN be ceded to IHS Towers for the duration of the current lease (30 June 2025);
- (c) that the Municipal Manager be authorized to sign an agreement with the parties to cede the lease agreement for the duration of the current agreement on the same terms as the current agreement; and
- (d) that a land use application to obtain land use rights for the free-standing base telecommunication station be submitted.

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

Councillors RB Hendrikse G Petersen and M Van Stade.

FOR FURTHER DETAILS CONTACT:

Name	Annalene de Beer
Position	Director: Corporate Services
Directorate	Corporate Services
Contact Numbers	021-8088073
E-mail Address	annalene.debeer@ Stellenbosch.gov.za
Report Date	11/06/2024

10.3.2	RETURN ITEM: REQUEST TO RECONSIDER COUNCIL RESOLUTION MADE REGARDING THE LEASING AND MANAGEMENT OF STELMARK PARKING AREA TO THE OWNERS OF THE CENTRE ADJACENT TO THE PARKING AREA
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Collaborator No: 780704

IDP KPA Ref No: Good Governance

Meeting Date: 19 February 2025 and 26 February 2025

1. SUBJECT: RETURN ITEM: REQUEST TO RECONSIDER COUNCIL RESOLUTION MADE REGARDING THE LEASING AND MANAGEMENT OF STELMARK PARKING AREA TO THE OWNERS OF THE CENTRE ADJACENT TO THE PARKING AREA

2. PURPOSE

To report back to Council on the negotiations between the applicant and the Municipal Manager and for Council to consider the request from FPG Property Fund (Owners of the shopping centre) to reconsider the lease period and the lease amount as resolved by Council.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

The Municipality had previously investigated its parking strategy and had tabled several Council items that detailed the approach the municipality has taken to implement these strategies. Council completed a process in terms of Section 78 of the Municipal Systems Act to determine the most appropriate method of providing a parking service. The municipality had also previously embarked upon internal parking management models; however these were found to be less favourable and not suitable. As the Municipality is of the intention to improve on parking management Council approved as pilot projects the management of Checkers Parking Complex and the Stelmark Parking Centre by adjacent retail outlets or owners. This approval was done in terms of a resolution taken by Council on 27 July 2022.

As part of the resolution the leasing of the parking areas were approved for a period of three years at a rental price to be determined and the Municipal Manager was authorised to negotiate a rental with the retailers and report back to Council. No mention is made of the maintenance of the area or what the position will be in the event that the lessee invests capital expenditure in the upgrade of the area. As this area is used for parking the tariffs as approved by council per parking bay was used by the accounting officer to determine the lease amount. As this is a set amount the accounting officer cannot change the tariffs to negotiate a different amount. The leases for Checkers and The Stellenbosch Mall were determined in exactly the same manner and the lease periods kept as per the resolutions. A change in the resolution may impact on the other agreements, one which has been signed and the other one which is in finalisation stage.

FPG Property Fund is the owner of the Stelmark shopping centre since 2001. The anchor tenant being Pick 'n Pay. They have provided the municipality with a proposal on their suggestions on how to improve the parking area which will result in a large capital investment from their side. Due to this investment, they are

requesting that the lease term be extended from three years to nine years eleven months with an option to renew for a further period of nine years and eleven months. They further request that no rental will be payable as the capital spend will offset the monthly rental over the longer period as requested. All capital improvements will vest with the municipality on termination of the lease agreement. The capital investment includes fencing of the area and erecting a guard house, providing parking boom equipment, installing CCTV and electrical work. The lease amount is R46 710.00 per month amounting to R560 520.00 per annum on the current tariffs without taking any increases into account. As their capital investment is R1 000 000 according to their own submission this investment will be covered within two years lease period. The management fees cannot be attributed to the municipality as the company will be earning the fees from the parking that they are managing.

The matter was before Council on 17 April 2024 where Council resolved that the matter be referred back for the Municipal Manager for negotiations and whereafter it should be submitted to Council directly. The Municipal Manager has now finalised the negotiations with the applicant and has agreed to the following:

1. The lease agreement be approved for a period of 9 years 11 months;
2. The capital investment of the property can be set off against the monthly rent, which is determined by the approved tariffs;
3. All capital expenditure will first have to be approved by the Municipality in writing via the Property Management Department;
4. Any upgrades done on the premises or capital invested will become the property of the municipality;
5. Once the amount of the capital expenditure has been covered by the monthly rental then payment will be due per parking space as per the prescribed tariffs;
6. There will be no set-off for the annual operating expenses and same should be covered by the parking charges. The annual operating costs will be above and beyond the monthly rental after the capital investment has been set-off; and
7. The applicant can give three months' notice of termination of the agreement.

It should be noted that a Public Participation Process that was followed in terms of the earlier resolution whereby the lease term was only three years and did not deal with 9 years and 11 months as is now requested.

29TH COUNCIL MEETING: 2025-02-26: ITEM 10.3.2

RESOLVED (majority vote with 5 abstentions)

- (a) that the Council resolution of 27 July 2022 as it relates to the Stelmark parking area, which reads as follows Be reviewed and rescinded;
 - (i) That Council takes note that the information statement was published as part of the public participation process that was followed;
 - (ii) That Council considered the comment received;

- (iii) That Council approves the leasing of parking areas (Stelmark) to retailers/owners adjacent to the parking areas for a period of three years at a rental price to be determined;
- (iv) That the Municipal Manager be authorised to negotiate a rental with the retailers and report back to Council; and
- (v) That the lease agreement, with the relevant parties, be compiled and concluded.
- (b) that the Council resolution of 27 July 2022 as it relates to the Stelmark parking area, be replaced with the resolution that reads as follows:
 - (i) that FPG Property Fund may lease the parking area for a period of 9 years and 11 months as per the terms agreed with by the Municipal Manager.
 - (ii) The capital investment of the property can be offset against the monthly rent, which is determined by the approved municipal tariffs;
 - (iii) All capital expenditure for the purposes of offset will first have to be approved by the Municipality in writing via the Property Management Department;
 - (iv) Any upgrades done on the premises or capital invested will become the property of the municipality;
 - (v) Once the amount of the capital expenditure has been covered by the monthly rental, then and thereafter rental payment will be due per parking space as per the prescribed municipal tariffs;
 - (vi) There will be no offset for the annual operating expenses and same should be covered by the parking charges. The annual operating costs will be above and beyond the monthly rental after the capital investment has been offset; and
 - (vii) The applicant can give three months' notice of termination of the agreement. In the event of such a termination, all capital improvements and infrastructure erected on the property will default to the municipality;
- (c) that the resolution of 27 July 2022 as it relates to the Checkers parking area remains in place.

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

Councillors RB Hendrikse G Petersen and M Van Stade.

FOR FURTHER DETAILS CONTACT:

NAME	Geraldine Mettler
POSITION	<i>Municipal Manager</i>
DIRECTORATE	<i>Municipal Manager</i>
CONTACT NUMBERS	021-808 8025
E-MAIL ADDRESS	Municipal.manager@ Stellenbosch.gov.za
REPORT DATE	2025 – 02 – 03

10.3.3	FEEDBACK REPORT: REQUEST FOR A LONGER-TERM LEASE AGREEMENT: STELLENBOSCH FLYING CLUB AFTER PUBLIC PARTICIPATION PROCESS
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Collaborator No: 780779

IDP KPA Ref No: Good Governance

Meeting Date: 19 February 2025 and 26 February 2025

1. SUBJECT: FEEDBACK REPORT: REQUEST FOR A LONGER-TERM LEASE AGREEMENT: STELLENBOSCH FLYING CLUB AFTER PUBLIC PARTICIPATION PROCESS

2. PURPOSE

To provide feedback to Council of the feedback and comments received from the public after a public participation process was followed. For Council to take an in-principle decision on the application to extend the lease agreement.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

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

The Stellenbosch Flying Club has filed another application for a 30-year lease agreement in August 2024. The application was before Council on 30 October 2024 where it was resolved that, *inter alia*, a Public Participation Process should be followed calling on the public to provide comments, inputs or alternative proposals before Council will consider the request to extend the lease period. The Information Statement was approved by Council. The Official Notice was published in Die Burger on 13 December 2024 and Eikestad Nuus on 12 December 2024 with a closing date of 7 February 2025 and several comments were received from the public – 6.2.4 below.

If Council approves the extension of the lease for a period longer than 10 years (current contract 9 years and 11 months from date of signature) an information statement must be approved and published to indicate Council's intention to lease it, the period of the lease and the rental amount as well as the escalation that will take place. The public then again has the opportunity to comment, and the views of National and Provincial treasury will have to be solicited. After the closure of the comment period the item will return to Council to make a final decision after considering the comments.

As the application is not clear on how the 30 years will be calculated Council must pronounce on the period (30 years or less) and whether that period runs from the date of a new lease agreement, cancelling the current agreement with the signature of the new lease agreement or the period that is determined beginning on 1 March 2031 (end of current agreement) of the determined period that runs concurrent with the existing agreement.

29TH COUNCIL MEETING: 2025-02-26: ITEM 10.3.3**RESOLVED** (majority vote)

- (a) that Council takes note of the Official Notices which were published in Die Burger on 13 December 2024 and in Eikestad Nuus on 12 December 2024;
- (b) that Council considers the inputs received from the members of the public during the public participation process; and
- (c) that Council in-principle approves that a new lease agreement be concluded for a period of thirty (30) years from the signing of the new lease agreement;
- (d) that Council approves that market related rental must be paid which quantum will be determined and reflected in the new lease agreement as soon as the valuation report is received;
- (e) that Council takes note that the valuation for the rental has been requested, and is still awaited, and that the new lease agreement will be finalised and presented for signature after a final decision has been made by Council;
- (f) that an information statement (Annexure 9) be approved for a public participation process; and
- (g) that the new lease agreement shall cancel the existing lease.

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

Councillors MM Danana; JA Davids; RB Hendrikse; M Nkopane; N Ntsunguzi; G Petersen; A Tomose and M Van Stade.

FOR FURTHER DETAILS CONTACT:

NAME	Annalene de Beer
POSITION	Director
DIRECTORATE	Corporate Services
CONTACT NUMBERS	021-8088189
E-MAIL ADDRESS	annalene.debeer@ Stellenbosch.gov.za
REPORT DATE	2025/02/12

10.4	FINANCIAL SERVICES: (PC: CLLR JC ANTHONY)
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10.4.1	WRITE-OFF OF IRRECOVERABLE AND PRESCRIBED INDIGENT DEBT OLDER THAN 90 DAYS
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Collaborator No:

IDP KPA Ref No: Good Governance and Compliance

Meeting Date: 19 February 2025 and 26 February 2025

1. SUBJECT: WRITE-OFF OF IRRECOVERABLE AND PRESCRIBED INDIGENT DEBT OLDER THAN 90 DAYS

2. PURPOSE

Council to approve the write-off of irrecoverable and prescribed indigent debt as contained in this report.

3. DELEGATED AUTHORITY

Council to approve in terms of Paragraph 1 and 3(1)(i) of the Irrecoverable Debt Policy.

4. EXECUTIVE SUMMARY

The attached **APPENDIX 1** contains instances where:

- Outstanding indigent debt has prescribed due to various reasons and circumstances and is therefore, no longer recoverable and/or
- It will be no longer financially viable to continue with further litigation to recover these outstanding debt as it will be extremely costly, time consuming and ineffective.

To prevent the municipality from incurring further expenditure that may be regarded as wasteful, it is recommended that the outstanding balances as per **APPENDIX 1 (R 38 640 013.43)**, plus any costs/interest levied after date of this report, be written off as irrecoverable.

29TH COUNCIL MEETING: 2025-02-26: ITEM 10.4.1

RESOLVED (nem con)

Amended recommendation (b)

- that the accounts listed in **APPENDIX 1** be regarded as irrecoverable and that the total outstanding balances of R **R 38 640 013.43**, at the time of drafting the report, plus any interest or costs levied after this report, be written off;
- that the Engineering Department in conjunction with Finance will continue, where possible, with the installation of Water Management Devices as a matter of urgency for all households as per **APPENDIX 1**, that all leaks will be repaired by the Engineering Department, and that such meters be capped at a maximum of 12 kiloliters per month as per Council's Credit Control and Debt Collection Policy; and

- (c) that should for any reason the administration discovers any irregularities with the Indigent applications and such indigent status should be cancelled, the write-off of outstanding debt be invalid and immediately be recovered through the normal legal processes, including the issuing of summons against such debtor.

FOR FURTHER DETAILS CONTACT:

NAME	<i>JP Wagener</i>
POSITION	<i>Manager Revenue</i>
DIRECTORATE	<i>Finance</i>
CONTACT NUMBERS	<i>021 808 8531</i>
E-MAIL ADDRESS	<i>Pieter.wagener@ Stellenbosch.gov.za</i>
REPORT DATE	<i>05 February 2025</i>

10.4.2	JONKERSHOEK SPECIAL RATING AREA: APPLICATION FOR THE EXTENSION OF THE TERM FOR A FURTHER PERIOD OF FIVE YEARS, FROM 1 JULY 2025 TO 30 JUNE 2030
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Collaborator No:

IDP KPA Ref No: Good Governance and Compliance

Meeting Date: 19 February 2025 and 26 February 2025

1. SUBJECT: JONKERSHOEK SPECIAL RATING AREA: APPLICATION FOR THE EXTENSION OF THE TERM FOR A FURTHER PERIOD OF FIVE YEARS, FROM 1 JULY 2025 TO 30 JUNE 2030

2. PURPOSE

That Council approve in terms of paragraph 15(a) of the Special Rating Area By-law, the extension of the Jonkershoek Special Rating Area for a further period of five years, with effect from 1 July 2025 to 30 June 2030.

3. DELEGATED AUTHORITY

Council to approve.

4. EXECUTIVE SUMMARY

- 4.1 The Jonkershoek Special Rating Area (SRA) was first established in 2015 and has been successfully operating for the past ten years. The management body has now applied for the SRA to be extended for a further period of five years, ending on 30 June 2030.
- 4.2 There are no financial implications for the municipality, SRA's are community driven initiatives and are financed by the property owners within the boundaries of the SRA. The municipality pays the approved budget over to the management body in twelve equal, monthly installments and recovers the money from property owners via the monthly consumer accounts. Normal credit control and debt collection processes are followed in instances of nonpayment and retention is also withheld from the budget to offset any potential losses of the municipality. In the first five years of the SRA being in operation, this measure was not necessary.
- 4.3 Applications for the extension of term are done in terms of paragraph 15(a) of the SRA By-law. Such Council approval can only be given in terms of Chapter 1 of the By-law. For good reason, the Council may exempt the management body of the SRA from compliance with Chapter 1, which mainly deals with the process to be followed when first establishing a SRA. Such an exemption is requested by the management body of the SRA.

29TH COUNCIL MEETING: 2025-02-26: ITEM 10.4.2

RESOLVED (majority vote with 8 abstentions)

- (a) that Council notes the Jonkershoek SRA application for the extension of the SRA for a further period of five years and exempts the management body in terms of paragraph 15(a) of the SRA By-law, from compliance with the provisions of Chapter 1 of the SRA By-Law;

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- (b) that Council approves the extension of the Jonkershoek SRA for a further period of five years beginning from 1 July 2025 and ending on 30 June 2030; and
- (c) that Council approves the proposed five-year budget with a combined total of R46 205 191.57 (VAT excluded) as detailed in **ANNEXURE A** of the report.

FOR FURTHER DETAILS CONTACT:

NAME	Henry Mitchell
POSITION	Senior Manager: Revenue & Expenditure
DIRECTORATE	Finance
CONTACT NUMBERS	021 808 8016
E-MAIL ADDRESS	Henry.Mitchell@ Stellenbosch.gov.za
REPORT DATE	06 February 2025

10.4.3	TECHSTEL SPECIAL RATING AREA: APPLICATION FOR THE EXTENSION OF THE TERM FOR A FURTHER PERIOD OF FIVE YEARS, FROM 1 JULY 2025 TO 30 JUNE 2030
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Collaborator No:

IDP KPA Ref No: Good Governance and Compliance

Meeting Date: 19 February 2025 and 26 February 2025

1. SUBJECT: TECHSTEL SPECIAL RATING AREA: APPLICATION FOR THE EXTENSION OF THE TERM FOR A FURTHER PERIOD OF FIVE YEARS, FROM 1 JULY 2025 TO 30 JUNE 2030

2. PURPOSE

That Council approve in terms of paragraph 15(a) of the Special Rating Area By-law, the extension of the Techstel Special Rating Area for a further period of five years, with effect from 1 July 2025 to 30 June 2030.

3. DELEGATED AUTHORITY

Council to approve.

4. EXECUTIVE SUMMARY

4.1 Techstel Special Rating Area (SRA) was first established in 2015 and has been successfully operating for the past ten years. The management body has now applied for the SRA to be extended for a further period of five years, ending on 30 June 2030.

4.2 There are no financial implications for the municipality, SRA's are community driven initiatives and are financed by the property owners within the boundaries of the SRA. The municipality pays the approved budget over to the management body in twelve equal, monthly installments and recovers the money from property owners via the monthly consumer accounts. Normal credit control and debt collection processes are followed in instances of nonpayment and retention is also withheld from the budget to offset any potential losses of the municipality. In the first ten years of the SRA being in operation, this measure was not necessary.

4.3 Applications for the extension of term are done in terms of paragraph 15(a) of the SRA By-law. Such Council approval can only be given in terms of Chapter 1 of the By-law. For good reason, the Council may exempt the management body of the SRA from compliance with Chapter 1, which mainly deals with the process to be followed when first establishing a SRA. Such an exemption is requested by the management body of the SRA.

29TH COUNCIL MEETING: 2025-02-26: ITEM 10.4.3

RESOLVED (majority vote with 8 abstentions)

- (a) that Council approves the extension of the Techstel SRA for a further period of five years beginning from 1 July 2025 and ending 30 June 2030; and

- (b) that Council approves the proposed five-year budget with a combined total of R29 239 757.00 (VAT excluded) as detailed in **ANNEXURE A** of the report.

FOR FURTHER DETAILS CONTACT:

NAME	Henry Mitchell
POSITION	<i>Senior Manager: Revenue & Expenditure</i>
DIRECTORATE	<i>Finance</i>
CONTACT NUMBERS	<i>021 808 8016</i>
E-MAIL ADDRESS	Henry.Mitchell@ Stellenbosch.gov.za
REPORT DATE	06 February 2025

10.4.4	STELLENBOSCH IMPROVEMENT AND TRANSFORMATION INITIATIVE (SITI) SPECIAL RATINGS AREA
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Collaborator No:

IDP KPA Ref No: Good Governance and Compliance

Meeting Date: 19 February 2025 and 26 February 2025

1. SUBJECT: STELLENBOSCH IMPROVEMENT AND TRANSFORMATION INITIATIVE (SITI) SPECIAL RATINGS AREA

2. PURPOSE

Is for the Council to consider and possibly approve the establishment of a Special Ratings Area to be known as Stellenbosch Improvement and Transformation Initiative (SITI) Special Rating Area (SRA) in terms of Council policy and section 22 of the Municipal Property Rates Act (MPRA), Act 6 of 2004.

3. DELEGATED AUTHORITY

COUNCIL

4. BACKGROUND

An application was received from the steering committee of the SITI Special Rating Area, to get formal approval from the municipality to establish an SRA. Section 22 of the Municipal Property Rates Act, Act 6 of 2004, as well as council policy and bylaw do make provision for the establishment of special rating areas within the boundaries of Stellenbosch Municipality.

Below is an extract of Section 22, MPRA, 2004.

“22. Special rating areas. ____ (1) A municipality may by resolution of its

council-

- (a) Determine an area within that municipality as a special rating area;
- (b) Levy an additional rate on property in that area for the purpose of raising funds for improving or upgrading that area; and
- (c) Differentiate between categories of properties when levying an additional rate referred to in paragraph (b).
- (2) Before determining a special rating area, a municipality must-
 - (a) Consult the local community, including on the following matters:
 - (i) The proposed boundaries of the area; and
 - (ii) The proposed improvement or upgrading of the area; and
 - (b) Obtain the consent of the majority of the members of the local community in the proposed special rating area who will be liable for paying the additional rate.
 - (3) When a municipality determines a special rating area, the municipality-
 - (a) Must determine the boundaries of the area;
 - (b) Must indicate how the area is to be improved or upgraded by funds derived from the additional rate;
 - (c) Must establish separate accounting and other record-keeping systems regarding-
 - (i) the revenue generated by the additional rate; and
 - (ii) the improvement and upgrading of the area; and

- (d) May establish a committee composed of persons representing the community in the area to act as a consultative and advisory forum for the municipality on the improvement and upgrading of the area, provided that representation, including gender representation, is taken into account when such a committee is established. Such a committee must be a subcommittee of the ward committee or committees in the area.
- (4) This section may not be used to reinforce existing inequities in the development of the municipality, and any determination of a special rating area must be consistent with the objectives of the municipality's integrated development plan.
- (5) This section must be read with section 85 of the Municipal Systems Act if this section is applied to provide funding for an internal municipal service district established in terms of that section of the Municipal Systems Act.

Further to the provisions of the MPRA, council approved a Special Ratings Area (SRA) policy and also an SRA Bylaw that was promulgated in Provincial Gazette 7015 of 20 July 2012. The policy is reviewed every year as part of the budget related policies of the municipality. The current policy was approved by council on 28 May 2014, and it is annually reviewed through the budget process.

29TH COUNCIL MEETING: 2025-02-26: ITEM 10.4.4

RESOLVED (majority vote with 6 abstentions)

- (a) that the council approves the application, and the budget received for the establishment of the SITI Special Ratings Area in, Stellenbosch with effect from 1 July 2025 until 30 June 2030; and
- (b) that the approval of the SRA will be on condition that a Financial Agreement as envisaged in Paragraph 14.3 of the SRA policy be entered into between the Municipality and the management structure of the SITI SRA before any payments are made towards the operating of the SRA.

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

Councillors RB Hendrikse G Petersen and M Van Stade.

FOR FURTHER DETAILS CONTACT:

NAME	Henry Mitchell
POSITION	Senior Manager: Revenue & Expenditure
DIRECTORATE	Finance
CONTACT NUMBERS	021 808 8016
E-MAIL ADDRESS	Henry.Mitchell@ Stellenbosch.gov.za
REPORT DATE	06 February 2025

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

10.6	INFRASTRUCTURE SERVICES : (PC: CLLR R PHEIFFER)
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10.6.1	STATUS REPORT ON THE ALTERNATIVE ENERGY GENERATION PROGRAMME – FEBRUARY 2025
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Collaborator No: 78022
IDP KPA Ref No: Green & Sustainable Valley
Meeting Date: 19 February 2025

1. SUBJECT: STATUS REPORT ON THE ALTERNATIVE ENERGY GENERATION PROGRAMME – FEBRUARY 2025

2. PURPOSE

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

3. DELEGATED AUTHORITY

Municipal Council.

4. EXECUTIVE SUMMARY

4.1 The load curtailment application negotiations with Eskom are going nowhere after two years negotiations, despite WCG interventions. Proposal to suspend the Stellenbosch Municipality load curtailment application negotiations at this stage.

4.2 A tender for the purchase of 20MW of electricity from an Independent Power Producer (IPP), was conditionally approved by the BAC on 16th September 2024. A kick-off meeting was held with Energy Partners on 25 October 2024. The draft program and Power Purchase Agreement (PPA) have been received. Consultations to conclude the PPA have commenced.

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

The two remaining main substations (Main and University) can only be completed once the project to replace the 66kV switchgear at the two substations are completed. According to the project programme for implementing the 66kV switchgear at Main- and University substations, the project is planned to be completed in March 2025.

29TH COUNCIL MEETING: 2025-02-26: 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.

NAME	<i>Nombulelo Zwane / Rendani Makungo</i>
POSITION	<i>Senior Manager: Electrical Services</i>
DIRECTORATE	<i>Infrastructure Services</i>
CONTACT NUMBERS	<i>021 808 8770/ 021 808 8333</i>
E-MAIL ADDRESS	<i>nombulelo.zwane@ Stellenbosch.gov.za / rendani.makugo@ Stellenbosch.gov.za</i>
REPORT DATE	<i>23 January 2025</i>

10.7	PARKS AND OPEN SPACES: [PC: CLLR N OLAYI]
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NONE

10.8	PLANNING, LOCAL ECONOMIC DEVELOPMENT AND TOURISM: [PC: DEPUTY MAYOR: CLLR M SLABBERT]
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10.8.1	PROPOSED AMENDMENT OF THE STELLENBOSCH MUNICIPAL CATEGORISATION MODEL FOR DECISION MAKING ON LAND USE AND LAND DEVELOPMENT APPLICATIONS
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Collaborator No: 780662
IDP KPA Ref No: Valley of Opportunity
Meeting Date: 19 February 2025

1. SUBJECT: PROPOSED AMENDMENT OF THE STELLENBOSCH MUNICIPAL CATEGORISATION MODEL FOR DECISION MAKING ON LAND USE AND LAND DEVELOPMENT APPLICATIONS

2. PURPOSE

Is to present to Council for consideration an amended categorisation model for the purpose of decision making on land use and land development applications in terms of Section 69(1) of the Stellenbosch Land Use Planning Bylaw, 2023 [SLUPB].

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

The report proposes the amendment of the categorisation model on decision making of land use and land development applications in order to permit that applications which, due to its deemed complexity and for the sake of sound decision making in upholding the integrity of the land use planning regime of the Stellenbosch Municipal area, be submitted for decision making to the appointed Municipal Planning Tribunal which is representative of independent professional town planning experts.

29TH COUNCIL MEETING: 2025-02-26: ITEM 10.8.1

RESOLVED (majority vote with 6 abstentions)

that the amended categorisation model of decision making on land use and land development applications in terms of Section 69(1) of the Stellenbosch Municipal Land Use Planning By-law, 2023, attached as **ANNEXURE "A"**, **BE APPROVED**.

NAME	<i>Stiaan Carstens</i>
POSITION	<i>Senior Manager: Development Management</i>
DIRECTORATE	<i>Planning and Economic Development</i>
CONTACT NUMBERS	<i>021 808 8674</i>
E-MAIL ADDRESS	<i>Stiaan.carstens@ Stellenbosch.gov.za</i>
REPORT DATE	<i>5 February 2025</i>

10.9	COMMUNITY SERVICES: [PC: CLLR X KALIPA]
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NONE

10.10	RURAL MANAGEMENT AND ENVIRONMENT: [PC: CLLR J WILLIAMS]
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NONE

10.11	MUNICIPAL MANAGER (MS G METTLER)
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10.11.1	DRAFT PUBLIC PARTICIPATION POLICY
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

19 February 2025

1. SUBJECT: DRAFT PUBLIC PARTICIPATION POLICY

2. PURPOSE

To table the Council for consideration and approval:

- (a) The draft Public Participation Policy, attached as **ANNEXURE A**.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

The Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) (MSA) mandates a local municipality to develop a culture of community participation by creating conditions for the local community to participate in the affairs of the municipality as stipulated in Chapter 4 of Section 16 (1)(a)(i)(v).

Stellenbosch Municipality values the community's contributions in attaining its mandates by making every effort to create invited public participation spaces and platforms. The municipality is continuously evaluating methods and strategies to enhance opportunities for public participation. On the premise of this, the municipality drafted an inclusive policy on how Stellenbosch Municipality conducts public participation in municipal matters as stated in Section 16 (1)(a)(i)(v). Therefore, the Council's approval is sought to approve the draft Public Participation Policy for the purpose of soliciting public input for a period of 21 days.

29TH COUNCIL MEETING: 2025-02-26: ITEM 10.11.1**RESOLVED** (nem con)

- (a) that the draft Public Participation Policy of Stellenbosch Municipality be considered and approved in terms of Chapter 4 of the MSA for the purpose of obtaining public input and comments, attached as **ANNEXURE A**; and
- (b) that an advertisement be placed on the official website of the municipality and in the local newspaper notifying the public that the draft Public Participation Policy is open for public input and comments for a period of 21 days.

FOR FURTHER DETAILS CONTACT:

NAME	<i>Geraldine Mettler</i>
POSITION	<i>Municipal Manager</i>
DIRECTORATE	<i>Office of the Municipal Manager</i>
CONTACT NUMBERS	<i>021 808 8025</i>
E-MAIL ADDRESS	<i>mm@ Stellenbosch.gov.za</i>
REPORT DATE	<i>03 February 2025</i>

10.11.2	DRAFT INTERGOVERNMENTAL RELATIONS (IGR) AND INTERNATIONAL RELATIONS (IR) POLICY
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Collaborator No:

IDP KPA Ref No:

Good Governance and Compliance

Meeting Date:

19 February 2025

1. SUBJECT: DRAFT INTERGOVERNMENTAL RELATIONS (IGR) AND INTERNATIONAL RELATIONS (IR) POLICY

2. PURPOSE

To table the Council for consideration and approval:

- (b) The draft Intergovernmental Relations (IGR) and International Relations (IR) Policy, attached as **ANNEXURE A**.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

The Intergovernmental Relations Framework Act, 2005 (Act No. 13 of 2005), aims to promote cooperative governance between the national and provincial governments, including other municipalities. It stipulates mechanisms for consultation, cooperation, and coordination among the three spheres of government to ensure effective service delivery and development.

Stellenbosch Municipality drafted an Intergovernmental Relations (IGR) and International Relations (IR) Policy to facilitate effective communication and collaboration among the provincial and national governments, as well as the district and other local municipalities. The policy sets the foundation for Stellenbosch Municipality to collaborate with other government departments and municipalities to facilitate challenges, coordinate resources, and enact policies that benefit the community.

In terms of international relations, the desired outcome of the IGR and IR Policy is to promote Stellenbosch Municipality as a competitive global destination for economic, social, and cultural activity, one that values international partnerships as a means to facilitate job creation through private sector-led economic growth, actively encourages inward investment, and exchanges knowledge and best practices.

The draft IGR and IR policy stipulates the criteria and procedures to be followed when establishing formal relations with international parties to enable sufficient flexibility so that the municipality is able to capitalise on opportunities when they are deemed valuable and in the interest of service delivery.

The purpose of this item is to seek the Council's approval for the draft Intergovernmental Relations (IGR) and International Relations (IR) Policy to be released for public input for a period of not less than 21 days.

29TH COUNCIL MEETING: 2025-02-26: ITEM 10.11.2**RESOLVED** (majority vote with 1 abstention)

- (a) that the draft Intergovernmental Relations (IGR) and International Relations (IR) Policy of Stellenbosch Municipality be considered and approved in terms of Section 21 of the MSA for the purpose of obtaining public input and comments, attached as **ANNEXURE A**; and
- (b) that an advertisement be placed on the official website of the Municipality and the local newspaper notifying the public that the draft Intergovernmental Relations (IGR) and International Relations (IR) Policy is open for public input and comments for a period of 21 days.

FOR FURTHER DETAILS CONTACT:

NAME	<i>Geraldine Mettler</i>
POSITION	<i>Municipal Manager</i>
DIRECTORATE	<i>Office of the Municipal Manager</i>
CONTACT NUMBERS	<i>021 808 8025</i>
E-MAIL ADDRESS	<i>mm@ Stellenbosch.gov.za</i>
REPORT DATE	<i>03 February 2025</i>

11.	CONSIDERATION OF ITEMS, REPORTS, COMMUNICATIONS, PETITIONS AND APPLICATIONS SUBMITTED VIA THE OFFICE OF THE MUNICIPAL MANAGER
11.1	MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC): [CLLR WF PIETERSEN]

NONE

12.	REPORTS BY THE MUNICIPAL MANAGER (G METTLER)
12.1	SECTION 116 (3): SCOPE AMENDMENT REQUEST AS PER SECTION 116(3) RELATING TO SERVICES RENDERED BY NEIL LYNERS AND ASSOCIATES (PTY) LTD UNDER TENDER: B/SM 13/21- ESP.6: PROFESSIONAL ELECTRICAL ENGINEERING SERVICES FOR THE STELLENBOSCH MUNICIPALITY

Collaborator No: 770300
 IDP KPA Ref No: Good Governance
 Meeting Date: 24 July 2024 and 26 February 2025

1. SUBJECT: SECTION 116 (3): SCOPE AMENDMENT REQUEST AS PER SECTION 116(3) RELATING TO SERVICES RENDERED BY NEIL LYNERS AND ASSOCIATES (PTY) LTD UNDER TENDER: B/SM 13/21- ESP.6: PROFESSIONAL ELECTRICAL ENGINEERING SERVICES FOR THE STELLENBOSCH MUNICIPALITY

2. PURPOSE

To obtain permission for the amendment of the scope of work (Annexure A), of Neil Lyners and Associates (Pty) Ltd for the above contract to incorporate the additional deliverables that have emanated from the original scope outlined in Annexure D, as per Section 116(3).

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

Neil Lyners and Associates was appointed to assist the Municipality with the implementation of the Alternative Energy Generation Programme that the Municipality embarked on in 2022. The primary objective was to develop and implement a Self Loadshedding scenario for the Municipality. The challenge was the absence of a precedent or established methodology which existed in the industry, for a Municipality to follow to achieve this. It was a pioneering project and the first of its kind for a Category B Municipality.

Neil Lyners and Associates was appointed on 19 May 2023 for a three-year period ending 30 June 2026 under bid B/SM 13/21 – ESP .6. The estimated consultant fees for the bid was R 3 000 000.00, with Neil Lyners and Associates' initial estimate being R 2 932 500.00 (inclusive of VAT and a 15% discount).

The project was envisaged to be iterative, with a focus on exploring what Eskom would allow, as well as adapting and refining strategies during the process based on learnings. Some of the work initially was investigative and relied heavily on guidance from Eskom during various engagements to determine what was permissible. Some of

the work was clearly defined projects such as the project management of the Independent Power Producers project, the Supervisory Control and Data Acquisition (SCADA) project, as well as the retrofitting of solar panels, generators, inverters and batteries to critical plant, equipment and buildings.

After several engagements with Eskom, it was determined that Stellenbosch Municipality does not meet the necessary requirements for self-loadshedding. Consequently, it was then advised by Eskom that the Municipality apply for load curtailment instead. However, negotiations with Eskom regarding the load curtailment application have not progressed effectively for two years, despite interventions from the Western Cape Government to assist.

Given the above, the absence of load shedding for over 300 days, and Eskom's significant tariff increases, the Municipality proceeded with various sub-projects to address the energy crisis by reducing dependence on Eskom, ensuring business-continuity during loadshedding and creating alternative energy sources, all within the Alternative Energy Program. These projects align with the strategic focus areas of the Municipality and support net-zero and Climate Change goals.

Some sub-projects which emanated from the Alternative Energy Program, do not strictly adhere to the original scope of the consultant, as expected, and therefore this Section 116 process applies for a scope amendment as per the above. This was partially expected because this was a first time that a Category B Municipality was attempting a self-loadshedding program, as well as an Alternative Energy Program.

Therefore, an amendment is hereby requested from Council to expand the scope of work of Niel Lyners and Associates to include these critical initiatives. As per Section 116(3) protocol, a public notice was advertised to explain this and no comments or objections were received. Some of the projects which have evolved into new, separate projects, will go on a new separate tender each for the design and construction thereof and will thus fall outside the scope of this appointment.

29TH COUNCIL MEETING: 2025-02-26: ITEM 12.1

RESOLVED (majority vote with 4 abstentions)

- (a) that Council notes the public participation process that was followed and that no comments were received (Annexure C);
- (b) that Council notes in terms of MFMA Section 116(3) the reasons for the amendment of the scope for tender B/SM 13/21- ESP.6;
- (c) that Council notes the amount of R 3 280 855.66 for engineering, project management and design services rendered as irregular expenditure, as per Annexure D; and
- (d) that Council approves the amendment for the scope above and the estimated fee for the scope of R 5 342 527.04 (inclusive of VAT and 15% discount) for the remainder of the term of the contract.

FOR FURTHER DETAILS CONTACT:

NAME	Nombulelo Zwane
POSITION	Senior Manager
DIRECTORATE	Infrastructure Services
CONTACT NUMBERS	021 808 8333
E-MAIL ADDRESS	Nombulelo.Zwane@Stellenbosch.gov.za
REPORT DATE	20 February 2025

12.2	PROVISION OF THE NEW STELLENBOSCH BIEN DONNE 66/11kV ELECTRICAL SUBSTATION
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Collaborator No: 770300
IDP KPA Ref No: Good Governance
Meeting Date: 26 February 2025

1. SUBJECT: PROVISION OF THE NEW STELLENBOSCH BIEN DONNE 66/11kV ELECTRICAL SUBSTATION

2. PURPOSE

To inform Council of the Self-Build project and its scope and to obtain approval from Council regarding specific processes required in order to successfully implement the project.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

The Municipality has been trying to build the Bien Donne substation since 2019.

The project is required to create a new 66kV bulk supply point for Stellenbosch Municipality to be established on a portion of the Remainder of Farm 1631/1 on the corner of the R45 and Bien Donne Road. See details of Servitude Route in Annexure A and the substation location details in Annexure B.

The existing bulk supply points from Drakenstein Municipality has run out of capacity and Stellenbosch Municipality must urgently establish the new 66kV bulk supply point to cater for the electricity growth in the Simondium area, Groot Drakenstein, Pniel and Kylemore areas.

The new Stellenbosch Bien Donne substation will be supplied from Eskom's Safariland substation via a new 66kV overhead powerline that must be constructed as part of the project.

The Bien Donne substation will consist of a back-to-back 66kV Eskom metering switching station (new Eskom 66kV bulk supply point) and a 66/11kV Municipal step down substation separated by a 2.4m high fence.

Two separate substation erven must therefore be created and the erf for the 66kV metering switching station must be registered in Eskom's name and the erf for the 66/11kV step down substation must be registered in the Municipality's name.

Eskom has high voltage power lines running throughout the province. When a Municipality requires to connect to these lines, as a result of growth or major development, a Municipality would normally submit a request and Eskom would provide a quotation to the Municipality to build their (Eskom's) portion of the line and substation. A Municipality could either pay Eskom to build the line, or Eskom has a "self-build" program where they allow Municipalities to build the line and substation themselves. The latter option is preferred because Eskom would only be able to build the infrastructure according to their timing and competing with their own projects and internal planning processes etc. In each instance, it is the Municipality's funding that would be utilised for the new infrastructure.

29TH COUNCIL MEETING: 2025-02-26: ITEM 12.2**RESOLVED** (nem con)

- (a) that Council approves the strategy of the Municipality to implement the project in the most economical manner within the shortest possible time and endorses the Municipality's decision to undertake the Self-Build option for the project;
- (b) that Council approves the Municipality to acquire the land portions, development rights and servitudes for the 66kV overhead power line, 66kV Eskom metering switching station and a 66/11kV Municipal step-down substation; and
- (c) that Council approves that two separate substation erven will be created and the erf for the 66kV metering switching station will be registered in Eskom's name and the erf for the 66/11kV step-down substation must be registered in the Municipality's name.

FOR FURTHER DETAILS CONTACT:

NAME	Preshane Chandaka
POSITION	Director
DIRECTORATE	Infrastructure Services
CONTACT NUMBERS	021 808 8213
E-MAIL ADDRESS	shane.chandaka@ Stellenbosch.gov.za
REPORT DATE	19 February 2025

12.3	APPOINTMENT OF ONE MEMBER TO THE AUDIT AND PERFORMANCE AUDIT COMMITTEE OF STELLENBOSCH MUNICIPALITY
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Collaborator No:

File No:

IDP KPA Ref No: Good Governance

Meeting Date: 26 February 2025

1. APPOINTMENT OF ONE MEMBER TO THE AUDIT AND PERFORMANCE AUDIT COMMITTEE OF STELLENBOSCH MUNICIPALITY

2. PURPOSE

To obtain Council's approval for the appointment of one (1) member to the Audit and Performance Audit Committee.

3. DELEGATED AUTHORITY

The delegated authority for the appointment of Audit and Performance audit Committee members is Council.

4. EXECUTIVE SUMMARY

In terms of Section 166 of the Municipal Finance Act (MFMA), Act No 56 of 2003, each municipality must have an Audit and Performance Audit Committee. The Audit and Performance Audit Committee is an independent advisory body which must advise Council, the political office bearers, the accounting officer, the management and staff of the municipality.

Audit and Performance Audit Committee members are recommended to serve only two (2) terms each of which is three (3) years in terms of the approved Audit and Performance Audit Committee Charter of Stellenbosch Municipality attached herewith as **APPENDIX 1**.

Ms Ruth Strydom has resigned from the Audit and Performance Audit Committee as per attached as **APPENDIX 2**. This has created a vacancy on the Audit and Performance Audit Committee. The vacancy was advertised and the closing date for this vacancy was 3 February 2025.

29TH COUNCIL MEETING: 2025-02-26: ITEM 12.3

RESOLVED (nem con)

that Council appoints Mr Mervyn Burton for a term of three years as from the 01 March 2025 concluding on 29 February 2028.

FOR FURTHER DETAILS CONTACT:

NAME	Mari-Lise Krige
POSITION	Acting Chief Audit Executive
DIRECTORATE	Municipal Manager's Office
CONTACT NUMBERS	021 808 8296
E-MAIL ADDRESS	Mari-lise.krige@ Stellenbosch.gov.za
REPORT DATE	17 February 2025

13.	CONSIDERATION OF NOTICES OF QUESTIONS AND NOTICES OF MOTIONS RECEIVED BY THE SPEAKER
13.1	NOTICE OF A QUESTION BY CLLR M VAN STADE OF GOOD PARTY: CLLR M SLABBERT - STELLENBOSCH FLYING CLUB

A Notice of a Question, dated 2025-02-06, was received from Councillor M Van Stade.

The said Question is attached as **APPENDIX 1** and the appropriate response as **APPENDIX 2**.

29TH COUNCIL MEETING: 2025-02-26: ITEM 13.1

It is noted that Cllr Van Stade was not satisfied with the written response from the Municipal Manager and stated that he will pose follow-up questions to the Office of the Speaker. The Speaker responded that he will not entertain any more questions on this matter, as he considers this matter to be concluded.

13.2	NOTICE OF A QUESTION BY CLLR M VAN STADE OF GOOD PARTY: HOUSING DEVELOPMENT IN IDAS VALLEY
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A Notice of a Question, dated 2025-02-06, was received from Councillor M Van Stade.

The said Question is attached as **APPENDIX 1** and the appropriate response as **APPENDIX 2**.

29TH COUNCIL MEETING: 2025-02-26: ITEM 13.2

It is noted that Cllr Van Stade was satisfied with the written response from the Municipal Manager.

13.3	NOTICE OF A MOTION BY CLLR G PETERSEN OF GOOD PARTY: RAW SEWAGE DISCHARGE AND ENVIRONMENTAL PROTECTION
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A Notice of a Motion, dated 2025-02-06, was received from Councillor G Petersen regarding raw sewage discharge and environmental protection.

The said Motion is attached as **APPENDIX 1**.

FOR CONSIDERATION

29TH COUNCIL MEETING: 2025-02-26: ITEM 13.3

The Speaker allowed Cllr G Petersen to put his Motion, duly seconded. After the Motion was motivated, the Speaker allowed debate on the matter, whereafter he requested the Municipal Manager to respond on the inputs.

The Speaker then

RULED

that this Motion be withdrawn from the Agenda, because allowing Councillors to vote on this Motion constituted an illegal action.

14.	CONSIDERATION OF URGENT MOTIONS
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NONE

15.	URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER
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NONE

16.	REPORTS SUBMITTED BY THE SPEAKER
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16.1	REPRESENTATIVE DESIGNATED BY STELLENBOSCH COUNCIL TO SERVE ON STELLENBOSCH UNIVERSITY (SU) COUNCIL
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Collaborator No:

IDP KPA Ref No:

Good Governance and compliance

Meeting Date:

26 February 2025

1. SUBJECT: REPRESENTATIVE DESIGNATED BY STELLENBOSCH COUNCIL TO SERVE ON STELLENBOSCH UNIVERSITY (SU) COUNCIL

2. PURPOSE

For Council to approve the representative designated by the Stellenbosch Municipal Council to serve on the Stellenbosch University Council.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

Council approved the appointment of councillors to external bodies at the Council meeting of 2022-03-30.

The previous Executive Mayor was designated by Council to serve on the SU Council. She retired on 29 November 2024 and resigned from the SU Council with immediate effect. Council must designate one person to serve on the SU Council.

The current Executive Mayor proposed that nominations for representatives be submitted for consideration by Council to be designated to the SU Council.

29TH COUNCIL MEETING: 2025-02-26: ITEM 16.1

RESOLVED (majority vote with 5 abstentions)

Amended Recommendation

that MP Jan Naude De Villiers be appointed as representative to the SU Council of the Stellenbosch University.

FOR FURTHER DETAILS CONTACT:

NAME	Donovan Muller
POSITION	Manager: Council Support
DIRECTORATE	Corporate Services
CONTACT NUMBERS	021 8088314
E-MAIL ADDRESS	Donovan.Muller@stellenbosch.gov.za
REPORT DATE	11 February 2025

16.2	ESTABLISHMENT OF A COMMITTEE TO REPORT TRANSGRESSIONS REGARDING STANDING RULES OF ORDER FOR MEETINGS OF THE COUNCIL AND ITS COMMITTEES IN TERMS OF THE APPROVED STANDING RULES OF ORDER BY-LAW
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Collaborator No:

IDP KPA Ref No: Good Governance

Meeting Date: 26 February 2025

1. **SUBJECT: ESTABLISHMENT OF A COMMITTEE TO REPORT TRANSGRESSIONS REGARDING STANDING RULES OF ORDER FOR MEETINGS OF THE COUNCIL AND ITS COMMITTEES IN TERMS OF THE APPROVED STANDING RULES OF ORDER BY-LAW**

2. **PURPOSE**

To compile a Committee consisting of the Speaker, the Council Whip and two other party whips chosen on a rotational basis to investigate and report to Council any transgressions, in line with Rule 40 of the Standing Rules of Order for Meetings of the Council and its Committees By-law.

3. **DELEGATED AUTHORITY**

Council

4. **EXECUTIVE SUMMARY**

The Stellenbosch Municipality's Standing Rules of order for the meetings of the Council and its Committees, section 40 states that:

40.1 Should any member of the Council or Committee of Council fail to attend three or more consecutive meetings of the relevant body without leave of absence having been granted as contemplated in rule 21 above, item 4 of the Code of Conduct (Schedule 7 of the Structures Act (117/1998)) applies and must be removed as a councillor in terms of the Code of Conduct

40.2 Members of Council or a committee who fail to attend a meeting of the relevant body without leave of absence having been granted as contemplated in rule 21 above may incur a fine of 10% of their monthly salary for every meeting that the member was absent from.

40.3 A committee consisting of the speaker, the Council whip and two other party whips chosen on a rotational basis must investigate before a fine is imposed under rule 40.2, and report to Council on the transgression contemplated by rule 40.2 read with rule 21

The item is brought to council to determine the implementation regarding the additional two members that must be chosen on a rotational basis.

The terms of reference of this committee must also be determined based on the provisions of the rules referred to above.

29TH COUNCIL MEETING: 2025-02-26: ITEM 16.2**RESOLVED** (majority vote with 1 abstention)**Amended Recommendations**

- (a) that Council notes the establishment of a committee consisting of the speaker, the Council whip and two other party whips chosen on a rotational as per rule 40 of the Rules of Order By-law;
- (b) that Council notes that the terms of reference for this committee is:
 - (i) to investigate the transgressions of councillors in terms of rule 40.2 read with rule 21
 - (ii) report the outcome of such investigations to Council
 - (iii) report the applicable fine to be administered to Council before a fine is imposed under rule 40.2,
- (c) Council approves the rotational basis on which whips are chosen to sit on this committee as being every six (6) months.

The Committee will therefore consist of the following Councillors:

Cllr Quintin Smit (Speaker)	- Chairperson
Cllr Patricia Crawley	- Chief Whip of Council
1 – Additional member	- Cllr A Tomose (ANC Whip)
2 – Additional member	- Cllr M Van Stade (GOOD Whip)

FOR FURTHER DETAILS CONTACT:

NAME	DONOVAN MULLER
POSITION	MANAGER: COUNCILLOR SUPPORT
DIRECTORATE	CORPORATE SERVICES
CONTACT NUMBERS	021 8088314
E-MAIL ADDRESS	Donovan.Muller@ Stellenbosch.gov.za
REPORT DATE	20 February 2025

17.	REPORTS SUBMITTED BY THE EXECUTIVE MAYOR
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NONE

18.	MATTERS TO BE CONSIDERED IN-COMMITTEE
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SEE PINK DOCUMENTATION (In-Committee minutes only)

The meeting adjourned at 15:00.

CHAIRPERSON:

DATE:

Confirmed on

7.2	URGENT COUNCIL MEETING: 2025-03-04
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The minutes of the Urgent Council meeting: 2025-03-04 is attached as **APPENDIX 1.**

FOR CONFIRMATION

APPENDIX 1



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref no.3/4/1/5

2024-03-04

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MINUTES

**URGENT MEETING OF THE
COUNCIL OF STELLENBOSCH MUNICIPALITY**

2025-03-04 AT 09:00

MINUTES
URGENT MEETING OF COUNCIL
OF STELLENBOSCH MUNICIPALITY
2024-03-04

ITEM	SUBJECT	PAGE
1.	OPENING AND WELCOME	
2.	COMMUNICATIONS BY THE SPEAKER	
3.	DISCLOSURE OF INTERESTS	
4.	APPLICATIONS FOR LEAVE OF ABSENCE	
5.	REPORTS BY THE MUNICIPAL MANAGER [G METTLER]	
5.1	STELLENBOSCH MUNICIPAL INDEPENDENT POWER PRODUCER PROCUREMENT PIONEERING PROJECT - 50MW SOLAR PV & 15MWH BESS IPP FEASIBILITY STUDY REPORT CLARIFICATION	5
6.	MATTERS TO BE CONSIDERED IN-COMMITTEE	
	(SEE PINK DOCUMENTATION)	

MINUTES

URGENT MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY

2025-03-04

PRESENT

The Speaker, Cllr Q Smit [Chairperson]
 The Executive Mayor, Ald JS Fasser
 The Deputy Executive Mayor, Cllr M Slabbert
 The Council Whip, Cllr P Crawley

COUNCILLORS

RA Adams	EP Masimini
Ald JC Anthony	NM Mkhontwana
R Cupido	L Nkamisa
MM Danana	M Nkopane
JA Davids	N Ntsunguzi
I De Taillerfer	N Olayi
R Du Toit	GA Petersen
A Ferns	RO Pheiffer
AJ Hanekom	WF Pietersen
RB Hendrikse	SR Schäfer
SC Heneke	A Tomose
J Joon	M Van Stade
O Jooste	E Vermeulen
X Kalipa	J Williams
TO Kumm	

OFFICIALS

Municipal Manager (G Mettler)
 Chief Financial Officer (K Carolus)
 Director: Corporate Services (A De Beer)
 Director: Community and Protection Services (G Boshoff)
 Director: Infrastructure (S Chandaka)
 Director: Planning and Economic Development (A Barnes)
 Chief Risk Officer (H Priem)
 Acting Chief Audit Executive (M Krige)
 Senior Administration Officer (T Samuels)

1. OPENING AND WELCOME

The Speaker welcomed all present at the Urgent Council meeting.

2. COMMUNICATIONS BY THE SPEAKER

NONE

2.1 COMMUNICATIONS BY THE MUNICIPAL MANAGER

The Municipal Manager communicated the sudden passing of a colleague in the Law Enforcement Section, Mr Cycil Abrahams. She expressed her heartfelt condolences on behalf of Council and the Administration to the family, colleagues and friends of Mr Cycil Abrahams. The Speaker requested a moment of silence.

3. DISCLOSURE OF INTERESTS

NONE

4. APPLICATION FOR LEAVE OF ABSENCE

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

Cllr J Andrews	-	3 March 2025
Cllr E Groenewald	-	3 March 2025
Cllr Mananga-Gugushe	-	3 March 2025
Cllr C Manuel	-	3 March 2025
Cllr NE Mcombring	-	3 March 2025
Cllr WC Petersen	-	3 March 2025
Cllr MG Rataza	-	3 March 2025

3.2 ABSENT

Cllr XL Mdemka	-	3 March 2025
Cllr Ndalasi	-	3 March 2025
Cllr JP Serdyn	-	3 March 2025
Cllr R van Rooyen	-	3 March 2025

5.	REPORTS BY THE MUNICIPAL MANAGER [G METTLER]
5.1	STELLENBOSCH MUNICIPAL INDEPENDENT POWER PRODUCER PROCUREMENT PIONEERING PROJECT - 50MW SOLAR PV & 15MWH BESS IPP FEASIBILITY STUDY REPORT CLARIFICATION

Collaborator No:

IDP KPA Ref No: Sustainable Valley

Meeting Date: 04 March 2025

1. **SUBJECT: STELLENBOSCH MUNICIPAL INDEPENDENT POWER PRODUCER PROCUREMENT PIONEERING PROJECT - 50MW SOLAR PV & 15MWH BESS IPP FEASIBILITY STUDY REPORT CLARIFICATION**

2. **PURPOSE**

For Council to take note of the clarification of the approved Feasibility Study Report (**Stellenbosch Municipal Independent Power Producer Procurement Pioneering Project – T008/23**) report approved by Council in August 2024.

3. **DELEGATED AUTHORITY**

Municipal Council.

4. **EXECUTIVE SUMMARY**

Before embarking on a procurement process, it was deemed necessary to conduct a feasibility study to investigate, amongst others, the technical and financial viability of technical solutions, staff implications as well as the legal and regulatory environment. The Transaction Advisor has previously completed the Feasibility Study report, which is attached as **Annexure B**.

“The Feasibility Study for the 50 MW IPP project revealed that the most feasible options for the Municipality to pursue are:

- Option 1: Solar PV of 50MW only, or;
- Option 2A10S: Solar PV of 71MW and Battery Energy Storage System BESS of 10MW (at a reduced size).

The Western Cape Government undertook, in parallel to the above processes, a formal Eskom confirmation on Grid Capacity, as well as a formal Eskom confirmation on how they view aggregated supply between the Municipal Points of Supply (“PoS”).

Within the Feasibility Report it was specifically pointed out that:

“It is also noted that the large batteries (e.g., Options 2A/B and 3A/B) required for significant loadshedding reduction, **are not economical** (with due consideration of the profit benefit associated with lower unserved energy), given low utilisation levels (batteries substantially used for dispatch during load-shedding) and high capex cost.

A smaller battery, as modelled in Option 2A10S, can provide savings, as well as some contribution to reducing unserved energy under a no-loadshedding scenario”.

This feasibility report therefore revealed that the Municipality's requirement to commence with the investigation to generate at least sufficient electricity such that the municipality will *have the benefit of two levels lower from any Eskom loadshedding levels* **could not be met** as it would not be financially viable for the municipality.

Furthermore, Council at a Special Council meeting on 14 August 2024 noted this condition. Since the Council resolution of 14 August 2024, the Directorate commenced with the procurement processes and therefore wishes to remind Council

that the 50MW Solar PV and 15 MWh BESS Project is being embarked upon with the procurement process which is at the Bid Specification stage at this moment.

Benefits of implementing the 50MW Solar PV and 15 MWh BESS Project would be:

- Procurement of electricity from the IPPs will be at a lower tariff than Eskom's tariff.
- The 15 MWh BESS will be charged by the PV Solar Plant during peak hours thus saving on consumption from the Eskom supply.
- Maintenance & repairs of Solar PV and BESS plants will be the responsibility of the IPP.

This Item therefore seeks to remind Council of the above approvals provided in the Feasibility Study Report, as well as approved by Council in August 2024, so that expectations from Council are properly adhered to in the Bid Preparation Process.

URGENT COUNCIL MEETING: 2025-03-04: ITEM 5.1

NOTED

- the clarification of the Feasibility Study Report (**Stellenbosch Municipal Independent Power Producer Procurement Pioneering Project – T008/23**) approved in August 2024;
- the project is in the Bid Specification phase of the procurement process of the 50MW Solar PV and 15 MWh BESS Project;
- that Council be reminded that the chosen option and size of battery energy storage, as per the approved Feasibility Study by Council in August 2024, will unfortunately not contribute to the Municipality reducing Eskom loadshedding levels, but is projected to significantly contribute towards electricity costs savings to the Municipality and ratepayers; and
- that should no responsive bidders be found, it will result in the tender cancellation, whereafter Council will be informed.

FOR FURTHER DETAILS CONTACT:

NAME	Nombulelo Zwane
POSITION	Senior Manager: Electrical Services
DIRECTORATE	Infrastructure Services
CONTACT NUMBERS	021 808 8324
E-MAIL ADDRESS	nombulelo.zwane@ Stellenbosch.gov.za
REPORT DATE	27 February 2025

The meeting adjourned at 09:20.

CHAIRPERSON:

DATE:

Confirmed on

8.	STATUTORY MATTERS
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8.1	ANNUAL REPORT OVERSIGHT REPORT 2023/24
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Collaborator No: 781875
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 24 March 2025 and 31 March 2025

1. SUBJECT: ANNUAL REPORT OVERSIGHT REPORT 2023/24

2. PURPOSE

Is to submit to the Council, the Annual Report Oversight Report 2023/24 for **Adoption**.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

The draft Annual Report 2023/24 was referred by the Council on 29 January 2025, to the Municipal Public Accounts Committee (MPAC), which fulfilled the oversight function on behalf of the Council. The appointment and mandate of the MPAC were informed as per the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003) (MFMA) Circular 32 of 2006.

Committee members, including the two co-opted members, have scrutinised the draft Annual Report 2023/24 and requested, where required, responses from the relevant Directorates. The Annual Report 2023/24 was objectively reviewed by the MPAC Members to determine whether the Annual Report 2023/24 is a true and accurate reflection of the municipality's performance for the year under review.

The public was invited to attend a public hearing and to submit any representations on the draft Annual Report 2023/24. All the councillors were also invited to attend the public hearing, which was held on 10 February 2025, to comment on the draft Annual Report 2023/24.

5. RECOMMENDATIONS

In accordance with Section 129(1) of the MFMA, it is **RECOMMENDED** to the Council:-

- (a) that the Council, having fully considered the Annual Report Oversight Report 2023/24 of the Stellenbosch Municipality, **ADOPTS** the Annual Report Oversight Report 2023/24;
- (b) that the Council, having fully considered the Annual Report 2023/24, attached as **ANNEXURE B** to the Annual Report Oversight Report 2023/24, **APPROVES** the Annual Report 2023/24 without any reservations;
- (c) that the Annual Report Oversight Report 2023/24 be made public in accordance with Section 129(3) of the MFMA, and;
- (d) that the Annual Report Oversight Report 2023/24 be submitted in accordance with Sections 129(2) and 132(2) of the MFMA to the Auditor General of South Africa (AGSA), the Provincial Treasury: Western Cape, the Department of Local Government: Western Cape, and the Provincial Legislature: Western Cape.

6. DISCUSSION**6.1 Background**

The format of the Annual Report 2023/24 is guided nationally by the MFMA Circular 63 of 2012, which seeks to establish uniform reporting by all municipalities. It is envisaged with this template that national and provincial governments can better benchmark municipalities when there is a single reporting framework.

The draft Annual Report 2023/24 was completed and submitted to the Council on 29 January 2025 to be released for public comment. Subsequently, the draft Annual Report 2023/24 was released for public comment on January 30, 2025. Comments on the draft Annual Report 2023/24 closed on 27 February 2025. No written or electronic feedback from the community was received on or before 27 February 2025.

All directorates were presented with the opportunity to review their information and provide feedback at the MPAC.

The MPAC's Annual Report Oversight Report 2023/24 is attached hereto as **ANNEXURE A**.

Commentaries from the MPAC and responses from the Directorates are incorporated as **ANNEXURE A** of the MPAC's Annual Report Oversight Report 2023/24.

The Final Annual Report 2023/24 is attached to the MPAC's Annual Report Oversight Report 2023/24 as **ANNEXURE B**.

6.2 Financial Implications

There are no financial implications beyond that which has been provided for in the 2024/25 MTREF Budget.

6.3 Legal Implications

In terms of Section 129(1) of the MFMA:

"The council of a municipality must consider the annual report of the municipality and of any municipal entity under the municipality's sole or shared control, and by no later than two months from the date on which the annual report was tabled in the council in terms of section 127, adopt an oversight report containing the council's comments on the annual report, which must include a statement whether the council has -

- (a) approved the annual report with or without reservations;*
- (b) rejected the annual report; or*
- (c) referred the annual report back for revision of those components that can be revised."*

6.4 Staff Implications

This report has no additional staff implications for the municipality.

6.5 Risk Implication

None

6.6 Previous / Relevant Council Resolutions:

Item 8.1 of the 28th Meeting of the Council of Stellenbosch Municipality.

6.7 Comments from Senior Management**6.7.1 Director: Community and Protection Services**

Supported

6.7.2 Chief Financial Officer

Supported

6.7.3 Director: Infrastructure Services

Supported

6.7.4 Director: Corporate Services

Supported

6.7.5 Director: Planning and Economic Development

Supported

6.7.6 Comments from the Municipal Manager

Supported

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2025-03-24: ITEM 6.1

In accordance with Section 129(1) of the MFMA, it is **RECOMMENDED** to the Council:-

- (a) that the Council, having fully considered the Annual Report Oversight Report 2023/24 of the Stellenbosch Municipality, **ADOPTS** the Annual Report Oversight Report 2023/24;
- (b) that the Council, having fully considered the Annual Report 2023/24, attached as **ANNEXURE B** to the Annual Report Oversight Report 2023/24, **APPROVES** the Annual Report 2023/24 without any reservations;
- (c) that the Annual Report Oversight Report 2023/24 be made public in accordance with Section 129(3) of the MFMA, and;
- (d) that the Annual Report Oversight Report 2023/24 be submitted in accordance with Sections 129(2) and 132(2) of the MFMA to the Auditor General of South Africa (AGSA), the Provincial Treasury: Western Cape, the Department of Local Government: Western Cape, and the Provincial Legislature: Western Cape.

ANNEXURES

Annexure A: Annual Report Oversight Report 2023/24

Annexure B: Comments from Provincial Treasury: Western Cape

FOR FURTHER DETAILS CONTACT:

NAME	<i>Shane Chandaka</i>
POSITION	<i>Acting Municipal Manager</i>
DIRECTORATE	<i>Office of the Municipal Manager</i>
CONTACT NUMBERS	<i>021 – 808 8025</i>
E-MAIL ADDRESS	<i>mm@ Stellenbosch.gov.za</i>
REPORT DATE	<i>10 March 2025</i>

ANNEXURE A



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ANNUAL REPORT OVERSIGHT REPORT 2023/24

This Oversight Report is based on the draft Annual Report 2023/24 and is drafted and submitted in accordance with the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003)

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1. INTRODUCTION

The annual report is one of the key instruments for transparent and accountable local governance and accountability. It is a post-financial year document that provides an overview of the financial and non-financial performance concerning the previous financial year, which in this instance relates to the 2023/24 financial year. The Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003) (MFMA) stipulates that the annual report must be tabled and passed by the municipal council.

1.1 PURPOSE

The purpose of this report is to present to the Council, for adoption, the Annual Report 2023/24 as well as the Annual Report Oversight Report 2023/24, as required in terms of Section 129 of the MFMA.

2. ANNUAL REPORT 2023/24

2.1 LEGAL FRAMEWORK

Herewith is an extract from the key legislative requirements as per the MFMA relating to the annual report:-

121. Preparation and adoption of annual reports.

- (1) Every municipality and every municipal entity must for each financial year prepare an annual report in accordance with this Chapter. The council of a municipality must within nine months after the end of a financial year deal with the annual report of the municipality and of any municipal entity under the municipality's sole or shared control in accordance with section 129.
- (2) The purpose of an annual report is—
 - (a) to provide a record of the activities of the municipality or municipal entity during the financial year to which the report relates;
 - (b) to provide a report on performance against the budget of the municipality or municipal entity for that financial year; and
 - (c) to promote accountability to the local community for the decisions made throughout the year by the municipality or municipal entity.

127. Submission and tabling of annual reports

- (2) The mayor of a municipality must, within seven months after the end of a financial year, table in the municipal council the annual report of the municipality and of any municipal entity under the municipality's sole or shared control.

129. Oversight reports on annual reports.

- (1) The council of a municipality must consider the annual report of the municipality and of any municipal entity under the municipality's sole or shared control, and by no later than two months from the date on which the annual report was tabled in the council in terms of section 127, adopt an oversight report containing the council's comments on the annual report, which must include a statement whether the council—
 - (a) has approved the annual report with or without reservations;
 - (b) has rejected the annual report; or
 - (c) has referred the annual report back for revision of those components that can be revised.

2.2 COMPONENTS OF THE ANNUAL REPORT

The format of the Annual Report 2023/24 is based on the annual report template issued by the National Treasury in terms of MFMA Circular 63 of 2012, which differs significantly from the Annual Report Guidelines (MFMA Circular 11) issued by the National Treasury in 2005.

The MFMA Circular 63 of 2012 has six (6) chapters and tries to cover everything that needs to be reported based on the MFMA and the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) (MSA).

3. ANNUAL REPORT 2023/24 CONSULTATION AND ADOPTION PROCESS

3.1 MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC)

A Municipal Public Accounts Committee (MPAC) was set up under Section 79 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998). This was done through a Council resolution. The Terms of Reference task the MPAC with the responsibility to perform an oversight role over the process of preparing the annual report of the Council and to produce an oversight report based on its review of the annual report.

As required by the MFMA, the Municipal Manager attended the Council Meeting on 29 January 2025 where the draft Annual Report 2023/24 was tabled to be released for public comment as well as the MPAC Meetings to answer questions posed by the MPAC Members and to respond to written and oral representations from the community. All the councillors were also invited to attend the public hearing and to deliberate on the draft Annual Report 2023/24.

Three members of the community attended the public hearing.

The attendance of the MPAC members to review the draft Annual Report 2023/24 is recorded as follows:

TABLE 1: MPAC MEETINGS

MPAC Meetings						
Name	06 February 2025 Orientation and (Review of Chapters 1, 2, 3 and 4 #continue next day)	07 February 2025 (Review of Chapters, 5, and 6)	10 February 2025 (Public Hearing)	10 February 2025 Site Visit	17 February 2025 (Feedback Session)	03 March 2025 (Signing of Oversight Report)
Cllr Wilfred Pietersen (MPAC Chairperson)	😊	😊	😊	😊	😊	😊
Cllr Sigfried Schafer (MPAC Member)	😊	😊	😊	😊	😊	* 😞
Cllr Annemarie Ferns (MPAC Member)	😊	😊	😊	😊	😊	😊
Cllr Nokuthula Gugushe (MPAC Member)	😊	😊	😊	😊	😊	😊
Cllr Ralphton Adams	😊	😊	😊	😊	😊	😊
Cllr Joseph Joon	😊	😊	😊	😊	😊	😊
Cllr Otniel Linden Jooste	😊	😊	😊	😊	😊	😊
Ms Emily Fredericks (Co- opted Member)	😊	😊	😊	😊	😊	😊
Mr S Kuni (Co-opted Member)	😊	😊	😊	😊	😊	😊

😊 - Attended 😞 - Absent with an apology 🙅 - Absent without an apology

* Submitted a medical certificate or arranged with the MPAC Chairperson

3.2 ADOPTION AND PUBLIC CONSULTATION PROCESS

The draft Annual Report 2023/24 was tabled in the Council on 29 January 2025 as required per the MFMA, which requires under Section 127(2) that:

"The Mayor of a municipality must, within seven months after the end of a financial year, table in the municipal council the annual report of the municipality."

In terms of Section 121(3) of the MFMA, the Annual Report of a municipality or municipal entity must include the following core components. These core components are formally annexed to the draft Annual Report:

- a) The Annual Financial Statements as submitted to the AGSA (Section 121(3)(a));
- b) the AGSA's audit report in terms of section 126(3) on those financial statements (Section 121(3)(b));
- c) the annual performance report of the municipality prepared by the municipality in terms of Section 46 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) (MSA) (Section 121(3)(c));
- d) the AGSA's audit report in terms of section 45(b) of the MSA (Section 121(3)(d)); and
- e) particulars of any corrective action taken or to be taken in response to issues raised in the audit reports referred to in paragraphs (b) and (d) in the MFMA (Section 121(3)(g)).

The draft Annual Report 2023/24 was made public on the municipal website within five (5) days and within seven (7) days in the local newspaper after it was approved by the Council on 29 January 2025. In addition, the draft Annual Report 2023/24 was also made available at all municipal libraries and other identified offices where the public could access the report.

Members of the community and other stakeholders were invited to submit written comments / inputs on the draft Annual Report 2023/24. The councillors, the community, and other stakeholders were also invited to attend the public hearing, which was held on **10 February 2025**, to present the MPAC with any oral or written input on the draft Annual Report 2023/24.

The draft Annual Report 2023/24 was furthermore submitted in terms of Section 127(5)(b) to the Auditor General of South Africa (AGSA), Provincial Treasury (Western Cape), and the Department of Local Government (Western Cape). The Auditor General of South Africa (AGSA) was invited to present to MPAC the importance of accountability and governance. Afterwards, the directorates provide feedback on issues/remarks raised by the MPAC.

The closing date for public comments was **27 February 2025**. No written submissions from the public were received.

3.3 HIGHLIGHTS IDENTIFIED IN THE DRAFT ANNUAL REPORT 2023/24

The MPAC noted and congratulated the Stellenbosch Municipality on the announcement by the AGSA that the municipality received a **clean audit outcome for the 2023/24 financial year**. Stellenbosch Municipality is once again able to report credible and reliable financial and performance results. The *clean* audit outcome reflects that the municipality maintained a healthy financial position and that all money spent was properly accounted for. The latest audit outcomes mark the 17th consecutive year of unqualified audit outcomes for the Stellenbosch Municipality.

Further highlights and words of gratitude were noted as outlined below:

1. The Auditor General of South Africa (AGSA) commended the municipality for improving the Annual Financial Statements and Performance Reporting.
2. Great leadership was shown from the Executive Mayor, Municipal Manager, and administrative team as a result of the *clean* audit obtained for the Stellenbosch Municipality, despite the various challenges posed throughout the financial year; and
3. Given the many accomplishments made during the reviewed year, the MPAC praised the Municipal Manager for her exceptional leadership and strategic direction in ensuring that Stellenbosch Municipality is recognised as the best-functioning municipality in the Western Cape.
4. The MPAC Chairperson was also commended for the oversight role and his dedication towards the entire process.
5. The MPAC Chairperson thanked the two co-opted members for their dedication and participation towards the oversight process of 2023/24.
6. The Municipal Manager expressed her gratification towards the MPAC as well as the administration for their dedication and indicated that the entire success of the municipality was based on team effort.

3.4 MPAC SITE VISITS

The draft Annual Report 2023/24 highlighted several projects that were either completed or in various stages of completion. The MPAC identified several projects and conducted site visits on 10 February 2025. All the proposed projects and initiatives from MPAC are taken note of and will not be reflected in this report but for planning purposes.

It should be noted that the status of the projects depicted in the table below is based on the information recorded in the draft Annual Report for the 2023/24 financial year. Progress has been made after the 2023/24 financial year and will be recorded in the next Annual Report 2024/25.

The purpose of the visit was to verify the progress on the implementation of the projects against the reported information, which is outlined in the table below:

TABLE 2: MPAC SITE VISIT PROGRESS REPORT

Nr	Project name	Area verification of the project by MPAC	Status as per Annual Report	Current status of the project	Remarks by MPAC
1	Huguenot Fine Chocolates in Franschhoek	Franschhoek	100%	100%	This local business received support from the municipality and the department through its Alternative Energy Support Programme. The set-up of the factory is neat therefore the MPAC was impressed and thankful for the local business for their good and hard work.
2	Jonkershoek Picnic Site	Jonkershoek	100%	100%	MPAC take note of the damage the flood has caused. MPAC commended on the municipality and its hard work and effort to make the site accessible to the community.

Nr	Project name	Area verification of the project by MPAC	Status as per Annual Report	Current status of the project	Remarks by MPAC
3	Kylemore Cemetery	Kylemore	In progress	In progress	MPAC raised the concern of the progress of the establishment of the cemetery. The municipality indicated that the progress remains the same hence that the matter has been discussed with the legal department. There will be a follow-up with the attorney on how far the process of registering the two plots has progressed.
4	Languedoc Bridge	Languedoc	Ongoing	Ongoing	The municipality showed the MPAC the progress of the bridge. MPAC was impressed with the work presented.
5	Upgrade of the Weigh Bridge	Stellenbosch Landfill Site	100%	100%	The municipality presented the newly constructed weighbridge which is an integral component of the landfill site project, designed to accurately measure incoming and outgoing waste. A system is currently being implemented to ensure precise billing using coupons. Cllr Ferns commended the municipality for what it accomplished and was impressed with the entire upgraded set-up of a state-of-the-art weighbridge and for doing a sterling job.
6	Landfill Gas Extraction	Stellenbosch Landfill Site	100%	100%	The municipality took the MPAC on a tour of how the gas extraction works. MAPC was impressed with the process and wishes the municipality well with its future planning and implementation processes.
7	Veldt Boerdery	Farm 502 BH 9 and BH 10	100%	100%	The MPAC noted that significant advancements were achieved regarding the municipal land designated for emerging farmers to cultivate fresh produce and
8	Herbal View Hydroponics	Farm 502 BH 23 and BH 24	100%	100%	

Nr	Project name	Area verification of the project by MPAC	Status as per Annual Report	Current status of the project	Remarks by MPAC
					<p>generate employment opportunities.</p> <p>The achievements of these emerging farmers are evident, showcasing the transformation of previously unused land into a diverse array of herbs and vegetables. The challenges of storage capacity and water persist, and the farmers have indicated that they will reach out to the municipality for further assistance as necessary.</p>
9	Polkedraai Reservoir	Lanquedoc	100%	100%	<p>The PMU department presented to the MPAC the reservoir and indicated that the phase involved the demolition of the existing 200-kiloliter Skoonheid circular reservoir and the construction of a new 3-megaliter (ML) reinforced concrete rectangular reservoir, complete with concrete chambers, pipework, and specialised fittings. Additionally, a new 200-kilolitre reinforced concrete sump with a pump station and pump rooms was constructed, along with two new water mains. The project also included the removal of an existing asbestos cement pipeline along Polkadraai Road, the construction of a new 10-megalitre reinforced concrete reservoir, and the installation of renewable energy sources, electrical, and control cabling. MPAC took note of what was presented and commended the municipality on their hard work.</p>
10	Calcutta Memorial Park	Koelenhof Road	The site was not ready for oversight.	In progress	None. All comments / requests were addressed at the feedback sessions.

Nr	Project name	Area verification of the project by MPAC	Status as per Annual Report	Current status of the project	Remarks by MPAC
11	Zone O – Kayamandi - ECD	Kayamandi	MPAC received written feedback from the PMU department on the progress of the Kayamandi ECD's	In progress	None. All comments / requests were addressed at the feedback sessions.

4. GENERAL REMARKS FROM THE MPAC

The MPAC indicated that the public participatory process of the oversight of the Annual Report should be widely published on all municipal platforms. This will raise awareness and encourage the citizens to take part in the process and to take note of the work done by the municipality.

Numerous sport facilities have challenges related to inadequate lighting and insufficient irrigation systems.

The MPAC raised concerns about the vacancies, particularly in essential positions and in key service delivery directorates.

The MPAC examined the cemetery in Kylemore and suggested investigating and utilising the available land for burials. The matter was discussed at the feedback meeting with the relevant directorate. The MPAC underscores the need to expedite the finalisation of the process.

The MPAC advocated the simplification of consumer housing education to accommodate the whole community.

The completion of the street naming procedure in Longlands was emphasised, since it obstructs the transfer of title deeds to that community.

The MPAC also takes note that the Socio-economic Profile 2024 of the Stellenbosch Municipality was received late and as a result, it could not be incorporated into the main body of the Annual Report 2023/24.

5. CONCLUSION

As an MPAC, we believe that the Annual Report 2023/24 is a true and accurate reflection of the Stellenbosch Municipality's financial and non-financial performance for the 2023/24 financial year. MPAC indicated that the draft Annual Report 2023/24 was thoroughly unpacked. The final version of the Socio-Economic Profile 2024, compiled by the Provincial Treasury Departments, will be attached as an annexure to the final Annual Report 2023/24.

The oversight process for the Annual Report 2023/24 is herewith concluded, and as Chairperson of the MPAC, I would like to thank the MPAC Committee Members, the Executive Mayor and Mayoral Committee, the Municipal Manager, Directors, and Senior Managers, as well as all the officials, for their contribution to the development and finalisation of the draft Annual Report 2023/24. Their diligence and constructive commitment during this oversight period are noted and appreciated.

6. RECOMMENDED RESOLUTION TO BE ADOPTED BY THE COUNCIL

In accordance with Section 129(1) of the MFMA it is **RECOMMENDED** to the Council:-

1. That the Council, having fully considered the Annual Report Oversight Report 2023/24 of the Stellenbosch Municipality, **ADOPTS** the Annual Report Oversight Report 2023/24;
2. That the Council, having fully considered the Annual Report 2023/24, attached hereto as Annexure B, **APPROVES** the Annual Report 2023/24 without any reservations;
3. That the Annual Report Oversight Report 2023/24 be made public in accordance with Section 129(3) of the MFMA, and;
4. That the Annual Report Oversight Report 2023/24 be submitted in accordance with Sections 129(2) and 132(2) of the MFMA to the Auditor General of South Africa (AGSA), the Provincial Treasury: Western Cape, the Department of Local Government: Western Cape, and the Provincial Legislature: Western Cape.


CLLR WILFRED PIETERSEN
MPAC CHAIRPERSON

DATE: 03/03/25



MPAC Site Visits



Huguenot Fine Chocolate Factory



Farm 502 BH 9 and BH 10 and Farm 502 BH 23 and BH 24



Kylemore Cemetery



Jonkershoek Picnic Site



Langedoc Bridge



Landfill gas extraction



Stellenbosch Weighbridge



Construction of a new Reservoir and Pipeline: Vlottenburg – Phase 1 water will be provided to Polkedraai, Digtebij, Longlands and surrounding farms.

ANNEXURE A:

MPAC COMMENTS AND FEEDBACK FROM DIRECTORATES

Annexure A 1: Directorate: Office of the Municipal Manager

The municipality takes note of the remarks made by MPAC on the demographical overview and the socio-economic context. The latest data will be circulated after receiving it from the Provincial Treasury. Due to the late issuing of the LG SEP 2024 report, the information can unfortunately not be incorporated into the main body of the Annual Report. The LG SEP 2024 will be distributed to the MPAC members when received.

All style, formatting and grammatical areas identified by MPAC will be updated in the final Annual Report 2023/24.

TABLE 3: FEEDBACK: DIRECTORATE OFFICE OF THE MUNICIPAL MANAGER

OFFICE OF THE MUNICIPAL MANAGER					
Page no.	Table / Paragraph Graph	The member who poses question / comment	Comment/s	Response	Responsible Department
14	The last paragraph on page	Cllr S Schafer	Paraphrase the last paragraph on the page.	The municipality takes note and will update the Annual Report accordingly.	Office of the MM
18	The second last paragraph on the page	Cllrs A Ferns, Adams and Joon made a general remark	Proposed to improve the community within the wards by educating the wards on governance.	General Remark	
20	Under the heading, 1.22: Strategic Focus Area	Cllr A Ferns and S Schafer	When were the SFAs last reviewed? Indicate if it is a norm that the strategic focus areas remain the same as the previous financial year.	The newly elected Council held strategic sessions to determine its strategic outcomes. The current SFAs remained unchanged as the new Council opted for continuity and because the 5 SFAs suffice in relation to the strategic intent of the municipality.	Office of the MM
21	Figure 1: Core principles for executing the strategy	Cllr S Schafer	Change the context style to be more reader-friendly.	The municipality takes note and will update the Annual Report accordingly.	Office of the MM
22	Under heading 1.2.5: The tools of governance	Cllr S Schafer	Correct the wording of Plan Making to Planning Making.	The municipality takes note and will update the Annual Report accordingly.	Office of the MM
			Format the paragraph under "Institutional Measures."	The municipality takes note and will update the Annual Report accordingly.	Office of the MM
25	Under heading 1.2.6 State of the Greater Stellenbosch	Cllr S Schafer	Adjust the first paragraph: Move "The municipal area covers approximately 900kms" to the end of the first paragraph.	The municipality takes note and will update the Annual Report accordingly.	Office of the MM
67	The paragraph under Component B: Public Accountability	Cllr S Schafer	Remove the sentence: "The participation outlined above is required in terms of the:"	The municipality takes note and will update the Annual Report accordingly.	Office of the MM
89	Table: 67 Risk Register	Mr S Kuni	What is the reason for Risk 2—the increased risk of a land invasion? And what are the mitigation factors?	<ul style="list-style-type: none"> • Close relationships with SAPS and other law enforcement agencies; • Combined control room; • Combined SSI; 	Office of the MM

OFFICE OF THE MUNICIPAL MANAGER					
Page no.	Table / Paragraph Graph	The member who poses question / comment	Comment/s	Response	Responsible Department
				<ul style="list-style-type: none"> Strategic camera placings; and Frequent meetings w.r.t. intervention and coordination of actions. 	
89	Table: 67 Risk Register	Mr S Kuni	<p>Risk 3: Economic downturn due to civil unrest, crime and continuous loadshedding.</p> <p>Explain how the strategic focus areas (Dignified Living and Safe Valley, form part of the two mentioned risks).</p>	Increase in criminal activities, civil unrest, and reputational risk due to perceived increase in the said activities. Impact of prolonged loadshedding - not sufficient light at night as streetlights, CCTV cameras, and traffic lights not functioning can lead to more criminal activities.	Office of the MM
89	Table: 67 Risk Register	Cllr S Schafer	<p>The table should be structured correctly:</p> <p>Strategic Risk and Operational Risk</p>	The municipality takes note and will update the graph accordingly.	Office of the Municipal Manager
103	Under the heading: Leading in Social Media Presence	Cllr S Schafer	Replace the word "Facebook" with "following"	The municipality takes note and will update the graph accordingly.	Office of the Municipal Manager
104	Table 89: Municipal Functional Areas...	Cllr S Schafer	Delete the duplication of the Air Pollution row.	The municipality takes note and will update the graph accordingly.	Office of the Municipal Manager
201	Graph 16: Library Statistics	Cllr S Schafer	What is PMS? This should be written in full as the community does not understand what PMS stands for.	The municipality takes note and will update the graph accordingly.	Office of the Municipal Manager
202	First paragraph above table- 151	Cllr Schafer	Change the graph title to Library Membership.	The municipality takes note and will update the Annual Report accordingly.	Office of the MM
202	Correct the name Calcutta throughout the document			The municipality takes note and will update the Annual Report accordingly.	Office of the MM
202	Table 151: Cemetery space available and Table 153: Capital Expenditure as at 30 June 2024: Cemeteries and Parks Services	Cllr Schafer	Include the correct section (Cemeteries and Parks) to ensure consistency.	The municipality takes note and will update the Annual Report accordingly.	Office of the MM
231	Figure 29: Performance Management Principles	Cllr A Ferns	What is client satisfaction – what does the community say in terms of the performance of the municipality on services rendered in terms of effectiveness, economically and efficiently	The municipality takes note and will update the Annual Report accordingly.	Office of the MM
ANNUAL PERFORMANCE REPORT					
The remarks on the APR were addressed in the committee meeting.					

Annexure A 2: Directorate: Corporate Services

MPAC raised concern throughout the document pertaining to the vacant positions in critical departments. The municipality should budget and fill the posts.

All style, formatting and grammatical areas identified will be updated in the final Annual Report 2023/24.

TABLE 4: FEEDBACK: DIRECTORATE CORPORATE SERVICES

CORPORATE SERVICES					
Page no.	Table/Paragraph Graph	The member who poses question / comment	Comment/s	Response	Responsible Department
27	Table 3: Municipal Boundaries	Cllr S Schafer	Add two areas to the ward: La Petit Provence and La Ferme Chantelle to ward 2	The two areas will be reflected in the updated Annual Report.	Council Support
		Cllr N Gugushe	Remove Watergang from Ward 12 and insert it in Ward 13.	The two areas will be reflected in the updated Annual Report.	Office of the Municipal Manager
		Ms E Fredericks	Who determines the demarcation? Can the relevant department provide a map of the boundaries for Ward 18? It is mentioned that Dalewood Farm falls under Drakenstein and not Stellenbosch.	The demarcation board determines the demarcation. This question was also addressed last year. The municipality gives our input after it is approved by the Council and the demarcation board then makes the determination.	Council Support / Development Planning (GIS0)
61	Table 30: Financial Services Committee	Ms E Fredericks	Why were there no meetings held for the year under review?	Committee services only send out agendas for meetings of the Section 80 committees when they receive items. They have not received any items to put an agenda together. Finance items go to the Mayco and the Council. Section 80 committees advise the mayor and handle outstanding resolutions.	Committee Services
66	Figure 13	Cllr A Ferns	Is it possible to make the organogram available?	The top layer is available in the annual report. It is not preferable that we put the whole structure of more than 100 pages in the annual report.	Human Resource Management
71	Composition of wards	Cllr A Ferns	Indicated that the ward committees consist of geographical areas, blocks and sectors. Further indicated that the ward committees have been constituted as a hybrid model.	Correct.	Council Support
72	Table 41 – 63	Cllr N Gugushe	Do the meetings include only ward committee meetings?	Done—A column for public meetings will be inserted.	Council Support

CORPORATE SERVICES					
Page no.	Table/Paragraph Graph	The member who poses question / comment	Comment/s	Response	Responsible Department
72	Table 41 – 63	Cllr N Gugushe	Do the meetings include only ward committee meetings?	Done—A column for public meetings will be inserted.	Council Support
79	Table 52: Ward 12 Committee Meeting	Cllr N Gugushe	Confirm if Y Makuleni is in Ward 12, block 8. Ms Makuleni stays in Skool Crescent which is in Ward 15.	The remark from Cllr Gugushe is correct. School Crescent is situated in Ward 15. Please see the attached map as confirmation.	Council Support
159-160	Heading: 3.9 Property Management	MPAC	Indicate an update regarding the progress of the NPK Building.	The service provider that is dealing with the waterproofing and the rain damage is on-site and working. The intended completion date is May 2025.	Property Management
228	Under heading 3.25 Municipal Court – additional Court – Stellenbosch	Cllr S Schafer	The correct terminology should be used in terms of by-laws.	Noted—please change IDP.	Municipal Court
229	Table 189: Financial Report of the Municipal Court 2023/24	Cllr S Schafer	The municipality should include the expenditure for the Municipal Court as well and not only the revenue generated.	It must be noted that the intention was never that the expenditure be compared to the income – this is a judicial service that the municipality provides to deal with cases as they do not get the necessary attention in the normal court due to capacity. The municipality maintains the building and pays the salaries of the staff. The latter is brought to the Council every 3 years when the contract is renewed.	Municipal Court
239	Table 198: Vacancy rate per post and functional level	Cllr A Ferns	Why do the totals of post and functional levels differ?	Not sure what is referred to.	Human Resource Management
			Were the vacant posts filled in the key departments (Directorates for Community and Protection Services and Infrastructure Services)?	The HR department advertises posts every month, and posts from all the directorates are accommodated pro rata per month.	Human Resource Management
241	Table 199: Turn-over Rate	Cllr Schafer	Confirm if the turnover rate of 62% in 2022/23 is correct.	NO – this is incorrect.	Human Resource Management
240	Table 200: Injuries per Directorate	Ms E Fredericks	Indicate what types of injuries occurred at Community and Protection Services and Infrastructure Services.	The report goes to the Central Health and Safety Committee every 3 months and is monitored there. Lifting / tripping / bee stings / burn injuries are the most common.	Human Resource Management
240	Table 201: Sick leave as at 30 June 2024	MPAC	Clarify why the sick leave totals are so high for Financial Services, Community and Protection Services, as	MPAC should please provide further clarity on the request.	Human Resource Management

CORPORATE SERVICES					
Page no.	Table/Paragraph Graph	The member who poses question / comment	Comment/s	Response	Responsible Department
			well as Infrastructure Services.		
242-243	Table 203: Number of employees that received training	Cllr N Gugushe	Why was there no training for females under plant and machine operators and assemblers if there was a budget allocated?	The people who are trained are identified by their Directorate and based on their personal development plans—the latter, who the employee and line manager complete. The training section only responds to the identification.	Human Resource Management
242	Under paragraph 4.1.12.1: Personnel Expenditure “... It is noted that the municipality is well below the national norm of between 35-40%”	Cllr A Ferns	General Remark: The municipality cannot be proud of the low personnel expenditure if most of the critical posts are vacant.	The notion that most of the critical posts in law enforcement are vacant is incorrect. The HR section endeavours to fill vacant law enforcement officer posts as soon as funding becomes available.	Human Resource Management

Annexure A 3: Directorate: Financial Services

MPAC requested that the finance department provide updated financial tables verified as calculation errors were identified. The updated Annual Report 2023/24 should recalculate and address the variances.

TABLE 5: FEEDBACK: DIRECTORATE FINANCIAL SERVICES

FINANCIAL SERVICES					
Page no.	Table / Paragraph Graph	The member who poses question / comment	Comment/s	Response	Responsible Department
51-52	Heading 12.8: Financial Viability Highlights	Cllr S Schafer	Confirm if there is a norm for Liability Management.	The norm is between 6% to 8%. The annual report will be updated	Financial Services (Financial Management Services)
52	Heading 12.9: Financial Viability Challenges	Cllr A Ferns	Confirm whether electricity can be included as a factor of affordability.	Yes, electricity can also be included in the narration.	Financial Services (Financial Management Services)
98	Under heading: 2.8.5 Formal Quotations (Above R30 000 and Below R200 000) Procurement Processes	Cllr A Ferns	Describe the procedure for obtaining quotes below R30 000.	<p>The SCM policy sets out the process for procurement below R30 000. For procurement below R2000 one written quotation is obtained by the Buyer in the SCM unit from a service provider on the Database.</p> <p>We have a process called Procurement needs. This is a process where the needs for the quarter (below R 30 000) are collated and procured simultaneously for the entire municipality. All requests are combined and advertised on our website. The evaluation is done, and items are awarded to the highest-scoring bidders (Price and Preference). Ad hoc requests are dealt with separately where quotes are requested from 3 service providers, preferably local suppliers if available. The supplier that scores the highest points (Price and Preference) is appointed.</p>	Financial Services (SCM)
112	Table 96: Capital expenditure as at 30 June 2024 – Section Sanitation Services	Cllr S Schafer	Confirm why the CAPEX for Sanitation Services is so low.	The Municipal Disaster Response Grant was received in February 2024 and expenditure incurred from own funds could not be set off against the grant. This was part of the grant conditions.	Financial Services (Financial Management Services)
186	Table 136: Capital expenditure as at 30 June 2024 - Development Services and Project Management Development,	Cllr S Schafer	Correct the typo error next to Kayamandi: Zone O.	This will be corrected with the final Annual Report.	Financial Services (Financial Management Services)

FINANCIAL SERVICES					
Page no.	Table / Paragraph Graph	The member who poses question / comment	Comment/s	Response	Responsible Department
	Asset, Systems and PMU				
215	Table 167: Capital Expenditure as at 30 June 2024: Section- Traffic and Law Enforcement	MPAC	Why is the variance so high for line item "Install computerised access security system and CCTV cameras at municipal buildings."	The tender was awarded for the maintenance and repairs of biometrics. There were objections to the tender, which negatively impacted the spending.	Financial Services (Financial Management Services)
244	Table 207: Financial Summary	MPAC Chairperson	What accounts for the decrease in revenue from Property rates and also investment revenue?	There was no decrease in the two items. The variance formula utilised is ((Budgeted amount- Actual) / Budgeted amount). The negative variance shows the overperformance of the actual vs the budget. The signs were changed in the previous year based on MPAC's input.	Financial Services (Financial Management Services)
245	Table 207: Financial Summary	MPAC Chairperson	Why is there nothing reflecting under households below the minimum service level?	The information is attached.	Financial Services (Financial Management Services)
246	Table 209: Revenue collection performance by vote	MPAC Chairperson	What revenue streams are collected by Financial Services and why are they down?	There is no decrease in the line item. The variance formula utilised is ((Budgeted amount- Actual) / Budgeted amount). The negative variance shows the overperformance of the actual vs the budget.	Financial Services (Financial Management Services)
246	Table 210: Revenue Collection by Source	MPAC Chairperson	Confirm the variance for Other Revenue - 152.35%.	The negative denotes an overperformance between the budgeted amount and the actual. There is an overperformance for other revenue of 152.35% compared to the original budget. The variance is correct.	Financial Services (Financial Management Services)
248	Table 21: Operational Services Performance: Expenditure	MPAC Chairperson	Confirm the variance for Financial Services - -157.99.	The negative denotes an overperformance between the budgeted amount and the actual. There is an overperformance for financial services of 157.99% compared to the original budget. The variance is correct.	Financial Services (Financial Management Services)
248-259	Tables under 5.5: Financial Performance per Municipal Function	Cllr N Gugushe	MPAC requested that the CFO verify and update all the mentioned tables.	The tables were verified.	Financial Services (Financial Management Services)
260	Table 235: Grant Performance	MPAC	Delete the duplication of the Community Development Workers	The duplication will be deleted with the final annual report.	Financial Services (Financial Management Services)

FINANCIAL SERVICES					
Page no.	Table / Paragraph Graph	The member who poses question / comment	Comment/s	Response	Responsible Department
			Operational Support Grant.		
		Cllr A Ferns	What is the reason why there is low spending on Grants?	Table 235 must be amended to include the Municipal Disaster Response Grant that was omitted.	Financial Services (Financial Management Services)
261	Table 237: Repairs and Maintenance	MPAC Chairperson	What accounts for the big variance in Repairs and Maintenance Expenditure?	The amended budget for repairs and maintenance must be R96 143 692. The variance is there for 3.57% underspent on the amended budget. This will be corrected.	Financial Services (Financial Management Services)
263	Table 242: Capital Expenditure by Asset Programme	MPAC Chairperson	What accounts for the underspending on Water Supply Infrastructure and Sanitation Infrastructure?	The stringent conditions of the Municipal Disaster Response grant negatively impacted the capital expenditure.	Financial Services (Financial Management Services)
Annual Financial Statements					
3	General Information: Council Members	Cllr A Ferns	Correct the initials of Cllr Ferns. Replace N with A.	This will be amended with the Interim financial statements. The audited financial statements are already stamped and certified by the Auditor General.	Financial Services (Financial Management Services)
22	The fifth paragraph under biological assets that form part of an agricultural activity	Ms E Fredericks	Delete the typo error after the full stop.	This will be amended with the Interim financial statements. The audited financial statements are already stamped and certified by the Auditor General.	Financial Services (Financial Management Services)
105	Note 34.1: Executive Mayor under Allowances and service-related benefits	Cllr A Ferns	".... Determine fair value.t"	This will be amended with the Interim financial statements. The audited financial statements are already stamped and certified by the Auditor General.	Financial Services (Financial Management Services)
107	Note 34.6 under social contributions	Ms E Fredericks	Is it necessary to submit proof of travel logs?	The travel allowance is part of the councillor's package restructuring. Travel logs are not required but must be submitted to SARS if requested. Only kilometre claims require proof to be submitted to Payroll as part of the pre-approved Subsistence and Travel form.	Financial Services (Financial Management Services)
108	Note 41.1 Consultants and professional services	Cllr A Ferns	Does the Executive Mayor have an entertainment allowance?	There is no entertainment under consultants and professional services. The mayor does not have an entertainment allowance.	Director: Corporate Services and Financial Services (Financial Management Services)
110	Note 41.3: General Services	MPAC	Correct the word Medial to Medical.	This will be amended with the interim financial statements. The audited financial statements are already stamped and certified by the Auditor General.	Financial Services (Financial Management Services)

FINANCIAL SERVICES					
Page no.	Table / Paragraph Graph	The member who poses question / comment	Comment/s	Response	Responsible Department
111	Note 43: Irrecoverable debts written off	Cllr A Ferns	Why does the municipality make use of outsourcing services? The municipality needs to capacitate the Legal Department rather than outsource the work.	It would be too expensive to capacitate legal services, as specialised advocates and attorneys are required on an ad hoc basis. These individuals are not required to work on a full-time basis.	Financial Services (Financial Management Services)
111	Note 45: Operating Leases	Cllr A Ferns	Confirm what animal care entails.	Note 41 has animal care. The municipality does not perform this function internally. It forms part of outsourced services.	Financial Services (Financial Management Services)
Public Hearing					
Provide clarity of progress on CASE NR 9140/2021 (DEON GARDEN & CONSTRUCTION CC / STELLENBOSCH MUNICIPALITY).				The AFS has been finalised. The format of the municipal report has been revised. The municipality now provides information on classes of contingent liabilities, which are categorised under contingencies related to litigation. The specific case names are no longer disclosed, and this information is maintained in a register with the Finance Department.	

Annexure A 4: Directorate: Infrastructure Services

The Directorate takes note of all cosmetic changes to be updated in the Annual Report 2023/24. All style, formatting and grammatical areas identified will be updated in the final Annual Report 2023/24.

TABLE 6: FEEDBACK: DIRECTORATE INFRASTRUCTURE SERVICES

INFRASTRUCTURE SERVICES					
Page no.	Table / Paragraph Graph	The member who poses question / comment	Comment/s	Response	Responsible Department
112	Table 95: Sanitation Services delivery levels	Cllr A Ferns	Pit toilets have a very negative connection in South Africa. Can these pit toilets on Farm 160 be rebuilt and converted into bucket toilets? Or do they just remain the same every year?	Information is based on the 2011 census. Once the 2022 census sub-list per area data has been released, the municipality will embark on options that can be considered. Sometimes the land needs to become municipal land, development rights need to be obtained, or power of attorney needs to be granted. Then designs applicable to that site or funding need to be procured to see which toilet mix is appropriate.	Water and Wastewater Services
114	Table 98: Electrification of informal settlements	Cllr S Schafer	Under the project description is stated, 1 000 and under total number of connections, it indicates a total of 950. Confirm the current total for the Enkanini Electrification Ph4 (2023/24).	1 000 connections	Electricity Services
118	Under the heading a: Development of additional waste disposal cells project	Cllr S Schafer	Confirm if the additional waste disposal cells project was completed.	Yes, Cell 4 is divided into three phases. Phases 1 and 2 are fully constructed. Phase 1 is operational. Phase 2 will become operational once the Eskom power lines have been removed, but the landfill is fully operational now.	Waste Management
			The narrative indicated that 2 of 3 cells were completed.	Phase 2—Construction will commence once Eskom power lines have been removed.	
		Cllr A Ferns	Is the cost of transfer to a private landfill not expensive?	Yes, it is costly. Cell 3 reached its capacity; therefore, the refuse had to be transported to the Vissershok Landfill site at the time. The cost amounted to R1.5 million per month.	Waste Management

INFRASTRUCTURE SERVICES																	
Page no.	Table / Paragraph Graph	The member who poses question / comment	Comment/s	Response	Responsible Department												
			The municipality should indicate whether the municipality can create its own "Vissershok Landfill."	Yes, the project expansion has commenced. Two parts have been completed, and the rest will be in operation in the next few years.													
120	Under heading 3.7.2: Area Cleaning	Cllr R Adams	MPAC raised a concern about the EPWP database and that the same people remain on the list in different wards (*Kylemore and Ward 4).	This may be the perception, and if so, it could warrant looking into the matter. The LED Department (Planning Directorate) is the custodian of the unemployment database and ensures that the EPWP workers are rotated.	Waste Management												
		Ms E Fredericks	Most of the workers work without supervision. There should be measures in place to monitor those workers.	A new system has been implemented whereby team leaders have been appointed to improve the supervision of EPWP workers.	LED												
		Table 107: Refuse bins distributed	Cllr S Schafer	Include the previous year's statistics to make a comparison	<div> <div>Table 107: Refuse bins issued</div> <table> <tr> <th>Bins</th> <th>2022-2023</th> <th>2023-2024</th> </tr> <tr> <td>Broken bins</td> <td>548</td> <td>321</td> </tr> <tr> <td>New bins</td> <td>554</td> <td>582</td> </tr> <tr> <td>Total</td> <td>1 102</td> <td>903</td> </tr> </table> </div>	Bins	2022-2023	2023-2024	Broken bins	548	321	New bins	554	582	Total	1 102	903
Bins	2022-2023	2023-2024															
Broken bins	548	321															
New bins	554	582															
Total	1 102	903															
122	Table 107: Refuse bins distribution	Ms E Fredericks	Can the specifications of the bins / skips be modified? Vandalism is a common occurrence.	The bin and skip designs are designed in such a way to be able to fit onto the municipal trucks. New improvements in the designs are being considered (cost-dependent).	Waste Management												
		Cllr S Schafer	Elaborate on the service such as statistics on refuse removal etc.	28 465 collection points.	Waste Management												
		Cllr S Schafer	The statistics of the previous financial year should be included. The word distribution should be replaced with "issued.	'Distribution' can be replaced with 'issued' as per the table above.	Waste Management												

INFRASTRUCTURE SERVICES					
Page no.	Table / Paragraph Graph	The member who poses question / comment	Comment/s	Response	Responsible Department
General Remark			The MPAC chairperson indicated that the community should be educated on keeping the area neat and on reporting any vandalism or where EPWP workers do not work in the relevant wards. – This has been duly noted and agreed upon. An awareness campaign is underway at present with the councillors involved as well.		
124	Under the heading 3.7.5 Stellenbosch Landfill site	Cllr Schafer	Indicate what approval is referred to in the last sentence of the first paragraph.	The Department of Water and Sanitation issues a Record of Decision (RoD) to the municipality to use the landfill once they are satisfied with the results of the samples taken at the landfill site.	Waste Management
129	The last paragraph on the page	Cllr R Adams	Do the neighbouring areas include Kylemore and Pniël and are there any monies attached to it?	The page number 129 may be incorrect. If referring to Page 130, then yes, it is intended for the Swop Shop concept to be rolled out to further neighbourhoods. The schedule will be shared with the neighbourhoods and ward councillors.	Waste Management
130	Under the heading Education and Awareness	Ms E Fredericks	Elaborate on the frequency of the swop shops.	The municipality offers a once-per-month campaign using either a door-to-door, open day, expo, or swop-shop.	Waste Management
		Cllr A Ferns	Is it possible to conduct the door-to-door survey more frequently and also to inform the residents?	The department takes note and will investigate for possible implementation.	
162	Under heading 3.10.2.1 Park Ride Studies	Cllr A Ferns	Is there a bylaw on recycling?	Yes, the municipality's Integrated Waste Management By-Law.	Waste Management
			Indicate any update on the Park Ride Studies, and is it possible to get the Province on board with the process? What is the role of the University of Stellenbosch?	Initial studies have identified suitable areas. The department is currently engaging with the provincial Department of Mobility for the required assistance regarding the most appropriate type of transport service to be used to service the Park and Ride areas. Engagements with stakeholders are to commence in the next quarter. The university is also a key stakeholder.	Roads and Transport
162	Under heading 3.10.2.1: Park Ride Studies	Cllr A Ferns	Is it possible to conduct the door-to-door survey more frequently?	Door-to-door surveys are not generally used for park-and-ride studies since the target market is the travelling public. Traffic counts, appropriate transport surveys, and engagements with stakeholders such as transport service providers, large employee businesses, the university, schools, etc., will inform the Park and Ride studies.	Roads, Transport and Stormwater
165-167	Refer to street names	Cllr R Adams	Confirm the correct street name of "Skool Street."	The street is named "Skool Street," which is the Afrikaans version (original street names are generally not translated into another language).	Roads and Transport

INFRASTRUCTURE SERVICES					
Page no.	Table / Paragraph Graph	The member who poses question / comment	Comment/s	Response	Responsible Department
167	The first paragraph on the page	Cllr J Joon	Provide a follow-up on the street names at Longlands.	The Planning Directorate concluded its processes in December 2024. The Roads Department is now in the manufacturing stage of the street names, and installation is expected by mid-May 2025.	Roads and Transport
177	Under the heading: Upgrading of municipal ECD facilities	Cllr A Ferns	Where are the ECDs located?	2 x ECDs in Kayamandi. Karlien and Kandas, Die Boord.	PMU
177	Under the heading: Upgrading of municipal ECD facilities	Cllr A Ferns	Request to paraphrase the paragraph for ease of better reading.	Noted. The department will re-word / structure the paragraph.	PMU

Annexure A 5: Directorate: Planning and Economic Development

All style, formatting and grammatical areas identified will be updated in the final Annual Report 2023/24.

TABLE 7: FEEDBACK: DIRECTORATE PLANNING AND ECONOMIC DEVELOPMENT

PLANNING AND ECONOMIC DEVELOPMENT					
Page no.	Table / Paragraph Graph	The member who poses question / comment	Comment/s	Response	Responsible Department
120	Under heading 3.7.2: Area Cleaning	Cllr R Adams	MPAC raised a concern about the EPWP database and that the same people remain on the list in different wards	<p>The Jobseeker database has had extensive maintenance and updates.</p> <p>Over the past one to two years, we have not encountered the same individuals on the list. To minimise biases, user departments have been given access to the Jobseeker database, allowing them to manage their own appointment processes. As a result, the selection is conducted directly by the user departments.</p> <p>Please be aware that each shortlist has a time limit during which the user may remain locked in the system. People are shortlisted, and they cannot be removed from the system if they are not available at that time. Because they will have a pending appointment status, the users are temporarily locked into the system; once they are not appointed, they return to the system.</p> <p>Please take note that the EPWP cycle lasts for five years, during which time participants may participate for up to 24 months.</p> <p>Our contracts during that time have a minimum tenure of six months for General Workers, followed by a six-month cooling-off period once individuals have been appointed.</p>	Waste Management LED
139	Map 5: Location of the proposed development of the Northern Extension	MPAC	Request a clearer map	Received. Will distribute the map to the MPAC.	Housing development

PLANNING AND ECONOMIC DEVELOPMENT					
Page no.	Table / Paragraph Graph	The member who poses question / comment	Comment/s	Response	Responsible Department
190	Under heading: The local strategy informs the MSDF, its review, and amendments (2023/24)	Ms E Fredericks	Clarify what is meant by the land agreement with the University of Stellenbosch to possibly establish university-related activities in this area was concluded successfully." Explain and paraphrase the last sentence.	A sales agreement was reached between the University of Stellenbosch and the Bridge development for the transfer of a substantial portion of land in Klipmuts from the Bridge to the University for the development of university-related land uses that will support and promote the principles of a Smart City.	Development Planning
193	LED achievements	Cllr R Adams	There is a need for space for informal trading in Wards 3 and 4 - Traders are getting fines.	The Economic Development and Tourism Section will be revisiting the informal trading policy to assess where new informal sites can be established. The section is aware that there is a need in some wards. We will be addressing this issue during the current and following financial years.	LED
		Mr S Kuni	Provide clarity on which land and to whom it was awarded.	Email received from the department and was part of the site visit.	LED
194	Table 144: Job Creation through EPWP Projects	Cllr Jooste	Are EPWP workers used on private land - Newinbosch?	The department collaborates with the private sector on projects within the municipal area. When such projects arise, private entities reach out to our department to recruit local labour through the Jobseeker database. The department is not involved in the recruitment process; however, we provide lists of general workers from the relevant wards where projects take place. These are recorded as external projects.	LED
194		Cllr N Gugushe	Ibhunga Cleaning Kayamandi 2023/24 – 43 jobs created. Does the municipality provide PPE clothing and equipment to the companies who got the tender?	Each department monitors their respective project. This project resides under Waste Management.	LED
195	Under heading 3.12.3 Tourism	Cllr A Ferns	The municipality should consider establishing a	The municipality takes note of the input.	Community services

PLANNING AND ECONOMIC DEVELOPMENT					
Page no.	Table / Paragraph Graph	The member who poses question / comment	Comment/s	Response	Responsible Department
			directorate for Business and Events		
195	Part of table 144	Cllr N Gugushe	To what river is referred to in the table: Cleaning the river (2).	This was a project requested by the councillors in Wards 2 and 3 due to dumping in the river. A full description will be provided.	LED
195	Table 145: Jobs created per area	Cllr N Gugushe	Clarify who the 732 workers are in Kayamandi. The department to confirm if it is the correct number as the area is not being cleaned as should	Each department monitors their respective project. The number listed is correct, and it is drawn from the VOiS system (Job Seekers Database System).	LED

Annexure A 6: Directorate: Community and Protection Services

All style, formatting and grammatical areas identified will be updated in the final Annual Report 2023/24.

TABLE 8: FEEDBACK: DIRECTORATE COMMUNITY AND PROTECTION SERVICES

COMMUNITY AND PROTECTION SERVICES					
Page no.	Table / Paragraph Graph	The member who poses question / comment	Comment/s	Response	Responsible Department
201	Under the heading 3.14 Cemeteries	MPAC	There is a need for toilets at the Onder Pappegaaiberg cemetery	The municipality will investigate the possibility of renting ablution units.	Parks and Cemeteries
201	Under the heading 3.14 Cemeteries	MPAC	Why is the burial limit to 5 on a Saturday? Consider the Jamestown cemetery	The number of burials has been decided based on the actual human resources in the Cemeteries section.	
SITE VISIT	Progress on the Kylemore Cemetery			The matter has been discussed with the legal department. They will follow up with the attorney on how far the process of registering the two plots has progressed.	Parks and Cemeteries
General remark: what will the new memorial park be called? It will be called Calcutta Memorial Park					
203	Table 155: Service Statistics – Childcare, Aged Care, Social programmes	Cllr N Gugushe	What is the municipality's role in the parenting training sessions with DSD? This is a function of the department and not the municipality.	<ul style="list-style-type: none">Local Government has childcare facilities as a constitutional mandate.Fostering (children and parents) is the responsibility of DSD.DSD and the municipality have a signed MOU regarding collaborative service delivery.Some of the foster children placed with beneficiaries of the parenting training are of ECD-going age.Municipal contribution to training: Facilitated contributions by other specialist community organisations and supported the training by providing something to eat. By working in collaboration, the municipality ensured that children placed in foster care receive better care to promote child safety and health.	Community Development
204	Part of table 155: Service Statistics – Childcare, aged care, social programmes Gender: Special Events and awareness programmes	Cllr N Gugushe	Ward 2, 12 and 15: it is stated that 120 widows participated in an empowerment programme. The department should make sure that the correct people are used from	It should read: Wards 2, 12 to 15.	Community Development

COMMUNITY AND PROTECTION SERVICES					
Page no.	Table / Paragraph Graph	The member who poses question / comment	Comment/s	Response	Responsible Department
			the wards as reported (most of the widowers are from other wards and not 12 and 15)		
	Part of table 1556: Service Statistics – Childcare, aged care, social programmes Youth Empowerment programmes Youth capacity building transversal committees / ad hoc programmes		Does the municipality follow up after training commences? Does the department follow up on the outcome of the training – did they find jobs, did the applicants pass their driver's license etc.?	The municipality knows how many passed their learner and driver's licenses. All participants in the hospitality courses were placed at local hotels / restaurants and completed the experiential learning component of the training. Those who excelled were offered contract employment.	Community Development
205	Part of table 1556: Service Statistics – Childcare, aged care, social programmes Grant in Aid	Cllr R Adams	Indicate if the application is consumer-friendly. The number of non-approved organisations is a major concern	The department takes note of the request.	Community Development
209-212	Under Heading 3.16: Pollution Control, Biodiversity, Beautification, Open Spaces and Parks	Cllr S Schafer	The narrative under the heading is vague. The department should update it and elaborate on reflecting on pollution control, biodiversity, beautification, open space, and parks.	After the third paragraph, please add the following information: A Nature Reserves Bylaw has been drafted and submitted for public comments, and the bylaw is set to serve before the Council within the 3rd quarter of this financial year.	Community Services (Environmental Management)
213	Under challenges	Cllr A Ferns	Why is the functionality of some CCTV and LPR cameras at risk? Why were the wrong cameras ordered? This is portrayed as a risk for fruitless expenditure.	There has been no situation in which the wrong cameras have been procured. The current situation is contributed not only by the age of existing cameras, servers, and equipment that is required to be replaced, which hampers CCTV operations, but also by instances of cable theft, vandalism, accident damage, etc. A tender has been readvertised as well as other measures to procure certain hardware, which will aid in bringing cameras online. The	Protection Services (Traffic and Law Enforcement)

COMMUNITY AND PROTECTION SERVICES					
Page no.	Table / Paragraph Graph	The member who poses question / comment	Comment/s	Response	Responsible Department
				department has appointed a service provider who is doing the troubleshooting and assisting the department in this.	
213	Under the heading 3.17.1 Traffic Services	Cllr R Adams	Traffic calming measures to control traffic through Pniel.	The Department Roads and Stormwater indicated that it will be considered by the team after a proper assessment of the site.	Protection Services (Traffic and Law Enforcement) Roads and Stormwater
	Table 165: Law Enforcement highlights	Cllr S Schafer	Could you explain the relationship between notices issued and fines?	A notice issued is a fine.	Protection Services (Traffic and Law Enforcement)
			A concern was raised about the huge difference between the previous financial year and the 2023/24 financial year in the fines issued (section 56 and 341 notices): <i>Please explain to MPAC</i> 2022/23: 5 196 2023/24: 2 078	These fines were issued by Law Enforcement and were during the time the municipality was supported by POCs in 22/23 with additional staff, and those contracts were not renewed during the 23/24 financial year. A reduction in staff is the cause of the reduction in the number of fines issued.	Protection Services (Traffic and Law Enforcement)
			What is the difference between Sections 56 and 34 Notices?	A 341 notice is a fine "ticket" that informs the transgressor that a fine has been issued and the person has 30 days to pay the fine. If the person fails to pay the fine, a 1st notice will be issued with a pay date to again afford the opportunity to pay the fine. If the person still fails to pay, a 2nd notice will be issued, and if they fail to pay again, a summons is issued, which has a pay date and court date. If the person fails to pay again, they will be required to appear in court. If the person fails to pay and does not attend court, a warrant for their arrest will be issued. These types of fines are issued, for example, for parking offences or when the owner or driver of the vehicle is not present during the infringement. A sect 56 notice is a summons for an infringement that is served on the spot to the driver who committed a transgression in the presence of an official. The summons reflects a pay date and	Protection Services (Traffic and Law Enforcement)

COMMUNITY AND PROTECTION SERVICES					
Page no.	Table / Paragraph Graph	The member who poses question / comment	Comment/s	Response	Responsible Department
				a court date, to which the driver has the option to either pay the fine before the court date or otherwise have to appear in court to contest the matter. Failure to pay or appear in court will result in a warrant of arrest being issued.	
213	Table 165: Law Enforcement highlights	Cllr S Schafer / Cllr O Jooste	What measures are in place to recover the fines issued? Can the EPWP workers be used to assist?	Traffic services have an appointed service provider who has appointed summons / warrant servers who deliver notices on behalf of the municipality to transgressors. For warrants that have been issued by the court, traffic services place admin marks on vehicles that have failed to pay their fines, and only after payment has been made on outstanding fines can the vehicle's license be renewed. The function of summons and warrant servers has legal and operational requirements that must be fulfilled to ensure it is done within the ambit of the law.	Protection Services (Traffic and Law Enforcement)
218	Table 174: Service Data for Fire and Disaster Management	Cllr S Schafer	Why is the average turnout time—in urban areas (minutes)—the same since 2016/17?	When fire services receive a call, they are measured to respond within 14 minutes of receiving a call, and when disaster management has been activated, they are required to attend to the scene within 1 hour.	Protection Services (Disaster Management and Fire Services)
220	Table 177: Service Statistics – Holiday Resorts and Campsites	MPAC	Explain the decline in revenue from 2020/21.	Jonkershoek Picnic site was closed for the duration of COVID-19 as determined by the National Government. The picnic site also closed for an entire season due to floods causing structural damage to the facility, which deemed it unsafe for use. Currently, the facility is open with good attendance and revenue-generating.	Community Services (Sport, Recreation, and Halls)
220	Under heading 3.20: Community Halls and Facilities	Cllr R Adams	The municipality should take note that the floodlights at sport fields in different wards are a major concern and need to be addressed.	Pniël and Ida's Valley sport facilities will have upgrades and replacements in the 2024/25 financial year. The budget will be requested to upgrade the other floodlights at facilities in the next financial year.	Community Services (Sport, Recreation, and Halls)
221	Table 179: Total Functions: Community Halls and Facilities	MPAC Chairperson	Concern about the total of functions at halls. Better security should be provided hence the	Facility use is dependent on the status of the area's safety. The hall usage decreases when there is a feeling of safety concern. These factors contribute to the low usage during these periods. The	Community Services (Sport, Recreation, and Halls)

COMMUNITY AND PROTECTION SERVICES					
Page no.	Table / Paragraph Graph	The member who poses question / comment	Comment/s	Response	Responsible Department
			decrease in 2023/24 (Eikestad Hall)	regular usage returns when the area is considered safe again.	
		Cllr R Adams	Need to relook at the hiring cost / rates of halls especially for rural communities and churches.	The tariffs increase by 6% annually and are approved by the Council. Discounted rates are supported by the Halls Policy with special conditions and criteria.	Community Services (Sport, Recreation, and Halls)

ANNEXURE B:
ANNUAL REPORT 2023/24



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

2023/24

ANNUAL REPORT

*Providing our residents,
stakeholders and investors, with
information about the municipality's
operations and financial performance.*





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List of Abbreviations

Abbreviation	Description	Abbreviation	Description
ABS	Access to Basic Services	MIQ	Municipal Data and Intelligence
ACDP	African Christian Democratic Party	MM	Municipal Manager
AGSA	Auditor-General of South Africa	MMC	Member of the Mayoral Committee
AH	Agri-Hub	MMF	Municipal Managers Forum
AMEU	Association of Municipal Electricity Utilities	MOBI	Municipal Benchmarking Initiative
ANC	African National Congress	MOU	Memorandum of Understanding
ANPR	Automatic Number Plate Recognition System	MPAC	Municipal Public Accounts Committee
APAC	Audit and Performance Audit Committee	MPC	Multipurpose Centre
ATC	Adam Tas Corridor	MPI	Municipal Productivity Index
BAC	Bid Adjudication Committee	MRF	Material Recovery Facility
BBBEE	Broad-Based Black Economic Empowerment	MSA	Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000)
BEC	Bid Evaluation Committee	mSCOA	Municipal Standard Chart of Accounts
BICLS	Bulk Infrastructure Development Contribution Levies	mSDF	Municipal Spatial Development Framework
BPAMS	Building Plan Approval Management System	MTAB	Metropolitan Transport Advisory Board
CAC	Civic Amenity Centre	MTECH	Medium Term Expenditure Committee
CAPEX	Capital Expenditure	MVA	Mega Volt Amp
CBD	Central Business District	NDP	National Development Plan
CBP	Community-Based Planning	NDOHS	National Department of Human Settlements
CCTV	Closed Circuit Television	NASHO	National Association of Social Housing Organisation
CDW	Community-Development Worker	NDoPW&I	National Department of Public Works and Infrastructure
CEB	Compressed Earth Block	NDPW	National Department of Public Works
CEO	Chief Executive Officer	NEMA	National Environment Management Authority
CFO	Chief Financial Officer	NPV	Net profit value
CGI	Compliance and Governance Index	NGO	Non-Governmental Organisation
CIGFARO	Chartered Institute of Government Finance, Audit and Risk Officers	NHBRC	National Housing Building Regulation Council
CITP	Comprehensive Integrated Transport Plan	NMT	Non-Motorised Transport
CoCT	City of Cape Town	NPO	Non-Profit Organisation
COGTA	Cooperative Governance and Traditional Affairs	NRTLEC	National Road Traffic Legislation Enforcement Code
COPE	Congress of the People	NT	National Treasury
CRSES	Centre for Renewable and Sustainable Energy Studies	OHS	Occupational Health and Safety
CWDM	Cape Winelands District Municipality	OPEX	Operating Expenditure
DA	Democratic Alliance	ODAs	Other Development Agency's
DAG	Development Action Group	PDO	Predetermined Objectives
DC	Development Cost	PDoHS	Provincial Department of Human Settlement
DCAS	Department of Cultural Affairs and Sport	PDoI	Provincial Department of Infrastructure
DEA and DP	Department of Environmental Affairs and Development Planning	PIE	Prevention of Illegal Evictions



Abbreviation	Description	Abbreviation	Description
DEDAT	Department of Economic Development and Tourism	PMS	Performance Management System
DEFF	Department of Environment, Forestry and Fisheries	PID	Project Initiation Document
DOE	Department of Education	PPDO	Provincial Predetermined Objectives
DORA	Division of Revenue Act	PPP	Public Private Partnership
DSD	Department of Social Development	PRASA	Passenger Rail Agency of South African
DWS	Department of Water and Sanitation	PSDF	Provincial Spatial Development Framework
ECD	Early Childhood Development	PSP	Provincial Strategic Plan
EE	Employment Equity	PT	Provincial Treasury
EHP	Emergency Housing Policy	RBIG	Regional Bulk Infrastructure Grant
EIA	Environmental Impact Assessment	REFSO	Renewable Energy Finance and Subsidy Office
EPWP	Expanded Public Works Programme	RTIA	Road Traffic Infringement Agency
ESTA	Extension of Security of Tenure Act	RFP	Request for Proposal
FBAR	Final Basic Assessment Report	RTMC	Road Traffic Management Corporation
FPSU	Farmer Production Support Unit	RTS	Refuse Transfer Station
GAMAP	Generally Accepted Municipal Accounting Practice	RUMC	Rural-Urban Market Centre
GDP-R	Gross Domestic Product - Regional	SAB	South African Breweries
GRAP	Generally Recognised Accounting Practice	SABS	South African Bureau of Standards
HCE	Housing Consumer Education	SALGA	South African Local Government Association
HDA	Housing Development Agency	SAMDI	South African Management Development Institute
HR	Human Resources	SAMRAS	South African Municipal Resource Accounting System
HSDG	Human Settlements Development Grant	SAMWU	South African Municipal Workers Union
IBR	Inverted Box Rib	SANEDI	South African National Energy Development Initiative
ICT	Information and Communication Technology	SANS	South Africa National Standards
IDP	Integrated Development Plan	SAPS	South African Police Service
IFRS	International Financial Reporting Standards	SASSA	South African Social Security Agency
iGRAP	Interpretations of Standards of Generally Recognised Accounting Practice	SCA	Stellenbosch Civic Association
IHSP	Integrated Human Settlement Plan	SCMU	Supply Chain Management Unit
IIC	Infrastructure Innovation Committee	SDBIP	Service Delivery and Budget Implementation Plan
IMATU	Independent Municipal Trade Union	SHIs	Social Housing Institutions
IMESA	Institute of Municipal Engineers of South Africa	SDF	Spatial Development Framework
IMFO	Institute for Municipal Finance Officers	SEDA	Small Enterprise Development Agency
INEP	Integrated National Electrification Programme	SITA	State Information Technology Agency
IPC	Integrated Planning Committee	SMME	Small Medium Micro Enterprises
IPPS	Independent Power Producers	SMS	Short Message Service
IRDP	Integrated Residential Development Programme	SOP	Standard Operating Procedure
ISAMAO	Institute of South African Municipal Accounting Officers	SPA	Stellenbosch People's Alliance



Abbreviation	Description	Abbreviation	Description
ISSP	Informal Settlement Support Programme	SPLUMA	Spatial Planning and Land Use Management Act
ISUPG	Informal Settlements Upgrade Partnership Grant	SPV	Special Purpose Vehicles
IUDG	Integrated Urban Development Grant	SSI	Stellenbosch Safety Initiative
IWA	International Water Association	STOD	Sustainable Transit-Oriented Development Plan
IWAA	Integrated Water Availability Assessment	SU	Stellenbosch University
IWMP	Integrated Waste Management Plan	SWWTW	Stellenbosch Wastewater Treatment Works
IZS	Integrated Zoning Scheme	TASK	Tuned Assessment of Skills and Knowledge
JPI	Joint Planning Initiative	TIATCP	Technical Innovation Agency Technical Centre Programme
JSE	Johannesburg Stock Exchange	VTs	Vehicle Testing System
KIWMF	Kraaifontein Integrated Waste Management Facility	WC	Western Cape
KPA	Key Performance Area	WCO24	Greater Stellenbosch
KPI	Key Performance Indicator	WCWDM	Water Conservation and Water Demand Management
LED	Local Economic Development	WCWSS	Western Cape Water Supply System
LETRP	Large Employer Trip Reduction Programme	WMO	Waste Management Officer
LGMTEC	Local Government Medium Term Expenditure Committee	WoF	Working on Fire
LGSETA	Local Government Sector Education and Training Authority	WRC	Water Research Commission
LM	Local Municipality	WTP	Water Treatment Plan
LR	Labour Relations	WWF	World Wildlife Fund
LUMS	Land Use Management System		
LUPA	Land Use Planning Act		
LUPO	Land Use Planning Ordinance		
MAYCO	Executive Mayoral Committee		
MERO	Municipal Economic Review Outlook		
MFMA	Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003)		
MGRO	Municipal Governance Review and Outlook		
MIG	Municipal Infrastructure Grant		
MILE	Municipal Institute of Learning		



Introduction

The Stellenbosch Municipal Annual Report 2023/24 addresses the performance of the Stellenbosch Municipality in the Western Cape, South Africa, concerning its core legislative obligations. Local government must create a participatory framework that defines and enhances the relationship between elected leaders and their communities. This requires that the municipal council provides regular and predictable reporting on programme performance and the general state of affairs in their locality.

The report reflects on the performance of the Stellenbosch Municipality for the period of 01 July 2023 to 30 June 2024. The layout of the annual report is prepared in terms of Section 121(1) of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003) (MFMA), in terms of which the municipality must prepare for each financial year.

The Annual Report comprises six chapters with the following broad overview:

-  **Chapter 1:** An overview of the municipality's overarching strategy, accountability processes, social and demographic profile, and key highlights and challenges regarding finance, institutional transformation, and key basic service delivery.
-  **Chapter 2:** Details about the governmental workings of the municipality and addressing the key aspects of good governance.
-  **Chapter 3:** Highlights the municipality's performance for the year, with a focus on service delivery and the municipality's predetermined objectives.
-  **Chapter 4:** Provides insight into the municipality's human resources and organisational management areas, focussing on organisational structure and legislation.
-  **Chapter 5:** An overview of the municipality's financial performance, reflecting on the municipality's financial position, assets, cash flow, and intergovernmental grants received by the municipality.
-  **Chapter 6:** An overview of the audit key findings as per the Auditor-General of South Africa.

The purpose is to establish a transformed and well-governed municipal environment that remains robust and will continue to stimulate the growth and well-being of the constituents of the Stellenbosch municipal area.



Vision, Mission, and Values





CHAPTER 1: EXECUTIVE MAYOR'S FOREWORD AND EXECUTIVE SUMMARY

1.1 COMPONENT A: EXECUTIVE MAYOR'S FOREWORD



Cllr Jeremy Fasser
Executive Mayor
(and Ward Cllr, Ward 17)

Reflecting on the 2023/24 financial year, I present this annual report with immense pride. It highlights the progress we have made in striving towards our vision of Stellenbosch as a Valley of Opportunity for All. Our municipality continues to work tirelessly to create an environment where small businesses, entrepreneurs, and industries can flourish. This year, we have focused on attracting investment, driving economic growth, and creating job opportunities that will benefit every resident and visitor to our region.

At the heart of our efforts is the belief that Stellenbosch should be a place where people can thrive—where innovation and hard work are rewarded, and where the foundations for long-term prosperity are continually strengthened.

Through targeted interventions, we are laying the groundwork for a future that invites economic activity, draws visitors to our beautiful region, and enhances the quality of life for all.

Key Policy Developments

Our strategic priorities are closely aligned with the Provincial Growth and Development Strategy, as well as our own Integrated Development Plan (IDP). The focus has been on achieving impactful outcomes, especially in areas like economic development, infrastructure improvements, and sustainability. The IDP strategies have guided our actions to ensure we are making tangible progress toward building a thriving and inclusive local economy.

We have made significant strides in meeting key objectives, with our policies fostering sustainable development and laying the foundation for long-term growth. By aligning with both provincial and national priorities, we ensure that our policies are not just theoretical but result in meaningful improvements for our communities.

Key Service Delivery Improvements

One of the major successes of the year has been our investment in infrastructure maintenance and development, which remains at the core of our service delivery mandate. The largest portion of our capital budget was committed to infrastructure and engineering, with a direct focus on basic services such as water provision, electricity, roads, stormwater systems, sanitation, and refuse removal.

Our focus is clear: getting the basics right. By prioritising these essential services, we are using public funds responsibly to improve the daily lives of our residents. Notable projects include the upgrade of road networks, expansion of water and sanitation facilities, and improvements in waste management and recycling. These developments not only enhance service delivery but also ensure that we are building a resilient infrastructure for future generations.



Public Participation

Our success as a municipality is rooted in the active participation of our residents. We have worked hard to ensure that the voices of our community are heard and considered in our decision-making processes. Throughout the year, we engaged with the public through various platforms, including written submissions, public meetings, Integrated Development Plan (IDP) open days, online platforms, and direct communication via email and telephone.

By embracing these methods, we have fostered greater transparency and accountability while ensuring that the diverse views of our residents are taken into account. This ongoing dialogue strengthens the relationship between the municipality and the community, ensuring that we remain responsive to the needs and aspirations of all who live here.

Conclusion

As with every year, 2023/24 brought its own challenges, but together, we have faced them head-on, making considerable progress along the way. Our collective efforts have been rewarded with another clean audit—a significant achievement that underscores our commitment to financial responsibility and good governance. A clean audit reflects not only our sound fiscal management but also the trust that our residents place in us to deliver on our promises.

This past year has been a testament to the power of collaboration and determination. By working together, we have not only overcome obstacles but also laid the groundwork for an even more prosperous future for Stellenbosch. I am deeply grateful to our dedicated municipal staff, our partners, and, most importantly, our community members for their ongoing support and engagement.

As we look ahead, I remain optimistic about what we can achieve together. The 2023/24 financial year has been one of growth, learning, and accomplishment, and I am confident that we will continue on this positive trajectory in the years to come.

CLLR JEREMY FASSER
EXECUTIVE MAYOR



1.2 COMPONENT B: EXECUTIVE SUMMARY

1.2.1 MUNICIPAL MANAGER'S FOREWORD



Geraldine Mettler
Municipal Manager

As we reflect on the accomplishments and challenges of the 2023/24 financial year, I am proud to share that Stellenbosch Municipality has once again demonstrated commendable performance in service delivery, governance, and financial management.

Despite the continued trials posed by external factors such as loadshedding, economic pressure, and climate challenges, we have remained steadfast in our commitment to delivering high-quality services to our residents.

The resilience of our community, officials, management team, and stakeholders has been tested this year, and I am delighted to report that we have emerged stronger and more united.

This Annual Report offers detailed insights into the municipality's performance over the past 12 months, showcasing how we have navigated these challenges while maintaining essential services and operational efficiency.

Our municipality faced some delays in infrastructure projects due to factors beyond our control, such as supply chain disruptions and inflationary pressures. However, we ensured that basic service delivery—water, electricity, refuse removal, and emergency services—remained uninterrupted. Our proactive management and collaborative efforts with stakeholders have enabled us to minimise the impact on our residents.

I am especially proud to announce that Stellenbosch Municipality has once again received a clean audit opinion from the Auditor-General of South Africa (AGSA). This achievement underscores our commitment to sound financial management, robust internal controls, and adherence to audit standards. It is a reflection of the hard work, diligence, and dedication of our management team, officials, and the entire Council.

In 2023/24, we continued to make sizable investments in infrastructure development, maintenance, and upgrades, prioritising the needs of our growing population and businesses. With a focus on basic service delivery, we have committed significant resources to ensure the sustainability and efficiency of our water, electricity, sanitation, and road networks. Our values of innovation, integrity, accountability, and transformation have guided these efforts, as we work toward creating an environment that supports economic growth and dignified living conditions for all residents.

Public participation remains a key pillar of our governance. We have worked hard to engage with our communities through various platforms—public meetings, online forums, and written submissions—ensuring that the voices of our residents are heard and that they play an active role in shaping the future of our municipality.

Stellenbosch continues to thrive despite the economic challenges we face. Higher-than-normal inflation, supply chain disruptions, and energy security issues have created a difficult environment, yet through effective collaboration with stakeholders, we have built resilience. Our response to these challenges demonstrates the strength of our leadership and our capacity to adapt and overcome.

I would like to extend my heartfelt gratitude to the Executive Mayor, the Mayoral Committee, the entire Council, the Audit and Performance Audit Committee (APAC), and my management team



for their unwavering dedication and strategic vision throughout this year. It is through their leadership and collaboration that we have been able to achieve the successes outlined in this report.

Finally, I wish to thank all municipal employees for their passion, hard work, and commitment. It is an honour to serve alongside you as we work together to realise our vision of becoming a true Valley of Opportunity and Innovation for all.

May this Annual Report for 2023/24 serve not only as a record of our achievements but as a motivation for continued excellence and progress in the years to come.

MS GERALDINE METTLER
MUNICIPAL MANAGER



1.2.2 STRATEGIC FOCUS AREAS

The strategic focus areas within a municipality are the building blocks of the Council's strategy. The focus areas, as depicted in the diagram below, illustrate the expansion of the vision statement and create structure around how the municipality will achieve its strategic goals.

Table 1: Strategic focus areas

SFA 1: Valley of Possibility	Predetermined Objectives <ol style="list-style-type: none"> 1.1 Create an environment conducive to business development and job creation. 1.2 To facilitate and coordinate support for emerging entrepreneurs by utilising internal SCM processes and linking SMMEs with opportunities in the market. 1.3 To provide, upgrade, and maintain an effective engineering infrastructure to support effective service delivery. 1.4 To ensure the provision of non-motorised transport routes as a functional mode of transport.
Predetermined Objectives <ol style="list-style-type: none"> 2.1 Managing human use of the biosphere and its resources. 2.2 Enhancing the integrity of the environment is imperative for long-term sustainability. 2.3 Incorporating biodiversity into the environment is an imperative for long-term sustainability 2.4 Ensuring spatial sustainability. 2.5 Facilitate the efficient use of all forms of capital available to Stellenbosch. 2.6 Building human capacity and ability. 2.7 Efficient information management. 	SFA 2: Green and Sustainable Valley
SFA 3: Safe Valley	Predetermined Objectives <ol style="list-style-type: none"> 3.1 To implement an integrated safety strategy that incorporates multi-stakeholder engagement and social crime preventions. 3.2 To develop and implement institutional crime prevention strategies, with a focus on improved law enforcement and neighbourhood watches.
Predetermined Objectives <ol style="list-style-type: none"> 4.1 To develop and maintain sustainable human settlements that will meet the diverse range of housing needs. 4.2 To develop and implement a social infrastructure master plan for the upgrading and maintenance of social facilities in all wards. 4.3 To involve and build the capacity of stakeholders in the planning and management (governance) of the areas where they live. (Promote participatory planning and integrated implementation). 4.4 To provide access to basic services for households in the WC024 area. 	SFA 4: Dignified Living
SFA 5: Good Governance and Compliance	Predetermined Objectives <ol style="list-style-type: none"> 5.1 To develop, align, and implement effective management information systems. 5.2 An effective asset management system to optimise the use of municipal assets. 5.3 To manage integrated development planning and the efficient measurement of predetermined objectives as per the regulatory framework. 5.4 To involve the community in the planning and management of programmes and projects impacting their ward(s). 5.5 To review municipal governance processes as per the Risk-Based Audit Plan 5.6 A skilled and capable workforce that supports the growth objectives of the municipal area 5.7 A responsive, accountable, effective, and efficient local government system 5.8 To implement an effective revenue management system. 5.9 To provide accurate and relevant financial information for decision-making. 5.10 To develop and implement a responsive, accountable, effective, and efficient customer care structure and system.



1.2.3 ALIGNMENT WITH INSTITUTIONAL ARRANGEMENTS AND PROCESSES

The municipality focuses on prudent arrangements that provide internal and external alignment with its organisational strategies. This best supports the execution of the long-term goals and purposes, which require all stakeholder engagements, both external and internal, to be aligned with and committed to achieving the vision of the organisation. The administration strongly focuses on action against deliverables, which in turn creates effectiveness and efficiency in decision-making and delivering services to all citizens.

For sustainable municipal management, political leadership and the administration must work together. Ultimately, democratically elected political leadership is responsible for policy direction. The administration provides advice and implements policy.

International best practice shows that the only way to carry out sustainable urban management is to engage in meaningful partnerships with communities, where communities take full responsibility for the development of their neighbourhoods. Stellenbosch Municipality is committed to ensuring that the real social and economic development of its poorest communities is realised through extensive community input and ownership.

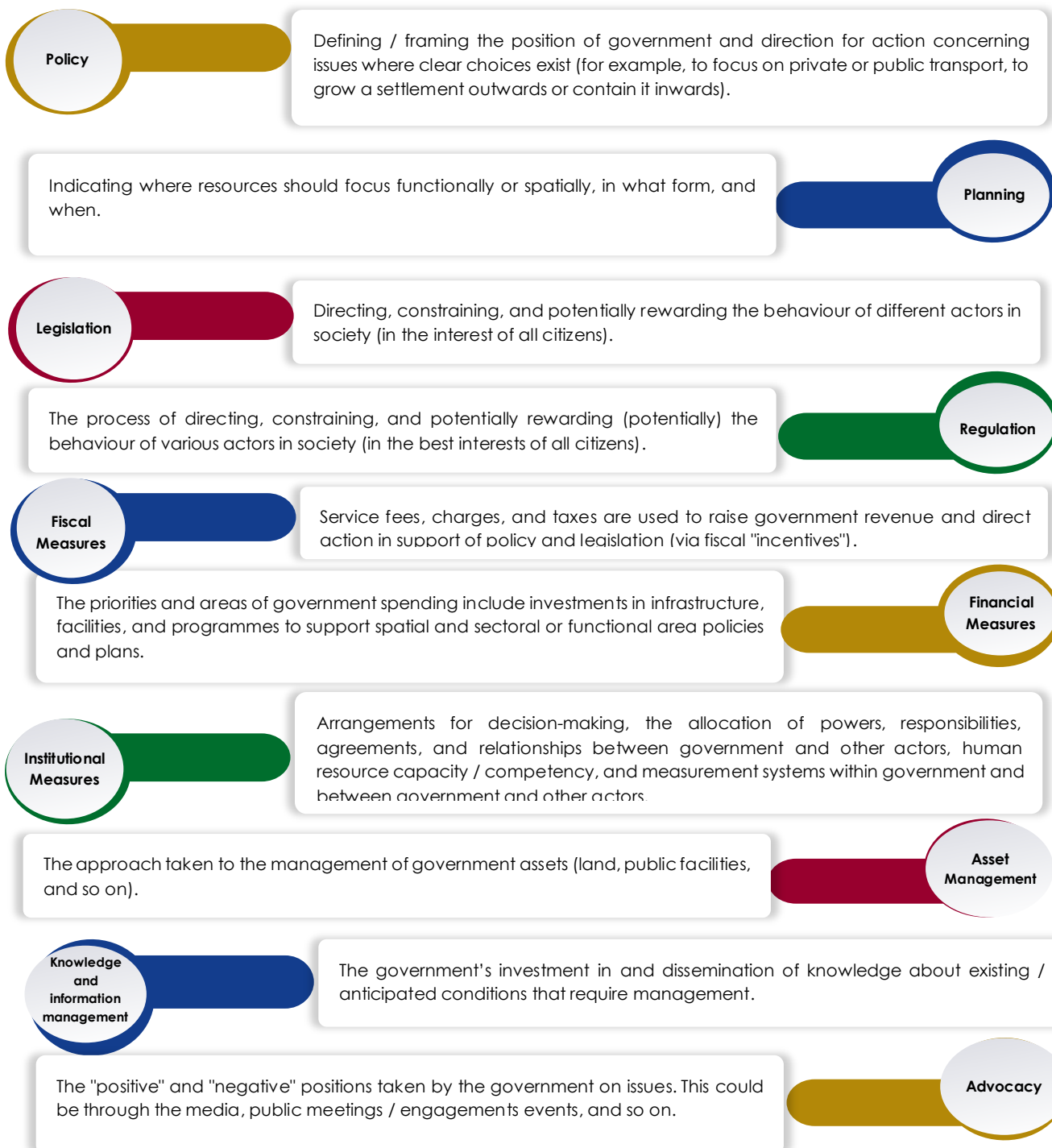
A component of community participation focuses on ward-based planning, where the desired outcome is to have a ward-based plan for each of the 23 wards. Ward-based plans are a form of participatory planning designed to promote community action with clear linkages to the IDP. These plans mobilise communities and citizens to take responsibility for their destinies and capture what communities see as their desired outcomes.

These plans also help to fast-track the implementation of the IDP. This ensures that the focus areas of the IDP become the collective responsibility of community members, ward councillors, ward committees, the business community, NGOs and CBOs, and all other stakeholders in the greater Stellenbosch.

Participatory processes present an opportunity for visionary local leaders to implement a shared agenda and show tangible and measurable results through collectively addressing the ward priorities.



1.2.4 THE TOOLS OF GOVERNANCE



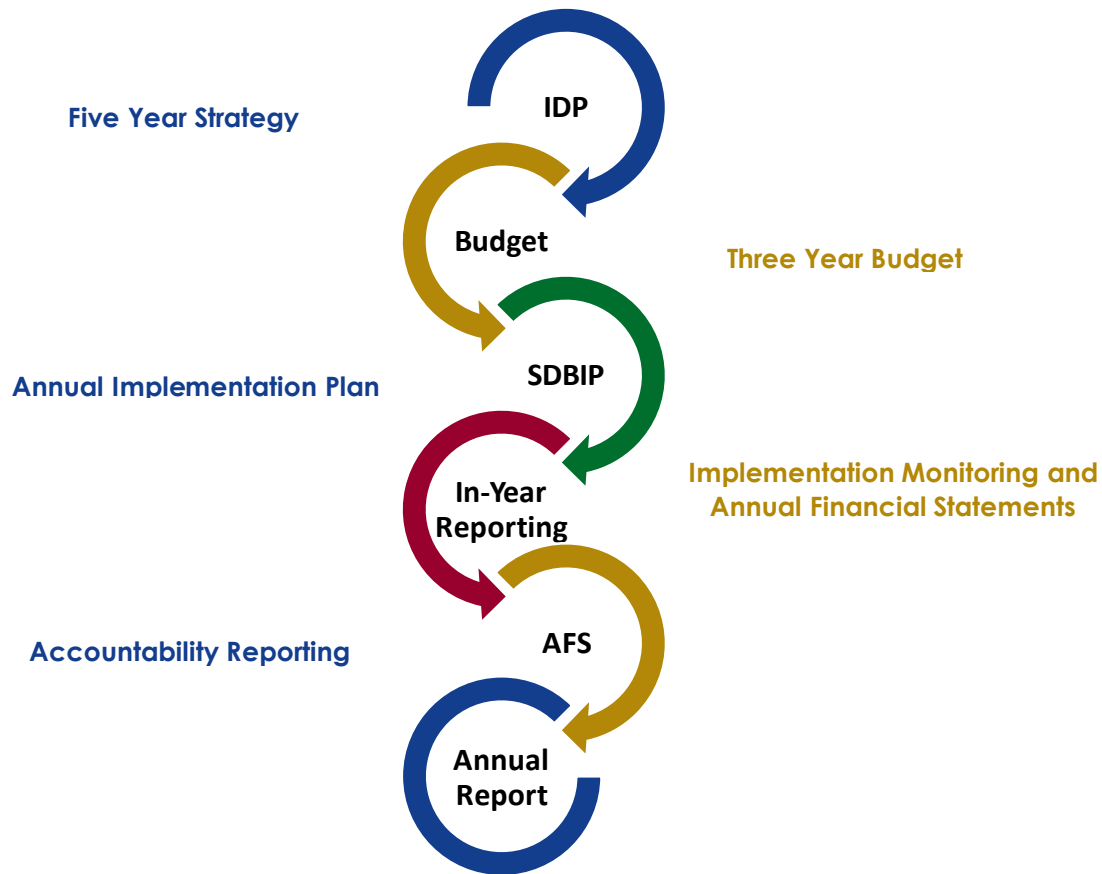
Planning techniques are used to bridge the gap between local experiential knowledge, the technical needs of strategy development, and the demand for strategic frameworks to be ready to cope with rapid decision-making to reduce the risk of unforeseen issues.

Through extensive, organised information-sharing and planning workshops, this procedure aims to establish a starting position about how to guide the development and administration of the town. The strategy becomes the overarching strategic framework, which is then built on with technical work.



To ensure that alignment between the Council's strategic processes is adhered to, the municipal accountability cycle needs to be implemented:

Figure 1: Accountability Process flow





1.2.5 State of the Greater Stellenbosch

Stellenbosch Municipality is located at the edge of the City of Cape Town but still manages to retain its distinct small-town character. This undoubtedly gives Stellenbosch a strong competitive advantage – sharply contrasting with similarly sized towns located 400 km or more from the nearest metropolitan municipality. Aside from being a mere 50 km from Cape Town's central business district (CBD) and being flanked by the N1 and N2 main routes, Stellenbosch is also just 30 km away from the sea (at Somerset West / Strand) and just a few kilometres from the breathtaking Boland mountain ranges. The municipal area covers approximately 900 km².

In addition, Stellenbosch is a mere 28 km from Cape Town International Airport, one of South Africa's top (air) links to the global economy, and not much further away from Cape Town harbour, the shipping portal to both the Atlantic and the Indian Oceans.

This convergence of environmental resources, scenic quality and business opportunities has two other mutually reinforcing spin-offs: The largest number of JSE-listed companies based in any small South African town have their headquarters in Stellenbosch and the town is home to a disproportionately high number of corporate CEOs and executives, which in turn means that it can sustain a comparatively high level of economic activity and consumer services for a town of its size. This results in other benefits throughout the value-add chain and for employment.

The municipality's area of jurisdiction includes the towns of Stellenbosch and Franschhoek, as well as several rural communities such as Wemmershoek, La Motte, De Novo, Kylemore, Pniël, Johannesdal, Lanquedoc, Groot Drakenstein, Muldersvlei, Klappmuts, Elsenburg, Raithby, Jamestown, Koelenhof and Vloffenburg (most with a population of less than 5 000). Apart from formal settlement areas, the municipal area also includes several informal settlements.

Stellenbosch town is the second oldest town in South Africa, dating back to 1679 when an island in the Eerste River was named Stellenbosch by the then Governor of the Cape, Simon van der Stel. The first farming activities in the area were started in 1679. Today, the area has become primarily known for its extraordinary wines and fruits. The towns of Stellenbosch and Franschhoek are renowned for various architectural styles such as the Cape Dutch, Georgian, and Victorian, which reflect their heritage and traditions, but also divisions of the past.

The area houses excellent educational institutions, including Stellenbosch University and several prestigious schools as well as Boland College. It has a strong business sector, varying from major South African businesses and corporations to smaller enterprises and home industries. The tourism industry alone is responsible for the creation of about 18 000 jobs in the area. Wine farms and cellars abound - the area is the home of the very first Wine Route in South Africa.

A variety of sports facilities are available. Coetzenburg, with its athletics and rugby stadiums, has delivered star performances over many generations. The municipal area is enriched with arts and culture landmarks, featuring facilities like the Adam Small Theatre, Oude Libertas Amphitheatre (famed for its summer performances of music, theatre, and dance), Spier Amphitheatre, Theatre on Dorp Street, and Aan de Braak Theatre.

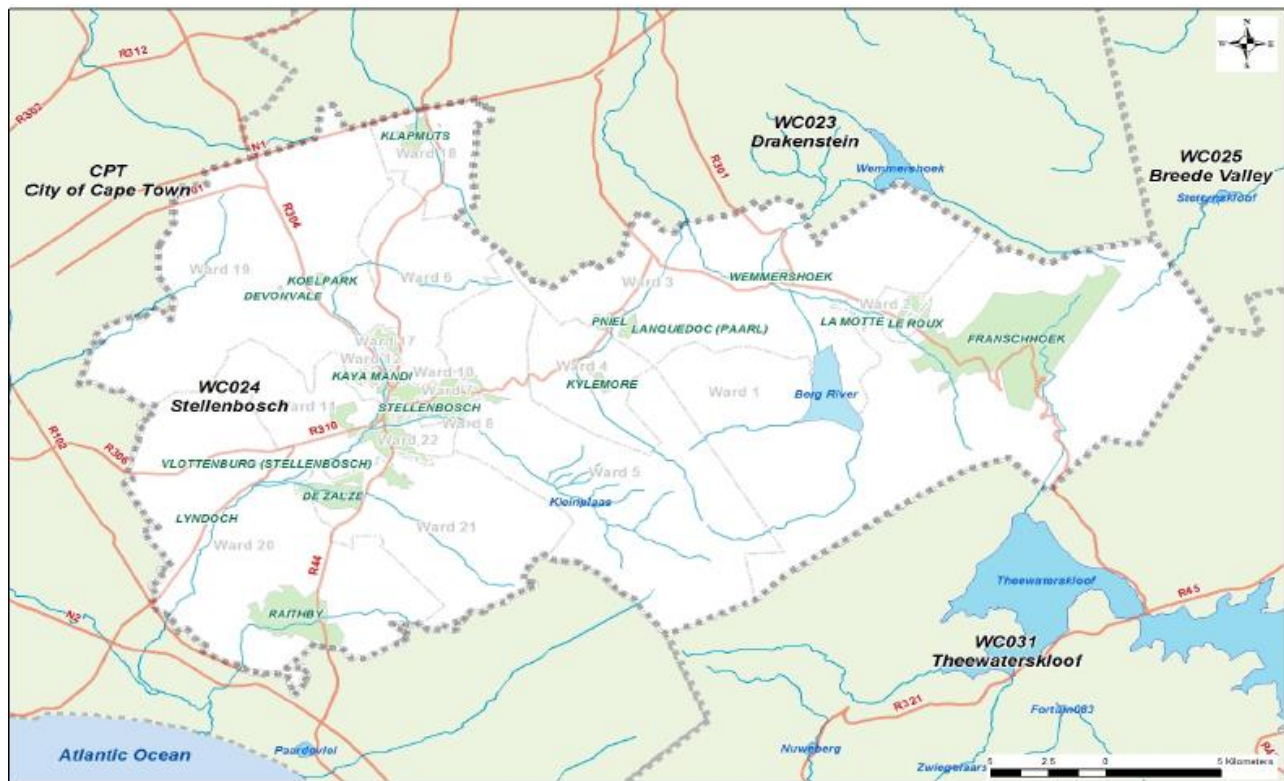


The following municipalities share their borders with Stellenbosch Municipality:

- The City of Cape Town (South);
Drakenstein Municipality (North);
Breede Valley Municipality (North-East); and
The Theewaterskloof Municipality (South-West).

Below is a map of the Stellenbosch Municipality's area of jurisdiction:

Map 1: Locality map of municipal boundaries





1.2.6 Ward Demarcation

The ward demarcation was structured according to the election outcomes on 01 November 2021 which increased from 22 to 23 wards for the year under review.

Table 2: Municipal Ward Demarcation

Ward	Areas
1	Mooiwater, Franschhoek Town and Surrounding Farms
2	Langrug, La Motte, Dennegeur, Groendal, Domaine des Anges, La Petit Provence and La Ferme Chantelle
3	Lanquedoc, Meerlust, Wemmershoek to La Motte Wine Farm and Leopards Leap Wine Farm, Maasdorp
4	Kylemore, Johannesdal, Pniël and Surrounding Farms
5	Ida's Valley (Hillside Village, La Gratitude Park (Kreefgat), The Ridge, La Roche, Lindida, Bloekomlaan (Moses / Martin) Lindley)
6	The Hydro, Rustenberg and Surrounding Farms, Kelsey Farm
7	Mostersdrift, Karindal, Rozendal, Uniepark, Simanswyk and Universiteitsoord
8	Stellenbosch University campus and university residence area; Coetzenburg, (partially:) Koloniesland, Victoria Street, Bosman Street, Noordwal East, Riebeck Street
9	Stellenbosch CBD, Part of the US campus (residential areas within both these areas), the Southern border is the Eerste River, the Northern border is Merriman Street, the Eastern border is Die Laan and the Western border is Bird Street
10	Tenantville, Lakay Street, Titus Street, Langsuid Street up to Lakay Street, Tennant Street, Lapan Street, Bell Street, Bird Street, La Colline (Dr Malan Street, Dan Pienaar Street, Paul Roos Street, Tobruk Park, Irene Park, La Colline Road, Conde Street, Taylor Street, Mount Albert Street), Kromrivier Road, Jan Celliers Street, Hammanshand, Ds Botha Street, Voorplein Street, Bird Street, Langenhoven Street, Du Toit Station, Ryneveld Street, Karee Street, Olienhout Street, Banghoek Rd, Acedemia, Bosman Street, Smuts Rd, Joubert Street, De Beer Rd, De Villiers Rd from Ryneveld Street to Cluver Rd on the left-hand side
11	Boundaries of the ward are: Kridge Rd, Herte Street, Skone Uitsig Rd onto Alexander Street onto Du Toit Street toward Merriman Avenue towards Adam Tas Rd onto George Blake Street, Mark Street, Distillery Rd, Santhagen Rd, Swawel Avenue, Kanarie Rd, Tarentaal Rd, Bokmakierie Rd, Fisant Rd, Devon Valley Rd, Kiewiet Rd, Dagbreek Rd, Pelikaan Street, Patrys Rd, Hammerkop Rd, Loeirie Rd, Muldersvlei Landgoed, and all areas in Onder Papegaaiberg and businesses
12	Kayamandi: Zone A George Blake Street, Chris Hani Drive, 10th and 13th Street, School Crescent, Snake Valley, Enkanini, Watergang, Watergang TRA 2 and Watergang Informal Settlements
13	Kayamandi: Zone A Masithandane Street, Zone J, Red Bricks, Zone K and L, Hostels, Dairy and University Hostels, Old Bricks Houses Red Roofs, Zwelitsha, Costaland
14	Kayamandi: Zone P, I, F, D and O, Costaland, Marikana, Watergang TRA 1, Smarties (Mgabadel Street), Monde Crescent
15	Kayamandi: Zone M, N, O, 4 th and 5 th Avenue, 10 th , 12 th and 14 th Street, Long Street, Retreat Street, Forest Drive
16	The borders are Tenant Rd, Long Street, Crombi Rd to the end of Gabriels Rd. Asalea Rd, 2nd Road, Noble Rd, Bailey Rd, Eike Street, Curry Street, Hoop Rd, Pansy Rd, West Rd, Laai Rd, Anthony Rd, Carriem Rd, Archilles Rd, Bergstedt Rd, Davidse Rd, Cupido Rd, Pearce Rd, Robyn Rd, Gonzalves Rd, Hercules Rd, Chippendale Rd, Afrika Rd, Arnolds Rd, September Rd, Jakaranda Street, Short Rd, Quarry Rd, Middle Rd, Primrose Street, Pine (Bo en Onder), North End, Vredelust, Gemsbok, Daffodil Single, Steps, Sylvia Street, Eiland Street, Last Street (White City), Frikadel Dorp, September Street
17	A part of Cloeteville (Lakay Rd towards Langstraat -Suid Rd, Kloof Street, Fir Street, Fontein Rd, Williams R towards Gabriels Rd towards February Rd, Valentyn Rd, Pool Rd, Raziet Rd, Ortell Rd, Rhode Rd, King Rd, Hine Rd, Hendrikse Rd, Rhode Rd), as well as Welgevonden, Green Oaks, Stellita Park, Weltevrede, Welgevonden Estate (Red Oak Rd, Belladonna Street, Wildeklawer Welgevonden Boulevard, Olive Rd, Sonnedou Rd, Mountain Silver Rd, Silver Oak Rd, Froetang Rd, Katbos Rd, Everlasting, Fynbos Street, Sourfig Street, Scarlet Cresnet, Pin Oak Street, Evergreen, Autumn Close, Nenta, Cherrywood, Candelabra, Froetang, Candelabra, Kouter, Protea Street, Minaret, Gooseberry, Honeybush), Klein Welgevonden (La Belle Vie, Chablis) and the Municipal Flats in Rhode, Kloof and Long Streets, Bertha Wines and Weltevreden Estate, 15 Weltevreden Estate.) The borders of the ward are the R44 Klapmuts Road and Long Streets.
18	Klapmuts Town Centre, Bennitsville, Weltevrede Park, Klapmuts New Houses, Mandela City and La Rochelle Informal Settlement, Klapmuts Farms (The Purple Windmill, Arra Vineyards, Hidden Gems Wines, Gravel Junction Wine and Spirits Company, Wine Estate Le Bonheur, Anura Vinyard, Dalewood Farms, Blueberry Bar, Klapmuts Transfer Station, Trophy SA, DKL Transport Pty, Welgelee Estate).

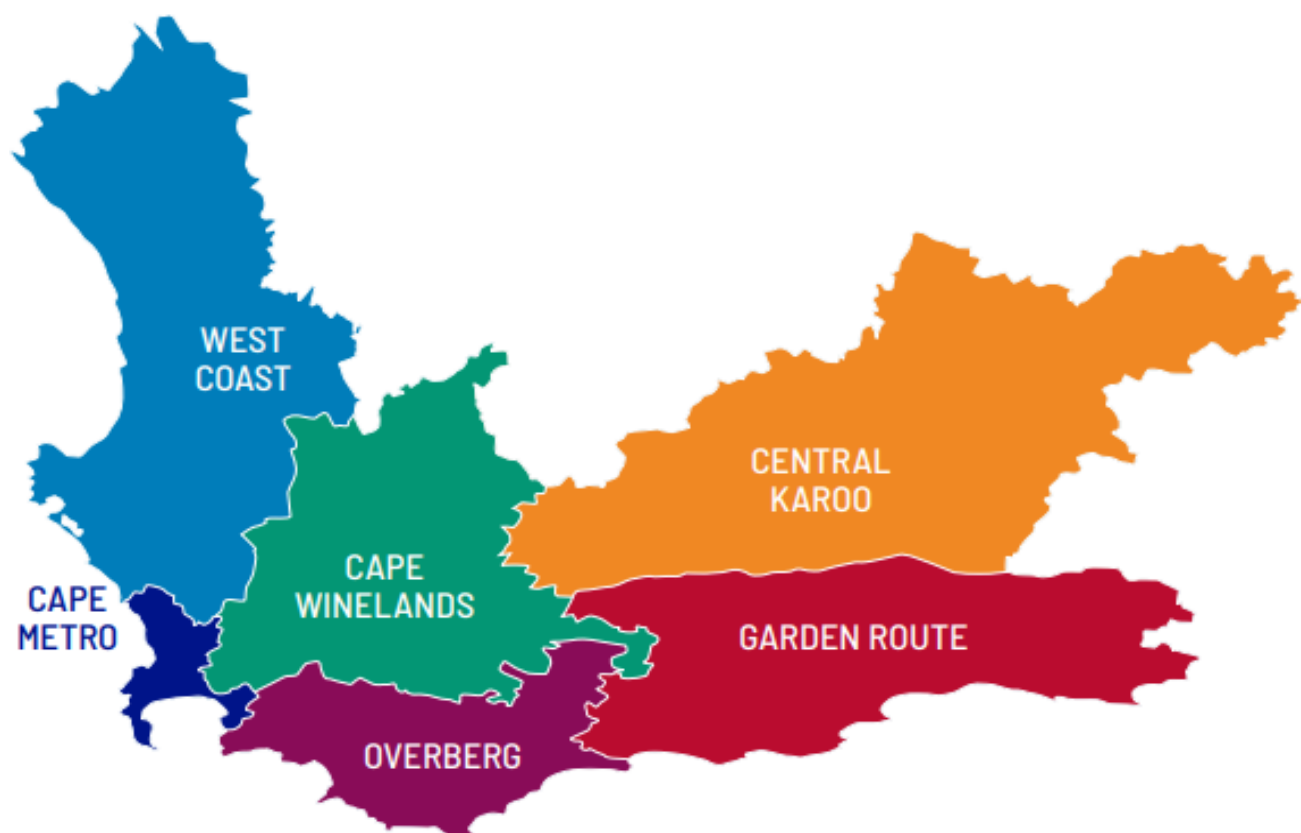


Ward	Areas
19	De Novo, Kromme Rhee, Vaaldraai, Muldersvlei, Koelenhof and surrounding Farms, Koelenhof Station, Slayley, Hunting, Koelenhof Farms, Poulter / Mariendahl, De Hoop, Nootgedacht Village, Bottelary and Surrounding Farms, De Waalshof, Weltevrede 1, Weltevrede 2, Smartie Town.
20	Vlottenberg, Raithby, Mooiberge, Lynedoch
21	Brandwacht Aan Rivier, Paradyskloof, Stellenbosch Golf Course, Blaauwklippen / Stellenzicht Farms, De Zalze, Jamestown, Mountainview, Stellenbosch Airfield
22	Die Boord, Dalsig, Brandwacht, Krigeville, Libertas Farm
23	Dorp Street, Krige, Hamman Street, Schroder Rd, Die Braak, Bird Street from Dorp Street, Dennesig area, Muller Rd, Banghoek Road, Reyneveld Street, Plankenburg Industrial area, and Kayamandi Corridor.

Source: Statistics South Africa and IEC

Below is a map of the Cape Winelands District concerning the provincial district boundaries:

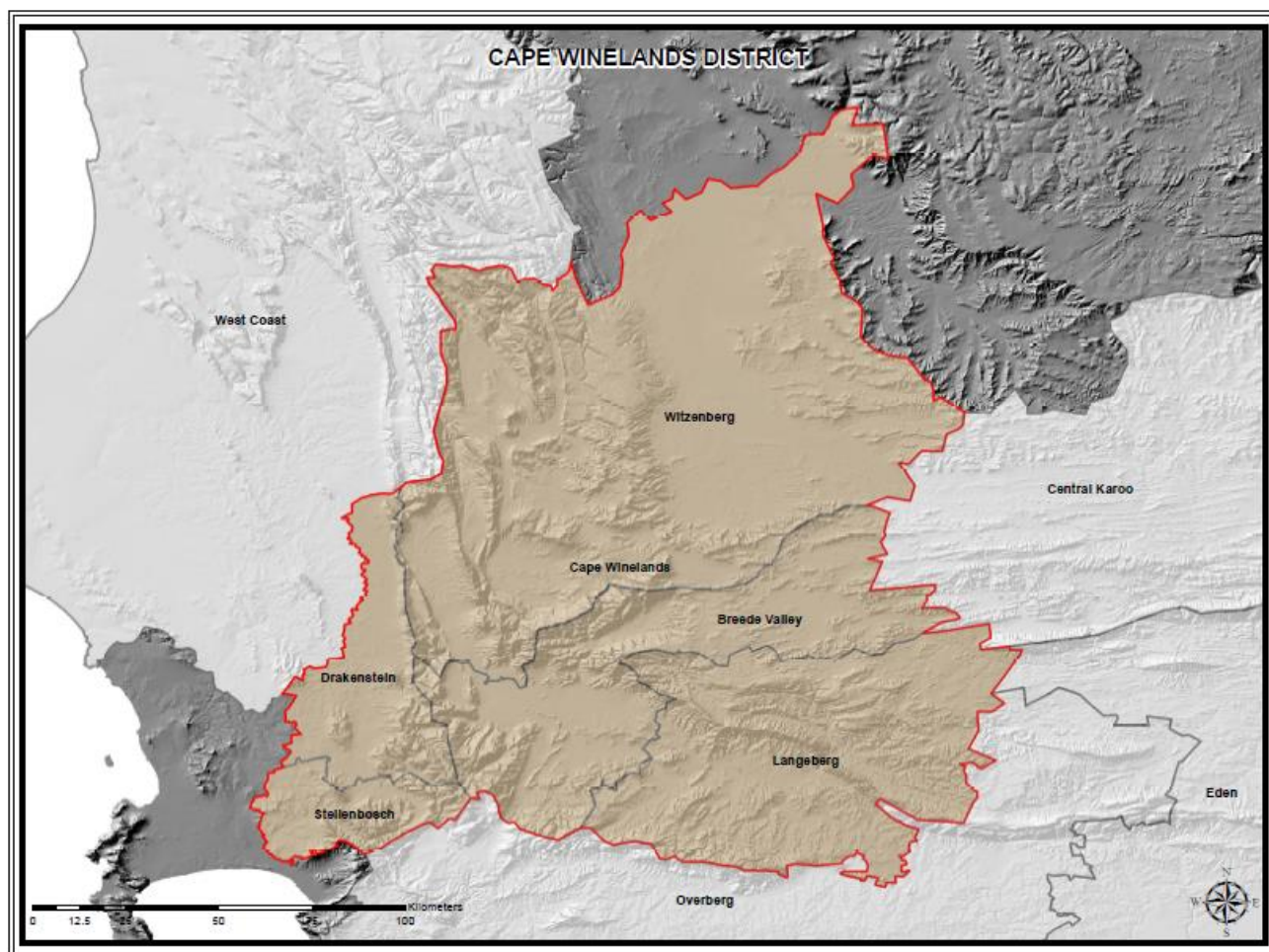
Map 2: Locality of Cape Winelands in relation to Provincial Boundaries





Below is a map of the municipalities of the Cape Winelands District:

Map 3: Locality map of Stellenbosch Municipality in relation to Cape Winelands District Boundaries



The Cape Winelands District Municipality is located close to the City of Cape Town, which offers excellent access to trade opportunities, routes, and infrastructure such as expanding broadband networks, an international airport (with direct flights to international cities), the second largest container port in the country, and a comprehensive road and rail network. This makes the Cape Winelands district ideally located as an investment destination. The Cape Winelands District municipal area incorporates Drakenstein, Stellenbosch, Breede Valley, Langeberg, and Witzenberg local municipalities.

1.2.7 Socio-Economic Context

The socio-economic information is primarily sourced from the census conducted by Statistics South Africa (Stats SA) for 2022, administrative data from sector departments, the Municipal Review and Outlook (MERO), Global Insight Regional Explorer and Quantec.

The GDPR performance, risk, and vulnerability factors can be read in detail within the Local Government Socio-economic Profile 2023 for the Stellenbosch municipal area.



1.2.8 DEMOGRAPHICAL OVERVIEW OF THE GREATER STELLENBOSCH AT A GLANCE

Table 3: Socio-economic summary

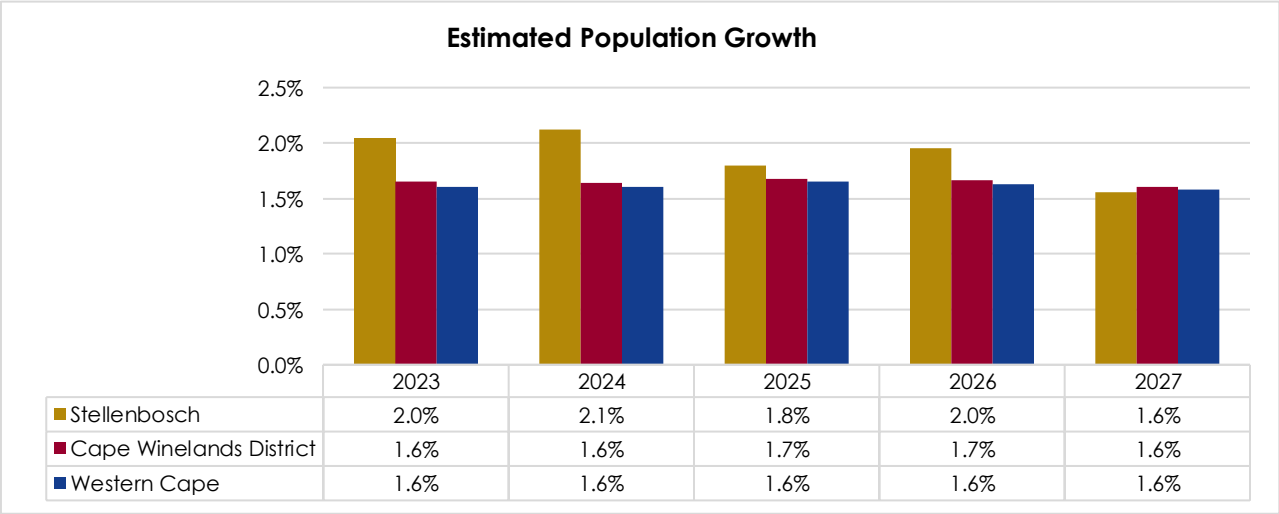
Population Estimates, 2022				Actual households, 2021	
	Population 175 411				Households 59 626
Education		2022	Poverty		2022
	Matric Pass Rate	84.7%		Gini-Coefficient	0.61
	Learner Retention Rate	82.0%		Poverty Head Count Ratio (UBPL)	66.68%
	Learner-Teacher Ratio	26.7			
Health					2021/22
	Primary Health Care Facilities	Immunisation Rate	Maternal Mortality Ratio (per 100 000 live births)	Teenage Pregnancies – Delivery rate to women U/18	
	8 (excl. mobile / satellite clinics)	64.5%	60.2	12.5%	
Safety and Security		The annual number of reported cases in 2022/23			
	Residential Burglaries	DUI	Drug-related Crimes	Murder	Sexual Offences
	869	251	1 463	77	207
Access to Basic Service Delivery		Percentage of households with access to basic services, 2022/23			
Water in dwelling		Refuse Removal	Electricity	Sanitation	Housing
86.4%		87.3% 	96.9% 	96.8% 	87.3% 
Road Safety 2021/22		Labour, 2023		Socio-economic Risks	
Fatal Crashes	31	Unemployment Rate		Risk 1	Job losses
Road User Fatalities	39	(narrow definition)		Risk 2	Low learner retention
		15.2%		Risk 3	Low skills base (Labour)
Largest 3 sectors			Contribution to GDP, 2020		
Finance, insurance, real estate, and business services		Wholesale and retail trade, catering and accommodation		Manufacturing	
25.7%		18.1%		17.2%	

Source: Western Cape Local Government Social-Economic Profile 2022 and 2023 (Stellenbosch Municipality)
Statistics South Africa 2022

1.2.8.1 Population Growth and Household

In 2022, the Stellenbosch municipal area, a prominent region within the Cape Winelands, accommodated 21 per cent of the area's population, totalling **175 411** individuals. Projections indicate a steady rise, estimating a population of **192 951** residents by 2027, marking an average annual population growth rate of 2.0 per cent during this period. This growth rate surpasses the Cape Winelands District's average annual population growth rate of 1.7 per cent by 0.3 percentage points. The socio-economic implications of this demographic shift are multifaceted, impacting various sectors including housing, employment, and education within the region.

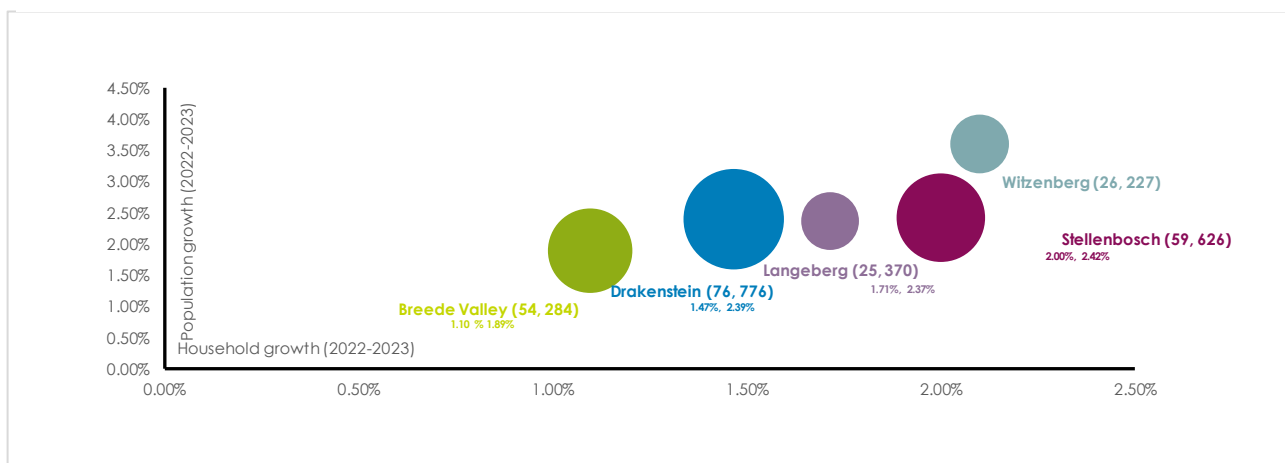
Graph 1: Estimated Population Growth



Source: Western Cape Local Government Social-Economic Profile 2022 and 2023 (Stellenbosch Municipality)
Statistics South Africa 2022

Household size refers to the number of people per household.

The average size of households is expected to remain at an average of 2.9 individuals from 2022 to 2026. The trend of average household size could be attributed to a wide range of factors, including but not limited to underlying socio-economic factors like patterns in employment opportunities, educational access, and housing market dynamics that shape this trend.

**Graph 2: Population and HH Growth**

1.2.8.2 Population and Urbanisation Density

Population density is a vital metric, quantifying the number of individuals residing in a specific area. It is influenced by various factors such as economic conditions, social dynamics, connectivity, and accessibility, shaping the concentration of people within a defined region.

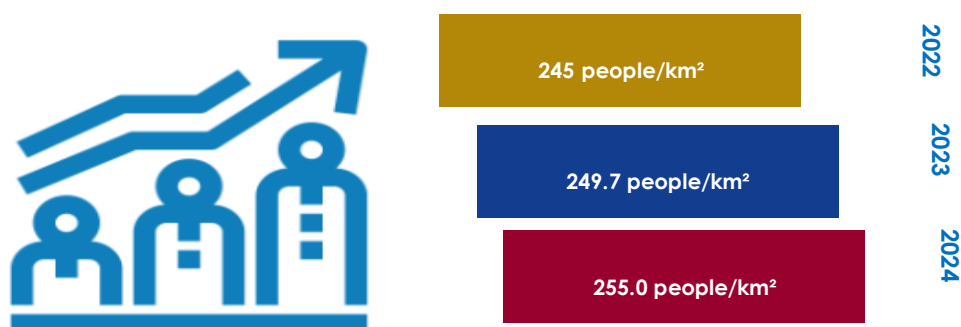
Amidst rapid urbanisation across the Western Cape, population density figures will aid public sector decision-makers in mitigating environmental, health, and service delivery risks. In 2022, the population density for WC024 was 245 recorded persons per square kilometre.

In order of highest to lowest, the table and figure depict the various local municipal areas compared as follows:

Table 4: Urbanisation Density per people/km²

Rapid Urbanisation density	Stellenbosch	Drakenstein	Breede Valley	Langeberg	Witzenberg
Population Density per people/km ²	245	194	51	27	14

Source: Western Cape Local Government Social-Economic Profile 2023 (Stellenbosch Municipality) Statistics South Africa 2022

Figure 2: Urbanisation Density within WC024

Source: Western Cape Local Government Social-Economic Profile 2023 (Stellenbosch Municipality) Statistics South Africa 2022



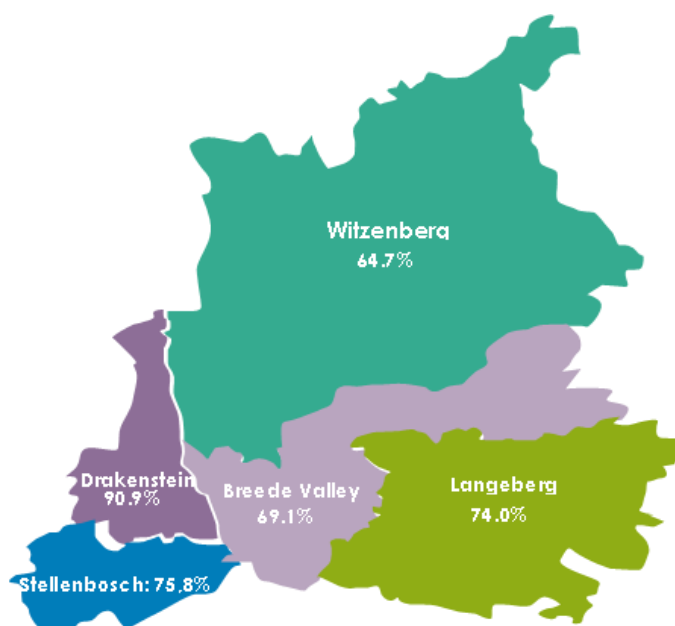
According to the above comparison, Stellenbosch has the highest density in the Cape Winelands District. This is helped a lot by the fact that the Municipal Spatial Development Framework (MSDF) says that urban development should stay within the limits of the urban edge.

The Stellenbosch Local Municipality **Map 4: Urbanisation trend**

displays a significant urbanisation trend, with approximately 75.8 per cent of its population residing in urban areas. Out of a total population of around 200 000, roughly 50 000 individuals inhabit rurally classified regions, representing a quarter of the total populace.

Within the urban landscape, the greater Stellenbosch area accommodates approximately 100 000 residents, distributed across various suburbs, including Kayamandi (40 000 inhabitants), Stellenbosch town (over 22 000 residents), Cloetesville, Ida's Valley, and others.

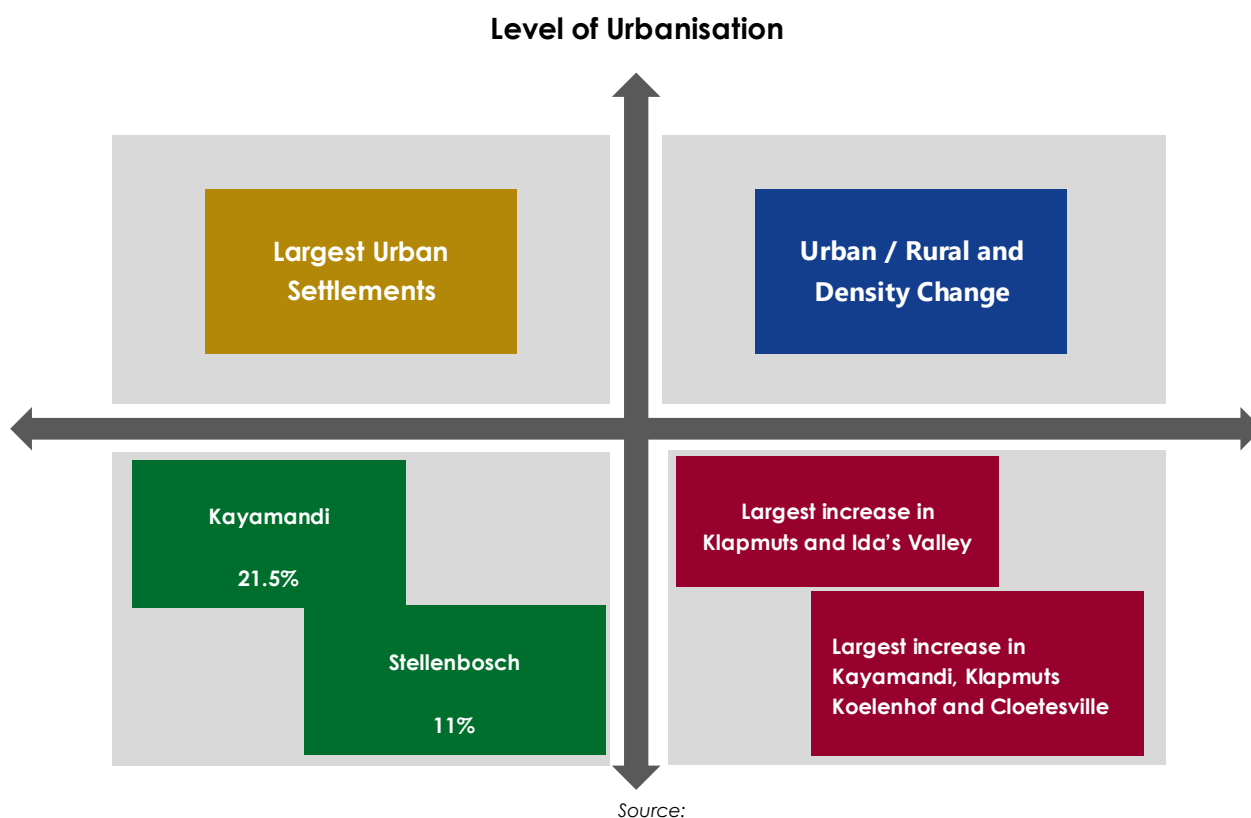
Noteworthy urbanisation growth has been observed in specific areas such as Klappmuts, Ida's Valley, Koelenhof, Cloetesville, Paradyskloof, and Franschhoek, while a population decline has been noted in Dalsig.



The relatively modest change in urbanisation percentage between 2001 and 2021 can be attributed to several factors. Despite a population increase from 30 000 to 50 000 in rural regions, the proportion it represented remained relatively stable during this period. Although Kayamandi contributes significantly to the urban population, its relative share has diminished due to the substantial growth in smaller suburbs and locations, including Klappmuts, Ida's Valley, and Paradyskloof, among others. The urban edge surrounding Kayamandi is under pressure, raising concerns about potential population overflow into rural areas and necessitating further verification and quantification. It is important to note that the demarcation of suburb boundaries in Stellenbosch complicates the comparison of urbanisation trends, requiring possible regrouping for accurate analysis. This nuanced understanding of urban and rural dynamics is crucial for informed socio-economic planning and development initiatives within the Stellenbosch municipality.



Figure 3: Level of urbanisation



Western Cape Local Government Social-Economic Profile 2023 (Stellenbosch Municipality) Statistics South Africa 2022

1.2.8.3 Racial Split

The race dynamics in the Stellenbosch municipal area present a diverse demographic landscape. The population comprises Black African individuals, accounting for 37.0 per cent of the total, and the Coloured community, constituting 37.8 per cent. White residents make up 23.3 per cent of the population, while individuals categorised as Indian / Asian represent a smaller proportion at 0.5 per cent.

This cross-analysis highlights the intricate racial composition within the Stellenbosch community, underscoring the significance of cultural diversity and its potential impact on economic and social interactions.

The table and graph below indicate the ratio split within the Cape Winelands District.

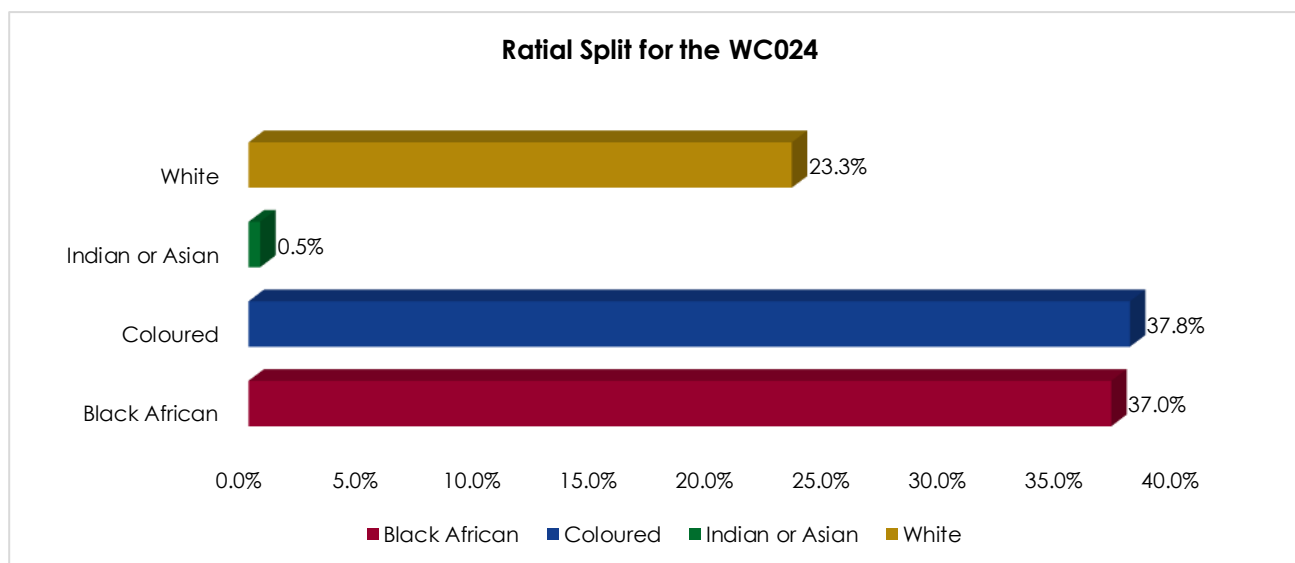
Table 5: Racial Split

Race	Cape Winelands	Witzenberg	Drakenstein	Stellenbosch	Breede Valley	Langeberg
Black African	28.2%	30.1%	27.6%	37.0%	29.1%	19.4%
Coloured	61.8%	64.1%	61.8%	37.8%	62.3%	70.6%
Indian or Asian	0.4%	0.2%	0.4%	0.5%	0.5%	0.3%
White	9.6%	5.7%	10.2%	23.3%	8.1%	9.6%

Source: Western Cape Local Government Social-Economic Profile 2023 (Stellenbosch Municipality) Statistics South Africa 2022



Graph 3: Racial split for the WC024



Source: Western Cape Local Government Social-Economic Profile 2023 and Statistics South Africa 2022

1.2.8.4 Gender Ratio

According to Stats SA, the Stellenbosch municipal area presented a gender ratio of 94.2, indicating that there are 94.2 men for every 100 women in the population. This ratio translates to 48.5 per cent males and 51.5 per cent females.

The slight increase in the ratio observed towards 2023 suggests a potential influx of working males to the area or a rise in female mortality rates. This demographic shift carries significant socio-economic implications, as it impacts workforce dynamics and social structures within the municipal area.

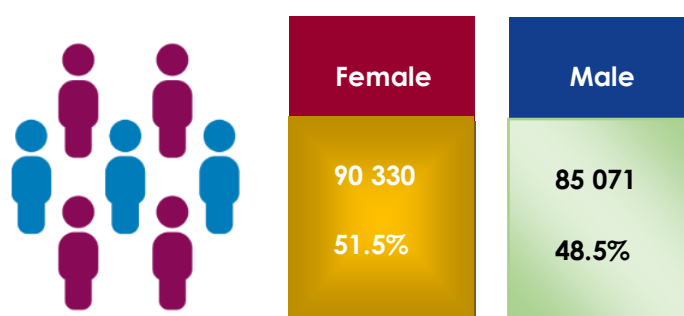
The table and figure below reflect the gender ratio within the Stellenbosch municipal area.

Table 6: Gender Ratio

Year	Cape Winelands	Witzenberg	Drakenstein	Stellenbosch	Breede Valley	Langeberg
2022	94.1	97.7	93.8	94.2	93.3	92.7
2023	98.7	110.0	98.4	96.2	94.4	96.9
2024	98.8	110.3	98.5	96.3	94.4	97.0
2025	98.9	110.6	98.6	96.3	94.3	97.1
2026	99.0	110.3	98.9	96.3	94.3	97.4

Source: Western Cape Local Government Social-Economic Profile 2023 and Statistics South Africa 2022

Figure 4: Ratio of % Females and Males

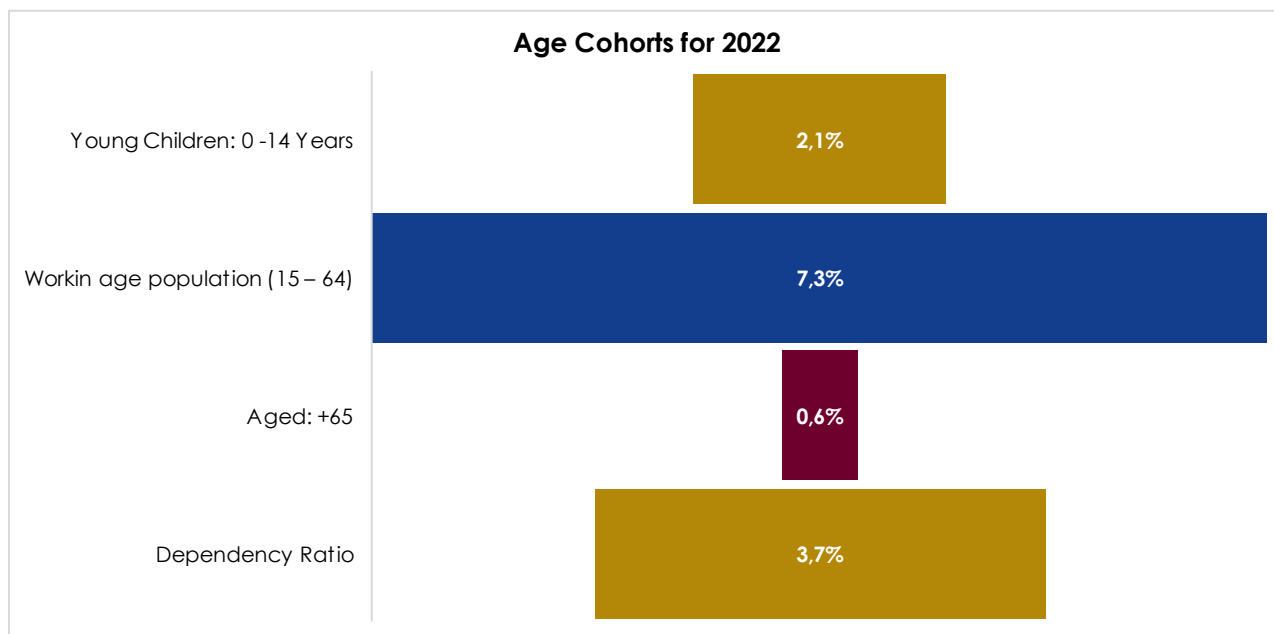




1.2.8.5 Age Cohorts

Within the Stellenbosch municipal area, a distinct age composition was apparent in 2022. The youth population was the largest, accounting for a substantial 73.1 per cent of residents.

Figure 5: Age Cohorts



Source: Western Cape Local Government Social-Economic Profile 2022 and 2023 (Stellenbosch Municipality)

Statistics South Africa 2022

1.2.8.6 Education

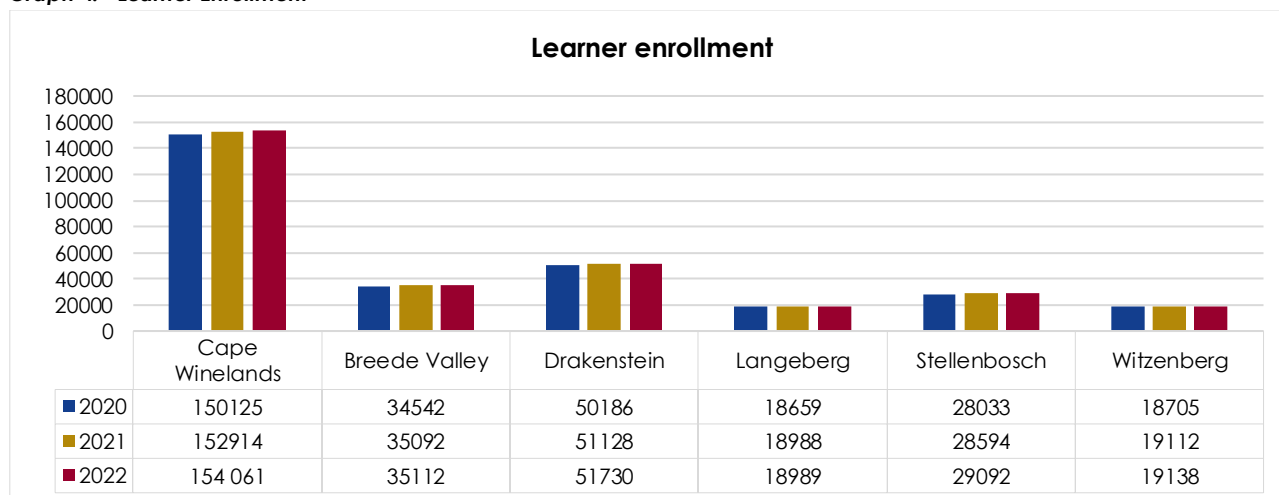
The socio-economic impact of education within municipalities is profound and complex, touching various aspects of community development and individual well-being. Quality education equips individuals with essential skills, knowledge, and critical thinking abilities, empowering them to participate meaningfully in the local economy. As the educational attainment level rises within a municipality, there is a corresponding increase in employment opportunities and higher earning potential for residents. Additionally, an educated workforce attracts investments and industries, fostering economic growth and stability. Education also plays a pivotal role in reducing poverty and promoting social equity by breaking the cycle of intergenerational poverty.

All the data below are sourced from the Local Government Socio-economic Profile 2023 for the Stellenbosch municipal area.

The learner enrollment, learner-teacher ratio, and learner retention rate

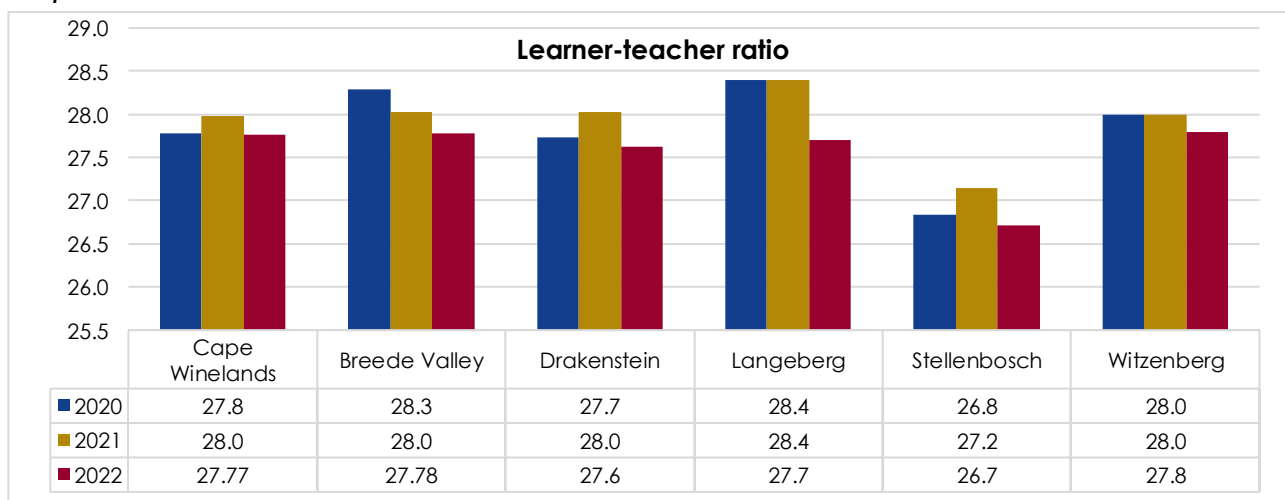
Learner enrollment in Stellenbosch experienced a notable surge from 28 033 enrolments in 2020 to 29 092 in 2022 which reflects an increase of 1 059 learners. It is evident that educational growth depicts a positive socio-economic trend within the region, presenting an enhanced emphasis on education and potentially indicating improved access to educational facilities.

The graphs below depict the learner enrollments, learner-teacher ratio, and learner retention from 2020 to 2022.

**Graph 4: Learner Enrollment**

It is crucial to establish healthy learner-teacher ratios to see the schools' capacity to accommodate the students. Lower learner-teacher ratios are associated with enhanced teacher-student interaction, fostering better-quality education. The 2022 Schools Realities Publications emphasise that government-paid teachers face high learner-teacher ratios, indicating larger class sizes. Despite a minor decrease from 26.8 students per teacher in 2020 to 26.6 in 2022, the ratio remains within the recommended range of 35:1 to 40:1.

This suggests relatively uncrowded classrooms, aligning with established standards and ensuring a conducive learning environment, ultimately impacting the socio-economic landscape positively.

Graph 5: Learner-teacher ratio

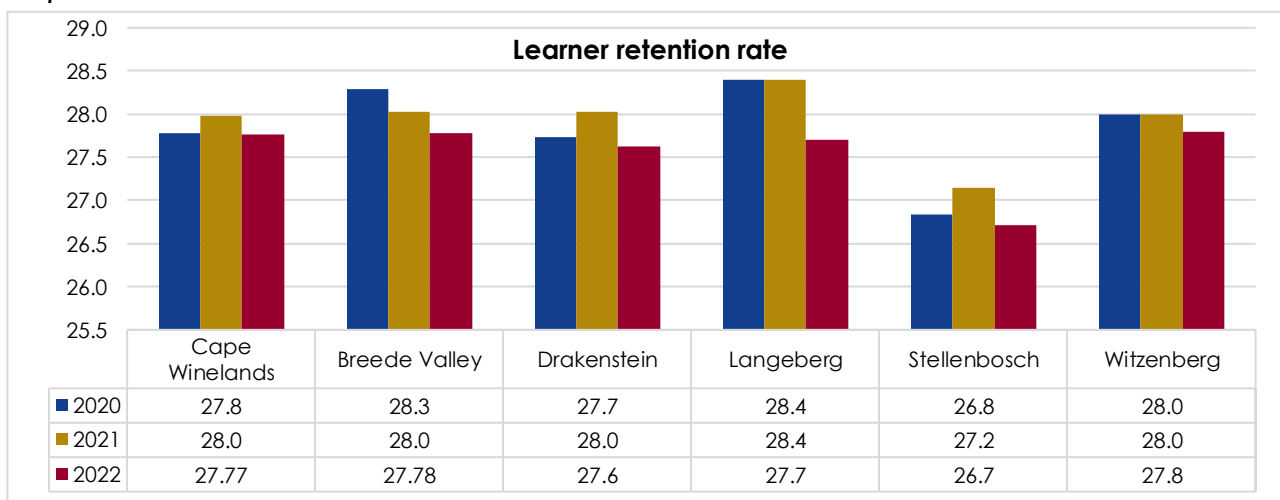
The learner retention rate measures the proportion of learners in Grade 12 who remained in Grade 10 two years prior. This can reflect essential socio-economic factors and personal circumstances that have a significant impact on education.

The inverse of the learner-retention rate is commonly referred to as the drop-out rate. The learner retention rates are influenced by a wide array of factors, including low socio-economic background, student attitudes towards education, overcrowded classrooms, critical thinking skills, study skills and other personal circumstances which can make it difficult for the learner to focus on education. Despite the learner retention rate progressing in the Stellenbosch municipal area improving from 79.1 per cent in 2021 to 82 per cent in 2022, 18 per cent of the learners did not complete their studies.



Addressing these factors is necessary for encouraging a more conducive learning environment, ensuring higher retention rates, and ultimately enhancing the region's overall socio-economic landscape.

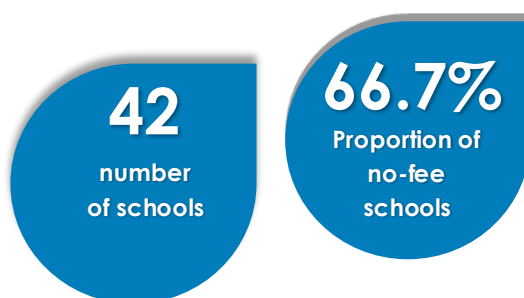
Graph 6: Learner retention rate



Education Infrastructure and Facilities

The number of schools within the Stellenbosch municipal area is recorded at 42 in 2022. Over the Medium-Term Expenditure Framework (MTEF), a substantial budget has been allocated for vital upgrades, additions, and the construction of new facilities in specific schools. This allocation is slated for use in enhancing the infrastructure of key educational institutions, including Aviation, Elsenburg Agri School, New Klapmuts Primary and High Schools, and New Stellenbosch Primary School. Such investments signify a proactive approach to bolstering the educational landscape, fostering an environment conducive to quality learning.

The proportion of no-fee schools in the Stellenbosch municipal area remains at 66.7 per cent in 2022.



The provision of library facilities within schools emerges as a crucial factor in narrowing the academic achievement gap, granting students access to valuable information and directly correlating with improved educational outcomes, whereby 71.4 per cent are equipped with libraries.

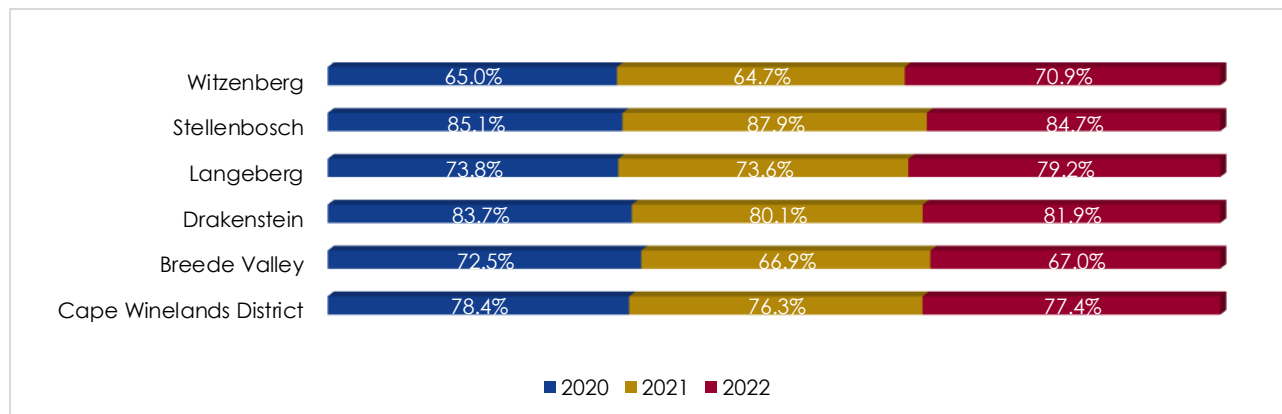
Education Outcomes

Education remains one of the key avenues through which the state is involved in the economy. In preparing individuals for future engagement in the labour market, policy choices and decisions in the sphere of education play a critical role in determining the extent to which future economic and poverty reduction plans can be realised.



The graph below depicts the Matric pass rates from 2020 to 2022.

Graph 7: Education Outcomes



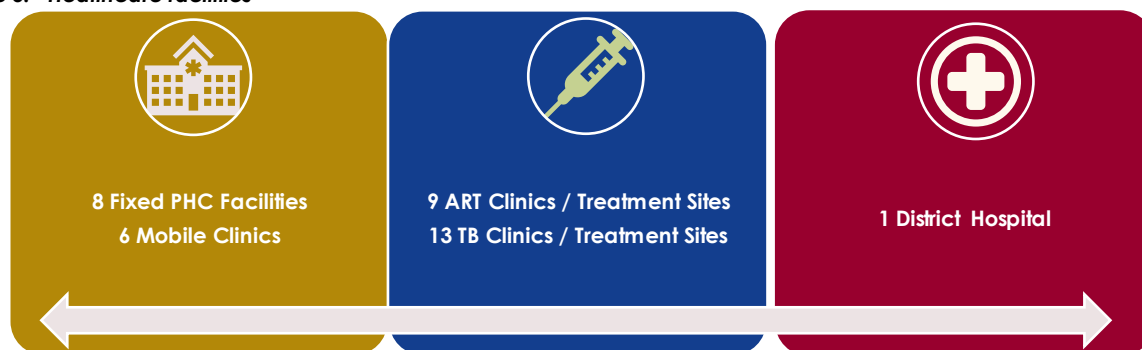
1.2.8.7 Healthcare Facilities

According to the LGSEP 2023, the Stellenbosch municipal area had 8 fixed primary healthcare facilities, comprising 7 fixed clinics, 1 community day centre as well as 6 mobile / satellite clinics. In addition to these primary healthcare facilities, there is one district hospital, 9 ART treatment sites and 13 TB clinics. The municipal area has 14 out of the 78 primary healthcare facilities within the Cape Winelands District.

All the data below are sourced from the Local Government Socio-economic Profile 2023 for the Stellenbosch Municipal area and Department of Health.

The figure depicts the total healthcare facilities.

Figure 6: Healthcare facilities

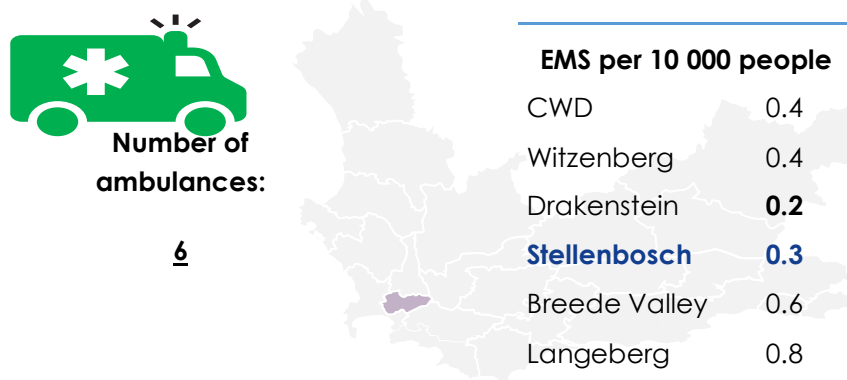


Emergency Medical Services

The provision of more operational ambulances can provide greater coverage for emergency medical services. This number below only refers to provincial ambulances and excludes all private service providers, and it remained unchanged between 2021/22 and 2022/23.



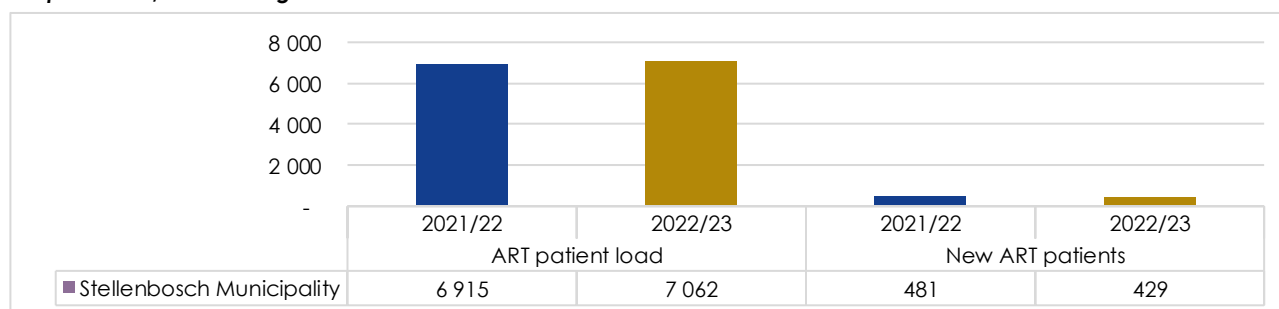
Figure 7: EMS



HIV / AIDS and TB

The number of patients adhering to their ART treatment plans in the municipal area showed a slight increase, from 6 915 registered patients in 2021/22 to 7 062 in 2022/23, while the number of new patients receiving ART declined from 481 to 429 during the same period. Similarly, the number of registered patients receiving TB treatment exhibited an average annual decrease of 9.7 per cent between 2021/22 and 2022/23.

Graph 8: HIV/AIDS Management



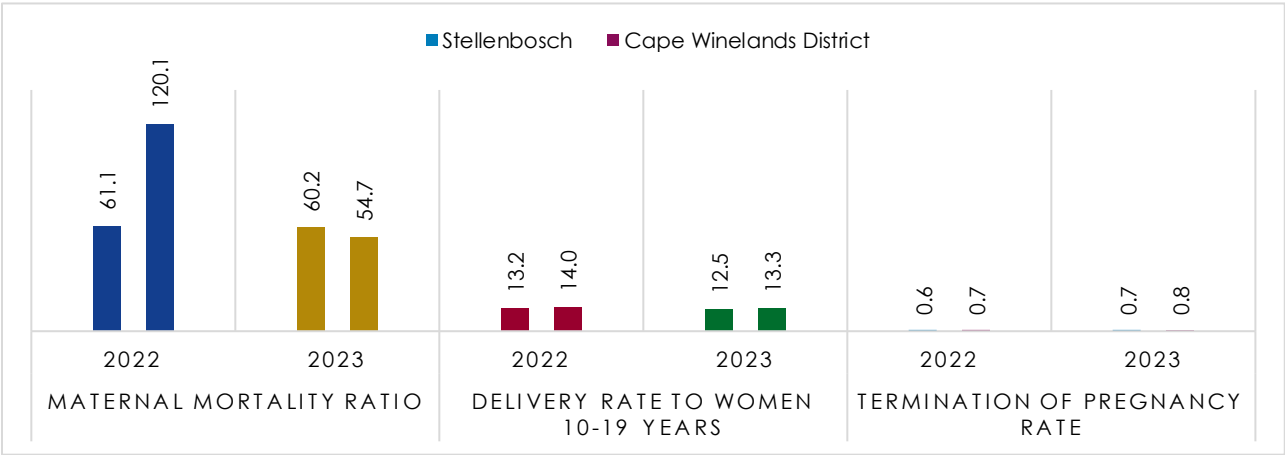
Child Health

The immunisation coverage rate for children under the age of one in the municipal area worsened from 73.3 per cent to 64.5 per cent between 2021/22 and 2022/23. The overall Child Welfare and Development (CWD) rate also showed improvement, rising from 60.6 per cent to 62.2 per cent. However, there was a notable increase in malnourished children under the age of five, with severe acute malnutrition rising from 1.5 to 1.6 per 100 000 people between 2021/22 and 2022/23.

The CWD also increased from 1.8 per cent to 2.2 per cent while the provincial average changed from 0.9 to 1.3 per cent. The neonatal mortality rate (deaths per 1 000 live births before 28 days of life) for the municipal area declined from 6.3 in 2020/21 to 3.1 in 2021/22. The rate was still notably below the CWD average of 8.0. A total of 9.8 per cent of all babies born in a facility in the municipal area in 2021/22 weighed less than 2 500 grams, indicating possible challenges with long-term maternal malnutrition and poor health care during pregnancy.

Maternal Health

Graph 9: Maternal health



In 2021/22, the Stellenbosch municipal area recorded the lowest number of maternal deaths (61.1 per cent) and teenage pregnancies (13.2 per cent) in the CWD, however, this increased to 61.1 per cent (maternal deaths) and 13.2 per cent (teenage pregnancies) in 2021/22.

However, these numbers decreased to 60.2 per cent for maternal deaths and 12.5 per cent for teenage pregnancies in 2022/23. Meanwhile, the termination of pregnancy rate remained steady at 0.7 per cent during this period.



1.2.8.8 Safety and Security

All the data below are sourced from the Local Government Socio-economic Profile 2023 for the Stellenbosch Municipal area.

The dashboard below gives a snippet of the safety and security cases within the Cape Winelands Region:

Figure 8: Actual Numbers of reported crime



Government Social-Economic Profile 2022 and 2023 (Stellenbosch Municipality) and Department of Health

Drug-related Offences

Drug-related crimes refer to the situation where the perpetrator is found to have, been under the influence of, or selling illegal drugs.

Drug-related crime within the Stellenbosch area increased from 1 224 cases in 2021/22 to 1 463 cases in 2022/23. The Cape Winelands District's drug-related offences surged from 6 047 in 2021/22 to 6 783 in 2022/23. When considering the rate per 100 000 people, with 734 drug-related offences per 100 000 people in 2022/23, the Stellenbosch area's rate is above the district's rate of 700 per 100 000 population.

Murder

Murder is defined as the unlawful and intentional killing of another person.

Within the Stellenbosch area, the number of murders de-escalated from 90 cases in 2021/22, reaching 77 cases in 2022/23. The Stellenbosch municipal area's murder rate (per 100 000 people) decreased from 46 in 2021/22 to 38 in 2022/23, reflecting a similar trend in the Cape Winelands District, where the rate increased from 45 to 41 for the same period.



Sexual Offences

Sexual offences include rape (updated to the new definition of rape to provide for the inclusion of male rape), sex work, pornography, public indecency, and human trafficking.

In 2022/23, there were 207 sexual offences in the Stellenbosch area, compared to 989 reported cases in the Cape Winelands District. The incidence of sexual offences (per 100 000 people) in the Stellenbosch municipal area (104) was higher than that of the district (102) in 2022/23.

Driving under the influence (DUI)

A situation where the driver of a vehicle is found to be over the legal blood alcohol limit.

The number of cases of driving under the influence of alcohol or drugs in the Stellenbosch area declined from 262 in 2021/22 to 251 in 2022/23. This translates into a rate of 126 per 100 000 people in 2022/23, which is above the district's 79 per 100 000 people.

Residential Burglaries

The unlawful entry of a residential structure with the intent to commit a crime, usually theft.

Stellenbosch's rate of 436 residential burglaries per 100 000 people, which is well below the district's rate of 453 for 2022/23, indicates that the targeted strategies that were implicated to address these crime rates improved the safety and security in the community.

Common Assault

In Stellenbosch, the crime rate per 100 000 people for common assault showed a concerning upward trend with 510 reported incidents per 100 000 people, which increased from 527 in 2021/22 to 557 in 2022/23. This escalation in common assault cases per capita suggests a challenging security environment, which could potentially have socio-economic implications. Addressing this rising trend is vital to ensuring the safety and well-being of the community and fostering a secure environment for residents, businesses, and investors. Implementing effective crime prevention measures and community outreach initiatives may be essential to reversing this trend and creating a safer atmosphere conducive to economic growth and development.

Commercial Crime

In Stellenbosch, the crime rate per 100 000 people for commercial crime showed a steady upward trend over the analysed period. In 2020/21, there were 340 reported incidents per 100 000 people, which increased slightly to 443 in 2021/22 but then increased significantly to 528 in 2022/23. This fluctuation in commercial crime rates could indicate varying challenges faced by local businesses and law enforcement in combating economic offences. Addressing this issue is crucial as it directly impacts the business environment, investor confidence, and the overall economic stability of the municipality. Implementing robust measures to combat commercial crimes, such as fraud and embezzlement, is essential for fostering a secure and trustworthy business environment, supporting economic growth, and attracting investments in the Stellenbosch municipal area.



Damage to Property

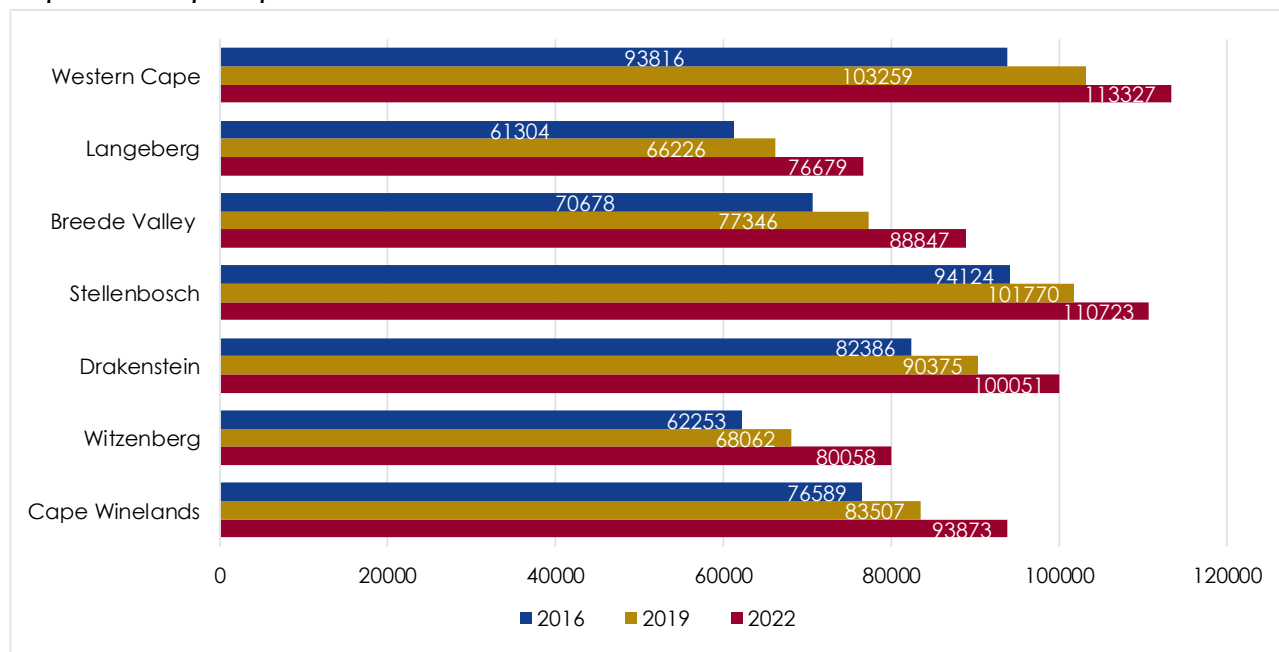
A stable atmosphere is conducive to economic growth and development in Stellenbosch. In Stellenbosch, the crime rate per 100 000 people for malicious damage to property demonstrated a consistent downward trend over the analysed period. In 2020/21, there were 434 reported incidents per 100 000 people, which decreased to 414 in 2021/22 and slightly increased to 419 in 2022/23. This fluctuation indicates a positive development in addressing property damage-related crimes in the area. Lower incidents of malicious damage to property contribute to a more secure environment, instilling confidence in residents and potential investors, which can positively impact the socio-economic landscape. This trend reflects efforts to maintain public safety, enhance security measures, and promote business confidence across the municipality.

1.2.8.9 Poverty

GDPR Per Capita

In terms of Gross Domestic Product per capita (GDPR), an increase is only witnessed when economic growth surpasses population growth. According to the LGSEP 2023, the real GDPR per capita was R93 873, indicating that the Stellenbosch municipal area has grown significantly with a per capita income of R110 7, marking the highest figure in the Cape Winelands District for 2022. All the data below are sourced from the Local Government Socio-economic Profile 2023 for the Stellenbosch Municipal area.

Graph 10: GDPR per capita



Source: Western Cape Local Government Social-Economic Profile 2022 and 2023 (Stellenbosch Municipality)

Despite a moderate regression in the period between 2016 and 2022, this highlights the municipality's robust economic potential, particularly noteworthy considering the recent economic challenges posed by the recession and the global COVID-19 pandemic, which impacted economic activities regionally and globally.

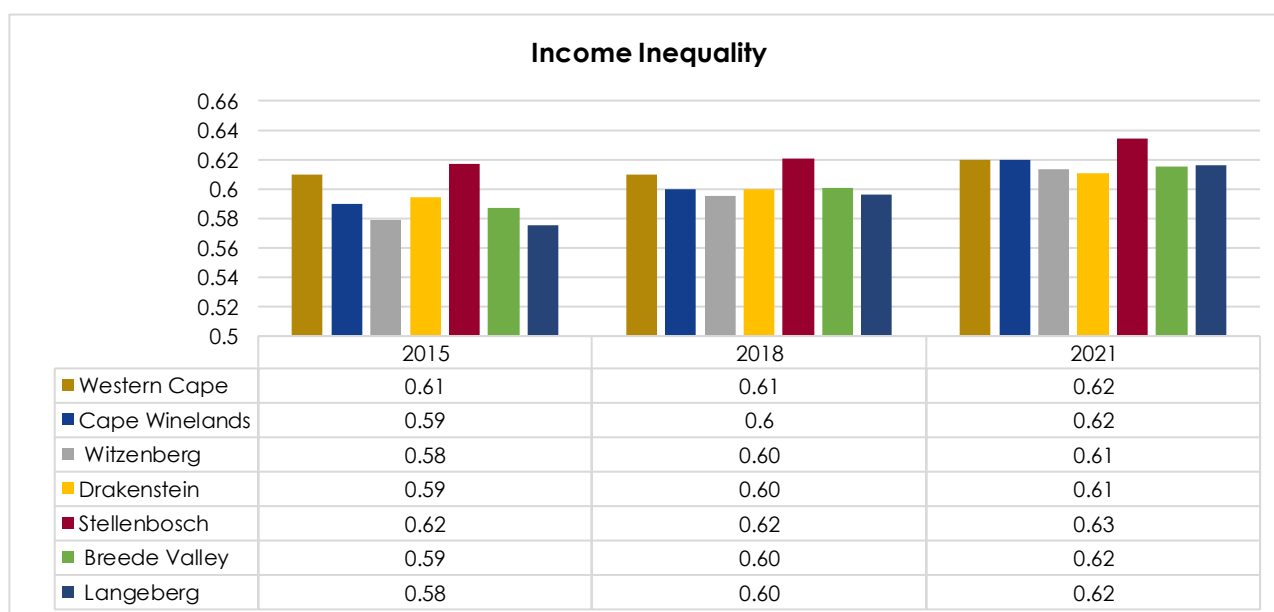


Income Inequality

South Africa suffers amongst the highest levels of inequality in the world when measured by the commonly used Gini index. Inequality manifests itself through a skewed income distribution, unequal access to opportunities, and regional disparities.

The National Development Plan (NDP) has set a target of reducing income inequality in South Africa from a Gini coefficient of 0.7 in 2010 to 0.6 by 2030. In the Cape Winelands District, income inequality worsened to 0.69 in 2022, a trend expected to exacerbate due to the potential aftermath of the COVID-19 pandemic. Stellenbosch improved its income inequality, with inequality levels declining from 0.63 in 2021 to 0.61 in 2022, aligning below the district's trajectory.

Graph 11: Income Inequality



Source: Western Cape Local Government Social-Economic Profile 2022 and 2023 (Stellenbosch Municipality)

a) Poverty Line¹

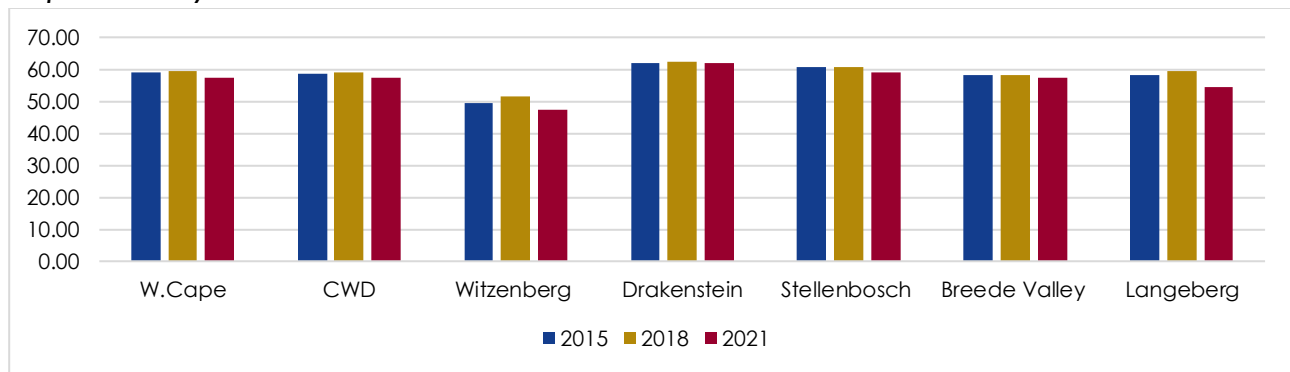
The Upper Bound Poverty Line² (UBPL) headcount ratio is the proportion of the population living below the UBPL i.e. that cannot afford to purchase adequate levels of food and non-food items.

Poverty affects the social development of communities through lower life expectancy, malnutrition and food insecurity, higher exposure to crime and substance abuse, lower educational attainment, and poor living conditions.

In 2022, 66.7 per cent of Stellenbosch's population fell below the UBPL. In 2022, 66.7 per cent of Stellenbosch's population fell below the UBPL, a slight improvement from 2016 and 2019. Stellenbosch and Drakenstein had the highest poverty rates in the Cape Winelands District, with Stellenbosch's 66.7 per cent slightly above the district's 64.8 per cent in 2022. Addressing these socio-economic challenges is essential for ensuring sustainable growth and development within the municipality.

¹ This refers to the amount of money that an individual will need to afford the minimum required daily energy intake. This is also commonly referred to as the "extreme" poverty line. Source- STATSASA, *Statistical Release*, 2019. P0310.1

² This refers to the food poverty line plus the average amount derived from non-food items of households whose food expenditure is equal to the food poverty line. Source- STATSASA, *Statistical Release*, 2019. P0310.1

**Graph 12: Poverty Line**

Source: Western Cape Local Government Social-Economic Profile 2022 and 2023 (Stellenbosch Municipality)

1.2.8.10 Economy Labour Market Performance

In 2022, monetary intermediation emerged as the primary driver of formal employment in the Stellenbosch municipal area, employing **14 117** individuals. Beverage manufacturing, predominantly in the wine industry, followed closely, providing jobs for 7 142 people. All the data below are sourced from the Local Government Socio-economic Profile 2023.

Table 7: Top five sectors

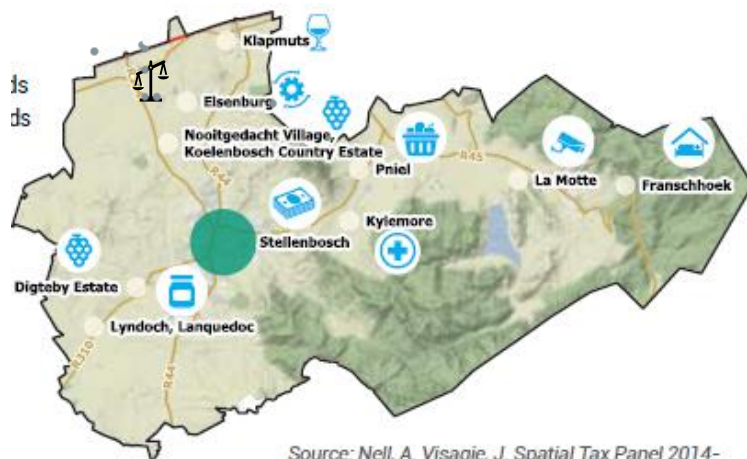
Sectors	Number of FTE Jobs
Monetary Intermediation	14 117
Manufacturing of beverages	7 142
Higher Education	5 450
Restaurants and mobile food service activities	4 864
Growing perennial crops	4 761

5 Sectors
Jobs



The significant disparity in median monthly incomes between these sectors, with figures of R27 446 and R8 940 respectively, vividly illustrates the pervasive socioeconomic inequality within the municipality.

This inequality not only poses challenges to the well-being of residents but also carries implications for municipal revenue generation. Disparities in income levels can impact local tax revenues, potentially affecting the municipality's capacity to fund essential services and infrastructure projects.



Source: Nell, A. Visagie, J. Spatial Tax Panel 2014-

Addressing this inequality is crucial not only for social equity but also for sustaining a stable and prosperous municipal economy.

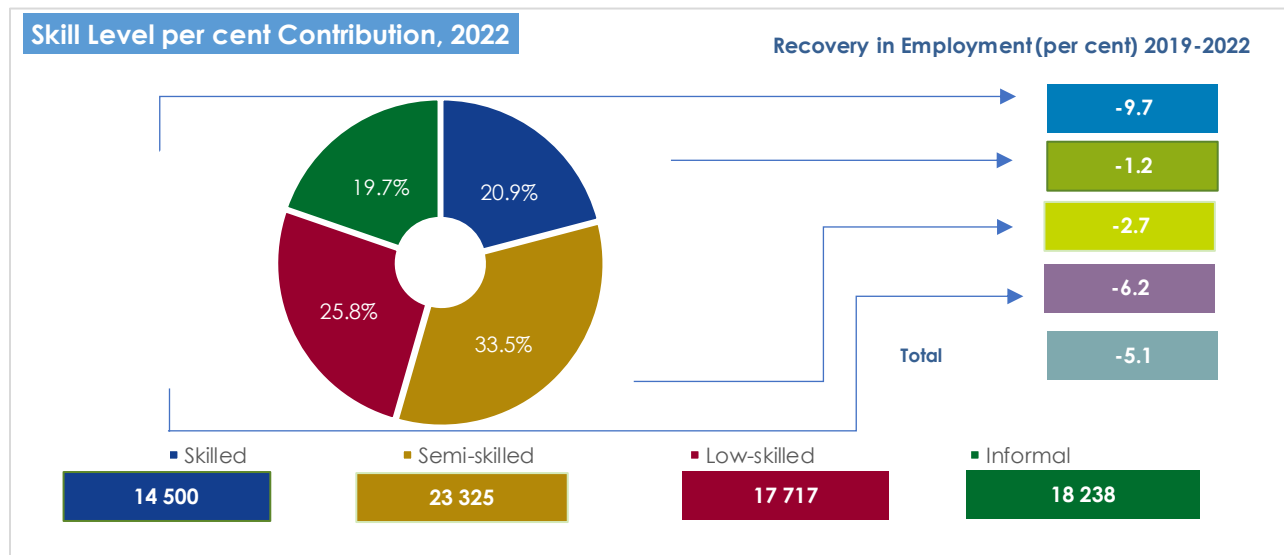
Formal and Informal Employment

The presence of Stellenbosch University and the diverse industries in the area have led to a diverse workforce composition, with 20.9 per cent classified as skilled workers and 33.5 per cent as semi-skilled workers. Informal sector activities, particularly in trade, agriculture, and personal services, contribute



significantly to employment, accounting for 19.7 per cent of the workforce in 2021. However, a notable challenge exists for low-skilled workers, constituting 25.8 per cent of the workforce, as recent job creation trends have favoured semi-skilled and skilled workers, limiting opportunities for this demographic.

Graph 13: Skill level Contribution, 2022



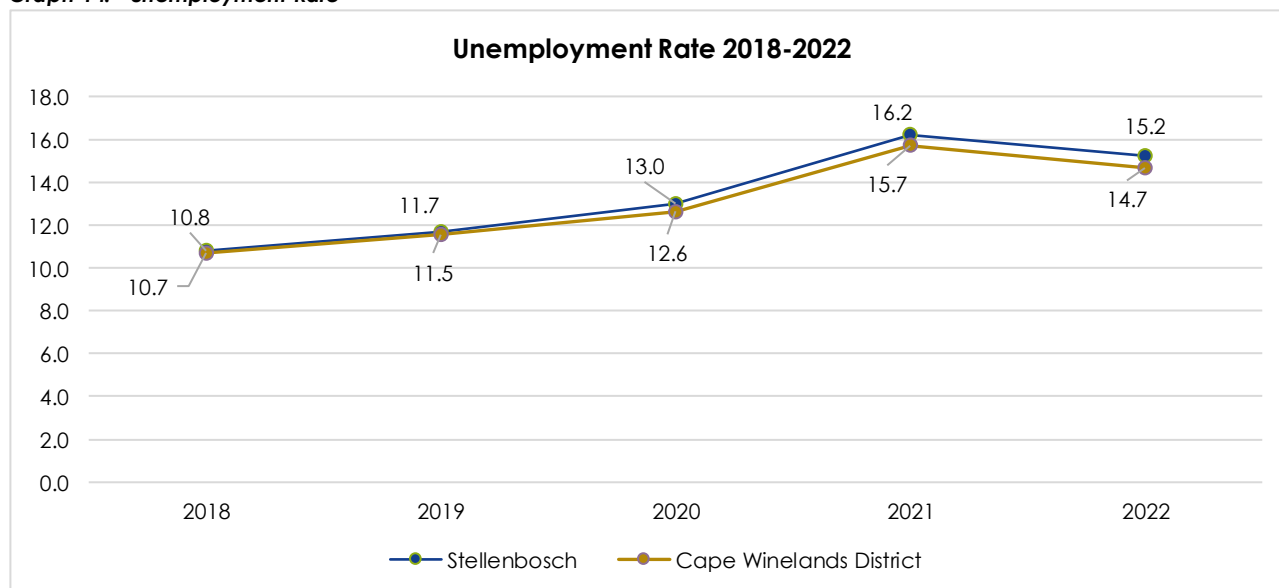
Source: Western Cape Local Government Social-Economic Profile 2023 (Stellenbosch Municipality)

Unemployment

It is crucial to facilitate access to education and skills development initiatives in communities where high unemployment rates occur. Social transformation needs to be promoted and provide enough relevant opportunities and resources for affected demographic areas.

Not only does this initiative enhance the socio-economic landscape, but it also has implications for municipal revenue. A skilled and educated workforce can contribute to a more vibrant local economy, generating higher tax revenues to support municipal projects and services.

Graph 14: Unemployment Rate



Source: Western Cape Local Government Social-Economic Profile 2022 and 2023 (Stellenbosch Municipality)



1.2.9 BASIC SERVICE DELIVERY

The Constitution of the Republic of South Africa, 1996 stipulates that every citizen has the right to adequate housing access and that the state must take reasonable legislative and other measures within its available resources to achieve the progressive realisation of this right. Access to housing also includes access to basic services such as potable water, basic sanitation, safe energy sources and refuse removal services, to ensure that households enjoy a decent standard of living.

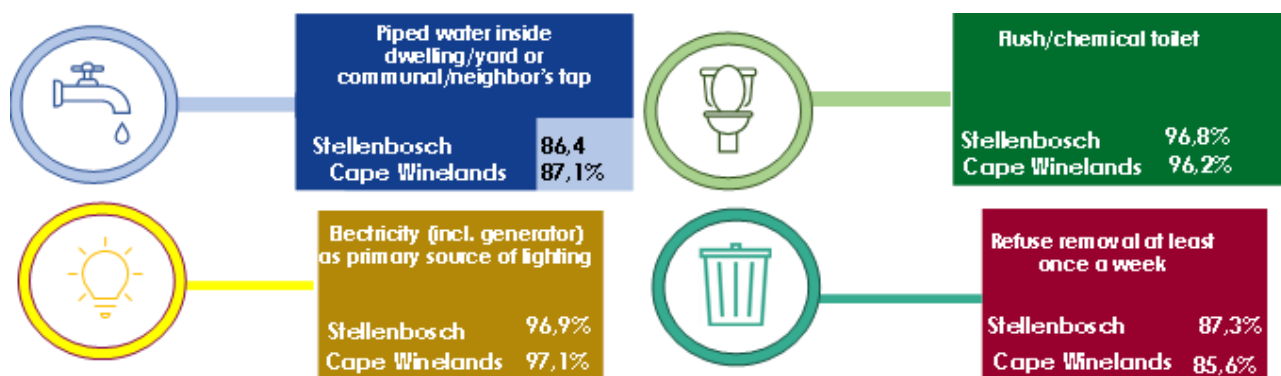
This section considers to what extent this has been achieved by reflecting on the latest available information from Quantec Research for 2021. The latest official statistics were collected by Statistics South Africa for the 2016 Community Survey; the 2021 Census will provide the updated official statistics. The information on free basic services is obtained from Statistics South Africa's Non-Financial Census of Municipalities Survey findings.

Housing and Household Services

During 2023, in the Stellenbosch municipal area, which comprises 59 626 households, 87.3 per cent had access to formal housing, lower than the Cape Winelands District average of 88.8 per cent. The area also recorded a significantly higher proportion of informal dwellings, totalling 11.8 per cent, in contrast to the District's 10.3 per cent.

Service delivery access levels within the municipal area were considerably higher than the access to formal housing, with access to piped water access (86.4 per cent), flush or chemical toilet access (96.8 per cent), electricity access (including generators) for lighting (96.9 per cent), for lighting at 96.9 per cent and the removal of refuse at least weekly by the local authority at 87.3 per cent of households. These access levels were above the District figures for electricity and refuse removal services.

Figure 9: Service delivery access levels (HH)



Source: Western Cape Local Government Social-Economic Profile 2023 and Statistics South Africa 2022



Free Basic Services

The following table indicates the percentage of average registered indigent households that have access to free basic municipal services. The total indigent households exclude all informal households and include formal households that have been registered as indigent households. The total i.t.o. free basic electricity includes only indigent households claiming 100 kWh from the Stellenbosch Municipality. It also does not include the totals where the electricity distribution is conducted by ESKOM.

Per the approved Indigent Policy of the municipality, all households earning less than R7 000 per month will receive free basic services as prescribed by national policy and in terms of approved Stellenbosch Municipality's Indigent Policy.

The table below indicates the number of households receiving free basic services.

Table 8: Access to Free Basic Services

Year	Number of Households							
	Free Basic Water		Free Basic Sanitation		Free Basic Electricity		Free Basic Refuse Removal	
	Access	%	Access	%	Access	%	Access	%
2018/19	6 813	13.01	6 813	13.01	4 833	9.23	6 813	13.01
2019/20	6 666	100%	6 666	100%	4 932	100%	6 666	100%
2020/21	7 283	100%	7 283	100%	5 189	100%	7 283	100%
2021/22	4 681	100%	4 681	100%	4 982	84.25%	4 681	100%
2022/23	5 744	100%	5 744	100%	5 744	100%	5 744	100%
2023/24	5 584	100%	5 584	100%	5 584	100%	5 584	100%

Source: Municipal Indigent Register

Free Basic Services per basic service

The provision of free basic services is further summarised in the tables below.

Table 9: Free basic electricity to indigent HH

Financial year	Electricity		
	Indigent Households		
	No. of HH	Unit per HH (kWh)	Value R'000
2017/18	6 453	100	6 216
2018/19	6 813	100	8 415
2019/20	4 932**	100	6 888
2020/21	5 198	100	7 711
2021/22	4 982	100	24 289
2022/23	5 744	100	24 822
2023/24	5 584	100	25 141

*Average for the year

**Only Indigent consumers who claimed free units

**Table 10: Free basic water services to indigent HH**

Water			
Financial year	Indigent Households		
	No. of HH	Unit per HH (kl)	Value R'000
2015/16	6 486	10	7 760
2016/17	5 686	10	7 280
2017/18	6 453	10	2 391
2018/19	6 813	6	2 634
2019/20	6 666	6	2 741
2020/21	7 283	6	3 178
2021/22	4 681	6	8 829
2022/23	5 744	6	8 385
2023/24	5 584	6	8 660
*Average for the year			

Table 11: Free basic sanitation to indigent HH

Sanitation			
Financial year	Indigent Households		
	No. of HH	Service per HH per week	Value R'000
2017/18	6 453	102.98	8 330
2018/19	6 813	112.25	9 177
2019/20	6 666	135.99	9 518
2020/21	7 283	145.73	11 075
2021/22	4 681	134.32	10 039
2022/23	5 744	143.05	9 434
2023/24	5 584	152.35	11 080
*Average for the year			

Table 12: Free basic refuse removal services to indigent

Refuse Removal			
Financial year	Indigent Households		
	No. of HH	Service per HH per week	Value R'000
2017/18	6 453	1	8 662
2018/19	6 813	1	9 543
2019/20	6 666	1	10 878
2020/21	7 283	1	17 926
2021/22	4 681	1	17 159
2022/23	5 744	1	13 889
2023/24	5 584	1	19 666
*Average for the year			



1.2.9.1 Key Basic Services Delivery Highlights

It should be noted that the detailed highlights and challenges will be discussed in Chapter 3 under each respective service.

The following key basic service areas were achieved by the municipality:

Table 13: Key Basic Service Delivery Highlights

	Highlight	Description
Roads and Stormwater	National Flood Disaster	Speedy implementation of projects in response to flood events.
Water and Wastewater	Watergang, Kayamandi (20 units)	The 20 units were completed during the financial year.
	Water and Wastewater major projects	Completion of the construction of a new Reservoir and Pipeline: Vloottenburg – Phase 1 which will provide water to the Polkadraai, Digtebij, Longlands, farms along Baden Powell- and Vlaeberg road to cater for future developments.
		The Department achieved a wastewater effluent quality average of > 70% for the first time since August 2022.
		The Department successfully procured x1 large water tanker which will be used to provide water to residents during water outages.
		To minimise the hiring of plants and machinery, the department successfully procured x2 TLBs for the department.
Electricity	Completion of a new 11kV Switching substation in Franschhoek	The construction of a new 11kV switching substation (La Terra Substation) was completed by the end of May 2024. The substation is now fully functional and contributing to the stability and reliability of the electrical supply in the Franschhoek region and is designed to handle increased load demands.
Waste Management	Appointments of additional staff	2 x Supervisors 2 x Superintendents 3 x Refuse compactor Operator/Supervisor 1 x Area Cleaning Operator 1 x Digger loader operator 2 x General workers
	Procurement of additional fleet	2 x LDV vehicles 3 x crew cab bakkies 1 x Refuse Compactor
	Skip bins	Additional skips were procured.
	Street bins	More street bins were procured.



1.2.9.2 Key Basic Services Challenges

Despite the highlights, challenges were experienced by the municipality, as outlined below; however, actions were put in place to address these challenges:

Table 14: Key Basic Service Challenges

Service Area	Challenge	Actions to address
Roads and Stormwater	Future Flood Resilience	Define, compile and approve strategies for future flood resilience in Franschhoek.
Water and Wastewater	Shortage of technical staff is preventing the Department from meeting implementation deadlines	Vacancies in terms of technical staff escalated to the Municipal Manager. The Municipal Manager agreed to assist with the appointment of Project Managers on contract.
	Consultants do not always keep to agreed deadlines which contributes to delays in projects	Project Managers to be appointed on contract to ensure constant engagements with Consultants on projects. Formal SCM notices to Consultants that perform poorly.
Electricity	Infrastructure vandalism and cable theft	While infrastructure vandalism and cable theft continue to be a major challenge, the department has sent out a communication to the public to report suspicious activity to the municipality and spread awareness about the issue amongst their neighbours.
Waste Management	Absence of a Youth Environmental Coordinator (YCOP) to assist with social engagement and awareness	The municipality must explore filling the position within the Department to do social engagement and awareness.
	Increase in illegal dumping	Appointment of Youth Environmental Coordinator (YCOP) to assist with social engagement and awareness.
	Staff Constraints	Effective and efficient recruitment and selection process.

1.2.10 FINANCIAL VIABILITY HIGHLIGHTS

Table 15: Municipal Viability Highlights

Highlight	Description
Long-Term Financial Plan	The municipality has developed a long-term financial planning tool that can be updated regularly for strategic planning.
Current Ratio	The municipality maintained a very good current ratio of 2.03:1. This compares well with the norm of 1.5 to 2:1.
Collection Rate	The municipality maintained a good collection rate for service debtors of 96%, which is above the norm of 95%. This indicates that the municipality's creditor control and debt collection processes are in place and the revenue is managed effectively.
Finance Charges	Finance charges represent 2.83% of the total operational expenditure. This compares favourably with the norm of 6% to 8%.
Liability Management	Capital costs (interest paid and redemption) represent 4.65% of total operating expenditure. This compares favourably with the norm of 6% to 8%. This indicates that the municipality can take on additional financing from borrowing to invest in infrastructure projects.
mSCOA Specimen Financial Statements	The municipality implemented the National Treasury mSCOA specimen annual financial statements preparation template, where the financial statements are compiled utilising the data strings extracted from the financial system.
Debt Management	The municipality's total debt represents 28.5% of the total operational expenditure. This compares favourably with the norm of 45% and is an indication that the municipality can take on additional financing from borrowings.



1.2.11 FINANCIAL VIABILITY CHALLENGES

Table 16: Financial Viability Challenges

Challenge	Description
Financial Viability	The traceability of all debtors poses a challenge to the debt collection process. Low economic growth, an increase in unemployment, and above-inflation increases in the cost of water and electricity impact the affordability of municipal accounts.
Revenue Leakage	An integrated revenue enhancement approach was followed to combat revenue leakages.

1.2.12 FINANCIAL OVERVIEW

Table 17: Financial Viability and Management Financial Overview (000')

Details	Original budget	Adjustment Budget	Actual
	R'000		
Income			
Grants (Operating and Capital)	344 766	360 991	342 232
Taxes, Levies and Tariffs	1 789 180	1 780 456	1 773 589
Other	254 837	314 642	348 905
Sub-Total	2 388 783	2 456 089	2 464 726
Less Expenditure	2 258 350	2 360 379	2 241 787
Net surplus / (deficit)	2 386 524	2 453 728	2 462 485

1.2.13 OPERATING RATIOS

Table 18: Operating Ratios

Detail	Expected norm	Actual	Variance
Employee Cost	35%-40%	28.18%	-(6.81%-11.82%)
Repairs and Maintenance	15%	3.99%	-11.01%
Finance Charges	15%	2.83%	-12.17%

Employee cost is below the national norm of between 35% to 40%, representing a positive outcome. Repairs and maintenance are below the norm, which indicates that expenditure on repairs and maintenance would have to be increased in future budgets to properly maintain the Council's assets. Finance charges are 12.71% lower than the norm of 15%, this can be attributed mainly to the municipality's ability to fund its capital programmes to some extent from its resources (CRR) and not external finance.

1.2.14 TOTAL CAPITAL EXPENDITURE

Table 19: Total Capital Expenditure (000')

Detail	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
	R'000								
Original Budget	452 759	463 792	418 057	528 041	558 276	375 751	406 054	409 273	504 800
Adjustment Budget	437 183	482 580	499 855	563 550	577 905	453 880	403 508	378 709	491 726
Actual	348 861	410 562	433 682	493 303	405 931	392 941	347 610	321 506	427 158



1.2.15 MUNICIPAL STANDARD CHART OF ACCOUNTS

MFMA Circular No. 80: Municipal Financial Systems and Processes requirements in support of the Municipal Standard Chart of Accounts (mSCOA) issued in terms of the Local Government: Municipal Finance Management, 2003 (Act No. 56 of 2003) (MFMA). In the MFMA SCOA Circular 1, it was indicated that mSCOA is a business reform rather than a mere financial reform and requires a multi-dimensional relationship.

The mSCOA was implemented in Stellenbosch Municipality on 01 July 2017. The municipality is in continuous engagement with the service provider, National Treasury, and other municipalities through various working groups as well as online platforms to improve mSCOA compliance and functionality.

1.2.16 ORGANISATIONAL DEVELOPMENT OVERVIEW

Stellenbosch Municipality views the Human Resources Management component as the governance of the organisation's employees. More commonly, human resources per se refers to the people or human capital appointed or employed by the organisation whose skills are used to reduce risk and maximise return on investment.

The highlights for the Department: Human Resources Management in 2023/24 are the following:

- ✦ **195** employees were trained (17 different training programmes);
- ✦ **6** employees are participating in the Basic Traffic Officer training;
- ✦ **7** employees are attending the Municipal Minimum Competency training;
- ✦ **7** students were placed in various directorates to gain practical work experience to obtain their qualifications;
- ✦ **31** internal bursaries were awarded in the amount of **R 521 161.60**;
- ✦ **6** external bursaries (Provincial Treasury) were awarded in the amount of **R 240 766**;
- ✦ An amount of **R 4 988 791** was spent on seminars, conferences, and workshops (Training); and
- ✦ The total amount that was spent on training and development activities for the whole municipality was R 6 143 421 which is 0.95% of the payroll budget spent.

The challenges for the Department: Human Resources Management in 2023/24 are the following:

- ✦ Shortage of conducive training venues; and
- ✦ The implementation of the Municipal Staff Regulations as promulgated (excluding Chapters 2 and 4) was implemented, and due to many and various interpretations, it will become challenging as it is implemented.

1.2.17 MFMA COMPETENCIES

In terms of Section 83(1) of the MFMA, the accounting officer, senior managers, chief financial officer, non-financial managers, and other financial officials of a municipality must meet the prescribed financial management competency levels that are key to the successful implementation of the MFMA. The National Treasury prescribed such financial management competencies in Government Notice 493, dated 15 June 2007.

To help the above officials get the required financial skills, the National Treasury created an outcome-based NQF Level 6 qualification in municipal finance management with the help of many stakeholders and key players in local government.



In terms of Government Notice 493 of 15 June 2007, "(1) No municipality or municipal entity may, with effect as of 1 January 2013 (exempted until 30 September 2015 as per Government Notice 179 of 14 March 2014), employ a person as a financial official if that person does not meet the competency levels prescribed for the relevant position in terms of these Regulations."

The table below provides details of the financial competency development progress as required by the regulation (Government Notice 493 of 15 June 2007):

Table 20: Financial Competency Development: Progress Report

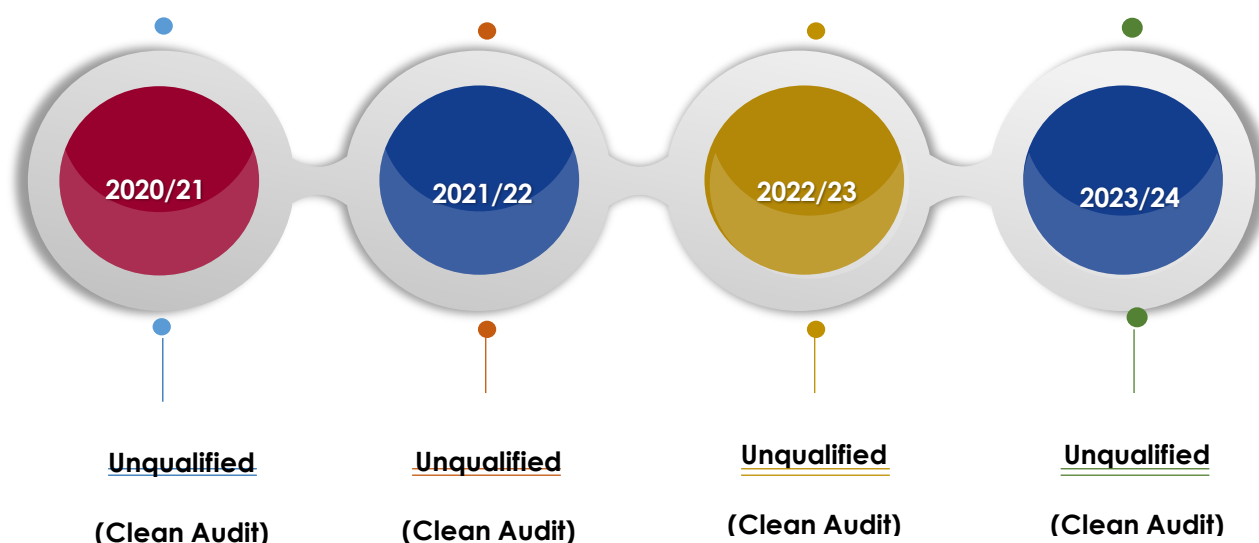
Description	A Total number of officials employed by municipality (Regulation 14(4)(a) and (c))	B Total number of officials employed by municipal entities (Regulation 14(4)(a) and (c))	Consolidated: Total of A and B	Consolidated: Competency assessments completed (Regulation 14(4)(b) and (d))	Consolidated: Total number of officials whose performance agreements comply with Regulation 16 (Regulation 14(4)(f))	Consolidated: Total number of officials that meet prescribed competency levels (Regulation 14(4)(e))
Financial Officials						
Accounting Officer	1	0	1	1	1	1
Chief Financial Officer	1	0	1	1	1	1
Senior Managers	4	0	4	4	4	4
Any other financial officials	2	0	2	2	2	2
Supply Chain Management Officials						
Heads of supply chain management units	1	0	1	1	1	1
Supply chain management senior managers	2	0	2	2	2	1



1.2.18 AUDITOR GENERAL OF SOUTH AFRICA'S REPORT

The Auditor-General of South Africa (AGSA) has a constitutional mandate and, as the Supreme Audit Institution (SAI) of South Africa, exists to strengthen the country's democracy by enabling oversight, accountability, and governance in the public sector through auditing, thereby building public confidence. In short, the AGSA checks the spending of public money by looking at whether it has been used for the purposes intended. This process is concluded by annually checking all government spending.

The diagram below indicates the audit outcome progress from 2020/21 to 2023/24.





CHAPTER 2: GOOD GOVERNANCE AND PUBLIC PARTICIPATION

Good governance is an approach to government that is committed to creating a system founded on strengthening democracy, promoting transparency, building public administrative capacity, responding to public needs, and respecting human rights. It is measured by eight factors: **participation, rule of law, transparency, responsiveness, consensus-orientated countability, effectiveness and efficiency, equitability, and inclusivity**. Within the context of good governance, corruption is minimised, the views of minorities are considered, and the voices of the most vulnerable in society are heard in decision-making. It is also responsive to the present and future needs of society.

2.1 NATIONAL KEY PERFORMANCE INDICATORS - GOOD GOVERNANCE AND PUBLIC PARTICIPATION

The following table indicates the municipality's performance in terms of the National Key Performance Indicators required in terms of the Local Government: Municipal Planning and Performance Management Regulations 796 of 2001 and Section 43 of the MSA. This key performance indicator is linked to the National Key Performance Area: Good Governance and Public Participation.

Table 21: National KPI - Good Governance and Public Participation

KPA and Indicators	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
The percentage of a municipality's capital budget actually spent on capital projects identified for a particular financial year in terms of the municipality's integrated development plan.	85.08%	86.5%	87.5%	70.25%	86.57%	84.29%	84.79%	85.88%



COMPONENT A: POLITICAL AND ADMINISTRATIVE GOVERNANCE

2.2 POLITICAL GOVERNANCE STRUCTURE

The Council performs both legislative and executive functions. It focuses on legislative, oversight, and participatory roles and has delegated its executive function to the Executive Mayor and the Mayoral Committee. Its primary role is to debate issues publicly as well as facilitate political debates and discussions. Apart from their functions as policymakers, councillors are also actively involved with community work and in the various social programmes in the municipal area.

Stellenbosch Municipality is represented by 45 councillors, of whom 23 were elected directly as ward councillors. The rest of the councillors were elected based on the proportion of votes cast for the different political parties. The political composition of the Council is as follows from the previous Council and the newly elected Council:

2.2.1 COUNCIL – 01 JULY 2023 TO 30 JUNE 2024

Below is a table that categorises the councillors within their specific political parties and wards.

Table 22: Council from 01 July 2023 – 30 June 2024

No.	Name of Councillor	Capacity	Political Party	Ward Councillor and Proportional (PR)
1.	G van Deventer (Ms)	Executive Mayor	DA	PR
2.	JS Fasser (Mr)	Deputy Executive Mayor including Finance Portfolio	DA	PR
3.	Q Smit (Mr)	Speaker	DA	PR
4.	A Hanekom (Mr)	Part-time	DA	PR
5.	S Schafer (Mr)	Part-time	DA	PR
6.	X Kalipa (Mr)	MayCo Member	DA	PR
7.	P Crawley (Ms)	Chief Whip	DA	PR
8.	X Mdemka (Ms)	Part - time	DA	PR
9.	N Olayi (Mr)	Part-time	DA	PR
10.	R Pheiffer (Mr)	MayCo Member	DA	Ward Councillor: Ward 1
11.	WC Petersen (Mr)	Part-time	DA	Ward Councillor: Ward 2
12.	C Manuel (Mr)	Part-time	DA	Ward Councillor: Ward 3
13.	R Adams	Part-time	DA	Ward Councillor: Ward 4
14.	RB van Rooyen (Mr)	Part-time	DA	Ward Councillor: Ward 5
15.	NE Mcombring (Ms)	Part-time	DA	Ward Councillor: Ward 6
16.	A Ferns (Ms)	Part-time	DA	Ward Councillor: Ward 7
17.	C van Wyk (Ms)	MayCo Member	DA	Ward Councillor: Ward 8
18.	Z Dalling (Ms)	Part-time	DA	Ward Councillor: Ward 9
19.	R du Toit (Ms)	MayCo Member	DA	Ward Councillor: Ward 10
20.	J Serdyn (Ms)	Part-time	DA	Ward Councillor: Ward 11
21.	E Vermeulen (Ms)	Part-time	DA	Ward Councillor: Ward 16
22.	P Johnson (Mr)	MayCo Member	DA	Ward Councillor: Ward 17
23.	J C Anthony (Ald)	MayCo Member	DA	Ward Councillor: Ward 18
24.	J Williams (Mr)	MayCo Member	DA	Ward Councillor: Ward 19
25.	J Joon (Mr)	MayCo Member	DA	Ward Councillor: Ward 20



No.	Name of Councillor	Capacity	Political Party	Ward Councillor and Proportional (PR)
26.	M J Slabbert (Mr)	Part-time	DA	Ward Councillor: Ward 21
27.	E Groenewald (Ms)	Part-time	DA	Ward Councillor: Ward 22
28.	L Nkamisa (Mr)	MayCo Member	DA	Ward Councillor: Ward 23
29.	RS Nalumango (Ms)	Part-time	ANC	PR
30.	N Ntsunguzi (Ms)	Part-time	ANC	PR
31.	MG Rataza (Mr)	Part-time	ANC	PR
32.	N Mananga – Gugushe (Ms)	Part-time	ANC	PR
33.	A Tomose (Mr)	Part-time	ANC	Ward Councillor: Ward 12
34.	M Nkopane (Ms)	Part-time	ANC	Ward Councillor: Ward 13
35.	MM Danana (Mr)	Part-time	ANC	Ward Councillor: Ward 14
36.	EP Masiminini (Mr)	Part-time	ANC	Ward Councillor: Ward 15
37.	CD Noble (Mr)	Part-time	GOOD	PR
38.	RB Hendrikse (Ms)	Part-time	GOOD	PR
39.	M van Stade (Mr)	Part-time	GOOD	PR
40.	ZR Ndalasi (Mr)	Part-time	EFF	PR
41.	NM Mkhontwana (Ms)	Part-time	EFF	PR
42.	OL Jooste (Mr)	Part-time	ACDP	PR
43.	W Pietersen (Mr)	Full-time MPAC Chairperson	PDM	PR
44.	J Andrews (Mr)	Part-time	PA	PR
45.	I De Taillefer (Ms)	Part-time	VF Plus	PR

The table below indicates the Council meetings attendance for the 2023/24 financial year.

Table 23: Council meetings held for the 2023/24 financial year

Meeting dates	Number of items (resolutions) submitted	Percentage of Attendance of Council Meetings	Percentage Apologies for non-Attendance
26 July 2023	20	67.6	2.3
23 August 2023	20	95.5	4.5
27 September 2023	6	75.5	11.2
25 October 2023	26	93.3	6.7
29 November 2023	29	93.3	6.7
24 January 2024	16	84.4	15.6
21 February 2024	17	91.1	8.9
27 March 2024	12	84.4	15.6
25 April 2024	28	77.7	11.2
31 May 2024	5	86.6	8.9
14 June 2024	16	91.1	4.5



2.2.2 EXECUTIVE MAYORAL COMMITTEE

The Mayoral Committee assists the Executive Mayor of the municipality, who oversees the municipality's political executive branch. The Executive Mayor is at the centre of the system of governance since executive powers are vested in the executive mayor to oversee the day-to-day affairs of the municipality. This encompasses an overarching strategic and political responsibility. The key element of the executive model is that executive power is vested in the Executive Mayor, in addition, delegated powers by the Council were assigned.

Although accountable for the strategic direction and performance of the municipality, the Executive Mayor operates in consultation with the Mayoral Committee.

The Executive Mayoral Committee positions were occupied as follows:

Table 24: Executive Mayoral Committee

Executive Mayoral Committee 01 July 2023 – 30 June 2024		
No.	Name of Councillor	Portfolio
1.	Alderwoman Cllr G van Deventer	Executive Mayor
2.	Cllr J Fasser	Deputy Executive Mayor, including Financial Services
3.	Cllr JC Anthony	MayCo member: Sport, Youth and Culture
4.	Cllr R Du Toit	MayCo member: Human Settlement
5.	Cllr P Johnson	MayCo member: Infrastructure (resigned, May 2024)
6.	Cllr J Joon	MayCo member: Rural Management
7.	Cllr X Kalipa	MayCo member: Community Development
8.	Cllr L Nkamisa	MayCo member: Corporate Services
9.	Cllr R Pheiffer	MayCo member: Protection Services
10.	Cllr C Van Wyk	MayCo member: Planning, LED, and Tourism

The table below indicates the dates of the Executive Mayoral Committee meetings, and the number of reports submitted to the Council for the 2023/24 financial year.

Table 25: Executive Mayoral Committee Meetings held for the 2023/24 financial year

Meeting dates	Number of items submitted
17 July 2023	11
16 August 2023	14
13 September 2023	13
11 October 2023	20
16 November 2023	23
17 January 2024	12
14 February 2024	10
20 March 2024	18
17 April 2024	28
22 May 2024	16



2.2.3 PORTFOLIO COMMITTEES

In terms of Section 80 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), if a council has an executive committee, it may, in terms of Section 79, appoint committees of councillors to assist the executive committee or executive mayor. Section 80 stipulates that committees are permanent committees that specialise in a specific functional area of the municipality and, in some instances, may make decisions on specific functional issues. They advise the executive committee on policy matters and make recommendations to the council.

2.2.3.1 Portfolio Committee: Planning, LED and Tourism

Table 26: Planning, LED and Tourism Committee

Period 01 July 2023 – 30 June 2024			
Planning, LED, and Tourism Portfolio Committee			
Name of member	Capacity	Number of meetings held	Number of Reports submitted
C Van Wyk	[Chairperson]	6	8
M Danana	Committee Member		
A Hanekom	Committee Member		
R Hendrikse	Committee Member		
M Slabbert	Committee Member		

2.2.3.2 Portfolio Committee: Human Settlements

Table 27: Human Settlements Committee

Period 01 July 2023 – 30 June 2024			
Human Settlements Portfolio Committee			
Name of member	Capacity	Number of meetings held	Number of Reports submitted
Cllr R Du Toit	[Chairperson]	6	10
Cllr E Vermeulen	Committee Member		
Cllr X Mdemka	Committee Member		
Cllr N Ntshunguzi	Committee Member		
Cllr M van Stade	Committee Member		

2.2.3.3 Portfolio Committee: Rural Management

Table 28: Rural Management Committee

Period 01 July 2023 – 30 June 2024			
Rural Management Portfolio Committee			
Name of member	Capacity	Number of meetings held	Number of Reports submitted
Cllr J Joon	[Chairperson]	3	3
Ald J Serdyn	Committee Member		
Cllr C Manuel	Committee Member		
Cllr E Masimini	Committee Member		



2.2.3.4 Portfolio Committee: Infrastructure Services

Table 29: Infrastructure Committee

Period 01 July 2023 – 30 June 2024			
Infrastructure Portfolio Committee			
Name of member	Capacity	Number of meetings held	Number of Reports submitted
Cllr P Johnson (end May 2024)	[Chairperson]	3	10
Cllr R van Rooyen	Committee Member		
Cllr N Mcombring	Committee Member		
Cllr R Nalumango (end May 2024)	Committee Member		
Cllr Z Ndalasi	Committee Member		

2.2.3.5 Portfolio Committee: Financial Services

Table 30: Financial Services Committee

Period 01 July 2023 – 30 June 2024			
Financial Services Portfolio Committee			
Name of member	Capacity	Number of meetings held	Number of Reports submitted
J Fasser	[Chairperson]	None	None
W Petersen	Committee Member		
E Groenewald	Committee Member		
A Tomose	Committee Member		
R Hendrikse	Committee Member		

2.2.3.6 Portfolio Committee: Corporate Services

Table 31: Corporate Services Committee

Period 01 July 2023 – 30 June 2024			
Corporate Services Portfolio Committee			
Name of member	Capacity	Number of meetings held	Number of Reports submitted
L Nkamisa	[Chairperson]	4	5
Z Dalling	Committee Member		
J Serdyn	Committee Member		
M Rataza	Committee Member		
I De Taillerfer	Committee Member		



2.2.3.7 Portfolio Committee: Protection Services

Table 32: Protection Services Committee

Period 01 July 2023 – 30 June 2024			
Protection Services Portfolio Committee			
Name of member	Capacity	Number of meetings held	Number of Reports submitted
Cllr R Pheiffer	[Chairperson]	6	25
C Manuel	Committee Member		
N Mkhontwana	Committee Member		
M Nkopane	Committee Member		
M Slabbert	Committee Member		

2.2.3.8 Portfolio Committee: Community Services

Table 33: Community Services Committee

Period 01 July 2023 – 30 June 2024			
Community Services Portfolio Committee			
Name of member	Capacity	Number of meetings held	Number of Reports submitted
X Kalipa	[Chairperson]	4	10
N Mcombring	Committee Member		
R Van Rooyen	Committee Member		
M Nkopane	Committee Member		
N Mkhontwana	Committee Member		

2.2.3.9 Portfolio Committee: Youth, Sport and Culture

Table 34: Youth, Sport, and Culture Portfolio Committee

Period 01 July 2023 – 30 June 2024			
Youth, Sport and Culture Portfolio Committee			
Name of member	Capacity	Number of meetings held	Number of Reports submitted
JC Anthony	[Chairperson]	7	36
J Andrews	Committee Member		
NE Mcombring	Committee Member		
R van Rooyen	Committee Member		



2.2.3.10 Portfolio Committee: Parks, Open Spaces, Environment

Table 35: Parks, Open Spaces and Environment Committee

Period 01 July 2023 – 30 June 2024			
Parks, Open Spaces and Environment Portfolio Committee			
Name of member	Capacity	Number of meetings held	Number of Reports submitted
J Williams	[Chairperson]	6	15
Z Dalling	Committee Member		
M Nkopane	Committee Member		
E Vermeulen	Committee Member		

2.2.4 SECTION 79 COMMITTEES

2.2.4.1 Municipal Public Accounts Committee (MPAC)

Table 36: MPAC Committee

Period 01 July 2023 – 30 June 2024			
Municipal Public Accounts Committee (MPAC)			
Name of member	Capacity	Number of meetings held	Number of Reports submitted
Cllr W Pietersen	[Chairperson]	3	6
Cllr A Ferns	Committee Member		
Cllr R Adams	Committee Member		
Cllr N Olayi	Committee Member		
Cllr S Schafer	Committee Member		
Cllr N Gugushe	Committee Member		
Cllr O Jooste	Committee Member		

2.2.4.2 Local Labour Forum (LLF)

Table 37: Local Labour Forum (LLF)

Period 01 July 2023 – 30 June 2024			
Local Labour Forum (LLF)			
Name of member	Capacity	Number of meetings held	Number of Reports submitted
Cllr L Nkamisa	[Chairperson]	12	20
Cllr R Pheiffer	Committee Member		
Cllr N Gugushe	Committee Member		
Cllr I de Taillfer	Committee Member		
Cllr C van Wyk	Committee Member		



2.2.4.3 Rules Portfolio Committee

Table 38: Rules Portfolio Committee

Period 01 July 2023 – 30 June 2024			
Rules Portfolio Committee			
Name of member	Capacity	Number of meetings held	Number of Reports submitted
Q Smit	[Chairperson]	1	10
J Andrews	Committee Member		
P Crawley	Committee Member		
I De Taillefer	Committee Member		
M Rataza	Committee Member		
M Van Stade	Committee Member		
W Pietersen	Committee Member		



2.3 STRATEGIC GOVERNANCE STRUCTURE

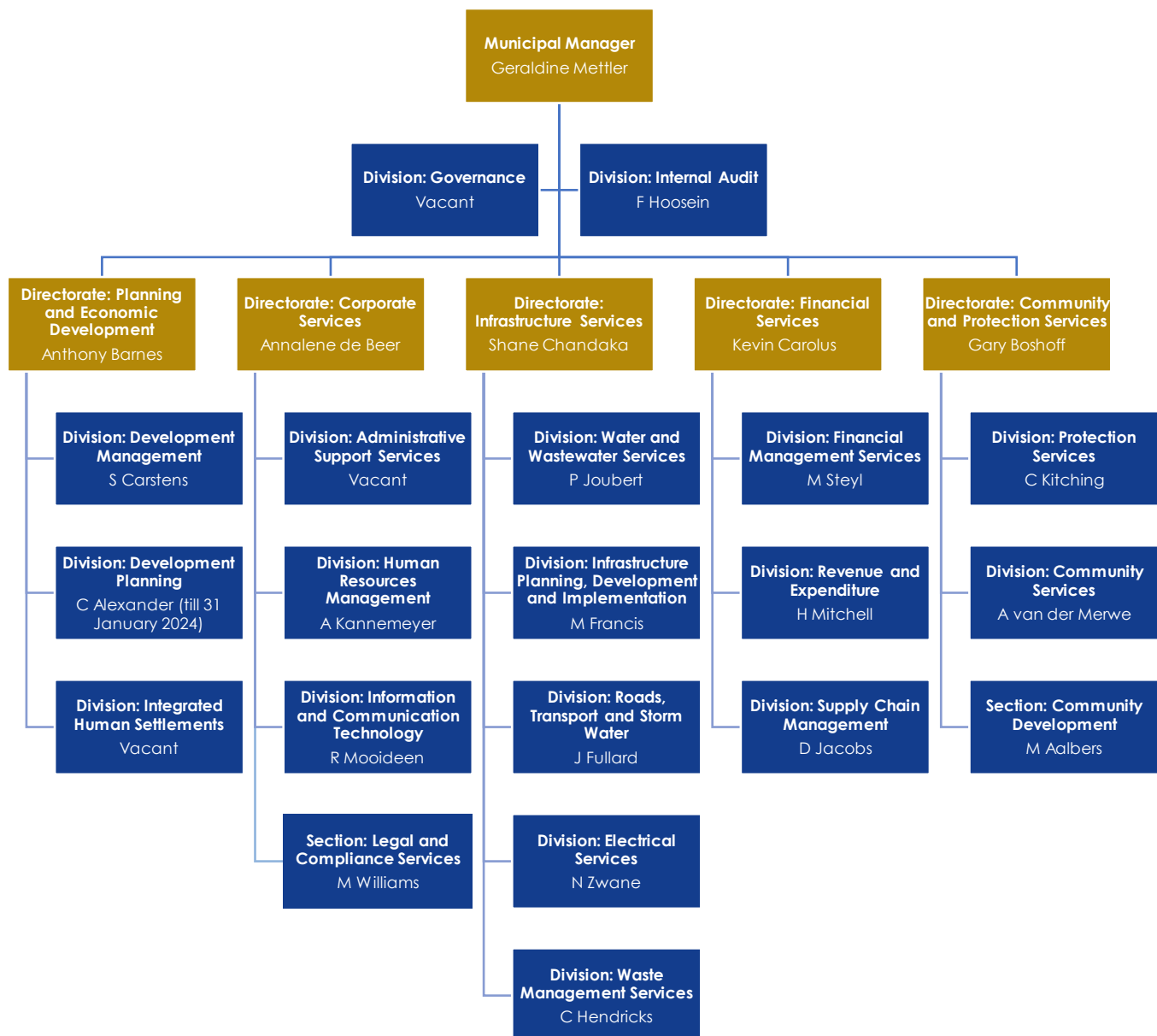
The Municipal Manager is the Chief Accounting Officer of the municipality. The Municipal Manager is the head of the administration and primarily serves as the chief custodian of service delivery. The Municipal Manager is assisted by the Management Team, which reports directly to the Municipal Manager. The structure of the management team is outlined in the diagram below:

Figure 10: Top Management Structure





Figure 11: Macro Structure



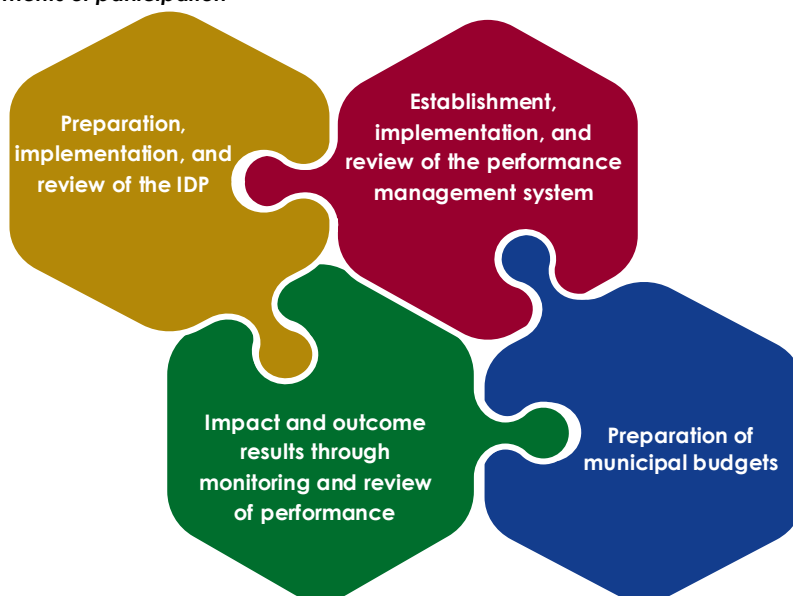


COMPONENT B: PUBLIC ACCOUNTABILITY

MSA Section 15(b) requires a municipality to establish and organise its administration to facilitate a culture of accountability amongst its staff. Section 16(i) states that a municipality must develop a system of municipal governance that complements formal representative governance with a system of participatory governance. Section 18(i)(d) requires a municipality to supply its community with information concerning municipal governance, management, and development.

The participation outlined above is required in terms of the:

Figure 12: Requirements of participation



2.4 INTERGOVERNMENTAL RELATIONS

To ensure effective service delivery, high levels of cooperation must exist between all three spheres of government. Effective inter-governmental relations (IGR) structures are especially important to the developmental role of municipalities. This role can only be fulfilled through the active involvement of all spheres of government in the setting of priorities, resource allocation, and development planning. The municipality engages in numerous partnerships to facilitate service delivery.

Table 39: IGR Structures

Name of Partner / Partnership	Purpose
National Municipal Manager's Forum	To ensure national alignment among municipal managers.
Premier's Co-ordinating Forum	The objective of the PCF is to promote and facilitate intergovernmental relations and cooperative government between provincial government and municipalities to ensure integrated, effective, and efficient service delivery. The PCF is the primary consultative forum for the Premier of the Western Cape and municipalities within the province to discuss and consult on matters of mutual interest. Existing provincial and municipal IGR engagements and national IGR engagements feed into the PCF and vice versa. The PCF consists of the PCF <i>plenary</i> and PCF <i>cluster</i> sessions. i.e., social, economic, and governance and administration. Resolutions or referrals from the cluster sessions feed into the PCF plenary session for final resolution and adoption.
Mayor / Rector Forum	A partnership with the University of Stellenbosch to ensure aligned development planning and that the municipality draws from the university's expertise and resources.



Name of Partner / Partnership	Purpose
Memorandum of Cooperation between the Stellenbosch Municipality and Stellenbosch University (SU)	Cooperation in terms of closed-circuit television in the interest of the security of the town and the campus with a view to a crime-free university town.
Landfill Monitoring Committee	A partnership with the Devon Valley residents, whereby residents monitor the Stellenbosch landfill site.
IMESA (Institute for Municipal Engineers South Africa)	A partnership with IMESA aimed to strengthen knowledge and capacity related to municipal infrastructure and service delivery.
Integrated Development Committee (IDC)	A partnership with the university and other stakeholders aimed at exploring spatial and urban planning possibilities for Stellenbosch to meet the needs of the municipality and university.
Department of Social Development, DCAS, Cape Winelands District Municipality	Joint implementation of programmes focussing on common issues within WC024.
SALGA Municipal Benchmarking Initiative	The partnership is aimed at improving efficiency and effectiveness through comparative process benchmarking, peer-to-peer operational knowledge sharing, and iterative performance improvements.
Bergriver Improvement Programme	The partnership was formed to improve the quality of the stormwater run-off from the Langrug Informal Settlement. The project entails the implementation of biomimicry, waste recycling, and a sustainable urban drainage lab.
LTAB	The partnership was formed between political leaders to discuss land transport-related matters that affect transport in the area.
Transport Working Group	The Transport Working Group was established to discuss transport-related matters that affect Stellenbosch, including all relevant governmental institutions and other role players.
Integrated Planning Committee (IPC)	The Integrated Planning Committee is a working group between the City of Cape Town, Stellenbosch, Saldanha, Overstrand, Theewaterskloof, and Drakenstein Municipality that discusses all transport-related matters to effectively promote regional planning.
NMT Working Group	A working group that discusses all non-motorised transport matters in the Stellenbosch area. The group consists of NMT users, officials, representatives from the university, and the disabled fraternity.
Drought Steering Committee	This is a committee consisting of a panel of role players in the drought intervention plan, including consultants, to discuss, plan, manage, and act on the drought intervention strategies that culminated from various source documents, including WCWDM strategies, WSDP, audit reports, and various master plans and processes. It also oversees the SCM and construction phases of the plans.
GreenCape	The GreenCape partnership represents cooperation with the province's 110% green initiatives, focussing on alternative waste management initiatives and energy efficiency.
CSIR	The partnership is aimed at multidisciplinary research and development by supporting innovation in Stellenbosch.
Genius of Space	This initiative developed from and forms part of the Western Cape 110% Green Initiative. The Biomimicry Genius of Space project is a registered flagship project of 110% Green. This initiative combines two priorities of the Western Cape Government – the Berg River and the Green Economy – to find an innovative solution to water pollution in the Berg River.
General	Municipal Partnerships.
District IGR Structures	
District Coordinating Forum	This forum meets quarterly and seeks to promote and facilitate intergovernmental relations between the district municipality and the local municipalities in the district. The Stellenbosch Municipality participates in this forum and the Cape Winelands District Municipal Managers Forum and benefits from this involvement by being exposed to good practices in other municipalities and strengthening the relationship with the district municipality in forging joint partnerships in the interest of good governance and service delivery. The Cape Winelands District Municipality supports community development and uses indigenous sports to create social cohesion amongst communities in the district. Special focus and attention were given to communities in rural areas. The Stellenbosch, Drakenstein, and Breede Valley municipalities have participated in various indigenous games that were hosted by the Cape Winelands Municipality. The relationship between Stellenbosch Municipality and the district



Name of Partner / Partnership	Purpose
	<p>municipality has improved, and the Department: Community Services has managed to exceed all expectations. A targeted approach was followed, and sports were used as a catalyst to cement this relationship with the district.</p> <p>The areas that the Department of Community Services targeted were communication, sharing of resources, capacity building, and financial resources. The improved relationship between the district municipality and Stellenbosch Municipality enabled the communities to also participate in the provincial and national Indigenous Games.</p>

2.4.1 PARTNERSHIP WITH JÖNKÖPING MUNICIPALITY

Stellenbosch and Jönköping Municipality partnered on the issue of human rights, with a particular focus on gender-based violence (GBV). This partnership culminated in using the NormStorm concept of Jönköping Municipality and interpreting the principles and concepts of Normstorm in public space in Stellenbosch, i.e., the George Blake Avenue project (GBA) Normstorm was developed to deal with gender matters in schools in Jönköping.

The George Blake Avenue project shows how multi-national municipal partnerships, inter-departmental collaboration, and the use of the NORMSTORM principles can change things for the better in a community. The project received high-importance status at Stellenbosch Municipality and was / is accordingly run directly from the Municipal Manager's (MM) / Stadsdirektör office. The Informal Settlements Department at Stellenbosch Municipality was tasked as the programme manager for the partnership. In essence, the programme consisted of several projects that, amongst others, prioritised infrastructure upgrades, including the installation of safer pedestrian crossings, improved and enhanced street lighting, and re-configured and re-imagined drainage systems to reduce flooding risks.

Through seamless cooperation with engineering, environmental management, and community engagement teams, the municipality addressed critical safety, and accessibility needs while incorporating sustainable practices. NORMSTORM provided a structured framework to assess gaps and incorporate community feedback, ensuring durable, inclusive solutions. This initiative stands as a model for combining innovation, inclusivity, and collaboration to drive meaningful urban development.

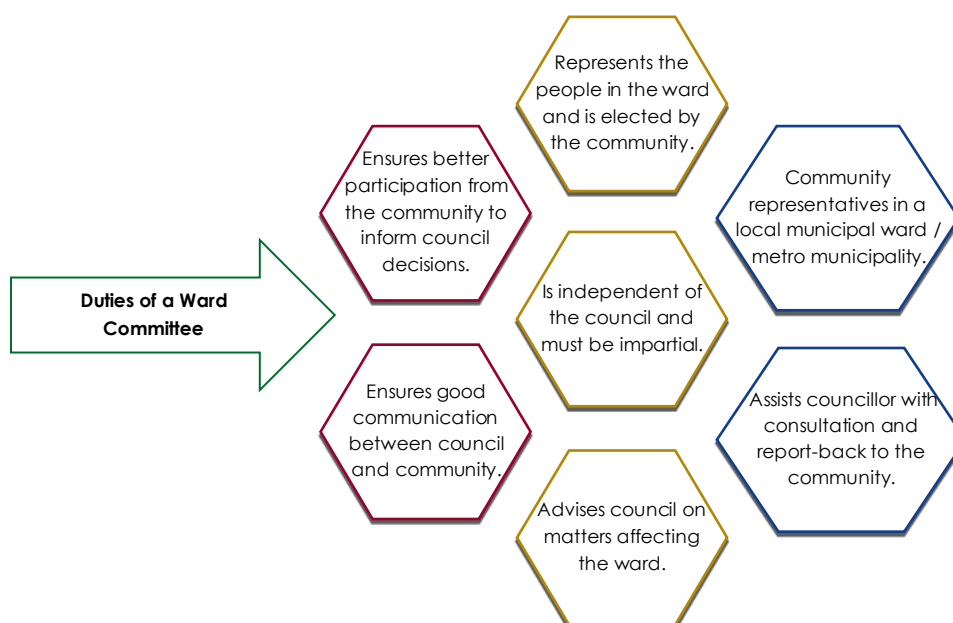


2.4.2 WARD COMMITTEES

Stellenbosch Municipality has a Ward Committee system in place, which plays a crucial role in achieving the aims of local governance and democracy, as mentioned in the Constitution of the Republic of South Africa, 1996 that a ward committee is independent of the Council and not politically aligned. The figure below depicts the main duties of the ward committees.

The figure below illustrates the duties of ward committees.

Table 40: Duties of Ward Committees

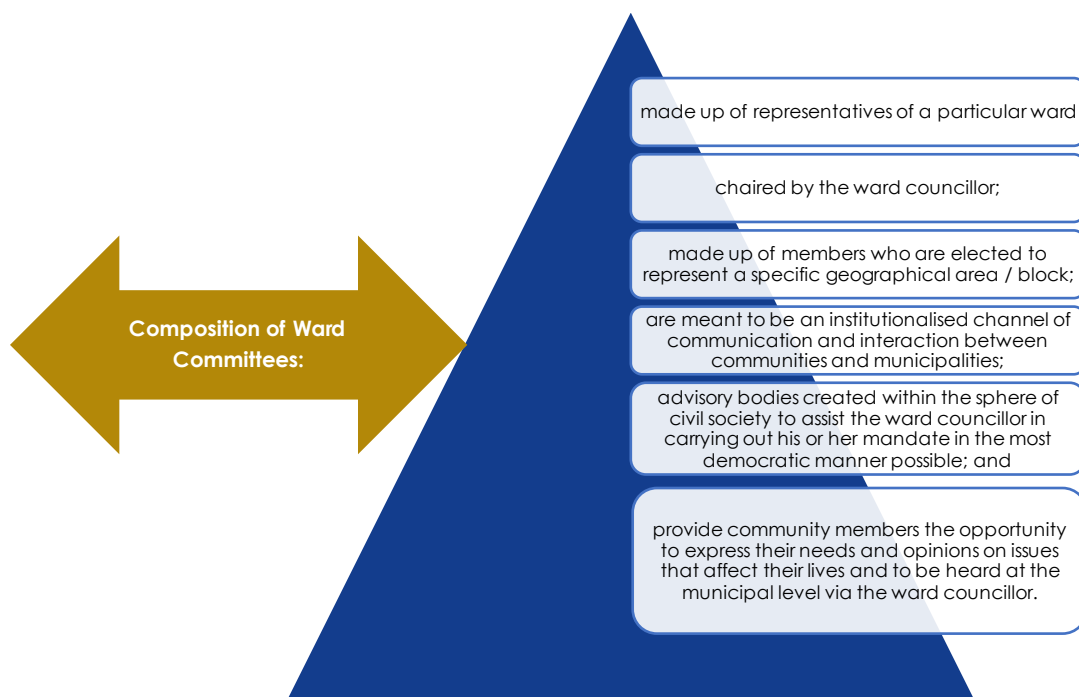


Participation remains a key pillar of good governance and constitutes an integral component in the policymaking process, development planning, and budgeting. Section 152 of the Constitution places the participation of communities at the centre of service delivery and other matters of local government. Correspondingly, the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998) and the MSA provide the legislative framework for the establishment of ward committees by municipalities.

Section 42 of the MSA stipulates that a municipality, through appropriate mechanisms, processes, and procedures established in terms of Chapter 4 of said Act, must involve the local community in the development, implementation, and review of the municipality's performance management system and allow the community to participate in the setting of appropriate key performance indicators and performance targets for the municipality.



A general understanding has emerged that a ward committee is an area-based committee whose boundaries coincide with ward boundaries.



Ward committees ought to be elected by the constituents of the ward. The maximum number of members for a ward committee is ten, and women ought to be adequately represented. The ward councillor is a member and functions as the chairman of the ward committee. While lacking formal authority, ward committees guide the ward councillor, who subsequently presents detailed recommendations to the council. The establishment and yearly revision of the IDP for the region are tasks that these committees perform with vital importance.

Ward committees are a legislative requirement and are established in terms of Local Government: Municipal Structures Act, 117 of 1998; Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) (MSA) and 2005 DPLG Guidelines. This policy was adopted by the Council during the inauguration meeting of 2021.

The main objective of a ward committee is to enhance participatory democracy in local government.

A ward committee:

- is an advisory body;
- is a representative structure of the ward;
- is an independent committee of the community in a ward;
- is impartial and performs its functions without fear, favour, or prejudice;
- is not politically orientated;
- as a representative structure of the community, is accountable to the community; and
- is an integrative umbrella body responsible for the coordination of ward developmental initiatives and the promotion of accountability and social cohesion.

The minutes of meetings are compiled by the ward administrator, and the primary quality check of meeting minutes is the responsibility of the ward councillor. S/he must sign off that the meeting minutes



are correct. The minutes of the meeting are submitted monthly and form part of the monthly report of the ward administrator to the Office of the Speaker through the Executive Support Officer.

The ward committee supports the ward councillor, who receives reports on development, participates in development planning processes, and facilitates wider community participation. The municipality constantly strives to ensure that all ward committees function optimally in terms of the provision of community information, convening meetings, ward planning, service delivery, IDP input, and performance feedback to communities.

Stellenbosch Municipality successfully established 23 functional ward committees, and all wards have access to a ward administrator. During the review period of this annual report, the then-ward councillor for Ward 17, Peter Johnson, resigned as ward councillor on 6 June 2024.

The filling of vacancies remains a problem for ward committees. Vacancies occur for a variety of reasons, and ward councillors find it difficult to fill the vacancies. The ward committee policy allows for the option of co-opting ward committee members. Vacancies must be filled within 60 days of the vacancy being declared, and all vacancies on ward committees for the review period were filled.

The ward committee policy was also reviewed during the 2024/25 draft budget cycle. This is to ensure the ward committee policy is in line with the 2021 amendments to the Local Government: Municipal Structures Act, 2021 (Act No. 3 of 2021). The policy was adopted by the Council at the May 2024 Council meeting when the Council approved the budget.

The amendments to the ward committee policy include the election procedures of ward committees, which are clearly stipulated in the ward committee policy, as well as the update on the role of the Speaker in relation to the functioning of ward committees. In addition, the policy was reviewed in terms of an increase in the stipend amount for ward committee members to R 500.00 per meeting, which would include the sector meetings held, and to the maximum stipend amount of R 1 500.00 per ward committee member per quarter. The quarterly payment process is also included in the ward committee policy, as ward committee members are paid every quarter.

The tables below specify the ward committees from 1 July 2023 until 30 June 2024:

Ward 1: Franschhoek town, Bo-Hoek Farms, Mooiwater

Table 41: Ward 1 Committee Members

Period 1 July 2023 – 30 June 2024					
Name of representative	Capacity representing	Number of ward committee meetings held	Number of Public Meetings held	Number of Monthly reports submitted to the Office of the Speaker	Committee functioning effectively (Yes / No)
Cllr R Pheiffer	Chairperson	6	2	7	Yes
M Nyanga	Geographic Block 1				
W Jeffthas [Resigned 24 May 2024]	Geographic Block 2				
B Hendricks	Geographic Block 3				
A Bauer	Youth Sports, Culture and Community Safety				
A Killian [Resigned 22 May 2024]	Infrastructure and Community Services				
G Mihalopoulos	Town Planning and				



Period 1 July 2023 – 30 June 2024					
Name of representative	Capacity representing	Number of ward committee meetings held	Number of Public Meetings held	Number of Monthly reports submitted to the Office of the Speaker	Committee functioning effectively (Yes / No)
	Property				
L Juries	Geographic Block 4				
K Brown	Ward Administrator				

Ward 2: Langrug, La Motte, Dennegeur, Groendal, Domaine des Anges

Table 42: Ward 2 Committee Members

Period 1 July 2023 – 30 June 2024					
Name of representative	Capacity representing	Number of ward committee meetings held	Number of Public Meetings held	Number of Monthly reports submitted to the Office of the Speaker	Committee functioning effectively (Yes / No)
Cllr W Petersen	Chairperson	10	2	6	Yes
S Peters	Geographic Block 1- Boonzaaier Rd to Jaffhas Crescent				
C Atshipara	Geographic Block 2 – La Motte Village (80 houses)				
Joseph Petersen- [Resigned May 2024]	Bosbou La Motte				
N Fata	Geographic Block 4 – Zwalitsha Sections A, B, C, R, S + t				
M Phori	Geographic Block 5- Inkanini Sections D, E, F, G, H, I, J				
J Jacobs	Geographic Block 6 – Santa Rosa Street to R 45				
J Manuel	Geographic Block 87– Skool Street to R 45				
D Malan [Resigned January 2024]	Geographic Block 8 -Le Petite and Domain des Anges				
N Joni	Geographic Block 9 – Mazaleni K, L, M, N, O, P, Q,				
E Philander	Geographic Block 10 - Dennegeur				
R Pearce	Ward Administrator				



Ward 3: Lanquedoc, Meerlust, Wemmershoek, Maasdorp and Surrounding Farms

Table 43: Ward 3 Committee Members

Period 1 July 2023 – 30 June 2024					
Name of representative	Capacity representing	Number of ward committee meetings held	Number of Public Meetings held	Number of Monthly reports submitted to the Office of the Speaker	Committee functioning effectively (Yes / No)
Cllr C Manuel	Chairperson	9	0	6	Yes
M Pieterse	Geographic Block 1				
N Mkosana	Geographic Block 2				
J Williams	Geographic Block 3				
M Adams	Geographic Block 4				
L Plaatjies	Geographic Block 5				
M Krediet	Geographic Block 5				
W Moses	Geographic Block 8				
C Stuurman	Geographic Block 2				
G Moody	Geographic Block 4				
G Viljoen	Ward Administrator				

Ward 4: Pniël, Kylemore and Johannesburg

Table 44: Ward 4 Committee Members

Period 1 July 2023 – 30 June 2024					
Name of representative	Capacity representing	Number of ward committee meetings held	Number of Public Meetings held	Number of Monthly reports submitted to the Office of the Speaker	Committee functioning effectively (Yes / No)
Cllr R Adams	Chairperson	9	1	8	Yes
Y Carolissen	Geographic Block 2				
S Jooste	Geographic Block 2				
A Lackay	Geographic Block 3				
K April	Geographic Block 3				
A Williams	Geographic Block 5				
S Phillips	Geographic Block 6				
K Petersen	Geographic Block 7				
D Dreyer (Co-Opted – 30 Nov 2023)	Geographic Block 1				
B La Wak (Co-opted -18 Oct 2023)	Geographic Block 4				
E Parks	Ward Administrator				



Ward 5: The Ridge, Lindida and Ida's Valley (Hydro in the direction of Ida's Valley and Omega Street to Jonkershoek)

Table 45: Ward 5 Committee Members

Period 1 July 2023 – 30 June 2024					
Name of representative	Capacity representing	Number of ward committee meetings held	Number of Public Meetings held	Number of Monthly reports submitted to the Office of the Speaker	Committee functioning effectively (Yes / No)
Cllr R van Rooyen	Chairperson	10	2	8	Yes
N Rhode	Geographic Block 1				
R Arends	Geographic Block 2				
C Toutie	Geographic Block 3				
D February	Geographic Block 4				
J Meyer	Geographic Block 5				
J Naude [resigned 22.04.2024]	Geographic Block 6				
S Slingers [co-opted 06.08.2024]					
G Louw	Geographic Block 6				
E Hendrickse	Geographic Block 6				
A Pieterse	Geographic Block 7				
L Hendricks	Geographic Blocks 4 and 8				
S Meyer [appointed 12.09.2023]	Ward Administrator				

Ward 6: Ida's Valley and farms (Nietvoorbij, Timberlea, Morgenhof, Remhoogte, Muratie, Groenhof, Delheim, Lievland, Kanonkop, Uitkyk, Glenelly, Emerie, Laundry, Packham, L'Avenir)

Table 46: Ward 6 Committee Members

Period 1 July 2023 – 30 June 2024					
Name of representative	Capacity representing	Number of ward committee meetings held	Number of Public Meetings held	Number of Monthly reports submitted to the Office of the Speaker	Committee functioning effectively (Yes / No)
Cllr N Mcombring	Chairperson	8	3	10	Yes
D Jones	Geographic Block 1				
G August	Geographic Block 2				
P Gordon	Geographic Block 4				
M Davids	Geographic Block 5				
O Bergstedt	Geographic Block 6				
M Hendricks	Geographic Block 7				
A Constable	Geographic Block 8				
P Constable	Geographic Block 8				
C Abels	Ward Administrator				



Ward 7: Mostertsdrift, Koloniesland, Karindal, Rozendal, Uniepark, Simonswyk, Universiteitsoord and De Weides

Table 47: Ward 7 Committee Members

Period 1 July 2023 – 30 June 2024					
Name of representative	Capacity representing	Number of ward committee meetings held	Number of Public Meetings held	Number of Monthly reports submitted to the Office of the Speaker	Committee functioning effectively (Yes / No)
Cllr A Ferns	Chairperson	9	1	11	Yes
B Buys	Geographic Block 1				
P Carstens	Geographic Block 2				
A Marent-Hegewisch	Geographic Block 3				
B Swanepoel	Geographic Block 4				
D Botha	Geographic Block 5				
J Wiese	Environment sector				
J Turkstra	Elderly sector				
W van Aswegen	Security sector				
A Gantz	Business sector				
D Poolman	Student sector + De Weides and Univeriteitsoord				
R Loffie-Eaton	Ward Administrator				

Ward 8: University Areas: Marais, Merriman, Victoria Street, Bosman Street, Noordwal east, Riebeck Street

Table 48: Ward 8 Committee Members

Period 1 July 2023 – 30 June 2024					
Name of representative	Capacity representing	Number of ward committee meetings held	Number of Public Meetings held	Number of Monthly reports submitted to the Office of the Speaker	Committee functioning effectively (Yes / No)
Cllr C van Wyk	Chairperson	7	2	4	Yes
M Khan	Geographic Block 1				
M Wiehman	Geographic Block 1				
S Van der Bank [resigned 19.12.2023]	Geographic Block 2				
L Erasmus [19.12.2023]	Geographic Block 1				
K Basson [co-opted 28 September 2023]	Geographic Block 2				
A van Wyk	Geographic Block 2				
H Claassen [co-opted 29.02.2024]	Geographic Block 3				
R Segers [contract]	Ward Administrator				



Period 1 July 2023 – 30 June 2024					
Name of representative	Capacity representing	Number of ward committee meetings held	Number of Public Meetings held	Number of Monthly reports submitted to the Office of the Speaker	Committee functioning effectively (Yes / No)
ended 31.12.2023 - MC Swarts [appointed 01.05.2024]					

Ward 9: Eerste River, Krige Street, Merriman, Bosman, Victoria (lower part), Neethling, Plein Street, Church Street, Upper Dorp Street, Drostdy Street.

Table 49: Ward 9 Committee Members

Period 1 July 2023 – 30 June 2024					
Name of representative	Capacity representing	Number of ward committee meetings held	Number of Public Meetings held	Number of Monthly reports submitted to the Office of the Speaker	Committee functioning effectively (Yes / No)
Cllr ZJ Dalling	Chairperson	7	2	4	Yes
A Louw	Geographic Block 1				
M Slabber (co-opted 06.06.2023)	Geographic Block 1				
M Louw [co-opted 03.07.2023]	Geographic Block 2				
W Sezoe [resigned 07.11.2023]	Geographic Block 2				
J Meyer	Geographic Block 1				
M Kotze	Geographic Block 2				
G Cillie [co-opted 07.02.2023]	Geographic Block 2				
TO Kumm	Geographic Block 2				
D Hall	Geographic Block 3				
T Hall (co-opted 06.06.2023)	Geographic Block 3				
C Van der Bank [resigned 02.05.2023]	Geographic Block 2				
D Pieterse [resigned 02.05.2023]	Geographic Block 2				
L Combrink [resigned 27.03.2024]	Geographic Block 5				
T Kumm [co-opted 02.04.2024]	Geographic Block 4				
R Segers	Ward Administrator				



Period 1 July 2023 – 30 June 2024					
Name of representative	Capacity representing	Number of ward committee meetings held	Number of Public Meetings held	Number of Monthly reports submitted to the Office of the Speaker	Committee functioning effectively (Yes / No)
[contract ended 31.12.2023 - MC Swarts [appointed 01.05.2024]					

Ward 10: Tennant Street, Bell Street, Lappan Street, Lackey Street, Langstraat- Suid, La Colline – Faure Street, Dr Malan Street to Irene Park, Conde Street, Mount Albert, Taylor, Voorplein to Kromriver, Municipal Flats (Lavanda, Aurora, Phyllaria), Molteno Avenue to Paul Kruger Street and Banghoek Avenue

Table 50: Ward 10 Committee Members

Period 1 July 2023 – 30 June 2024					
Name of representative	Capacity representing	Number of ward committee meetings held	Number of Public Meetings held	Number of Monthly reports submitted to the Office of the Speaker	Committee functioning effectively (Yes / No)
Cllr R du Toit	Chairperson	9	0	10	Yes
P Hough	Geographic Block 1				
G Lamberts	Geographic Block 1				
D Smit	Geographic Block 2				
S Adonis	Geographic Block 2				
R Hind	Geographic Block 3				
S Williams	Geographic Block 3				
J Blanckenberg	Geographic Block 3				
G Daniels	Geographic Block 3				
N Nketane	Geographic Block 3				
N Moffat	Ward Administrator				

Ward 11: Dorp Street to Herte Street, Mark Street, Alexander Street, the bottom of Bird Street to the Stellenbosch Train Station, all areas in Onder-Papegaaiberg and surrounding businesses.

Table 51: Ward 11 Committee Members

Period 1 July 2023 – 30 June 2024					
Name of representative	Capacity representing	Number of ward committee meetings held	Number of Public Meetings held	Number of Monthly reports submitted to the Office of the Speaker	Committee functioning effectively (Yes / No)
Cllr J Serdyn	Chairperson	7	1	5	Yes
E Schreiber	Geographic Block 2				
R Fourie	Geographic Block 3				
P Carinus	Geographic Block 4				
C Roux	Geographic Block 4				



Period 1 July 2023 – 30 June 2024					
Name of representative	Capacity representing	Number of ward committee meetings held	Number of Public Meetings held	Number of Monthly reports submitted to the Office of the Speaker	Committee functioning effectively (Yes / No)
S Spangenberg	Geographic Block 5				
M Snyman	Geographic Block 5				
F Malan	Geographic Block 5				
I Fourie	Geographic Block 6				
M Claassen	Geographic Block 6				
F Liebenberg	Geographic Block 1				
R Segers [contract ended 31.12.2023 - MC Swarts [appointed 01.05.2024]	Ward Administrator				

Ward 12: Kayamandi: Zone A George Blake Street, Chris Hani Drive, 10th and 13th Street, School Crescent, Snake Valley, Enkanini, Watergang, Watergang TRA 2 and Watergang Informal Settlements

Table 52: Ward 12 Committee Members

Period 1 July 2023 – 30 June 2024					
Name of representative	Capacity representing	Number of ward committee meetings held	Number of Public Meetings held	Number of Monthly reports submitted to the Office of the Speaker	Committee functioning effectively (Yes / No)
Cllr A Tomose	Chairperson	11	0	11	Yes
T Naku	Geographic Block 1				
P Lamla	Geographic Block 2				
P Menze	Geographic Block 3				
T Qhu [resigned 23.01.24]	Nkanini				
Z Mantshi [resigned 23.01.2024]	Municipal Flats				
A Mxokozeli [resigned February 2024]	Azania				
Z Snowball [co-opted 10 April 2024]	Zone A				
P Nkosi [co-opted 10 April 2024]	Watergang, Red Roofs				
T Gugushe	Geographic Block 6				
M Manjiya-Mboma [co-opted 10 April 2024]	Municipal Flats				



Period 1 July 2023 – 30 June 2024					
Name of representative	Capacity representing	Number of ward committee meetings held	Number of Public Meetings held	Number of Monthly reports submitted to the Office of the Speaker	Committee functioning effectively (Yes / No)
T Ntshinga	-				
N Ntshwanti	-				
G Zongolo	Ward Administrator				

Ward 13: Kayamandi: Zone A Masithandane Street, Zone J, Red Bricks, Zone K and L, Hostels, Dairy and University Hostels, Old Bricks Houses Red Roofs, Zwelitsha, Costaland

Table 53: Ward 13 Committee Members

Period 1 July 2023 – 30 June 2024					
Name of representative	Capacity representing	Number of ward committee meetings held	Number of Public Meetings held	Number of Monthly reports submitted to the Office of the Speaker	Committee functioning effectively (Yes / No)
Cllr M Nkopane	Chairperson	12	2	7	Yes
M Mgingqi	Geographic Block 1				
Z Ndlovu	Geographic Block 1				
M Ndlebe	Geographic Block 2				
S Maxhavulana	Geographic Block 3				
B Beni	Geographic Block 4				
S Lobi	Geographic Block 5				
S Mngwazana	Geographic Block 6				
A Maxandeka	Geographic Block 7				
N Bhayibhile	Geographic Block 8				
M Naku	Geographic Block 9				
Z Mithi	Ward Administrator				

Ward 14: Kayamandi: Zone P, I, F, D and O, Costaland, Marikana, Watergang TRA 1, Smarties (Mgabadel Street), Monde Crescent

Table 54: Ward 14 Committee Members

Period 1 July 2023 – 30 June 2024					
Name of representative	Capacity representing	Number of ward committee meetings held	Number of Public Meetings held	Number of Monthly reports submitted to the Office of the Speaker	Committee functioning effectively (Yes / No)
Cllr M Danana	Chairperson	11	2	4	Yes
L Magazi	Geographic Block 1				
A Mpanyu	Geographic Block 1				
D Mdunyelwa	Geographic Block 3				
B Mbaqa	Geographic Block 4				
A Bululu	Geographic Block 4				
N Samente	Geographic Block 5				



Period 1 July 2023 – 30 June 2024					
Name of representative	Capacity representing	Number of ward committee meetings held	Number of Public Meetings held	Number of Monthly reports submitted to the Office of the Speaker	Committee functioning effectively (Yes / No)
N Madolo	Geographic Block 6				
N Boyce	Geographic Block 7				
N Mpemnyama	Geographic Block 8				
N Nojoko	Geographic Block 2				
E Mpemnyama	Ward Administrator				

Ward 15: Kayamandi: Zone M, N, O, 4th and 5th Avenue, 10th, 12th and 14th Street, Long Street, Retreat Street, Forest Drive

Table 55: Ward 15 Committee Members

Period 1 July 2023 – 30 June 2024					
Name of representative	Capacity representing	Number of meetings held	Number of Public Meetings held	Number of Monthly reports submitted to the Office of the Speaker	Committee functioning effectively (Yes / No)
Cllr E Masimini	Chairperson	11	2	8	Yes
N Sesman	Geographic Block 1				
T Lepheana	Geographic Block 3				
M Nongogo	Geographic Block 6				
N Kuni	Geographic Block 8				
M Moni	Geographic Block 6				
E Jumat	Geographic Block 5				
L Xelenga	Geographic Block 2				
L Gula	Geographic Block 4				
N Nkopane	Geographic Block 7				
S Garhane	Geographic Block 7				
P Nyakaza	Ward Administrator				
Y Makuleni	Geographic Block 8				

Ward 16: Long Street, Eike Street, Jakaranda Street, Short Street, Curry Street, Quarry Street, Primrose Street, Pine Street, Hoop Street, North End Street, Vredelust Street Noord Vredelust West Street, Laai Street, Last Street, Arnolds Street, Anthony Street, Carriem Street, Davidse Street, Cupido Street, Ismael Street, Crombi Street, Chippendale Street Bergstedt Street, Achilles Street, Africa Street, Cornelson Street Cloetesville

Table 56: Ward 16 Committee Members

Period 1 July 2023 – 30 June 2024					
Name of representative	Capacity representing	Number of ward committee meetings held	Number of Public Meetings held	Number of Monthly reports submitted to the Office of the Speaker	Committee functioning effectively (Yes / No)
Cllr E Vermeulen	Chairperson	10	0	1	Yes



Period 1 July 2023 – 30 June 2024					
Name of representative	Capacity representing	Number of ward committee meetings held	Number of Public Meetings held	Number of Monthly reports submitted to the Office of the Speaker	Committee functioning effectively (Yes / No)
C Williams	Geographic Block 1				
M Bailey	Geographic Block 1				
J Williams	Geographic Block 1				
N Willemse [Resigned - 23/01/2024]	Geographic Block 1				
M Fredericks	Geographic Block 2				
A Flink	Geographic Block 2				
M Johannes	Geographic Block 4				
P Appollis	Geographic Block 4				
J Isaacs	Geographic Block 4				
Y Lamberts [finished on 31.08.2023 - T Van Graan appointed 01.05.2024]	Ward Administrator				

Ward 17: Longstreet, Kloof Street, Fir Street, Williams Street, Rhode Street, Hendrickse Street, February Street, Weltevrede 2 and Welgevonden, King Street, Hine Street, Fontein Street, Wilger Street, Raziet Street, Pool Street, Valentyn Street, Ortell Street, King Street, Isaac Street, Stellita Park, Gabriel Street, Part of Lackay Street

Table 57: Ward 17 Committee Members

Period 1 July 2023 – 30 June 2024					
Name of representative	Capacity representing	Number of ward committee meetings held	Number of Public Meetings held	Number of Monthly reports submitted to the Office of the Speaker	Committee functioning effectively (Yes / No)
Cllr P Johnson [resigned June 2024]	Chairperson	6	0	2	Yes
G Jacobs	Geographic Block 2				
L van der Rhee	Geographic Block 2				
B Louw	Geographic Block 4				
W Khan	Geographic Block 5				
M Burton	Geographic Block 4				
D Smith	Geographic Block 5				
C Olivier	Geographic Block 4				
B Klaasen	Ward Administrator				

**Ward 18:** Klapmuts and surrounding farms**Table 58: Ward 18 Committee Members**

Period 1 July 2023 – 30 June 2024					
Name of representative	Capacity representing	Number of ward committee meetings held	Number of Public Meetings held	Number of Monthly reports submitted to the Office of the Speaker	Committee functioning effectively (Yes / No)
Ald JC Anthony	Chairperson	11	1	5	Yes
G Wentzel	Geographic Block 1				
W Johannes	Geographic Block 2				
E Mbikwana	Geographic Block 3				
S Hector	Geographic Block 4				
N Peter	Geographic Block 5				
N Chelesi	Geographic Block 6				
P Nogwaza	Geographic Block 7				
M Everts	Sport sector				
Pastor W Cloete	Religious sector				
G du Toit	Safety sector				
M Maluqua	Ward Administrator				

Ward 19: Elsenburg, Vaaldras, Slaley, Kromme Rhee, De Novo, Bottelary and surrounding Farms, De Hoop, Simonsig and surrounding Farms, Weltevrede 1 and 2, Smartie Town.**Table 59: Ward 19 Committee Members**

Period 1 July 2023 – 30 June 2024					
Name of representative	Capacity representing	Number of ward committee meetings held	Number of Public Meetings held	Number of Monthly reports submitted to the Office of the Speaker	Committee functioning effectively (Yes / No)
Cllr J Williams	Chairperson	10	0	5	Yes
A Afrika	Elsenburg, Vaaldras, Muldersvlei and Surrounding Farms.				
J May	De Hoop, Koelenhof Railway Houses and Surrounding Farms.				
A Kamfer	Groenland and Surrounding Farms.				
C Pedro	Koopmanskloof, Bellvue and Surrounding Farms.				
R Kinnear	De Novo and Surrounding Farms.				
A van der Westhuizen	Weltevrede 1				



Period 1 July 2023 – 30 June 2024					
Name of representative	Capacity representing	Number of ward committee meetings held	Number of Public Meetings held	Number of Monthly reports submitted to the Office of the Speaker	Committee functioning effectively (Yes / No)
C Februarie	Smartie Town.				
A September	Weltevrede. 2				
C Wesso	Ward Administrator				

Ward 20: Vlottenburg, Raithby, Lynedoch, Mooiberge, Meerlust and Polkadraai

Table 60: Ward 20 Committee Members

Period 1 July 2023 – 30 June 2024					
Name of representative	Capacity representing	Number of ward committee meetings held	Number of Public Meetings held	Number of Monthly reports submitted to the Office of the Speaker	Committee functioning effectively (Yes / No)
Cllr J Joon	Chairperson	8	3	10	Yes
C Matthys	Raithby				
D Fortuin	Stellenboschkloof pad, Vlottenburg				
R Muller	Mooiberge				
I Johnson	Lynedoch				
E Jacobs	Meerlust, Lynedoch				
H Brink	Vlottenburg				
B Moses	Polkadraai, Vlaeberg				
P Taai Bosch	Religious sector				
J Casper	Health sector				
J Fortuin	Ward Administrator				

Ward 21: Jamestown, Paradyskloof, De Zalze, Techno Park, Blaauwklippen and surrounding farms

Table 61: Ward 21 Committee Members

Period 1 July 2023 – 30 June 2024					
Name of representative	Capacity representing	Number of ward committee meetings held	Number of Public Meetings held	Number of Monthly reports submitted to the Office of the Speaker	Committee functioning effectively (Yes / No)
Cllr M Slabbert	Chairperson	9	0	8	Yes
P de Wet	Geographic Block 1				
A Verwey	Geographic Block 2				
R Kriel	Geographic Block 2				
R Spies	Geographic Block 3				
S McNaughton	Geographic Block 4				



Period 1 July 2023 – 30 June 2024					
Name of representative	Capacity representing	Number of ward committee meetings held	Number of Public Meetings held	Number of Monthly reports submitted to the Office of the Speaker	Committee functioning effectively (Yes / No)
W Adams	-				
S de Wet	-				
A Okkers	-				
N Williams	Ward Administrator				

Ward 22: Krigeville, Dalsig, Welgelegen, Brandwacht, Die Boord and Kleingeluk

Table 62: Ward 22 Committee Members

Period 1 July 2023 – 30 June 2024					
Name of representative	Capacity representing	Number of ward committee meetings held	Number of Public Meetings held	Number of Monthly reports submitted to the Office of the Speaker	Committee functioning effectively (Yes / No)
Cllr E Groenewald	Chairperson	10	1	0	Yes
P Schaafsma	Geographic Block 1				
A Blignaut [co-opted January 2024]	Geographic Block 2				
I Maree	Geographic Block 3				
C Neethling [resigned September 2023]	Geographic Block 2				
W Joubert	Geographic Block 4				
H Slabber	Geographic Block 5				
S Wilson	Geographic Block 6				
A Pelsner - resigned A Sarga [co-opted January 2024]	Geographic Block 7				
H Hill	Geographic Block 8				
Prof P Kruger	Geographic Block 9				
M Vlok	Geographic Block 10				
P Mogale [resigned 29.11.2023 - Zintle Olayi [Appointed 01.05.2024]	Ward Administrator				



Ward 23: From Eerste Rivier, Piet Retief street, Mill street, Bird Street, Merriman Avenue, Ryneveld Street, Jan Celliers Street, George Blake drive, Du Toit street, Bergzicht, Herte Street, Krige Street, Skone Uitsig

Table 63: Ward 23 Committee Members

Period 1 July 2023 – 30 June 2024					
Name of representative	Capacity representing	Number of ward committee meetings held	Number of Public Meetings held	Number of Monthly reports submitted to the Office of the Speaker	Committee functioning effectively (Yes / No)
Cllr L Nkamisa	Chairperson	9	0	1	Yes
J Venter	Geographic Block 1				
M Serfontein [resigned 05.04.2023]	Geographic Block 1				
A Gouws [co-opted 05.09.2023]	Geographic Block 1				
C De Ruiter [co-opted 26.06.2023]	Geographic Block 2				
A Nompume	Geographic Block 2				
T Seyisi	Geographic Block 3				
K Morake	Religious sector				
T Dube	Education and Youth sector				
M Maleka [resigned 28.03.2023]	Geographic Block 2				
M Lokhat [resigned 18.04.2023]	Religious Sector				
L van Wyk	Education and Youth sector				
L Nicolas	-				
T Theron	-				
P Mogale [resigned 29.11.2023 - Zintle Olayi [Appointed 01.05.2024]	Ward Administrator				



COMPONENT C: CORPORATE GOVERNANCE

Corporate governance is a set of processes, practices, policies, laws, and stakeholders affecting the way an institution is directed, administered, or controlled. Corporate governance also includes the relationships among the many stakeholders involved and the goals for which the institution is governed.

2.5 RISK MANAGEMENT

Section 62 of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003) (MFMA) states that the Accounting Officer should take all reasonable steps to ensure that the municipality has and maintains effective, efficient, and transparent systems of financial and risk management and internal control, as well as the effective, efficient, and economical use of the resources of the municipality.

This responsibility was delegated to the Chief Risk Officer. During the year under review, the following was done:

- continuous awareness-raising throughout the municipality;
- the Risk and Fraud Management Committee was established to facilitate and govern the risk management process with a term of reference and has been operational since January 2013;
- the Chief Audit Executive has a seat on the Risk and Fraud Management Committee, where all risk and fraud management-related activities are reported;
- the Risk Management Committee reports to the APAC;
- risk registers have also been completed at an operational level;
- the previous year's strategic registers were revisited, and an acceptable risk appetite was determined;
- the revised risk register was adopted by the Council; and
- risks were also identified that could prevent the achievement of the predetermined objectives and were noted in the SDBIP.

Although the Chief Risk Officer is responsible for coordinating and facilitating risk management at all levels within the municipality, the municipal manager and management are the drivers of risk management and the mitigation of risk exposure in the municipality.

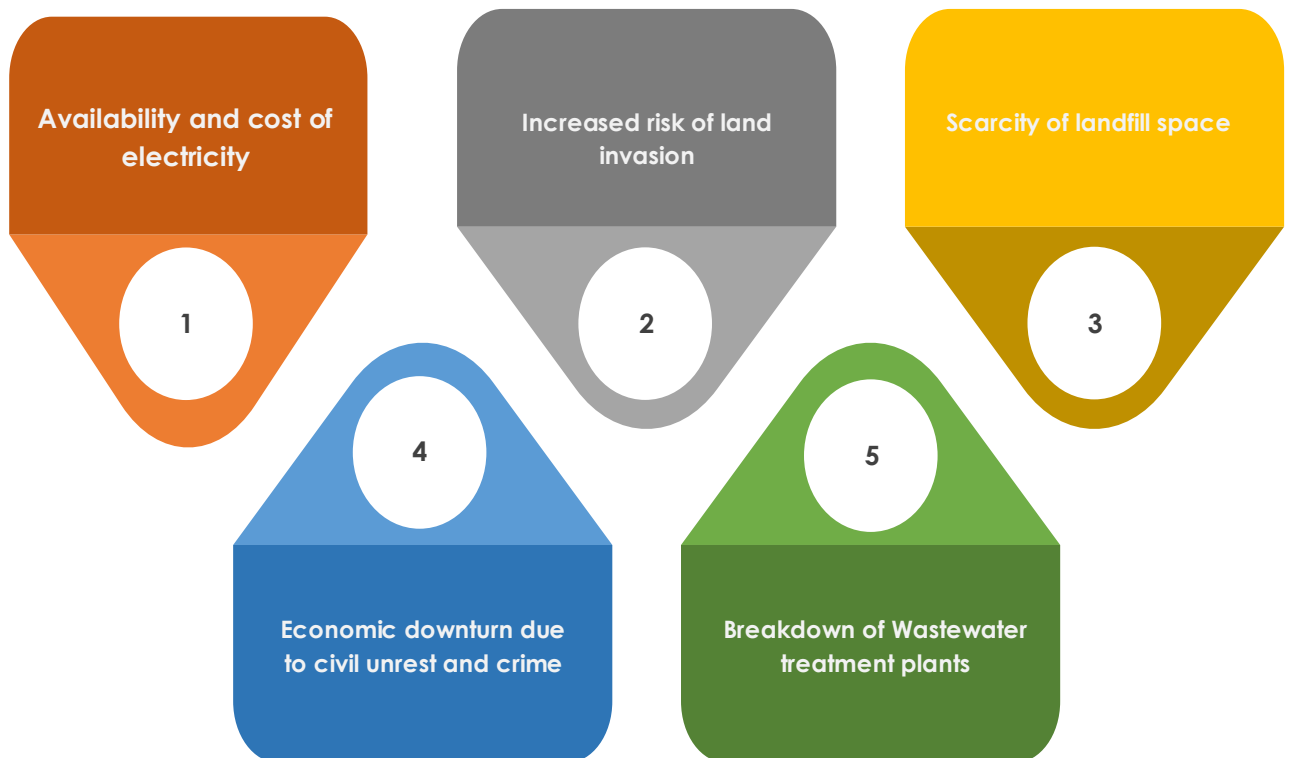
As the new financial year started, conversations and assessments turned to the impact of the ongoing electricity and energy crisis. This was necessary as the municipality started to focus on the impact of continuous and persistent loadshedding, the sustainability of the national power supply, and how to manage the availability and cost of electricity over the next decade and beyond.

All the risks, as identified as part of the bi-annual risk assessments with the Directorates, are captured on the Barn Owl system, an electronic risk management system to ensure more accuracy and detail with ratings, reporting, and assessments to assist in providing information and reports to management. This is to assist and better inform managers when using risk management in the decision-making process.



The top 5 risks identified for 2023/24 are as follows:

Table 64: The top 5 risks identified for 2023/24



a) Likelihood rating scale

Table 65: Risk likelihood rating scale

Impact and Likelihood Rating		
Likelihood Grading		
10	Certain	91% - 100% chance of occurring
9	Almost Certain	81% - 90% chance of occurring
8	Expected	71% - 80% chance of occurring
7	Probable	61% - 70% chance of occurring
6	Possible	51% - 60% chance of occurring
5	Potential	41% - 50% chance of occurring
4	Occasional	31% - 40% chance of occurring
3	Remote	21% - 30% chance of occurring
2	Improbable	11% - 20% chance of occurring
1	Rare	0% - 10% chance of occurring
Impact Grading		
10	Catastrophic	A critical event resulting in the long-term cessation of the majority or all core organisational activities. Inability to achieve the municipality's strategy and objectives. Requires external support.
9	Critical	A critical event resulting in the long-term cessation of several core organisational activities. Drastically reduced ability to achieve the municipality's strategy and inability to achieve most of the objectives. Requires intervention from the Council.
8	Major	A major event resulting in the long-term cessation of a core organisational activity.



Impact and Likelihood Rating		
Likelihood Grading		
		Severely reduced ability to achieve the municipality's strategy and inability to achieve certain objectives. The material at the organisational level. Requires intervention from the Municipal Manager and Audit Committee involvement.
7	Significant	Significant long-term disruption of services. Significantly reduced ability to achieve the municipality's strategy and objectives. Requires intervention from the Director.
6	Moderate	Short / medium-term disruption of services. Reduced ability to achieve the municipality's strategy and objectives. Requires intervention from the Head of the Department.
5	Marginal	Disruption of normal operations / services. Limited effect on the achievement of the municipality's strategy and objectives. Requires intervention from the Line Manager.
4	Immaterial	Irritation in rendering or receiving services. No material impact on the achievement of the municipality's strategy and objectives. Can be dealt with by senior staff.
3	Minor	The impact will be coped with in the short term through normal operational processes performed by staff
2	Insignificant	The impact of adverse events is minimal.
1	Negligible	The impact of the adverse event has little (if any) impact on services.

The rating determines the risk exposure. Through this management gets to understand the extent to which potential events might impact their objectives on a scale from 1 as a minimum and 100 as a maximum.

b) Inherent risk exposure

Table 66: Inherent risk exposure grid

Inherent Risk Exposure: the inherent risk exposure is determined by comparing the inherent risk rating against the risk appetite		
Inherent Risk Exposure		
Inherent Risk	Magnitude	Definition
0 -25	Low Risk	Level of inherent risk is within the risk appetite – Low level of a control intervention required if any.
26 -50	Moderate Risk	Unacceptable level of risk – Moderate level of control intervention is required to achieve an acceptable level of residual risk.
51 – 75	High Risk	Unacceptable level of risk – High level of control intervention is required to achieve an acceptable level of residual risk.
76 – 100	Extreme Risk	The extreme level of risk – Immediate level of control. Intervention is required to achieve an acceptable level of residual risk.

The strategic risk register below indicates all the focus areas, risks and mitigation measures taken to address these identified risks within the organisation.



2.5.1 STRATEGIC RISKS IDENTIFIED

Table 67: Risk register

Strategic Risks							
Risk Item	Risk Description	Risk Background	Strategic Focus Areas	Impact Rating	Likelihood Ratings	Inherent Risk Exposure/Risk Appetite (1-100)	Directorate
1	Availability and cost of electricity	Continuous and persistent loadshedding; sustainability of the national power supplier	Green and Sustainable Valley, Dignified Living	10	10	100	Directorate: Infrastructure Services
2	Increased risk of a land invasion	Legal precedents are set under the disaster management declaration, limiting the municipal scope to evict. Illegal invasions and land grabs. Compromising housing development and housing opportunities.	Dignified Living, Safe Valley, Financial Sustainability, Good Governance and Compliance	9	10	90	All Directorates
3	Economic downturn due to civil unrest, crime and continuous loadshedding.	Increase in criminal activities, civil unrest, and reputational risk due to the perceived increase in the said activities. The impact of prolonged loadshedding—not sufficient light at night as streetlights, CCTV cameras, and traffic lights are not functioning—can lead to more criminal activities.	Safe Valley, Dignified Living	10	8	80	Directorate Community and Protection Services
4	Breakdown of Wastewater Treatment Plants	Breakdown of Wastewater Treatment Plants due to electricity outages.	Green and Sustainable Valley, Dignified Living	10	8	80	Infrastructure Services
5	Scarcity of landfill space	Unavailability of suitable land; costs of SLAs and alternative waste disposal; legislative requirements, i.e., EIA applications and approvals, etc.	Green and Sustainable Valley	8	8	64	Directorate: Infrastructure Services
Operational Risks							
1	Insufficient burial space in the greater Stellenbosch	"Planning and funding; land availability. Insufficient funding. Compliance and impact of COVID-19 burials after experiencing a 2nd and 3rd wave."	Dignified Living	8	8	64	Directorate: Community and Protection Services
2	Timeous Capital Spending	A steady increase in budget allocation; growing population and demand for services; demand management.	Good Governance and Compliance	10	4	40	Directorate: Financial Services



Operational Risks							
3	Climate Change	Changing weather patterns, unpredictable rainfall, flash floods, droughts, natural disasters, and fires (seasonal and other).	Green and Sustainable Valley; Safe Valley	8	4	32	Office of the Municipal Manager
4	High Vacancy Rate	A skilled and capable workforce is necessary to support growth objectives, and quality and timeous service delivery need to be provided by all departments.	Good Governance and Compliance	8	4	32	Directorate: Corporate Services
6	Lack of integrated Information and Communication Technology	Disparate systems	Good Governance and Compliance	6	4	24	Directorate: Corporate Services

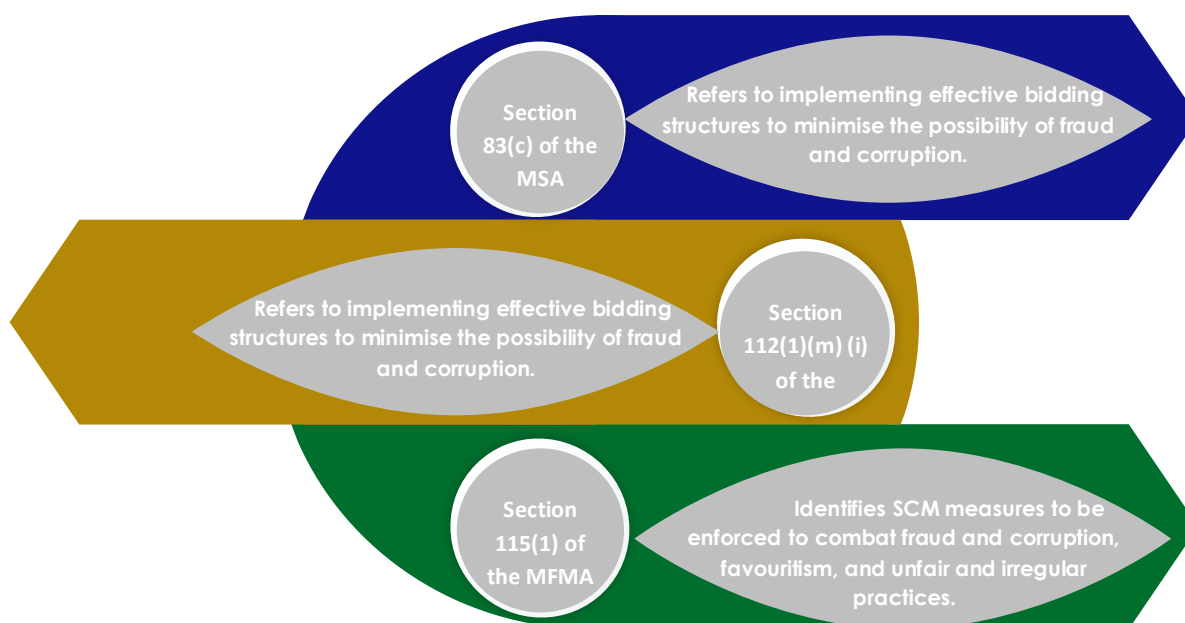
2.5.2 ANTI-CORRUPTION AND ANTI-FRAUD

Management and the Council have taken ownership of combating fraud and corruption throughout the municipality.

The Anti-Fraud and Corruption Prevention Plan intends to strengthen fraud and corruption prevention at all levels within the municipality and re-invest in managing fraud and corruption at all levels.

The fraud hotline, or tip-offline, is also fully functional and managed by an independent service provider. A toll-free number and e-mail service are available to members of the public to report any suspected fraudulent or corrupt activities.

Figure 13: Anti-Corruption and Anti-Fraud Legislation





2.6 FUNCTIONS OF THE AUDIT AND PERFORMANCE AUDIT COMMITTEE (APAC)

The Municipal Audit and Performance Audit Committee's objectives and functions are based on Section 166(2)(a-e) of the MFMA, further supplemented by the Local Government: Municipal Planning and Performance Management Regulation, as well as the approved Audit and Performance Audit Committee Charter approved on 28 March 2018 by the Council.

The objectives of the APAC of the Stellenbosch Municipality are to:

- ✦ Assist the Council in discharging its duties relating to the safeguarding of the Council's assets;
- ✦ Develop and oversee the operation of an adequate internal process and control system;
- ✦ Oversee the preparation of accurate financial reporting and statements in compliance with all applicable legal requirements, corporate governance, and accounting standards;
- ✦ Provide support to the Council on the risk profile and risk management of the Council; and
- ✦ Ensure that there is an internal audit function in place and that the roles of the internal and external audit functions are coordinated.

The APAC is responsible for the oversight of internal controls, financial reporting, and compliance with regulatory matters and mainly makes recommendations to management.

The responsibilities of the APAC are further to review the:

- ✦ Effectiveness of the Council's system of internal control and risk management;
- ✦ Financial reporting and financial statements;
- ✦ Internal audit function;
- ✦ AGSA's report;
- ✦ Council's compliance with legislation and regulation;
- ✦ Compliance with the Council's Code of Conduct and Ethics; and
- ✦ Performance Management System to make recommendations in this regard to the Council.

The APAC members are as follows:

Table 68: Members of the Audit and Performance Audit Committee

Period 01 July 2023 – 30 June 2024	
Name of representative	Capacity
LC Nene (Mr)	Chairperson
VJ Botto (Mr) (Term ended 31 September 2023)	Member
Mr TW Lesihla (Mr) (Term ended 31 September 2023)	Member
J Williams (Ms) (Resigned 07 February 2024)	Member
L Mortimer (Inception date: 29 April 2024)	Member
R Ghani (Ms) (Inception date: 27 September 2023)	Member
R Strydom (Ms) (Inception date: 27 September 2023)	Member

**Table 69: APAC meetings held from 01 July 2023 to 30 June 2024**

Period 01 July 2023 – 30 June 2024
Meeting dates
28 August 2023
28 November 2023
28 March 2024
25 June 2024

The APAC advises the Council, political office-bearers, the Accounting Officer, and management of the municipality on matters concerning duties as described in the Audit and Performance Audit Committee Charter.

The APAC is also accountable for identifying major risks to which the Council is exposed and determining the extent to which those risks have been mitigated.

2.7 INTERNAL AUDITING

Section 165(2)(a), (b), and (c) of the MFMA requires that:

The internal audit unit of a municipality must:

- a. prepare a risk-based audit plan and an internal audit programme for each financial year; and
- b. advise the accounting officer and report to the Audit Committee on the implementation of the internal audit plan and matters relating to:
 - ✦ internal audit;
 - ✦ internal controls;
 - ✦ accounting procedures and practices;
 - ✦ risk and risk management;
 - ✦ performance management;
 - ✦ loss control; and
 - ✦ compliance with this Act, the annual Division of Revenue Act, and other applicable legislation.
- c. perform such other duties as may be assigned to it by the accounting officer.

Stellenbosch Municipality's internal audit function is performed by in-house staff. The main focus areas were compliance with applicable laws, regulations, policies, and procedures, which resulted in both assurances and consulting work. During the year under review, the internal audit activity was able to effectively execute 87% of the initially adopted risk-based audit plan.

In addition, process flowcharts for all identified audit areas have been documented, highlighting the key controls and / or control gaps for process owners / line managers to consider and implement. Follow-up reviews were conducted relating to previously reported matters during the previous financial year.



2.7.1 RISK REGISTER AND THREE-YEAR STRATEGIC PLAN

Table 70: ✓ Confirms audit activity completed in the financial year

Audit Activity / Audit Universe	Year 1	Year 2	Year 3	Combined Assurance Provider
	2022/23	2023/24	2024/25	
Statutory Internal Audits				
MFMA Compliance	✓	✓	✓	AGSA
MSA Compliance	✓	✓	✓	AGSA
DORA Compliance	✓	✓	✓	AGSA
Performance Management and SDBIP (Quarterly)	✓	✓	✓	IA
Risk-based audits (Auditable Areas)				
Office of the Municipal Manager: Pre-review of MM and Directors' performance evaluations	✓	✓	✓	IA
Financial Services: Supply Chain Management	✓	✓	✓	AGSA
Financial Services: Asset Management	✓	✓		IA
Financial Services: Expenditure Management (SCM)	-	-	-	AGSA
Financial Services: Expenditure Management (Creditors)	✓		✓	IA
Financial Services: Budget Process (Included in MFMA Audit)	N/A	N/A	N/A	AGSA
Financial Services: Cash Receipts, Banking, and Investments	-	-	-	AGSA
Financial Services: Accounting and Financial Reporting	-	-	-	AGSA
Financial Services: Year-end Inventory review – stores (direct assistance for the AGSA)	✓	✓	✓	IA
Corporate Services: Recruitment and Selection	✓	-	-	IA
Corporate Services: Information and Communication Technology	✓	✓	✓	AGSA / IA
Corporate Services: Archives / Records Management (Audit Conducted by Western Cape Provincial Government)	N/A	N/A	N/A	External Assurance
Corporate Services: Staff Regulations	-	✓	✓	IA- Roll over 2024/25
Planning and Economic Development: Housing Administration	-	✓	-	IA
Community and Protection Services: Traffic Services and Administration	-	-	✓	IA
Disaster and Climate Change Readiness Assessment	-	✓	-	IA
Other				
Internal Quality Assurance review	✓	✓	✓	IA
State of Records review (direct assistance for the AGSA)	✓	✓	✓	IA
AG audit action plan	✓	✓	✓	IA
AG: Asset verification (Direct assistance)	✓	✓	✓	IA



Audit Activity / Audit Universe	Year 1	Year 2	Year 3	Combined Assurance Provider
	2022/23	2023/24	2024/25	
AG: Employee verification (Direct assistance)	✓	✓	✓	IA
Governance	✓	✓	✓	IA
Risk Management	✓	✓	✓	IA
Follow up audits	✓	✓	✓	IA
Ad hoc review(s) / Special requests	✓	✓	✓	IA

Legend:

Legend					
No coverage					
High-risk (Annual audit of a business process)					
Medium risk					
Low risk					
Compliance (Statutory requirement)					

Risk assessment updates were performed during the 2023/24 financial year, and all relevant risks were populated into an updated Risk Register for the municipality. This Risk Assessment Plan forms the basis of the **2023/24** financial year's Risk-Based Audit Plan. New updates to the Stellenbosch Municipality's risk profile were captured during **2023/24** in consultation with the Risk Management Committee. This will ensure that adequate audit coverage is obtained from Internal Audit in consultation with the AGSA and management.

2.7.2 ANNUAL RISK-BASED AUDIT PLAN

The Risk-Based Audit Plan 2023/24 was implemented with the available resources. The table below provides details on audits completed.

Table 71: Annual Risk-Based Audit Plan

Audit Activity	Status
DoRA Compliance	Combined Assurance – AGSA
MGRO 1 and 2 (MGAP)	Report submitted to PT
Statutory audits	
Pre-determined Objectives	
Quarter 4	Final Report
Quarter 1	Final Report
Quarter 2	Final Report
Quarter 3	Final Report
Performance Reviews: MM and Directors (annual assessments)	Final Report
Risk-based audits	
Office of the Municipal Manager: Pre-review of Municipal Manager and Directors performance evaluations	Finalised: Results submitted to Municipal Manager
Financial Services: Asset Management	SOP finalised
Financial Services: Year-end Inventory review – stores (direct assistance for the AGSA)	Finalised



Audit Activity	Status
Corporate Services: Staff Regulations	Roll over 2024/25
Corporate Services: Information and Communication Technology	Combined Assurance - AGSA
Planning and Economic Development: Housing Administration	Final Report
Disaster and Climate Change Readiness Assessment	Final Report
Other scheduled audits	
Internal Quality Assurance Improvement Plan	Report submitted: June 2024
State of Records review (direct assistance for the AGSA)	Ongoing
AG audit action plan (2022/23)	Q1: March 2024 Q2: June 2024 Q3: August 2024
Governance Review	Ongoing
AG: Asset Verification (direct assistance for the AGSA)	Finalised
AG: Employee Verification (direct assistance for the AGSA)	Finalised
Risk Management	Final Report
Follow-up audits: Recruitment and Selection Personnel Files Registry / Archive Process Housing Allowance Unallocated Deposits	Final report: May 2024
Ad hoc requests	
Ad hoc review(s) / Management requests / Consulting Activities: Visit Stellenbosch	Finalised

2.7.3 PERFORMANCE MANAGEMENT SYSTEM (PMS) AUDITS

The actual performance was subjected to an internal audit review, and the results of their findings were submitted to the APAC. Quarterly audits were performed and reported to the APAC.

2.8 SUPPLY CHAIN MANAGEMENT

The Supply Chain Management (SCM) Policy applicable to the 2023/24 financial year was revised and adopted by the Council on 24 May 2023 (as Appendix 17 of the budget-related policies in the Council item) in terms of sections 17(1)– (3) of the MFMA.

The changes referred to above will ensure that the Department: SCM has the required legislative mandate to further streamline procedures and processes to promote more efficient and effective service delivery to all internal and external stakeholders.

2.8.1 COMPETITIVE BIDS OVER R200 000

The following table details the number of Bid Committee meetings held for the 2023/24 financial year:

Table 72: Bid Committee Meetings

Bid Specification Committee	Bid Evaluation Committee	Bid Adjudication Committee
44	264	52

The attendance figures of members of the Bid Specification Committee are as follows:

Table 73: Attendance of Members of the Bid Specification Committee

Member	% Attendance
Supply Chain Management Representative	100%
Relevant technical expert responsible for a function	100%



The attendance figures of members of the Bid Evaluation Committee are as follows:

Table 74: Attendance of Members of the Bid Evaluation Committee

Member	% Attendance
Supply Chain Management Representative	100%
Relevant technical expert responsible for a function	100%

The attendance figures of members of the Bid Adjudication Committee are as follows:

Table 75: Attendance of Members of the Bid Adjudication Committee

Member	% Attendance
Chief Financial Officer (Chairperson)	100%
Director Planning and Economic Development	100%
Director: Infrastructure Services	100%
Director: Community and Protection Services	100%
Director: Corporate Services	100%

The percentages indicated above include the attendance of those officials acting in the position of a bid committee member and / or chairperson.

2.8.2 AWARDS MADE BY THE BID ADJUDICATION COMMITTEE

The Bid Adjudication Committee awarded 109 tenders, which include 25 tenders below R10 million and recommended for award of 10 tenders above R10 million and 74 rates tenders. The ten highest bids awarded by the bid adjudication committee are as follows:

Table 76: Ten Highest Bids Awarded by Bid Adjudication Committee

Bid Number	Title of bid	Directorate and Section	Successful Bidder	Value of bid awarded
BSM 98/23	UPGRADE OF BERGZICHT TAXI RANK, STELLENBOSCH PHASE 1	Infrastructure Services	R CONRAD TRADING CC T/A RC CIVILS	R7 976 066.62
BSM 101/23	OPERATION OF THE PNIËL WASTEWATER TREATMENT WORKS ENDING 30 JUNE 2026	Infrastructure Services	ZANA MANZI SERVICES (PTY)LTD	R7 719 007.23
BSM 86/23	COMPILATION OF AND MAINTENANCE OF THE VALUATION ROLL AND SUPPLEMENTARY ROLLS FOR WC024 IN COMPLIANCE WITH THE LOCAL GOVERNMENT: MUNICIPAL PROPERTY RATES ACT, 2004 (ACT 6/2004)	Financial Services	HCB VALUATIONS AND SERVICES (PTY)LTD	R5 681 375.00
BSM 94/23	SUPPLY AND DELIVERY OF A 1 X RG12 MK2 (NYALA) MULTI-PURPOSE ARMoured PERSONNEL CARRIER VEHICLE FOR COMMUNITY PROTECTION SERVICES	Community Services	OTT Solutions (Pty) Ltd	R4 804 168.24
BSM 27/24	EERSTE RIVER FLOOD REHABILITATION STRUCTURES - AGRICULTURAL HALL	Infrastructure Services	NKUTWALA CONSTRUCTION	R3 430 806.50
BSM 97/23	VEEAM AND VMWARE LICENSE RENEWAL FROM 1 AUGUST 2023 TO 30 JUNE 2026.	Corporate Services	DATA CENTRIX (PTY) LTD	R2 930 597.00
BSM 08/24	APPOINTMENT OF AN EVENT ORGANISER TO ORGANISE THE STELLENBOSCH FESTIVAL OF LIGHTS OVER A PERIOD OF ONE FINANCIAL YEAR 2023 /2024	Planning Services	Swey Designs	R2 208 000.00



Bid Number	Title of bid	Directorate and Section	Successful Bidder	Value of bid awarded
BSM 64/24	MOVEABLE STOCK TAKE FOR PERIOD ENDING 30 JUNE 2026	Financial Services	Akhile Management and Consulting (PTY)	R1 687 907.00
BSM 15/24	SUPPLY AND DELIVERY ONLY OF ICT INFRASTRUCTURE EQUIPMENT	Corporate Services	Innovo Networks	R1 469 256.64
BSM 104/23	REPAIRS OF THE GYMNASIICS BUILDING AT VAN DER STEL SPORTS FACILITY	Community Services	AR Projects and Developments (Pty) Ltd	R1 405 691.16

2.8.3 AWARDS MADE BY THE ACCOUNTING OFFICER

In terms of paragraph 5.2 of the Council's SCM Policy, only the accounting officer may award a bid that is over R10 million. The accounting officer may not sub-delegate the right to make such an award.

The table below indicates the bids awarded by the accounting officer:

Table 77: Awards made by the Accounting Officer

Bid Number	Title of bid	Directorate and Section	Value of bid awarded
BSM 59/24	THE UPGRADE OF THE LANQUEDOC ACCESS ROAD AND BRIDGE	Infrastructure Services	R48 607 418.81
BSM 30/23	JAMESTOWN 5ML RESERVOIR: CONSTRUCTION OF BULK WATER AND ASSOCIATED INFRASTRUCTURE	Infrastructure Services	R29 728 296.13
BSM 57/24	OPERATION, PREVENTATIVE MAINTENANCE AND OVERALL MAINTENANCE MANAGEMENT OF THE STELLENBOSCH WWTW ENDING 30 JUNE 2026	Infrastructure Services	R25 718 751.90
BSM 60/23	INSTALLATION OF LANDFILL GAS EXTRACTION AND FLARING INFRASTRUCTURE AT THE STELLENBOSCH LANDFILL	Infrastructure Services	R22 194 929.62
BSM 14/24	THE CONSTRUCTION OF BASIC SERVICES FOR THE PROPOSED DEVELOPMENT OF THE TEMPORARY RELOCATION AREA ON ERF 3229, MOOIWATER	Planning Services	R21 329 508.95
BSM 05/24	ELECTRIFICATION OF INFORMAL HOUSES IN THE ENKANINI INFORMAL SETTLEMENT OF STELLENBOSCH FOR THE PERIOD ENDING 30 JUNE 2024: PHASE 4	Planning Services	R19 178 928.41
BSM 56/24	OPERATION, PREVENTATIVE MAINTENANCE AND OVERALL MAINTENANCE MANAGEMENT OF THE WEMMERSHOEK WASTEWATER TREATMENT WORKS FOR THE PERIOD ENDING 30 JUNE 2026	Infrastructure Services	R18 083 145.48
BSM 94/24	APPOINTMENT OF A SERVICE PROVIDER FOR THE PROVISION OF MUNICIPAL ICT NETWORK EXPANSION WITH MAINTENANCE AND SUPPORT FOR THE PERIOD 1 JULY 2024 ENDING 30 JUNE 2027	Corporate Services	R16 376 000.00
BSM 55/23	VLOTTENBURG OUTFALL SEWER: CONSTRUCTION OF BULK SEWER AND ASSOCIATED INFRASTRUCTURE	Infrastructure Services	R15 172 146.39
BSM 92/23	KLAPMUTS BULK WATER AND ASSOCIATED WORKS: PHASE 2	Infrastructure Services	R11 138 325.99



2.8.4 OBJECTIONS LODGED

The table below indicates the total objections lodged during the year under review.

Table 78: Objections Lodged

Tender Nr	Description	Date of finalisation of the appeal
B/SM 26/22	Sindele Cleaning	2022-07-15
B/SM 53/22	Uhambo	2022-10-12
B/SM 59/22	Mailtronic	2022-11-24
B/SM 11/23	Max Amp Electrical	2023-03-29
B/SM 09/23	Grand Landscaping	2023-05-09
B/SM 59/23	Klaasen Cleaning	2023-06-30

The municipality also had six (6) appeals, which were resolved, along with one (1) objection, which was also dealt with.

2.8.5 FORMAL QUOTATIONS (ABOVE R30 000 AND BELOW R200 000) PROCUREMENT PROCESSES

The number of formal quotations approved by the Snr. Manager: SCM for the year under review follows:

Table 79: Formal Quotations (above R 30 000 and below R 200 000)

Description	Financial Years						
	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
Number of Awarded Formal Quotations	206	203	145	122	8	91	108
Total Formal Quotations advertised	264	249	159	139	131	124	146
Percentage awarded	78.03%	81.53%	91.19%	88%	67.94%	73.39%	74%

2.8.6 DEVIATION FROM THE NORMAL PROCUREMENT PROCESSES

Paragraph 4.36 of the Council's SCM Policy allows the Accounting Officer to dispense with the official procurement process. The following table indicates the number of certificates of emergencies and deviations approved in terms of Section 4.36 of the SCM Policy.

Table 80: Deviation from Normal Procurement Process

Description	Financial Years					
	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
<u>Certificate of Emergencies:</u> Approved by the Directors t.o. Section 4.36.4 of the SCM Policy	0	0	0	0	0	0
<u>Deviations:</u> Approved by the Accounting Officer i.t.o. Section 4.36.1 of the SCM Policy	42	32	19	12	17	19
TOTAL	42	32	19	12	17	19



Deviations from the normal procurement processes have been monitored closely to mitigate the risk associated with them.

2.8.7 DISPOSAL MANAGEMENT

The system of disposal management envisages the following:

- ✦ immovable property is sold only at market-related prices, except when the public interest or the plight of the poor demand otherwise;
- ✦ movable assets are sold either by way of written price quotations, a competitive bidding process, an auction, or at market-related prices, whichever is most advantageous;
- ✦ firearms are not sold or donated to any person or institution within or outside the Republic unless approved by the National Conventional Arms Control Committee;
- ✦ immovable property is let at market-related rates, except when the public plight of the poor demands otherwise;
- ✦ all fees, charges, rates, tariffs, scales of fees, or other charges relating to the letting of immovable property are annually reviewed;
- ✦ where assets are traded in for other assets, the highest possible trade-in price is negotiated; and
- ✦ in the case of the free disposal of computer equipment, the Provincial Department of Education is first approached to indicate within 30 days whether any of the local schools are interested in the equipment.

The municipality complies with Section 14 of the MFMA, which deals with the disposal of capital assets, as well as with the Asset Transfer Regulations.

2.8.8 SUPPLY CHAIN MANAGEMENT PERFORMANCE MANAGEMENT

The SCM Policy requires that an internal monitoring system be established and implemented to determine, based on retrospective analysis, whether the SCM processes were followed and whether the objectives of the SCM policy were achieved.

Monitoring internal processes is an ongoing process. Procedure manuals for various SCM processes have been developed, approved, and are being implemented.

2.8.9 SERVICE PROVIDERS STRATEGIC PERFORMANCE

Section 76(b) of the MSA states that KPIs should inform the indicators set for every municipal entity and service provider with whom the municipality has entered into a service delivery agreement. According to the AGSA's office:

- a) Service provider means a person or institution or any combination of persons and institutions that provide a municipal service.
- b) External service provider means an external mechanism referred to in Section 76(b) that provides a municipal service for a municipality; and
- c) A service delivery agreement means an agreement between a municipality and an institution or person mentioned in Section 76(b) in terms of which a municipal service is provided by that institution or person, either for its account or on behalf of the municipality.

Section 121(b) of the MFMA and Section 46 of the MSA further state that a municipality should include the following aspects related to service providers in its annual report:

- ✦ The performance of each service provider;



- ✦ A comparison of the performance with targets set for and performance in the previous financial year; and
- ✦ Measures are taken to improve performance.

2.8.10 B-BBEE COMPLIANCE PERFORMANCE INFORMATION

Section 121(3)(k) of the MFMA indicates that the annual report of a municipality should include any other information as may be prescribed. The Broad-Based Black Economic Empowerment (B-BBEE) Act (Act No. 53 of 2003; as amended by Act 46 of 2013) read in conjunction with the B-BEE Regulations of 2016 states in Section 13G(1) that all spheres of government, public entities, and organs of state must report on their compliance with broad-based black economic empowerment in their annual financial statements and annual reports. Under the explanatory notice (Notice 1 of 2018) issued by the B-BBEE Commission, the following table provides details on the municipality's compliance concerning broad-based black economic empowerment, which only focuses on the organisational aspect of the compliance reform: It should be noted that a consultant is currently in the process of doing an in-depth rating of BBEE compliance in terms of supply chain and socio-economic activities.

a) Management Control

Table 81: B-BBEE Compliance Performance Information - Management Control

Category	% for each category	Race Classification			Gender		Disability
		A	C	W	F	M	
Directors	4 / 6 = 66.67%	0	4	2	2	4	0
Senior Management	18 / 25 = 72%	3	15	7	4	21	0

b) Skills Development

Table 82: B-BBEE Compliance Performance Information - Skills Development

Category	% for each category	Race Classification		Gender		Disability	Total amounts spend
		Category	Total	Category	Total		
Black Employees	177	A	64	F	46	None	R3 165 300
		C	112	M	131		
		I	1				
Non-Black employees	18	W	18	F	3	None	R351 700
				M	15		
Black People on internships, apprenticeships, learnership	10	A	6	F	7	None	R367 553
		C	4	M	3		
Unemployed black people on any programme under the learning programme matrix	10	A	6	F	7	None	R367 553
		C	4	M	3		
Black people absorbed at the end of learnership, internship and apprenticeship	2	A	1	F	1	None	-
		C	1	M	1		



2.9 BYLAWS AND POLICIES

Section 11 of the MSA gives municipal councils the executive and legislative authority to pass and implement bylaws and policies.

Bylaws and policies approved in the 2023/24 financial year are listed below.

Table 83: Bylaws and Policies approved

Bylaws and Policies Revised	Date Approved	Department
Bylaws		
Filming Bylaw	03.10.2023	Planning and Economic Development
Credit Control and Debt Collection Bylaw 2024 - 2025	31.05.2024	Financial Services
Special Rating Area Bylaw 2024 - 2025	31.05.2024	Financial Services
Rates Bylaw 2024 - 2025	31.05.2024	Financial Services
Policies (*Financial policies were approved by the Council for the 2023/24 financial year)		
Work From Home Policy	26.07.2023	Corporate Services
Early Childhood Development (ECD) Policy Update	25.10.2023	Planning and Economic Development
Work From Home Policy	26.07.2023	Corporate Services
Rates Policy 2024-2025	31.05.2024	Financial Services
Indigent Policy 2024-2025	31.05.2024	Financial Services
Credit Control and Debt Collection Policy 2024-2025	31.05.2024	Financial Services
Irrecoverable Debt Policy 2024-2025	31.05.2024	Financial Services
Tariff Policy 2024-2025	31.05.2024	Financial Services
Special Ratings Area Policy 2024-2025	31.05.2024	Financial Services
Travel and Subsistence Policy 2024-2025	31.05.2024	Financial Services
Cash Management and Investment Policy 2024-2025	31.05.2024	Financial Services
Development Charges Policy 2024-2025	31.05.2024	Financial Services
Accounting Policy 2024-2025	31.05.2024	Financial Services

2.10 MUNICIPAL WEBSITE

The municipal website is an integral part of a municipality's communication infrastructure and strategy. It serves as a tool for community participation, improves stakeholder involvement, and facilitates stakeholder monitoring and evaluation of municipal performance. Section 75 of the MFMA requires that municipalities place key documents and information on their website, including the IDP, the annual budget, adjustments budgets, and budget-related documents and policies.

Below is a website checklist to indicate compliance with Section 75 of the MFMA.

Table 84: Municipal Website Checklist

Documents Published on the Stellenbosch Municipality's Website	Yes / No	Publishing Date
Current annual and adjustments budgets and all budget-related documents	Yes	Within legislated period
All current budget-related policies	Yes	Within legislated period
Current annual and adjustment budgets and all budget-related documents	Yes	Within legislated period
All current budget-related policies	Yes	Within legislated period
The Annual Report 2023/24	-	Pending
All current performance agreements required in terms of section 57(1)(b) of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) for 2023/24	Yes	Within legislated period
All service delivery agreements for 2023/24	Yes	Within legislated period



Documents Published on the Stellenbosch Municipality's Website	Yes / No	Publishing Date
All long-term borrowing contracts for 2023/24	Yes	Within legislated period
All supply chain management contracts above a prescribed value for 2023/24	Yes	Within legislated period
An information statement containing a list of assets over a prescribed value that has been disposed of in terms of section 14(2) or (4) during 2023/24	Yes	Within legislated period

2.11 COMMUNICATION

As per Section 75 of the MFMA, the municipal website is essential for transparency, allowing stakeholders to access critical documents and monitor municipal activities. It also aligns with the constitutional mandate outlined in Section 152(1)(e) of the Constitution of the Republic of South Africa, which promotes community involvement in municipal governance. The MSA reinforces this by advocating for community participation.

In line with Stellenbosch Municipality's Communication Policy adopted in July 2020, the municipality remains committed to transparency, accountability, and fostering participatory democracy. During the 2023/24 financial year, the municipality's communication platforms played a significant role in ensuring timely information dissemination through multiple channels, including the website, social media, and traditional media outlets. Proactive media engagements, official statements, and news releases further enhanced the municipality's corporate identity and public presence.

The municipal website remains a hub for public engagement, offering regular updates on official notices, tenders, news, and meeting agendas. Enhancements to improve user experience and satisfaction are planned for the near future. Additionally, the municipality's social media platforms—Facebook, X (Twitter), Instagram, and LinkedIn—continue to be key tools for reaching a broad audience and providing real-time updates while driving traffic to the website. During the financial year, the municipality also launched its first WhatsApp Channel which has been growing steadily since its inception.

Embracing the Digital Age:

Stellenbosch Municipality recognises the importance of engaging with residents and stakeholders through digital platforms. The website, social media channels, WhatsApp, and handheld devices enable the dissemination of information in a timely and accessible manner, ensuring broader community reach. As the municipality continues to expand its digital presence, the municipality is leveraging technology to enhance communication and better serve the evolving needs of the community.

The municipality's growing presence on Instagram and LinkedIn, alongside other platforms, reflects the municipality's ongoing commitment to digital engagement. Additionally, monthly newsletters, providing updates and insights into municipal activities, help keep the community well-informed.

Building a Strong Stellenbosch Brand and Corporate Identity:

Beyond communication, Stellenbosch Municipality is dedicated to establishing a strong, recognisable brand and corporate identity that resonates with the community and stakeholders. This focus on branding reinforces the municipality's commitment to creating a positive and impactful presence.



Leading in Social Media Presence:

The municipality is proud to announce that it now boasts the largest following page of any municipality in the Western Cape, apart from the metro. This achievement reflects the municipality's commitment to effectively engaging with its community and keeping them informed through the most widely used social media platform.

Communication Checklist:

- ✦ Regular updates on the municipal website;
- ✦ Active engagement across social media platforms (Facebook, X (Twitter), Instagram, LinkedIn);
- ✦ Placement of advertisements in community and regional newspapers;
- ✦ Newsletters from the Executive Mayor, as well as pamphlets, posters, notice-boards, and regular IDP / ward meetings;
- ✦ An interdepartmental communication forum to enhance internal communication;
- ✦ An intranet for use by all internal staff; and
- ✦ Internal newsletters and memorandums.

This multifaceted approach ensures that Stellenbosch Municipality remains transparent, and responsive, and actively engages with both the community and stakeholders.

Below is a communication checklist for compliance with the communication requirements.

Table 85: Communication Activities

Communication activities	Yes / No
Communication Unit	Yes
Communication Strategy	Yes
Communication Policy	Yes
Customer satisfaction surveys	No
Functional complaint management systems	Yes
Newsletters distributed at least quarterly	Yes



CHAPTER 3: SERVICE DELIVERY PERFORMANCE

3.1 OVERVIEW OF PERFORMANCE WITHIN THE ORGANISATION

This section provides an overview of the key service achievements of the municipality that came to completion during the 2023/24 financial year in terms of the deliverables achieved compared to the key performance objectives and indicators in the IDP.

To improve performance planning, implementation, measurement, and reporting, the municipality implemented the following actions:

- † Departmental operational plans were developed for monitoring and reporting operational programmes. An electronic performance management system is operational within the municipality. The same system forms the basis for performance evaluations of the directors the municipal manager; and
- † The municipality endeavoured during the development of the TL SDBIP as well as the Departmental SDBIP to adhere to the "SMART" principle in the setting of indicators and objectives. The emphasis was placed on ensuring that targets were specific and time-bound, thus making them measurable.

COMPONENT A: BASIC SERVICES

This component includes the municipal functions, basic service delivery highlights and challenges, details of services provided for water, wastewater (sanitation), electricity, waste management, housing services, and a summary of free basic services.

3.2 MUNICIPAL FUNCTIONS

3.2.1 ANALYSIS OF FUNCTIONS

The municipal functional areas are indicated below.

Table 86: Municipal Functional Areas i.f.o. the Constitution

Municipal Function	Yes / No
Constitution Schedule 4, Part B functions:	
Air pollution	Yes
Building regulations	Yes
Childcare facilities	Yes
Electricity and gas reticulation	Yes
Firefighting services	Yes
Local tourism	Yes
Municipal airports	No
Air pollution	Yes
Building regulations	Yes
Municipal planning	Yes
Municipal health services	No
Municipal public transport	Yes
Municipal public works only in respect of the needs of municipalities in the discharge of their responsibilities to administer functions specifically assigned to them under this Constitution or any other law	No



Municipal Function	Yes / No
Constitution Schedule 4, Part B functions:	
Pontoons, ferries, jetties, piers, and harbours, excluding the regulation of international and national shipping and matters related thereto	No
Stormwater management systems in built-up areas	Yes
Trading regulations	Yes
Water and sanitation services are limited to potable water supply systems and domestic wastewater and sewage disposal systems	Yes
Beaches and amusement facilities	Yes
Billboards and the display of advertisements in public places	Yes
Cemeteries, funeral parlours, and crematoria	Yes
Cleansing	Yes
Control of public nuisances	Yes
Control of undertakings that sell liquor to the public	Yes from 2013
Facilities for the accommodation, care, and burial of animals	Yes
Fencing and fences	Yes
Licensing of dogs	No
Licensing and control of undertakings that sell food to the public	No
Local amenities	Yes
Local sport facilities	Yes
Markets	Yes
Municipal abattoirs	No
Municipal parks and recreation	Yes
Municipal roads	Yes
Pounds	Yes
Public places	Yes
Refuse removal, refuse dumps and solid waste disposal	Yes
Street trading	Yes
Street lighting	Yes
Traffic and parking	Yes

3.3 National Key Performance Indicators – Basic Service Delivery

The following table indicates the municipality's performance in terms of the National Key Performance Indicators required in terms of the Local Government: Municipal Planning and the Performance Management Regulations of 2001 and section 43 of the MSA. These key performance indicators are linked to the following two National Key Performance Areas: Basic Service Delivery and Local Economic Development.

Table 87: Basic Service Delivery

KPA and Indicators	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
Basic Service National Indicators							
The percentage of households earning less than R6 500 per month with access to free basic services (In the case of Stellenbosch Municipality- several registered indigent households are being reported)	100%	100%	100%	100%	100%	100%	100%



KPA and Indicators	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
Basic Service National Indicators							
Service for water, sanitation and refuse removal (Average)	6 453	6 813	6 666	7 283	4 681	4 744	5 584

Source: The data emanates from the Indigent Register of the Stellenbosch Municipality

3.4 WATER PROVISION

Water is the most fundamental and indispensable of all available natural resources—fundamental to life, the environment, food production, hygiene, and power generation.

Poverty reduction / alleviation and improved water management are closely linked. Schedule 4B of the Constitution lists water and sanitation services, limited to potable water supply systems and domestic wastewater and sewerage disposal systems, as a local government function.

Basic water is defined as 25 litres of potable water per day supplied within 200 meters of a household. Stellenbosch Municipality had no water restrictions in place during the year under review.

The municipality responded well to the rollout of further critical water and wastewater infrastructure, the expansion of supply for future storage and growth, as well as the upgrade and maintenance of existing systems. It was also required to successfully respond to emergency scenarios such as the flooding events in June 2023, which were the highest rainfall experienced in 43 years.

The municipality also successfully agreed with the Department of Water and Sanitation to participate in the Bergriver Voëlvele Augmentation Scheme, which would essentially secure the municipality additional water once the scheme is completed. This would be fundamental for additional water security for the future of Stellenbosch, in an increasingly water-scarce and climate-sensitive environment sensitive to climate change and “El Nina-like” possible shocks to the system.

The municipality supplies water to the consumers in their area of jurisdiction through the following six water supply systems:

- ⚙ Stellenbosch: Eerste River treated at Ida's Valley WTP (own source);
- ⚙ Stellenbosch: DWS allocation from Western Cape Water Supply Scheme (WCMSS) via the tunnel treated at Paradyskloof WTP (Theewaterskloof Dam);
- ⚙ Franschhoek: Du Toits River treated at Franschhoek WTP (own source);
- ⚙ Dwarsrivier and the rest of Franschhoek: potable water purchased from the City of Cape Town (Wemmershoek Line);
- ⚙ Raithby, Klapmuts, Koelenhof, etc.: Potable water purchased from the City of Cape Town (Blackheath WTP, Faure WTP, and Wemmershoek Line); and
- ⚙ Boreholes BH1: Die Braak, BH2: Meerlust, and BH3: Van der Stel, treated in containerised package plants. This system was only used for a short while after the June floods caused damage to the bulk water supply line from the Wemmershoek Line. The Kylemore BH and Package Plant were then used to provide water to the Dwarsriver communities. The rest of the system was not utilised in the 2022/23 financial year.

Water is also supplied to an extensive industrial area as well.

The municipality manages three water treatment works, namely Ida's Valley, Paradyskloof, and Franschhoek, which is a micro water treatment plant. The potable water supply from these works amounted to 23.76 Ml/d, and a further 10.67 Ml/d was obtained from the City of Cape Town during



The table above is the International Water Association's table to compute the water balance and is also accepted in the Department of Water and Sanitation's reporting structure. This forms the basis of the information needed and what is currently used to calculate water losses. This is combined with monitoring systems installed on all bulk water supply points to determine and ensure accurate data on the water provided. The consumption data for all water users is drawn from the financial system with a regular data download to determine the total water sold. The figure above is used as far as possible to reflect the water balance and water losses in the water systems. The water readings of all areas are also sent to the Department of Water and Sanitation quarterly to monitor and control water usage and allocations of water.

The municipality has developed a comprehensive Water Conservation and Water Demand Management (WC&WDM) strategy, which includes a 10-year financial plan. The strategy has two goals: the municipality will prioritise the implementation of WC&WDM and will ensure ongoing planning, management, monitoring, and an enabling environment. The WC&WDM initiatives include a Waterpipe Replacement Programme, an indigent domestic leak repair and meter replacement programme, Stellenbosch water meter audit, and Stellenbosch in-house water services operations and maintenance.

Stellenbosch Municipality is currently not implementing water restrictions. The current year has seen higher-than-average rainfall, and most bulk dams are full as at 30 June 2023. This, however, should not be seen as an indication that the probability of a future drought is low, and **the public should always be aware of the need to conserve water.**

The following table reflects the status of the dam levels supplying the WCWSS with water and the status of Stellenbosch's dam levels.

Table 88: Western Cape Dams

Major dams	2020	2021	2022	2023	2023/24
	(%)	(%)	(%)	(%)	(%)
Berg River	81.2	100.8	87.9	100.9	87.5
Steenbras Lower	49.9	89.9	78.6	99.8	71.5
Steenbras Upper	99.6	84.6	85.8	100.5	91.5
Theewaterskloof	55.8	101.9	76.1	100.4	63.6
Voëlvlei	54.5	88.1	63.2	95.9	59.9
Wemmershoek	43.3	97.7	65.5	100.2	100.05
Total Stored (MI)	540 023	879 173	679 794	895 018	614 677
% Storage	59.7	97.4	75.2	99.6	79.0

The table below depicts the Stellenbosch dams and overall water usage trends in the region (from the City of Cape Town Dam Levels Report, 21 August 2023):

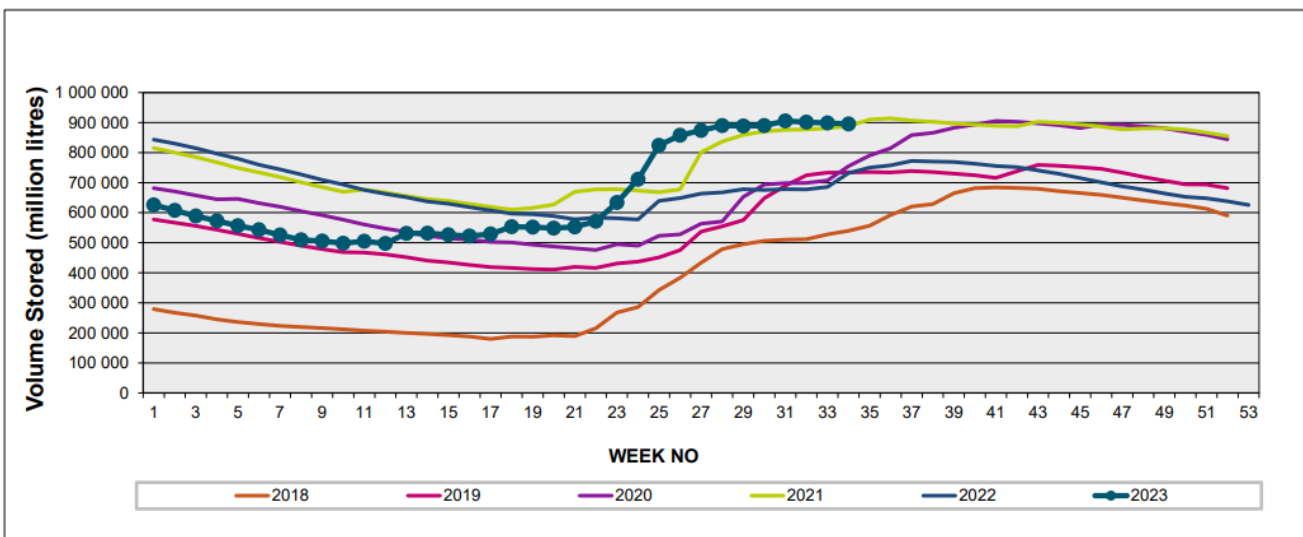
Stellenbosch's own Dams

Table 89: Stellenbosch dams

Ida's Valley 1	760 215
Ida's Valley 2	1 499 381

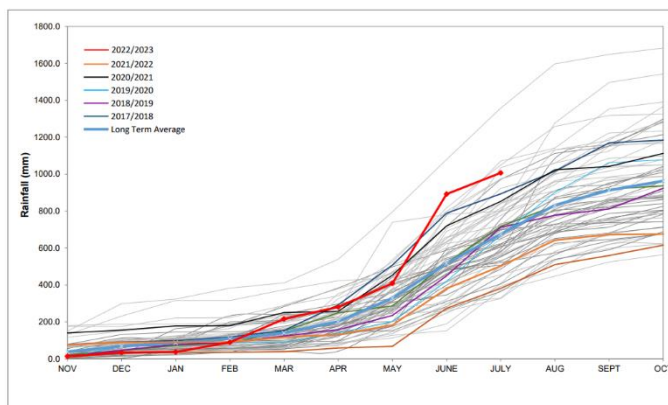


WCWSS Comparative Storage Graph

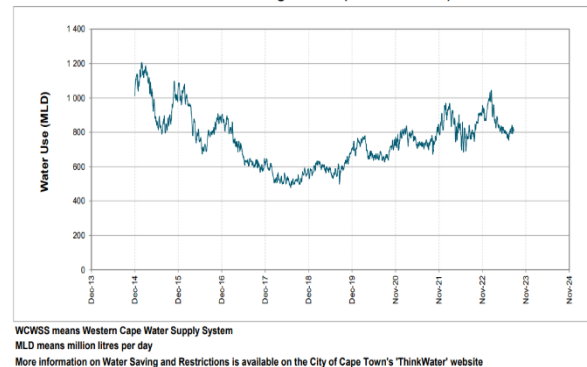


Accumulated Monthly Rainfall at Wemmershoek

Note: Wemmershoek station used due to long record and mountainous location



Overall Water Usage Trend (2010 - Present)



3.4.1 SERVICE STATISTICS – WATER SERVICES

The table below outlines water usage totals per category:

Table 90: Total Use of Water

Total Use of Water (Mℓ)					
Year	Total Water into the System (Mℓ)	Total Water Sold (Mℓ)	Non-Revenue Water	% Non-Revenue Water	% Physical Water Loss
2020/21	10 003	7 701	1 815	18.1%	9.9%
2021/22	10 080	8 174	1 906	18.9%	9.7%
2022/23	10 827	7 858	2 968	27.4%	15%
2023/24	12 566	8 631	3 934	31.3%	17.2%

The table below reflects the total use of water by sector in cubic meters:

Table 91: Total use of water by Sector (cubic meters)

Total use of water by Sector (cubic meters)					
Year	Agriculture	Forestry	Industrial / Commercial	Domestic	Unaccountable water losses
2022/23	0	0	2 895 329	4 963 773	2 621 624
2023/24	0	0	3 134 897	5 497 066	2 600 711



3.4.2 WATER SERVICE DELIVERY LEVELS

As a priority, it is the responsibility of Stellenbosch Municipality to ensure that adequate and appropriate investments are made to ensure the progressive realisation of the rights of all people in its area of jurisdiction to receive at least a basic level of water and sanitation service. While the provision of basic water services is the most important and immediate priority, water services authorities are expected to provide intermediate and higher levels of services (for example, water on site) if it is practical and provided it is financially viable and sustainable to do so.

All water services provided by Stellenbosch Municipality to consumers within its borders are linked to the municipality's Tariff Policy and Tariff Bylaws, and poor households are incorporated through the municipality's Indigent Policy. Many residents in the lowest income groups (living in informal areas) pose a major challenge to the municipality to provide suitable housing. Stellenbosch Municipality strives towards providing all households in the towns with a water connection inside the house and connecting all households to a waterborne sanitation system. All the formal households in the urban areas of Stellenbosch Municipality's Management Area are provided with water connections and waterborne sanitation facilities inside households (higher level of service).

Communal standpipes and ablution facilities are provided in the informal areas as a temporary emergency service. The municipality is aware of the fact that communal standpipes represent, in all likelihood, the weakest part of a network's water supply services and constantly repairs and monitors the system of operation and maintenance thereof.

The table below specifies the different water service delivery levels per household:

Table 92: Water Service Delivery Levels

Description	2020/21	2021/22	2022/23	2023/24
Household				
<u>Water: (above minimum level)</u>				
Piped water inside	38 120	38 120	49 420	51 110
Piped water inside the yard (but not in a dwelling)	3 596	3 596	1 443 (479 standpipes on farms + 964-yard connections)	1 443 (479 standpipes + 964 yard connections farms)
Using a public tap (within 200m of the dwelling)	10 504	10 504	11 117 (11 242-125) informal areas with communal services,	11 382 (11 452-70) informal areas with communal services
Other water supply (within 200m)	N/A	N/A	N/A	N/A
Minimum Service Level and Above Sub-Total	52 220	52 220	61 980	63 935
Minimum Service Level and Above Percentage	98%	98%	99.5%	99.6%
<u>Water: (below the minimum level)</u>				
Using a public tap (more than 200m from the dwelling)	N/A	N/A	125 (informal with no communal services)	70 (Informal with no communal services)
Other water supply (more than 200m from dwelling)	N/A	N/A	120	120
No water supply	N/A	N/A	92	92
Below the Minimum Service Level Sub-Total	1 263	1 263	337	282



Description	2020/21	2021/22	2022/23	2023/24
Below the Minimum Service Level Percentage	2%	2%	0.5%	0.4%
Total Number of Households (formal and informal)	53 483	53 483	62 317	64 217

The table below indicates the proportion of households who have access to water as at 30 June 2024.

Table 93: Access to Water

Access to water			
Year	The proportion of households with access to water points*	The proportion of households with access to piped water	The proportion of households receiving 6 kL free
2022/23	20.16% (11 117- communal taps) + 479 (standpipe farms) + 964 (yard connection farms) = 12 560	79.30% (49 420 – formal house connections and backyard dwellers)	5 744
2023/24	19.97% (11 382 communal taps informal + 479 standpipes farms + 964 yard connections farms = 12 825)	79.59% (51 110 – formal house connections and backyard dwellers)	5 584

The table below indicates the capital expenditure for the Section: Water Services at 30 June 2024.

Table 94: Capital expenditure as at 30 June 2024: Section: Water Services

Capital Projects	Adjustment Budget	Actual Expenditure	Variance from the Adjustment Budget
	R' 000		
Bulk Water Supply Klapmuts	8 553	8 965	-4.82%
Bulk Water Supply Pipeline and Reservoir - Jamestown	22 697	21 694	4%
New Reservoir and Pipeline: Vlottenburg	35 901	35 222	1.89%
Upgrade and Replace Water Meters	2 725	2 689	1%
Water Conservation and Demand Management	2 095	1 992	5%
Only the five largest capital projects are listed.			

The Section: Water Services has spent, **97%** of its capital budget for the financial year.

3.5 WASTEWATER (SANITATION) PROVISION

The main focus for the 2023/24 financial year was to implement the demands of the Stellenbosch Municipality's masterplan, fulfilling the development needs for the Stellenbosch Municipality's vision. Part of the demand was to complete the upgrade of the **Pniël Wastewater Treatment Works** and the operation and continued maintenance of the **Wemmershoek Wastewater Treatment Works**.

The table below specifies the different sanitation service delivery levels per household for the financial years 2016/17 – 2023/24.

Table 95: Sanitation service delivery levels

Description	2020/21	2021/22	2022/23	2023/24
Sanitation / sewerage: (above the minimum level)				
Household				
Flush toilet (connected to sewerage)	44 909	38 749	40 709	42 214
Flush toilet (with septic tank)	1 079	8 669	8 931	9 086
Chemical toilet	184	388	(279 farms + 322 informal households)	845 (279 farms + 566 informal households)



Description	2020/21	2021/22	2022/23	2023/24
Pit toilet (ventilated)	0	165	165 (Farms)	165 (Farms)
Other toilet provisions (above the minimum service level)	2 386	11 144	10 876 (informal communal toilets)	10 661 (informal communal toilets)
Minimum Service Level and Above Sub-Total	48 609	59 115	61 282	62 971
Minimum Service Level and Above Percentage	95.20%	98%	98.34%	98.06%
<u>Sanitation / sewerage: (below the minimum level)</u>				
Bucket toilet	N/A	278	278 (Farms)	278 (Farms)
Other toilet provisions (below the minimum service level)	N/A	210	358 (148 pit toilets) + 210 (other farms)	358 (148 pit toilets) + 210 (other farms)
No toilet provisions	N/A	471	399 (44 informal areas + 355 no toilets)	610 (225 informal areas + 355 no toilets farms)
Below the Minimum Service Level Sub-Total	1 263	1 107	1 035	1 246
Below the Minimum Service Level Percentage	2.49%	2%	1.66%	1.94%
Total Number of Households (formal and informal)	61 351	61 351	60 222	64 217

The table below indicates the capital expenditure for the Section: Sanitation Services at 30 June 2024.

Table 96: Capital expenditure as at 30 June 2024: Section: Sanitation Services

Capital Projects	Adjustment Budget	Actual Expenditure	Variance from the Adjustment Budget
	R'000		
Upgrade of WWTW: Pniël and Decommissioning Of Franschoek	1 562	1 562	0%
Upgrade of WWTW Wemmershoek	8 784	7 790	11.31%
Upgrade of WWTW: Klappmuts	2 040	519	74.54%
Sewerpipe Replacement	8 117	3 250	59.96%
Vehicles: Sanitation	4 999	4 645	7.07%
Only the five largest capital projects are listed.			

The Section: Sanitation Services has spent 72% of its capital budget for the financial year.

The table below indicates the total number of employees in the Department: Water and Wastewater Services as at 30 June 2024

Table 97: Number of employees in the Department: Water and Wastewater Services

Job Level	Posts	Employees	Vacancies (full-time equivalents)	Vacancies (as a % of total posts)
	Number			
18 – 22	1	1	0	0
14 – 17	46	41	5	10.9
9 – 13	42	31	11	26
4 – 8	59	55	4	6.8
3 – 0	67	64	3	4.5
Total	215	192	23	10.7



3.6 ELECTRICITY

The municipality's Electro-Technical Services Department continued to respond well to the challenges facing the electricity sector at present, with the rollout of bulk electrical infrastructure, the upgrading of informal settlements, and the upgrading and maintenance of current infrastructure.

a) Alternative Energy

Under previous circumstances, 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 the Electricity Regulation Act Regulations on 16 October 2020, this changed, and municipalities are now allowed to generate electricity and purchase electricity from electricity generators other than Eskom.

Stellenbosch Municipality is investigating several initiatives to reduce the impact of loadshedding, namely:

- ⚡ The initial application was submitted to Eskom to be considered for loadshedding mitigation;
- ⚡ The successful appointment of a lead consulting project management firm and an in-house project manager;
- ⚡ The award of the supervisory control and data acquisition (SCADA) telemetry system contract in 2023;
- ⚡ The Council's approval was obtained, and an advertisement for public participation was made for three land parcels to possibly be used for the construction of alternative energy plants;
- ⚡ Investigation of solar photovoltaic and battery storage to ensure business continuation at critical municipal buildings and critical water and wastewater treatment plants;
- ⚡ The municipality's participation in the Western Cape Government Municipal Energy Resilience projects; and
- ⚡ Preparation for the issuing of a Request for Proposals (RFP) for independent power producers (IPPs).

Thus, the municipality is taking a measured, incremental approach towards loadshedding mitigation within available budgets and simultaneously ensuring that the municipality's infrastructure is ultimately ready to absorb the future scenario of mitigation.

The Electricity department initiated the process of refreshing the SCADA system as part of the Alternative Energy programme. This initiative aimed to expand the system's capabilities and offer more precise monitoring and control options. The monitoring and control capabilities of the legacy SCADA system were restricted. The Electricity department and ICT jointly provided a shared network and communication infrastructure for this antiquated system. The Electricity department concentrated on the provision of network and communication infrastructure at the end points / substations, up to the nearest ICT infrastructure point. ICT utilises the existing ICT infrastructure to facilitate the transmission of communication to the data centre for central viewing by the various operators within the municipality. At the following locations: the main substation, the university substation, the Markotter substation, and the Jan Marais substation, a communication infrastructure enhancement was implemented and cost approximately R10 million. The SCADA, which was implemented in the following substations as Phase 1 of the programme, was valued at approximately R8 million: Main substation 11kV, university substation 11kV, and Markotter 11kV substation. The following substations were included in the SCADA: Golf substation, Cloeteville substation, Franschhoek substation, Pappegaaiberg, Highsite Matoppie, Highsite Fire Station, and Highsite. Jan Marais substation, Golf substation, Cloeteville substation, and Franschhoek substation are all 11kV.



The following substations will be the focus of Phase 2, which is scheduled to commence in the 2024/25 financial year: Franschhoek main substation, main substation 66kV, Jan Marais 66kV, University 66kV, Markotter 66kV, Tegno Park, Paradys Kloof, SS Boord, Stone, Tindal, Tennant, Curry, Watergang, La Terra, and Monument in Hugenote.

b) Electrification of Informal Settlements

Since the inception of the electrification project in **Enkanini** in 2021, the Department has implemented the project in a phased approach as indicated below:

Table 98: Electrification of Informal Settlements

Financial year	Phase	Project Description	Total number of connections	Value of connections	Value of bulk infrastructure
2021/22	Phase 2	Enkanini Ph2 and Bulk Infrastructure	800	R14 300 000	-
2022/23	Phase 3	Enkanini Electrification Ph3 and Bulk (Enkanini to Watergang)	1 300	R24 400 000	R4 300 000
2023/24	Phase 4	Enkanini Electrification Ph4	1 000	R17 600 000	-

c) Pniël take-over

The table below indicates the progress and value of the Pniël take-over project to date.

Table 99: Electricity network upgrades

Financial Year	Project Description	Actual amounts spend on Pniël upgrade
2020/21	General upgrade of Pniël / Johannesburg 11kV and 400V networks. The work included the replacement of minisubs. Constructing the first 11 kV ring in Johannesburg.	R3 231 988
2021/22	General upgrade of Pniël / Johannesburg 11kV and 400V networks. Work included the building of a new 1 km, 11 kV overhead line, the replacement of the mini-substation, and the installation of metering units.	R3 500 000
2022/23	General upgrade of Pniël / Johannesburg 11kV and 400V networks. Work included the refurbishment of an 11 kV switching substation, the procurement of switchgear, and installation.	R3 491 923.98
2023/24	General upgrade of Pniël / Johannesburg 11kV and 400V networks. Work included the installation of a new cable from Meerlust and RFG offices and to the RMU to the newly refurbished 11kV switching station. This included the supply of material and labour associated with each work. Therefore, all feeders have been re-routed to the new switching substation.	R 3 539 780

Each financial year, the municipality prioritises projects identified from the network assessment report by starting / addressing the critical infrastructure first.

The appointed electrical contractor finished the upgrading of the 11kV network at the end of June 2024.

As part of the network upgrades, an 11kV switching substation has been refurbished and commissioned as of the end of June 2024 and is fully operational. Therefore, feeder cables to Pniël / Johannesburg, Solms Delta, and RFG offices have been re-routed to the newly refurbished 11kV substation.



The table below indicates the total number of meters to be reset:

Table 100: Total electricity meters to be reset

Status of the project	Number of Meters
Stellenbosch Municipality's total number of prepaid meters	33 265
Total number of meters visited and reset	30 280
Total number of meters outstanding	2 985

d) Completion of the Construction of the New 11kV La Terra Switching Substation

The construction of a new 11kV La Terra Switching Substation in the Franschhoek area has been successfully completed. As of the end of May 2024, the substation is operational and integrated into the existing electrical network of Franschhoek.

(i) Project Overview

The La Terra Switching Substation project was initiated to enhance the reliability and capacity of the local electrical distribution network. The substation is designed to handle increased load demands and improve the overall stability of the electricity supply in the surrounding area.

(ii) Construction Details

The project involved the construction of a modern 11kV switching substation equipped with state-of-the-art technology. Key components include:

- **Brick Building:** Construction of a brick building to house all 11kV switchgears and auxiliary equipment;
- **11kV Switchgear:** Installation of high-quality switchgear to manage and distribute power efficiently;
- **Miniature Substations:** Installation of local miniature substations integrated with a transformer to step down high-voltage electricity for local distribution;
- **Auxiliary Equipment:** Implementation of advanced Supervisory Control and Data Acquisition (SCADA) control systems for monitoring and managing the substation's operations. Installation of electrical protection equipment and
- **Cables:** Termination and installation of medium voltage cables.

(iii) Completion and Commissioning

The construction phase of the project was completed at the end of May 2024. Following rigorous testing and commissioning procedures, the substation was officially declared operational. The substation is now fully functional and contributing to the stability and reliability of the electrical supply in the Franschhoek region.

The successful completion and commissioning of the La Terra Switching Substation marks a significant milestone in the municipality's ongoing efforts to modernise and strengthen the municipality's electrical infrastructure as it was outlined in the electrical masterplan. The municipality anticipates that the new substation will provide reliable service for many years to come, meeting the growing energy demands of the community.



3.6.1 THE ELECTRICITY SERVICE DELIVERY STATISTICS

Stellenbosch Municipality has four intake points, as indicated in the table below.

Table 101: Stellenbosch Municipality notified demand per intake point

Major Towns	Notified Maximum Demand (NMD in MVA)	Maximum Demand Growth (NMG in MVA)	Maximum Demand Peak (MD in MVA)
Stellenbosch	60 MVA	5.39 MVA	60.37 MVA
Franschhoek	12 MVA	-0.073 MVA	11.529 MVA
Cloetesville	16 MVA	-2.93 MVA	12.24 MVA
Pniël	9 MVA	-0.83 MVA	6.13 MVA

3.6.2 ELECTRICITY LOSSES

The electricity losses as of 30 June 2024 were 5.65%.

The table below specifies the different electricity service delivery levels per household.

Table 102: Access to basic electricity

Description	2020/21	2021/22	2022/23	2023/24
Household				
<u>Energy: (above the minimum level)</u>				
Electricity (at least the minimum service level) (No. of conventional meters)	4 429	4 326	4 701	4 111
Electricity: prepaid (minimum service level) (No. of prepaid meters)	29 279	31 076	31 717	33 265
Below the Minimum Service Level Sub-Total	33 708	35 402	36 418	37 376
Below the Minimum Service Level Percentage	86.86	87.78	87.09	89
<u>Energy: (below the minimum level)</u>				
Electricity (< minimum service level)	0	0	0	0
Electricity: prepaid (< min. service level)	4 429	0	0	0
Other energy sources	N/A	N/A	N/A	N/A
Below the Minimum Service Level Sub-Total	4 429	0	0	0
Below the Minimum Service Level Percentage	0	0	0	0
Total Number of Households	33 708	35 402	36 418	37 376



The table below indicates the capital expenditure for the Department: Electricity Services at 30 June 2024.

Table 103: Capital expenditure as at 30 June 2024: Department: Electricity Services

Capital Projects	Adjustment Budget	Actual Expenditure	Variance from the Adjustment Budget
	R'000		
Lattera Substation	22 967	22 454	2.23%
Electrification INEP	16 279	16 104	1.07%
General System Improvements -Franschhoek	7 166	7 166	0.01%
Alternative Energy	15 922	15 436	3.05%
System Control Centre and Upgrade Telemetry	4 913	4 913	0%
Only the five largest capital projects are listed.			

The Department: Electricity Services has spent 98% of its capital budget for the financial year.

The table below indicates the total number of employees in the Department: Electricity Services as at 30 June 2024.

Table 104: Total number of employees in the Department: Electricity Services

Job Level	Posts	Employees	Vacancies (full-time equivalents)	Vacancies (as a % of total posts)
	Number			
18 – 22	1	1	0	0
14 – 17	4	3	1	25
9 – 13	27	26	1	3.8
4 – 8	47	39	8	17
3 – 0	9	8	1	11.1
Total	88	77	11	12.7

3.7 WASTE MANAGEMENT, REFUSE COLLECTIONS, WASTE DISPOSAL AND RECYCLING

3.7.1 WASTE MANAGEMENT

The Department: Waste Management's key responsibility is to keep the municipal area waste-free by removing illegal dumping and providing a refuse collection and waste disposal service for all residents. The department also encourages waste minimisation through waste treatment, recovery, and recycling solutions.

Stellenbosch Municipality's Waste Management Department achieved second place in the municipal Recognition Programme for Waste Management hosted by the Western Cape Government's Department of Environmental Affairs and Development Planning.

The municipality experienced a few resignations and new appointments throughout the financial year. Newly funded vacancies were filled during the year, which were: 1x Superintendent: Area Cleaning, 2x Senior Technicians, and 2x Area Cleaning: Area Inspectors. The municipality established its footprint in the Franschhoek and Dwars River Area by renovating a building in La Motte that was previously leased and became vacant. Illegal dumping remains a challenge, but the municipality is busy embarking on initiatives such as a swap shop to create awareness around recycling and littering.



a) Development of additional waste disposal cells project

The Stellenbosch Landfill reached capacity in August 2019. All Stellenbosch waste is now being transferred to the private Vissershok Landfill. This represents a huge additional expense for the municipality. The project to design and construct the new cells is an important, high-priority project.

In the financial year under review, the project was completed with the construction of 2 of 3 cells (Cell 4A and 4C) and associated infrastructure (weighbridge and landfill administration offices) being completed. The completion report was submitted to the Department of Water and Sanitation to approve the commissioning of the cells. The last remaining cell (Cell 4B) will be completed once Eskom has removed the infrastructure that transverses the property.

b) Projects continued in the 2023/24 financial year but initiated in the previous financial year(s):

i) Landfill gas extraction, flaring, and electricity generation

Several investigations into the use of the landfill for harvesting and the beneficial utilisation of landfill gas have been undertaken. The most recent study document in a report recommended that an active landfill gas extraction and flaring system could still be considered for the Stellenbosch Landfill, mainly to reduce anthropogenic emissions from the landfill site. The municipality has appointed Ingerop (Pty) Ltd. to design landfill gas extraction and management infrastructure. The municipality has also appointed Fountain Greens Civil (Pty) Ltd as the contractor to install the infrastructure.

Compliance

For disposal facilities (landfills and transfer stations) to be operated in compliance with the relevant legislation, all landfills must be licensed and managed according to the conditions in the license. Internal audits form part of these legal requirements. Audits were conducted quarterly by internal staff. Audits were conducted at the Stellenbosch Landfill Site, Klapmuts Transfer Station, and the Materials Recovery Facility.

The Department of Environmental Affairs and Development Planning did a compliance audit at the Stellenbosch Landfill on 06 November 2023. The Department found that the site was compliant and scored 94.23%.

The table below indicates the compliance rating for the year under review by the Department of Environmental Affairs and Development Planning:

Table 105: Compliance Ratings

Average Previous Compliance Rating						
Environmentally Weighted Previous Compliance Rating						
Category	No. of Conditions Audited	Score	Compliance (Average)	Weight (Average)	Weight (Adjusted)	Weighted score (%)
Administration (A)	35	70	100%	27.34%	10%	10%
Operations	52	97	93.27%	40.63%	50%	46.66%
General Operations (O)	29	54	93.10%	22.66%	20%	18.62%
Special Operations (SO)	23	43	93.43%	17.97%	30%	28.04%
Monitoring (M)	41	77	93.90%	32.03%	40%	37.56%
Average Current Compliance Rating						95.31%
Environmentally Weighted Current Compliance Rating (X)						94.23%

**(ii) External audits**

Management practices at all sites must also be compliant with the norms and standards in terms of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) (NEMWA), as well as with certain sections of the Minimum Requirements for Waste Disposal by Landfill (DWAF, 1998) and other relevant regulations.

To be able to assess whether waste management practices are according to all stated conditions, landfill owners must regularly (at least once per annum) obtain the services of an external auditor to do an independent landfill compliance audit.

To ensure compliance, external audits have been undertaken by an independent specialist external audit at the Stellenbosch landfill, Stellenbosch Material Recovery Facility, and the Klipmuts Transfer Station. A review of the audit findings to ascertain improvements was carried out after six months.

(iii) Monitoring Committee

All landfills are established and operated in terms of a Waste Management Licence (WML) issued by either the National or Provincial Department of Environmental Affairs and Planning. In terms of the waste management license, landfills are required to establish a monitoring committee. The objective of the Monitoring Committee is to provide a forum to enable the community to effectively participate in and monitor the operation, rehabilitation, closure, and ongoing monitoring of a landfill.

The Stellenbosch landfill has an active monitoring committee. Monitoring Committee meetings are attended by Department of Environmental Affairs and Department Planning officials, as well as officials of various municipal departments as and when required. The independent external auditor also attends the meeting as and when required to report on the findings of the annual external audit and the review audit. Meetings were held in a hybrid format, which implies that attendees are present either in person or via the online platform.

c) Waste Managers Officers Forum

The Waste Management Officer (WMO) for the Stellenbosch Municipality is the Senior Manager: Waste Management. Quarterly meetings of the Provincial Waste Managers Officers Forum take place at various venues across the province. The Waste Management Officer attends the meeting and reports on activities within the municipality; this also provides a forum to receive information from provincial officials and further networking with Waste Management Officers from other municipalities within the province.

These forums are also held on a district level, where municipal representatives from the Cape Winelands discuss waste-related matters within the district.



3.7.2 AREA CLEANING

Area cleaning within the municipal area is provided using a contractor that is responsible for cleaning the Stellenbosch CBD and the use of EPWP personnel. Area cleaning is an essential service. This section employed temporary employees from local communities that were sourced from the municipal unemployment database to perform cleaning services in the streets, open spaces, and around waste removal skips.

Area cleaning service is provided using blue bags and black bags. Where the municipality faces severe illegal dumping, it provides its plant machinery (digger loaders and tipper trucks) to clean and clear such areas.

The municipality faces damage or misuse of waste infrastructure provided, which then sees the municipality removing this useful infrastructure as it no longer serves its intended use.

The area cleaning section has seen an increase in the illegal dumping of builders' rubble and green waste within the hotspot area.

The services rendered by the Section: Area Cleansing include but are not limited to street cleaning and emptying of litter bins.

Additional street and skip bins were procured and delivered in the 2023/24 financial year. The specifications of these bins were amended to render a more robust bin with a small opening on top, making it difficult for people to scratch the bin and litter / mess around.





Area Cleansing functions

The images below illustrate how operational the municipality is with street sweeping in areas.



Illegal dumping clearing

The images below illustrate how the municipality is operational in clearing up illegal dumping areas.



EPWP Employment Opportunities created in the 2023/24 financial year

The table below indicates the EPWP employment opportunities created in the 2023/24 financial year

Table 106: EPWP employment opportunities

July 23	Aug 23	Sept 23	Oct 23	Nov 23	Dec 23	Jan 24	Feb 24	Mar 24	Apr 24	May 24	June 24
372	394	394	418	426	431	208	250	283	282	366	406



3.7.3 REFUSE COLLECTION

Refuse collection is completed according to a weekly schedule for formal households, commercial properties, and industries. The municipality supplies 240 wheelie bins to 28 465 collection points, but that excludes informal settlements where communal skips are provided and collected. This is a service that is provided 7 days a week.

Wheelie 240-litre bins

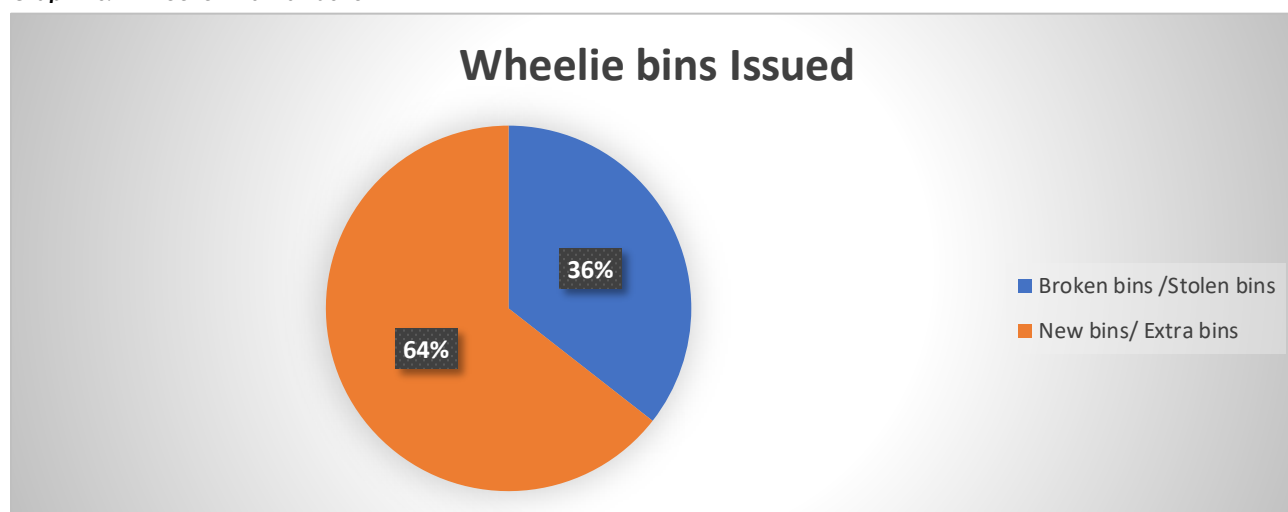
The following information is drawn from the available data regarding wheelie bin issued for the 2023/24 financial year:

Table 107: Refuse bins Issued

Bins	2022/23	2023/24
Broken bins	548	321
New bins	554	582
Total	1 102	903

The graph below illustrates the wheelie bin distribution in the 2023/24 financial year:

Graph 15: Wheelie Bins Distribution





3.7.4 WASTE DISPOSAL AND WASTE

Waste Minimisation and Disposal

Recycling: Material Recovery Facility

The Stellenbosch Municipality Integrated Waste Management Facility (IWMF), located next to the landfill, commenced operations on the 1st of April 2021. The amount of recyclable waste managed and processed at the municipality's Material Recovery Facility (MRF) has ranged from 108 to 136 tonnes monthly. Accepted recyclable materials include paper, cardboard, glass, plastic bottles and containers, and metal packaging.

Figure 14: Material Recovery Facility (MRF)



Within the Material Recovery Facility (MRF), a variety of recyclable waste is received from residential collections, recycling drop-off locations, and commercial / industrial collections. This waste is then fed onto a conveyor belt where workers meticulously sort through the materials, separating them into different waste streams such as plastic, tins, and paper. Any remaining tailings and non-recyclable general waste will fall off the end of the conveyor belt into a skip. This waste is then disposed of in a landfill by the designated service provider.



The recyclable waste that has been successfully sorted is then compacted or baled at the MRF before being collected or transported by recycling companies for further processing.

Figure 15: Operations underway inside the MRF



The fencing and paving around the MRF have been successfully completed. A service provider has been appointed to carry out upgrades to the MRF, with work scheduled to begin in the new financial year of 2024/25.

3.7.5 DISPOSAL FACILITIES

Stellenbosch Landfill site

The Stellenbosch Landfill, located on Devon Valley Road, consists of four cells. Cells 1 and 2 have reached their maximum capacity and are no longer accepting waste but are in the process of being capped. Cell 3 is currently active and is designated to receive all incoming waste after it has been through the recycling process. The waste in Cell 3 is covered and compacted daily to ensure the site remains efficient and compliant with regulatory standards. As for Cell 4, sections A and C have been completed, and the municipality is currently awaiting approval from the Department of Water and Sanitation.



Due to the limited airspace available at the Stellenbosch Landfill, all general waste has been redirected to a private landfill located in the City of Cape Town area at Vissershok Waste Management since 2019. This transfer process is still ongoing. All waste collected by Stellenbosch municipal-owned vehicles, contractors working for Stellenbosch Municipality, and private users is now being transported from the Klapmuts Transfer Station to the Vissershok Waste Management Facility for proper disposal. Only waste from area cleaning is sent to the landfill, while all other types of waste are either recycled, stored for future use, or repurposed on-site. For example, soil is used as cover material, and builders' rubble is used to construct roads on the premises.



Green Waste

The municipality is currently implementing a waste diversion programme to reduce organic waste going to landfills. This programme involves chipping and composting garden waste collected at the Stellenbosch Landfill Site. Residents and businesses can drop off their garden waste at the landfill, while Franschhoek residents have the option to use the Franschhoek drop-off facility. The collected waste is then transported to the Stellenbosch Landfill Site for chipping and shredding. The municipality managed to divert approximately 20% of organic waste from the landfill site during the 2023/24 financial year.



Garden waste Area where chipping takes place.

Builders Rubble

The builder's rubble is crushed, stockpiled, and transported off-site once it is sold and collected by contractors. Crushing of materials is included in the contract awarded to the current contractor responsible for operating and overseeing the landfill site. Brick reclamation is closely monitored by the site supervisor, who regulates the process, maintains records, and ensures that all individuals entering the landfill wear protective gear and are registered in the site's database.



Crushing of builder's rubble



Reclaiming of bricks at the site

Drop-off Area

On-site, there are general waste storage containers that are utilised by the local community for temporary waste drop-off. Once these containers are full, they are transported to Vissershok Landfill by a private waste contractor. Additionally, there are lockable 30m³ hazardous waste containers available for the storage of household hazardous waste that is dropped off by the public. The service provider removes the waste once the container is full.



Public Drop-off Area

Completed Projects

The Waste Management Administration Offices have been successfully constructed and will be fully operational. This facility will serve as the headquarters for waste management (waste minimisation and disposal officials) and will also function as a convenient location for the sale of coupons. This initiative aims to streamline the process for landfill users by providing them with easy access to purchase coupons on-site, ultimately enhancing their overall experience.



Waste Management Administration Office

The newly constructed weighbridge is an integral component of the landfill site project, designed to accurately measure incoming and outgoing waste. A system is currently being implemented to ensure precise billing through the use of coupons.



Weigh Bridge at the Landfill Site

Klapmuts Transfer Station (KTS)

The KTS, a general waste transfer station, was established in 2000. It serves as a hub for all general waste collected in the Stellenbosch Municipal Area. The facility includes an open-sided, roofed structure where waste is deposited, transferred, and stored before disposal. The process of filling the bins is carried out using two TLB machines and a hook-lift truck, which replaces the filled bins with empty ones in the bays. Once the containers reach capacity, they are transported by the contractor to the privately owned Vissershok Landfill Site in Cape Town for disposal. Currently, the KTS is operating at full capacity, with around 120 x 30m³ containers transported to Vissershok weekly, totalling approximately 3 600 tons per month. Skips are available on-site for public waste disposal. A service provider has been appointed for the upgrade of the Klapmuts Transfer Station.

Franschhoek Drop-off Facility

The Franschhoek Drop-off Facility is dedicated to offering a complimentary service to the residents of Franschhoek and its neighbouring areas for the disposal of garden waste and bulky items. A contractor has been assigned to transport garden waste to the Stellenbosch Landfill and bulky items to Vissershok Private Landfill.

Compliance

For disposal facilities such as landfills and transfer stations to operate in accordance with relevant legislation, it is imperative that all landfills are licensed and managed in strict adherence to the conditions outlined in the license. Internal audits are a crucial component of these legal obligations.



Internal audits of the Material Recovery Facility (MRF), Klapmuts Transfer Station, and Stellenbosch Landfill Site were carried out quarterly by municipal officials in compliance with waste management legislation and industry standards. The municipality's commitment to conducting regular audits demonstrates its dedication to upholding these standards and continuously improving its waste management practices.

Landfill gas migration and air quality monitoring are conducted quarterly at the landfill site by a service provider appointed by the municipality. Surface and groundwater are sampled and analysed biannually by a service provider also appointed by Stellenbosch Municipality to prevent contamination by leachate.

External Audit

In accordance with the norms and standards outlined in the NEMWA, it is imperative that management practices at all sites are compliant with the regulations. This includes adhering to specific sections of the Minimum Requirements for Waste Disposal by Landfill (DWAF, 1998) and other relevant guidelines. To ensure that waste management practices meet the necessary conditions, landfill owners are required to engage the services of an external auditor on a regular basis, at least once per year, to conduct an independent landfill compliance audit.

To maintain compliance, independent audits have been conducted by a specialist consultant at both the Stellenbosch landfill, the MRF, and the Klapmuts Transfer Station, as stipulated in the waste management license conditions and norms and standards. A thorough review of the audit findings is conducted after six months to identify areas for improvement.

Education and Awareness

The Request for Quotation (RFQ) for the Waste Awareness Strategy has been advertised, and a service provider has been appointed to develop the strategy in the upcoming financial year, 2024/25. This strategy will play a crucial role in the development plan for future awareness campaigns.

The primary goal of these education and awareness campaigns is to educate and empower communities on the importance of waste minimisation and recycling. By doing so, the municipality aims to reduce the amount of waste sent to landfills and maintain a clean environment. Surveys are conducted to identify issues such as illegal dumping and to determine how the municipality can best support communities in improving the environment and delivering services effectively.

During the financial year, 2023/24, several awareness campaigns were planned and successfully implemented. These included the following:

- Swop shops in Klapmuts and Franschhoek;
- Klapmuts door-to-door survey; and
- George Blake door-to-door survey.



Swap shop event in Klapmuts on the 29th of February 2024

The Swap Shop event was held on 29 February 2024 at the Klapmuts Multipurpose Centre by the Waste Management Team.



Swap shop event in Groendal Sport Ground in Franschhoek on the 13th of June 2024

The Swap Shop event took place on 13 June 2024 at the Groendal Sport Ground in Mooiwater. The Waste Management team organised the event with the assistance of the Law Enforcement team. The event was successful, with a large turnout from the residents of Mooiwater, who brought their recyclables to exchange. The event also saw significant support from the youth, including school learners and children. In total, 5 400kg of recyclables were collected during the Mooiwater Swap Shop event. This demonstrates the community's commitment to recycling and sustainability. The event not only helped reduce waste but also raised awareness about the importance of recycling.



On the 20th of June 2024, the Waste Minimisation Section and The Area Cleaning Team (EPWP) conducted a door-to-door environmental awareness campaign and distributed recycling bags in Ward 18 of Mandela City at Klappmuts. The purpose of this initiative was to address community concerns and assess the extent of the issues identified by residents. During the campaign, about fifty households in the area were visited to promote waste recycling and reduce the amount of waste being disposed of in water streams. The purpose was also to raise awareness about municipal services and discourage illegal dumping practices. Recycling bags were distributed to households as part of the effort to encourage proper waste disposal. This initiative is not only aimed to improve the environment but also to empower residents to take an active role in preserving their community.



During George Blake's Survey with informal traders on 28 June 2024

On the 28th of June 2024, the Waste Management team conducted a door-to-door environmental awareness campaign in the Plankenbrug Industrial area on George Blake Road, including the shops at Kayamandi Mall and informal street vendors. A questionnaire was used during visits to fifteen shops and ten informal traders in the area. The primary goal of the campaign was to promote waste recycling to reduce the amount of waste being disposed of in the water stream. Additionally, the team aimed to inform residents about municipal services and educate them on the negative effects of illegal dumping.



The table below indicates the service levels of refuse removal as at 30 June 2024.

Table 108: Refuse removal service delivery levels

Description	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
Household							
Refuse Removal: (Minimum level)							
Removed at least once a week	37 207	49 072	48 988	37 926	49 300	50 792	50 792
Minimum Service Level and Above Sub-Total	37 207	49 072	52 374	37 926	49 300	50 792	50 792
Minimum Service Level and Above Percentage	78.7	93.7	93.5	100%	100%	100%	100%
Refuse Removal: (Below the minimum level)							
Removed less frequently than once a week	1 064	1 064	1 064	1 064	N/A	N/A	N/A
Using a communal refuse collection	N/A	N/A	N/A	N/A	N/A	12 161	12 346
Using own refuse dump	5 358	6 453	2 323	N/A	N/A	N/A	N/A
Other rubbish disposal	766	N/A	N/A	N/A	N/A	N/A	N/A
No rubbish disposal	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Below the Minimum Service Level Sub-Total	7 188	7 517	3 387	N/A	N/A	N/A	N/A
Below the Minimum Service Level Percentage	8.80	11.66	6.5	N/A	N/A	N/A	N/A
Total Number of Households	44 395	56 589	5 5761	38 990	49 300	62 953	63 138

The table below indicates the capital expenditure for the Department: Waste Management Services as at 30 June 2024.

Table 109: Capital expenditure as at 30 June 2024: Department: Waste Management Services

Capital Projects	Adjustment Budget	Actual Expenditure	Variance from the Adjustment Budget
	R'000		
Expansion of the landfill site (New cells)	67 281	65 366	2.85%
Landfill Gas To Energy	9 907	3 276	66.94%
Vehicles: Solid Waste	7 713	5 040	34.66%
Upgrade Material Recovery Facility	1 022	1 022	0%
Street Refuse Bins	843	843	0%
<i>Only the five largest capital projects are listed.</i>			

The Department: Waste Management Services has spent 85% of its capital budget for the financial year.

The table below indicates the total number of employees in the Department: Waste Management Services.

Table 110: Total number of employees in the Department: Waste Management Services

Job Level	Posts	Employees	Vacancies (full-time equivalents)	Vacancies (as a % of total posts)
	Number			
18 – 22	0	0	0	0
14 – 17	3	3	0	0
9 – 13	7	6	1	14.2
4 – 8	24	23	1	4.1
3 – 0	40	39	1	2.5
Total	74	71	3	4.1



3.8 INTEGRATED HUMAN SETTLEMENTS

3.8.1 HOUSING DEVELOPMENT

The municipality has an important responsibility to plan for integrated human settlements by ensuring that all its citizens reside in developable, formalised, safe, and sustainable human settlements. This is accomplished by providing dignified living through national and provincial funding within closer proximity to employment opportunities, thereby improving the quality of life for all citizens.

The Section: Housing Development managed a capital expenditure budget of R2 579 958, which includes grant funding by the Provincial Department of Infrastructure (PDol) as well as municipal funds for future housing projects. An amount of 94.22% of the budget allocated to the Section: Housing Development was spent on projects in the financial year under review.

Communication from the PDol on 17 November 2023 indicated the adjusted targets and funding allocation of the approved 2023/24 Human Settlement Development Grant (HSDG) and Informal Settlements Upgrade Partnership (ISUP) Grant Business Plans.

The list of projects, targets, and budgets for the Stellenbosch Municipality for the 2023/24 financial year is stipulated in the tables below, as extracted from the said letter.

3.8.1.1 Housing Development Capital Budget

Table 111: Department: Housing Development capital budget

Sites	2023/24 Adjustment Budget	
	Funding Source	Budget
Erf 64, Kylemore	HSDG	1 167 000
Erf 7001 Cloeteville (380) FLISP	HSDG / CRR	340 502
Erven 81/2 and 82/9, Stellenbosch	CRR	204 431
Housing Projects (Social housing planning)	CRR	9 066
Jamestown: Housing	HSDG / CRR	579 959
Northern Extension: Feasibility	HSDG / CRR	279 000
Total		2 579 958

3.8.1.2 Human Settlement Development Grant (HSDG)

Stellenbosch received an overall allocation on the Provincial Business Plan for human settlements, which includes planned projects, upgrading of informal settlements, and implementation of projects (services and top structures) that are depicted in the tables below:

Table 112: Human Settlement Development Grant (HSDG)

Stellenbosch Municipality	2023/24 Planned		
	Sites	Units	Funding R'000
Vlottenburg Longlands (106 increased to 144) IRDP	0	0	2 400 000
Stellenbosch Jamestown Phase 2 - 4 (1016) IRDP	0	0	1 223 000
Cloeteville (380) FLISP	0	0	1 400 000
Kylemore (600)	0	0	1 167 000
Ida's Valley	0	0	350 000
Total	0	0	6 540 000



3.8.1.3 Informal Settlements Upgrade Partnership Grant (ISUPG)

Table 113: Informal Settlements Upgrade Partnership (ISUPG)

Stellenbosch Municipality	2023/24 Adjusted Budget		
	Sites	Units	Funding R'000
ISSP Kayamandi Zone O (711) UISP	178	0	13 350 000
Langrug Franschhoek Mooiwater (236)	0	0	1 000 000
Total	178	0	14 350 000

3.8.2 HOUSING MULTI-YEAR PROJECTS

The South African Constitution, of 1996, enshrines the right of everyone to have access to adequate housing and makes it incumbent upon the state to take reasonable legislative and other measures within its available resources to achieve the progressive realisation of this right. This is accomplished by providing dignified living through national and provincial funding within closer proximity to employment opportunities, thereby improving the quality of life of all citizens.

The Section: Housing Development, whose main function is to apply for funding to initiate and obtain development rights for future housing developments, resorts to the Housing Pipeline, which, amongst other things, focuses on the following multi-year projects:

a) Erven 412, 217, and 284 Groendal, Franschhoek

Erven 412, 217, and 284 Groendal are located along Santa Rose Street in Groendal, a suburb of Franschhoek, next to the R45. The site falls within an area characterised by medium- to high-density residential, non-residential, and light industrial uses.

Various studies have been undertaken over the years regarding the development of Erf 412. Most of the studies included extensive public participation processes. The outcome of these studies was that the property should be developed for high-density residential units but also include business (light industrial) opportunities. 2016 saw the rezoning of Erf 412 to a subdivisational area, allowing for general residential, local authority, and general business uses. The initial plans for Erf 284 were to develop an old age home or retirement village; due to financial constraints, this never materialised.

The Section: Housing Development undertook a process to formulate a Call for Proposals in line with the approved Council agenda item.



A service provider was appointed to draft different site development options for the Council to consider for approval, after which the procurement process will continue.

Discussions with the ward councillors have been concluded as an enquiry was raised during the discussions on Erf 284. The municipality has received comments from both PDol and Directorate: Corporate Services. After a legalities investigation, an agenda item will be referred to the Council during the first quarter of the 2024/25 financial year to select the best option to develop the said properties.

b) Farms 81/2 and 81/9, Stellenbosch

In terms of the implementation of social housing programmes, the Stellenbosch Municipality has identified Portions 2 and 9 of Farm No. 81 Stellenbosch. This site is located between the Cloetesville and Kayamandi settlements.

The R304 to the west and the railway line to the east serve as its boundaries. The Plankenburg River traverses the site along its eastern boundary. The southern boundary of the property includes portions of the Kayamandi Tourism Centre as well as a bridge over the railway line. The Mount Simon residential development frames the northern boundary.



The user section compiled a Request for Proposal (RFP) to invite delivery agents that can access SHRA Capital grants (Social Housing Institutions (SHIs) and / or Other Development Agencies (ODAs)) to submit a concept proposal to develop social housing on Farm 81/2 and Farm 81/9, Stellenbosch.

For the tender to be further evaluated, a registered and accredited service provider assisted the



Stellenbosch Municipality with the verification of the NPV, which has been appointed by the National Association of Social Housing Organisations (NASHO). NASHO to further assist the municipality to follow a procurement process and appointed a registered and accredited auditing firm on 22 May 2023. The final report was received in May 2023, and the tender was awarded subject to the approval of a Land Availability Agreement (LAA) by the Council, and no appeals were received.

The service provider received the draft LAA and submitted amendments to the municipality's attorneys on 27 May 2024 for scrutinising. The conclusion of the LAA will be finalised during the first half of the 2024/25 financial year.

c) Erf 7001, Cloetesville

The goal of this development is the delivery of medium- to upper-GAP housing, which is not aimed at BNG-housing units (free houses). There is an urgent need for the property to be developed to create an integrated urban development (Cloetesville), providing housing.

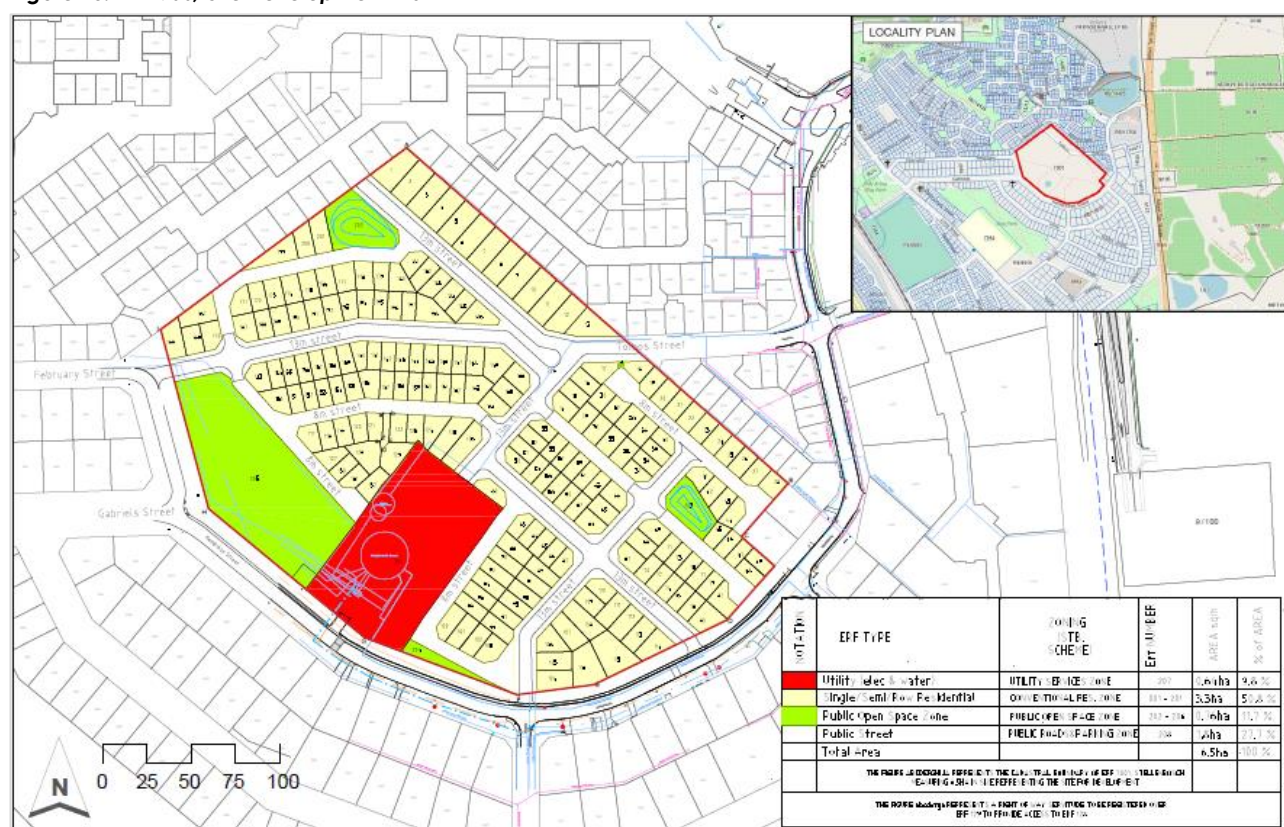
Stellenbosch Municipality is essentially making the land available (via the ATR processes) to a developer to develop housing opportunities in the GAP market.

The PDol approved the funding for the outer years after the business plan was gazetted in March 2022. Therefore, the user department could only appoint a service provider in May 2022, and the Service Level Agreement was concluded in July 2022.

The service provider finalised the different conceptual urban designs, and three layout concepts were presented in December 2022. Thereafter, the amended urban design and layout plan has been finalised and submitted to the Section: Land Use Planning to obtain development rights.

The normal planning process will continue, whereby it will be referred to the Municipal Planning Tribunal (MPT) during the next financial year.

Figure 16: Erf 700, Site Development Plan





d) Farm 527, Jamestown (Phases 2 and 3)

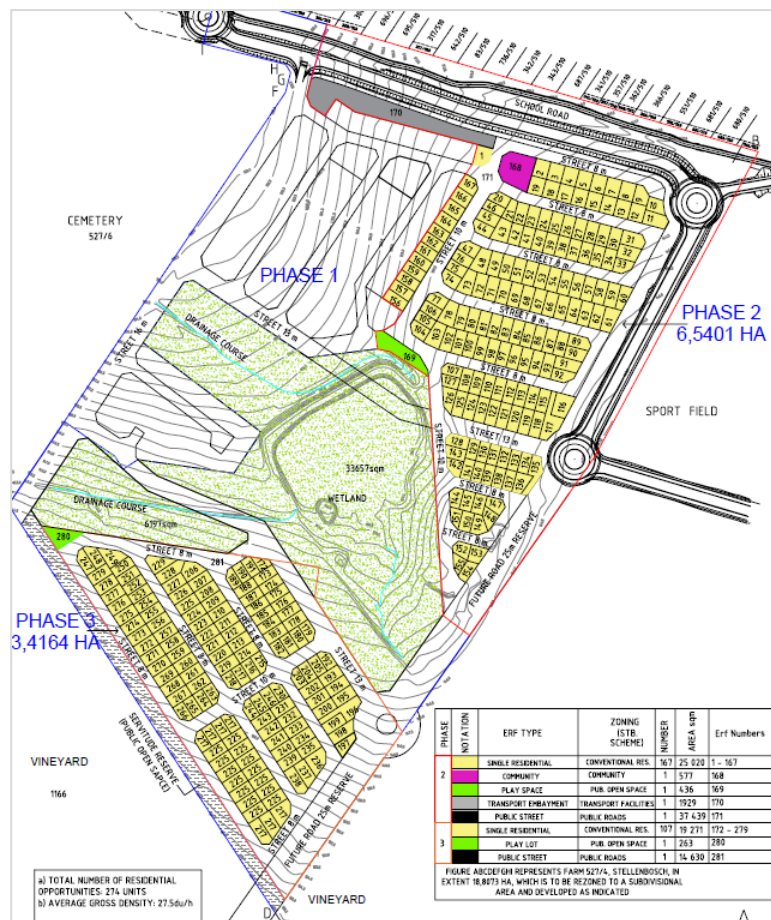
The subject property is located on the southern edge of the suburb of Jamestown, east of the R44 between Stellenbosch and Somerset West. It is flanked by an existing cemetery on its western boundary and a sports field located centrally on its northern edge.

The site falls within an area characterised by medium- to high-density residential as well as non-residential uses that serve the local community of Jamestown.

Phase 1 of the development, consisting of 162 subsidised housing opportunities, was concluded in November 2016.

It is therefore proposed that Phases 2 and 3 of Portion 7 of Farm 527 (site and service, 2-story walk-ups, GAP housing, high-income housing, and public open space) be made available simultaneously for development in the short to medium term.

Figure 17: Farm 527, Jamestown (Phases 2 and 3)



The municipality went out on a procurement process seeking the services of a multi-disciplinary team of professionals to undertake a broad conceptual urban design framework and to obtain town planning and development rights.

The PDol gazetted the business plan in March 2022 and approved the funding for the outer years. Therefore, the appointment of a service provider could only be concluded during June 2022 and the Service Level Agreement during September 2022.

The rezoning and subdivision application was submitted on 9 December 2022 to the Section: Land Use Planning, and the public participation process for the town planning application was concluded on 15 May 2023. Approval of the Land Use Planning application is anticipated in the next financial year for Phases 2 and 3.

e) Adam Tas Corridor Precinct 10 (Northern Extension), Stellenbosch

The project is situated north of Kayamandi, adjacent to Cloeteville and the Welgevonden Estate. The sites are located on the western side of the R304 (the main arterial from the north) to Stellenbosch.

The specific site has been earmarked to provide a mixed-use development that could yield $\pm 4\,000 - 4\,400$ residential opportunities to address the housing need experienced in Stellenbosch.



It should be noted that a portion of the development has been identified as a possible relocation area for the redevelopment of the Kayamandi Town Centre and other related projects.

A tender was advertised, and a service provider was appointed to undertake a Broad Conceptual Urban Design framework for the Adam Tas Corridor Precinct 10 (Northern Extension) and to obtain town planning and development rights. All specialist studies have been completed. The different conceptual design layout options were workshopped with various internal departments during June and August 2022, and Heritage Western Cape comments were received in September 2022.

A Notice of Intent was submitted to Heritage Western Cape, and the service provider was informed that two additional specialist studies are required, namely an archaeological impact assessment and a visual impact assessment on the cultural landscape.

The service provider submitted the land use application in terms of Section 15(2) of the Stellenbosch Municipality Land Use Management Bylaws, 2015, to obtain development rights; thereafter, the application will serve at the Municipal Planning Tribunal for decision-making. It is anticipated that the development rights could be obtained during the 2024/25 financial year.

Map 5: Location of the proposed development of the Northern Extension





f) Erf 64, Kylemore

The identified property is 15.5 ha, of which the municipality requires ± 8 ha for residential purposes. A special power of attorney was provided in November 2021 by the National Department of Public Works and Infrastructure (NDoPW&I) to HDA.

It should be noted that pre-feasibility studies were conducted more than 10 years ago and need to be reviewed and amended where necessary.

The Housing Development Agency (HDA) has been appointed to assist with the transfer of land from the NDoPW&I to the Stellenbosch Municipality. Furthermore, the required applications to obtain land use rights, the registration of diagrams / general plans with the Surveyor General, and the relevant funding applications to the PDol were attended to.

Figure 18: Erf 64, Kylemore



A Project Steering Committee (PSC) was elected, and a PSC Social Compact workshop was held on 16 November 2022 in Kylemore.

A site inspection took place with the PDol on January 27, 2023, to assess the property against the funding application that was submitted to the PDol.

The HDA appointed a service provider in December 2022 to assist the HDA with the township establishment application. The environmental consultant commenced with the Basic Environmental Study process in May 2023 and has erected site notices for interested and affected parties to register for any comments.

Notice was given in terms of the Environmental Impact Assessment (EIA) Regulations, 2014, published under Section 24 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA), as amended, of a public meeting held with Interested and Affected Parties (I&APs) for the proposed development of Sustainable and Integrated Human Settlements.

An open day was held on 15 August 2023 with interested parties to discuss the proposed project and give further project details. The amended draft concept layout has been completed, and the Land Use Application has been submitted to Section: Land Use Management before the end of March 2024; however, the Directorate: Infrastructure Services requested that a GLS study (a study that analyses the capacity of the bulk water and sewer services) must be undertaken. This study is required to determine whether the current bulk services can accommodate the proposed development.

These additional specialist studies have increased the scope of work that the sub-consultant was originally appointed for. Further studies are currently ongoing.



3.8.3 STRATEGIC DOCUMENT: INTEGRATED HUMAN SETTLEMENT PLAN FOR THE PERIOD 2022 – 2027 FOR STELLENBOSCH MUNICIPALITY

All municipalities are required to have an approved Integrated Human Settlements Plan (IHSP). Stellenbosch Municipality drafted an Integrated Human Settlement Plan (IHSP) in line with the Western Cape Government: Department of Human Settlements.

The guidelines require that the Housing Pipeline be informed by an IHSP aligned with the Master Spatial Development Framework (MSDF) and the Integrated Development Plan (IDP).

A service provider was appointed to compile an Integrated Human Settlement Plan for Stellenbosch Municipality.

The draft Integrated Human Settlement Plan was submitted to the Council for approval, and the draft IHSP was advertised to solicit public inputs / comments. The official notice was published in the newspaper (Eikestadnuus) on 3 August 2023 and on the municipal website on 4 August 2023. The closing date for inputs / comments was 6 October 2023.

One comment was received from a coalition that included the Stellenbosch Interest Group, Kylemore Community Development Forum, Raithby Ratepayers Association, and Jamestown Heritage. In collaboration with the service provider, feedback on the inputs / comments was submitted to the Council for approval on 27 June 2023. The IHSP was then formally approved by the Council.

3.8.4 INFORMAL SETTLEMENTS

The Section: Informal Settlements is responsible for managing twenty-nine informal settlements within the Stellenbosch Municipality district (WC024). Recent surveys conducted by the Section and independent service providers indicate that the number of informal structures stands at approximately 21 202 (Section: Informal Settlements Matrix, 2024). This number highlights the significant challenges residents face, including limited access to basic services.

As a result, the Section: Informal Settlements plays a crucial role in addressing the demand for basic services within these informal settlement areas. It collaborates with other departments and sections to implement upgrading projects and provide essential services to residents living in these areas.

One notable initiative is the Zone O relocation project, which involved relocating 55 households to a decanting site and providing beneficiaries with Temporary Relocation Accommodation (TRA) and access to basic services. This project facilitated the municipality's ability to begin the construction of civil infrastructure for the planned housing project in Zone O, Kayamandi. Additionally, the provision of 22 toilets and 8 water taps in Mandela City, Klapmuts, reflects the Stellenbosch Municipality's commitment to dignified living and adherence to national standards and norms for water and sanitation provision. These successes are attributed to the dedication and collaboration with the community.

The Section: Informal Settlements is also actively engaged in monitoring and reporting on the growth of informal settlements within Stellenbosch Municipality (WC024) and ensuring the delivery of adequate basic services.



3.8.4.1 Upgrading of Informal Settlements Project

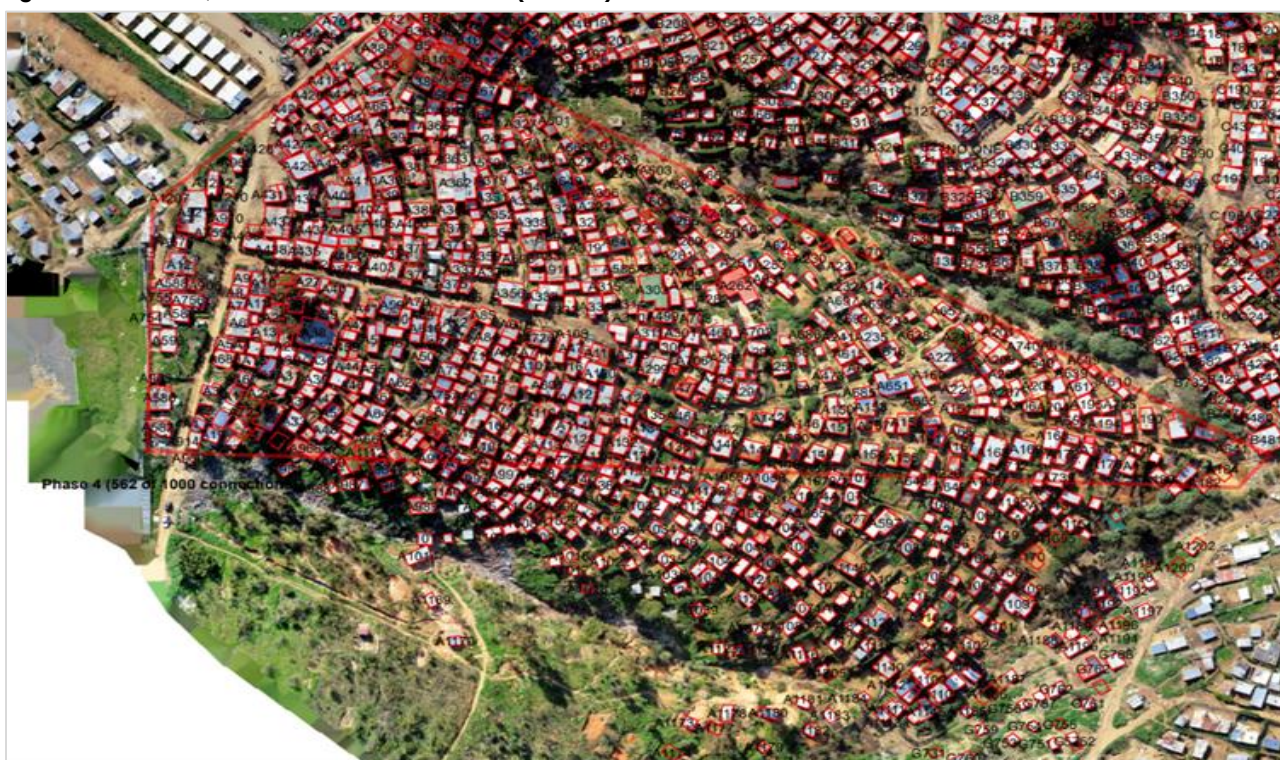
To make sure that planned brownfield projects go smoothly, this section oversees coordinating with the community and involving stakeholders in several upgrading projects in WC024.



Enkanini, Kayamandi

The beneficiary verification and administration for the electrification of 3 300 households in Enkanini, Kayamandi, have been completed, with 1 000 structures verified in the last financial year (2023/24). All households in Enkanini now have active electricity connections.

Figure 19: Enkanini, Section A 1 000 connections (Phase 4)



The tables below reflect the verification of households and subsequent electrical connection completed at Enkanini, Kayamandi, over a period of three financial years.

Table 114: Verification of households

Phase 2	Phase 3	Phase 4
2021/22	2022/23	2023/24
1 000	1 300	1 000

Zone O, Kayamandi

The relocation of 55 households from Zone O, Kayamandi, to a decanting site in Watgang TRA 2 was successfully managed and completed. This relocation enabled the Section: Project Management Unit within the Directorate: Infrastructure Services to proceed with the implementation of the housing development.



Langrug and Mooiwater, Franschhoek

Project Assistance Committees (PACs) were successfully established in Mooiwater and Langrug to assist with the management and implementation of relocations from Langrug Dam to Erf 3229, addressing the Langrug Dam emergency.



Replacements of emergency housing units (wendy houses)

As part of maintaining emergency housing units, the Section: Informal Settlements has replaced approximately 30 dilapidated wendy houses, thereby restoring dignified living conditions for the residents.

The provision of basic services

The Section: Informal Settlements is responsible for facilitating and identifying needs for basic service provision in informal settlements, working with other departments and sections to ensure project implementation and community protection of provided services, the municipality managed to provide the following:

Water and sanitation

- 30 Kyloos toilets and 12 taps that were dilapidated and vandalised were replaced with new concrete toilets and taps at Enkanini, Kayamandi.
- 15 new concrete toilets and 8 taps were constructed in Mandela City, Klapmuts.
- new toilets and 6 taps were constructed at the decanting site on Luyolo Street, Kayamandi.
- 16 new taps were installed in Mountain View, Jamestown.
- 16 new taps were installed on municipal property in Covid Camp, Lanquedoc.
- 6 new taps were installed on municipal property in Langrug, Franschhoek.



Electricity

- 1 000 households were connected to the grid and meters were activated for use in Enkanini, Kayamandi.
- 1 000 households were connected to the grid, and meters were activated for use in Enkanini, Kayamandi.
- 28 households were connected to the grid, and meters were activated at the decanting site on Luyolo Street, Kayamandi.
- Mountain View electrification: engagements are at advanced stages with Eskom to provide electricity to households.

Table 115: Provision of basic services

Item	Luyolo Street	Mandela City	Mountain View	Enkanini	Covid Camp	Langrug	Total
Water and Sanitation	5 toilets 6 taps	15 toilets 8 taps	22 taps	30 toilets 12 taps	8 taps	6 taps	50 toilets and 62 taps
Electricity	28 connections	224 connections	In process	1 000 connections	-	-	1 252 connections

3.8.4.2 Survey of Backyard Dwellers in Franschhoek

A tender will be advertised to appoint a suitably qualified service provider to undertake a demographic survey of backyard dwellers in Groendal and Mooiwater in the 2024/25 financial year.

Standard Operating Procedures (SOP)

In accordance with the Manager: Informal Settlements KPI linked to the SDBIP, Section: Informal Settlements has completed two SOPs (standard operating procedures) for effective and efficient service delivery in emergencies, such as fires, high winds, and floods:

- Verification response to backyard structures; and
- Verification for issuing flood kits.

Informal settlements matrix—basic service provision and requirement

Continues monitoring and reporting on the provision of basic services in the informal settlements that are depicted in the table below, which provides summative statistics to meet the national norms and standards for access to basic services.

Table 116: Informal Settlements matrix – basic service provision and requirement

Item	Number of ablution facilities provided by the Council	Number of taps and tanks provided by Council	Informal settlements with grid electricity	Number of informal settlements recognised by Council	Performance comment
The number of informal settlements recognised by the Council	0	0	0	29	n/a
The number of informal settlements not recognised by the Council	0	0	0	2 - Klapmuts Farm, Klapmuts and Covid Camp informal settlement, Lanquedoc	Klapmuts farm- Settlement not recognised, land initially used for live-stock farming with 32 structures.



Item	Number of ablution facilities provided by the Council	Number of taps and tanks provided by Council	Informal settlements with grid electricity	Number of informal settlements recognised by Council	Performance comment
					Over time, more households erected structures. (2018 in-house survey) Covid IS- an illegal invasion of private property (2020)
The number of structures	0	0	0	21 202	n/a
The number of households	0	0	0	24 377	n/a
The number of toilets provided	1 203	0	0	0	n/a
The number of toilets required	2 149	0	0	0	Shortfall of 946
The number of chemical toilets	119	0	0	0	n/a
The number of water taps provided	0	760	0	0	n/a
The number of water taps required	0	416	0	0	Surplus of 194
Water tanks	0	28	0	0	n/a
Electricity supplied	0		22	0	n/a
Electricity not supplied	0	0	7	0	Watergang IS, Slabtown, Ghiff Pniël, Meerlust Simondium, Covid Camp, La Rochelle, Klappmuts farm

3.8.4.3 Disaster and Emergencies

The Section: Informal Settlements assists the Section: Disaster Management in emergencies by verifying data collected from disaster victims. These emergencies often involve fire incidents in informal settlements and backyarders of formal structures, as well as flooding and intense winds that are verified, and a report is used within 24 hours for an effective and efficient response.

Additionally, the National Department of Human Settlement (NHoDS) has played an integral part in providing aid concerning emergency relief assistance (building material) to destitute households in the Stellenbosch Municipality area, notably the Zone O, Kayamandi fire incident where 241 households were left destitute.

Table 117: Total number of structures impacted by incidents in all areas. All verifications completed within 48 hours

Incidents reported during the period July 2022 – June 2023	Number of fires verified	Number of structures affected by fire	Number of people affected by fire	Number of structures affected by floods or Wind
Formal settlements (Backyard structures)	25	21	92	0
Informal settlements	39	627	1773	15



Incidents reported during the period July 2022 – June 2023	Number of fires verified	Number of structures affected by fire	Number of people affected by fire	Number of structures affected by floods or Wind
Total number of fires and structures impacted by incidents in all areas	64	648	1 865	15

3.8.4.4 Evictions

The municipality conducts weekly meaningful engagements with families facing eviction through court proceedings. This process includes meetings with the applicant, respondent(s), Chief Legal Advisor of the Municipality, Manager: Informal Settlements, and Administrative Officer of emergency housing. The goal is to find an amicable solution while considering the municipality's constitutional obligations.

The table below indicates the number of eviction matters as of 1 June 2023 to 30 July 2024.

Table 118: Number of evictions matters

Site visits conducted	Number of meaningful engagements held	Departmental reports served and filed at Court	Court orders issued	Settlement agreements	Evictions completed	Refused / Rejected alternative accommodation
71	70	30	30	8	20	2

3.8.4.5 Development Proposals / Strategy

The Section: Informal Settlements has outlined a development strategy for each informal settlement within the municipal area. These strategies are categorised into Clusters 1 to 5 of the matrix (Department: Informal Settlements Matrix, 2024) and are based on three pillars:

- ✚ A synopsis of existing basic services, including an analysis of service provision shortfalls;
- ✚ Demographic information of household heads and a desktop risk analysis of the settlement; and
- ✚ Development proposals aligned with three strategic documents: Integrated Development Plan (IDP), Spatial Development Framework (SDF), and the Stellenbosch Municipality Housing Pipeline.

These proposals are also aligned with the municipality's budget cycle as well as the provincial budget cycle.

3.8.5 HOUSING ADMINISTRATION

3.8.5.1 Transfer of housing stock

During the period under review, the municipality continued with the process of dealing with the historic backlog and transfer of properties to beneficiaries of state-subsidised houses. A process action plan was devised in terms of which administrative procedures would be streamlined. A panel of attorneys was appointed to assist with the transfer of the identified properties.



A total of 97 title deeds were transferred for the 2023/24 financial year. The transfers were completed in the following areas:

Table 119: Transfer of housing stock

Area	Total
Cloetesville	15
Kayamandi	44
Klapmuts	17
Franschhoek	4
Pniël	1
Longlands	16
Total	97

Table 120: Total properties registered at the deeds office (during 2023/24)

Total properties registered at deeds office (during 2023/24)	
Historical project title deeds registered	50
New project title deeds registered*	47
TOTAL ERVEN	97

* Funding for the title deeds was provided through the Title Deed Restoration Programme. It is only given for houses of subsidies approved.

The Section: Housing Administration is conducting continuous Housing Consumer Education (HCE) programmes with affected beneficiaries and addressing issues around title deeds. The municipality also appointed temporary field workers to assist with beneficiary administration, which includes tracing beneficiaries and conducting occupation surveys to ensure that title deeds are registered correctly.

Stellenbosch Municipality has entered into a partnership with an NGO named Khaya Lam, which assists municipalities across the country to transfer houses still in municipal ownership but originally intended for transfer to the beneficiaries. They have assisted the municipality with 2 324 transfers to date. The NGO provides funding for the temporary appointment of staff to enhance capacity and provides funding to the municipality per the title deed registered. The donation is used to appoint field workers to assist with the beneficiary's administration of the transfer processes.

Historic Township Establishment Rectifications

This backing by the NGO (Khaya Lam) has been extended with their assistance to cover the costs of the registration of the General Plans and the related transfers in respect of the Township Establishment rectifications done on the Historic Kayamandi projects (Project 4B, Project 5A, and Project 8), after obtaining the land use rights on these projects that were built between 1998 and 2008, in terms of the Municipal Planning Tribunal (MPT) approval in February 2023.

These projects are listed in the table below and contain a combined total of 280 transferrable properties. The signing of Deeds of Sales in respect of these properties commenced in April 2023, and a total of 165 Deeds of Sales had been concluded with the beneficiaries of the transferrable properties by 30 June 2024. These deeds of sale are ready for lodgement with simultaneous registration of the general plans.

**Table 121: Old Kayamandi Projects built between 1998 and 2008 for which underwent rectifications (2023/24)**

Project	Original Mother Erf	New Mother Erf	General Plan No	Land Use Right Obtained	Total Transferable Properties	Total Deeds Of Sale Signed
Project 4B Red Bricks (56 Erven)	Erf 1070, Kayamandi (GP3343/1993)	Erf 5107, Kayamandi	GP2720/23	To consolidate and subdivide into 56 erven and registration of General Plan at the Office of the Surveyor General	51	23
Project 5A Snake Valley (184 Erven)	Erf 707 and Erf 5107, Kayamandi (GP7988/1991) and Erf 1070, Erf 5107, Kayamandi (GP3343/1993)	Erf 1980, Kayamandi – (SG 48/2024)	GP50/2024	Closure of public open space, consolidate and subdivide Erf 1980 into 130 erven (124 erven and 6 PPS) and registration of General Plan at the Office of the Surveyor General	124	77
	Erf 707 and Erf 5107, Kayamandi (GP7988/1991) and Erf 1070 and Erf 5107, Kayamandi (GP3343/1993)	Erf 1981, Kayamandi – (SG 49/2024)	GP50/2024	Closure of public open space, consolidate and subdivide Erf 1981 to 54 erven (51 erven and 3 PPS) and registration of General Plan at the Office of the Surveyor General	51	29
Project 8 - Mpelazwe (55 Erven)	Remainder of Erf 288, Kayamandi(GP149/1987)	Erf 5106, Kayamandi (SG39/2024)	GP40/2024	Formal rezoning and subdivision completed, closure of public roads and registration of General Plan at the Office of the Surveyor General	54	36
TOTAL					280	165

In addition to the above township establishment rectifications, the Section: Housing Administration has identified another three housing projects of which the subdivision approvals have lapsed in terms of Section 27(7) of LUPA, as no properties were transferred within the prescribed legal period of 5 years from approval. The projects all date to the early 2000s.



These projects are:

- Unregistered Erf 2046, Klappmuts—a portion of Remainder Erf 812, Klappmuts (better known as Project 52, Klappmuts);
- Unregistered Erf 15095, Stellenbosch - Remainder Erf 6846, Stellenbosch (better known as The Steps; and
- Unregistered Erf 14599, Stellenbosch, comprising a portion of Erf 8937, Stellenbosch; Remainder Erf 6852, Stellenbosch; a portion of Erf 6851, Stellenbosch; and Erf 6667, Stellenbosch (better known as Orlean Lounge).

The aforesaid NGO has extended further assistance through the appointment of a Land Use Planner and professional team, funded by Khaya Lam, to reapply for the subdivision of these three properties. This is necessary to enable the Municipality to finalise the formal registration of these properties with the Surveyor-General and the Deeds Office so that the title deeds of the properties can be transferred to the intended beneficiaries.

Land Use Applications (LUAs) were drafted and submitted to the Section: Land Use Planning in April 2024. Exemption from advertising has already been obtained, and all three applications are being prepared for submission to the Municipal Planning Tribunal for a final decision. These 3 projects have a combined total of 211 transferrable even.

Table 122: Three projects for which new Land Use Applications have been lodged (2023/24)

Project	Original Mother Erf	New Mother Erf	General Plan No	Land Use Planning Application Submitted	Total Transferable Properties
Project 52 "red roofs" Klappmuts 52 erven)	Erf 812, Klappmuts (GP3685/1999) Farm 744 of Portion 3	Unregistered Erf 2046, Klappmuts	To be established	April 2024	49
The Steps Cloetesville (74 erven)	Unregistered Erf 5095, Stellenbosch (GP4720/2006) Remainder Erf 6846, Stellenbosch	Unregistered Erf 15095, Stellenbosch	To be established	April 2024	72
Orlean Lounge (91 erven)	Unregistered Erf 14599, Stellenbosch (GP4717/2006) comprising of a Portion of Erf 8937, Stellenbosch Remainder of Erf 6852, Stellenbosch, a portion of Erf 6851 SB and Erf 6667 SB	Unregistered Erf 14599 SB	To be established	April 2024	90
TOTAL					211



Title Deed handovers

A total of 151 title deeds were handed over in the 2023/24 financial year. The Longlands low-income housing development has been one of the developments that benefitted in the 2023/24 financial year. A total of 91 title deeds were handed over to their approved beneficiaries.

The Executive Mayor, Adv Gesie van Deventer, personally handed over 80 of the original title deeds to their respective beneficiaries in the Longlands Development during the formal handover event held on 28 September 2023 in the Methodist Church hall, Vlottenburg.

On 24 May 2024, the Executive Mayor handed over 4 title deeds in the Kylemore, Mooiwater, and Franschhoek areas in a walk-about / door-to-door fashion to the most elderly beneficiaries and an additional 11 title deeds reaching their rightful beneficiaries through this event.

The transfer of these title deeds is a testament to the municipality's commitment to improving the lives of its residents and fostering a community where everyone has the opportunity to own their home and participate fully in the economy.

Figure 20: Title deed handover in Longlands on 28 September 2023





Figure 21: Title deeds handed over in Kylemore, Mooiwater and Franschhoek



3.8.5.2 Housing Demand Database (housing waiting list) Administration

The Section: Housing Administration continues with the “data-cleaning” process of applications that appear on the housing waiting list where vital information is outstanding. An area-based approach was used where staff members went out to the various areas and invited applicants to workshops during which the applicant's information was updated. The entire Stellenbosch municipal area was covered during this programme.



The agreement with the Provincial Department of Infrastructure (PDol) to assist with the data clean-up of the Stellenbosch municipal waiting list continues. The waiting list is updated and verified regularly by the PDol to ensure that the number of people deemed to be on a “waiting status” is a true reflection of those persons who still require housing assistance within the greater Stellenbosch area.

The Western Cape Housing Demand Database has undergone an upgrade allowing online applications, as well as the additional functions of adding documentary proof. Stellenbosch Municipality has aligned itself with this software in the capturing of all housing demand data applications. The Housing Demand Database System is being updated regularly to ensure that the Council has credible data for planning future housing projects to be implemented.

The Section: Housing Administration also continues with its outreach programme to update the Housing Demand Database, reaching various areas within WC024. The outreach programme aims to bring services closer to the people, mainly the elderly, disabled, and unemployed community members who have limited resources to reach municipal offices. The programme reaches the communities in their respective areas to assist them with applying or updating their application on the Housing Demand Database.

Table 146: A total of 2803 people were assisted during 2023/24 through the outreach programme

Housing Demand Database		
Areas	Dates	Nr of People Assisted
La Motte	5, 6 and 8 July 2023	194
Groendal	12, 13 and 15 July 2023	427
Total		621

3.8.5.3 Administration of Public Rental Stock

On 25 June 2014, the Council adopted a policy for the Administration of Public Rental Stock. This document was the culmination of a collaboration between stakeholder departments within the municipality. The purpose of the policy is to ensure effective management and well-maintained assets that will improve the quality of life for residents. The Section: Housing Administration is busy with the review of the Human Settlements Administration and Allocation Policy, which will include the allocation and management of the public rental stock. This policy will be referred to the Council for adoption after due public participation processes have been completed.

A caretaker programme was implemented in all public rental stock to deal with the increase in anti-social behavioural problems. This programme was implemented to ensure that communities “take” their neighbourhoods back into their own hands and to improve communication between the municipality and the tenants. The total number of caretakers appointed for all the public rental flats was eleven (11).

Anti-social behaviour and breach of contract complaints involving tenants of rental units are referred to the Section: Legal Services for action.

The Section: Housing Administration completed an audit of all its rental stock, both staff and public rental units, concerning the occupancy of the units. For the section to update its records where necessary, interviews were conducted with affected households, resulting in the conclusion of lease agreements with the next of kin of deceased tenants. The Section: Housing Administration compared the findings of the surveys with regards to the legal occupancy of the rental units with existing information obtained from the records of the Directorate: Financial Services. Interviews were conducted with occupants of flats where there appeared to be discrepancies, and detailed



questionnaires were completed for every household. This enabled the section to evaluate whether the illegal occupants qualified for legalisation in terms of the criteria set out in the approved policy on the Unlawful Occupation of Municipal Rental Stock.

3.8.5.4 Housing Consumer Education (HCE)

The Housing Consumer Education programmes were held for beneficiaries of houses that were built between 1994 and 2014. These are housing that form part of the Title Deeds Restoration Programme. These beneficiaries are advised about the security of tenure, issues of inheritance, and the drafting of a will.

A total of five (5) HCE workshops were held during the 2023/24 financial year, inclusive of those held before formal Title Deed handovers, outreaches for the signing of deeds of sale, and anti-social behaviour for tenants. This total excludes those HCE sessions held with individual recipients of Title Deeds and the day-to-day walk-ins.

Table 147: Consumer Education Events undertaken: 2023/24

Consumer Education Events Undertaken: 2023/24			
Date	Area	Type of Consumer Education	Total Attended
28 September 2023	Longlands, Vloottenburg	Housing consumer education was conducted with the Longlands beneficiaries in preparation for their title deed handover.	110 (Title Deeds)
15 May 2024	Kylemore, Mooiwater, and Franschhoek	Door-to-door Housing Consumer Education sessions were conducted in the areas of Kylemore and Franschhoek with elderly people and people with disabilities.	8 (Housing Consumer Education)
18 May 2024	Franschhoek Library (for Kylemore, Mooiwater, and Franschhoek)	Housing Consumer Education and a Title Deed Handover were conducted. Fifteen (15) beneficiaries received HCE, and 5 families received their Title Deeds.	15 (Housing Consumer Education) 5 (Title deeds)
24 May 2024	Kylemore, Mooiwater, Franschhoek	Housing consumer education and a title deed handover were conducted in the areas of Kylemore and Franschhoek. This event took place in the form of a drive-through with the Executive Mayor handing over title deeds to elderly people and people with disabilities. Housing Consumer Education was conducted with 3 beneficiaries, and 7 families received their Title Deeds.	3 (Housing Consumer Education) 7 (Title Deeds)
31 January 2024	Kloof Street Flats Block A-D	Housing consumer education was conducted with tenants of these blocks of flats around anti-social behaviour. Thirty (30) people attended this information session, and officials from the Section: Housing Administration explained the roles and responsibilities of the tenant(s) versus the municipality concerning rental stock maintenance.	30 (Housing Consumer Education)



Table 148: HCE and Public Participation

Photos Of Consumer Education Events Undertaken: 2023/24			
Date	Event	Photos	Total Attended
28 September 2023	Housing Consumer Education for the handover of title deeds to the beneficiaries of the Longlands housing development in Vlothenburg.		110 (Title Deeds)
18 May 2024	Housing consumer education for the handover of title deeds for the Kylemore, Mooiwater, and Franschoek areas was held in the Mooiwater Library.		15 (Housing Consumer Education) 5 (Title Deeds)

3.8.5.5 Maintenance of Rental Stock

The Section: Housing Administration integrated the complaints system of the Council, and all complaints about rental stock can now be monitored. The section is responsible for all maintenance of municipal rental stock, which comprises 750 rental units, 1 070 Temporary Residential Areas (TRAs), and 26 plywood hostels situated in Kayamandi that were built in 1976 for migrant labourers.

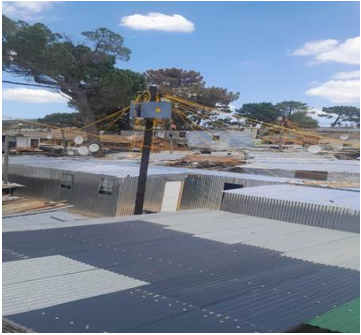
Budgetary constraints were often the main reason why maintenance issues of municipal rental stock could not be resolved. It should be noted that provision has been made for the 2024/25 financial year, which will address the backlog on maintenance work reported.

Two artisans were appointed to attend to the day-to-day plumbing and carpentry complaints as well as those on an ad-hoc and / or emergency basis.

Some of the rental stocks are very old and need major maintenance to improve the living conditions and safety of the tenants. Therefore, various service providers were appointed to address these maintenance repairs and installations at various rental stocks.



Table 149: Projects concluded at municipal rental stocks.

Area	Description of Project	Photos	
Lamla Street, Kayamandi	Demolishing a hostel that was affected by fire. This project involves the safe removal and disposal of asbestos. The hostel was demolished, and tenants were provided with emergency kits to build new structures.		
Lang / Kloof Street Cloeteville Flats	Erecting new fencing and gates to improve security on the boundaries and parking areas of blocks A-J. This project was conducted to protect tenants against crime that is happening in the area.		
Units 13 and 14 Monteray Flat, Rhode Street	The project involved the safe removal and disposal of the asbestos roof, followed by the installation of a new roof. The units were severely leaking when it rained, and the roof had to be removed and replaced with new roofing.		
Units 607 and 611 Lavanda Flats and units 611 and 612 Phyllaria Flats	Removal of damaged waterproofing layer and installation of a new layer. The units were leaking during rainy days.		



Area	Description of Project	Photos
Phyllaria Flats, Jan Celliers Street	Fixing blocked and damaged sewer pipe at Phyllaria flats. The pipes were broken and blocked, and the area had a bad odour due to wastewater.	 

3.8.5.6 Cleaning of Rental Stock

The rental stock was cleaned with the assistance of appointed Expanded Public Works Programme (EPWP) workers, and the rental units are in pristine condition. Grass-cutting teams are deployed in public rental areas monthly to revitalise and beautify the areas, specifically Jan Cilliers Street (Lavanda, Aurora, and Phyllaria flats), Longstreet blocks F-J, Kloof Street blocks A-D, Rhode Street (Melody, Monteray Mountview, and Monte Christo), and Maisonettes (Eike Street, Primrose Street, Pine Street, and Jakaranda Street).

Figure 22: Cleaning services rendered at Rental Stock





3.8.5.7 TRA Management

The municipality is mandated, in respect of various pieces of legislation, to administer all matters relating effectively and professionally to informal settlement areas.

The Section: Housing Administration, in conjunction with the Section: Informal Settlements, effectively manages and controls 10 TRAs in the Stellenbosch municipal area (WC024) to furnish every informal settler with a potential home. The number of households in TRAs is reflected in the table below:

The number of households in TRAs:

Table 123: TRA Statistics

Area	Number of households
Mandela City, Klipmuts	243
La Rochelle, Klipmuts	35
Devon Valley	30
Longlands, Vloottenburg	81
Mountainview, Jamestown	196
Watergang TRA 1, Kayamandi	262
Watergang TRA 2, Kayamandi	180
Meerlust Bosbou, Franschhoek	33
Curry Street TRAs, Cloeteville	5
Kloof Street TRAs, Cloeteville	3

The section facilitates evictions, surveys, all levies, and service assistance by channelling complaints to the correct user departments and all types of assistance until relocation to a project. Currently, service providers have been appointed to assist the municipality with the relocation of families and fire victims in these TRAs.

Figure 23: TRAs raised in fires



3.8.5.8 Job Creation

A job creation programme was initiated via the EPWP, and as a result, 66 job opportunities were created, listed below:

- † Twenty-one (31) EPWP workers were appointed to assist with the cleaning of municipal rental stocks, and this resulted in a decrease in complaints received from tenants as properties were in a neater state;
- † Four (9) temporary field workers were also appointed to assist with the surveys of rental stock, Temporary residential areas, and emergency housing. This was to ensure that the correct tenants occupied the flats and to identify issues like sub-letting or illegal activities;



- ✦ Eight (11) Title Deeds Restoration Programmes were also initiated to assist with the transfer of state-subsidised houses and to eradicate the historic backlog in terms of the transfer of these houses;
- ✦ Two (5) administrative assistants were appointed to deal with complaints and document management;
- ✦ Two (4) team leaders were appointed to assist with task assignments and leadership with the general workers; and
- ✦ Four (6) artisan assistants were appointed to assist the artisan carpenter and artisan plumber in the execution of their respective duties.

The table below indicates the capital expenditure for the Sections: Housing Administration and Housing Development as at 30 June 2024.

Table 124: Capital Expenditure as at 30 June 2024: Section: Housing Development

Capital Projects	Adjustment Budget	Actual Expenditure	Variance from the Adjustment Budget
	R'000		
Langrug UISP (1899) Subdivisional area	240	234	2.63%
Northern Extension: Feasibility	279	279	0.04%
Erf 64, Kylemore	1 167	1 167	0%
Erf 7001 Cloetesville (380) FLISP	341	331	2.91%
Jamestown: Housing	580	437	24.58%
Only the five largest capital projects are listed.			

The Section: Housing Development has spent 94% of its capital budget for the financial year.

The tables below indicate the total number of employees in the Department: Integrated Human Settlements (Sections: Housing Administration and Housing Development) as at 30 June 2023.

Table 125: Total employees in the Department: Integrated Human Settlements (Sections: Housing Administration and Housing Development)

Job Level	Posts	Employees	Vacancies (full-time equivalents)	Vacancies (as a % of total posts)
	Number			
18 – 22	2	2	0	0
14 – 17	2	2	0	0
9 – 13	15	11	4	26.6
4 – 8	21	18	3	14.2
3 – 0	0	0	0	0
Total	40	33	7	17.5

3.9 PROPERTY MANAGEMENT

This section is also responsible for the contract management (leasing) and maintenance of all council-owned administrative buildings and the construction / project management of all upgrading and / or new facilities.

Some of the highlights of the past financial year include the following:

- ✦ Various fencing projects were successfully implemented and completed on Tender B/SM 13/22 Supply and Erection of Fencing on an 'As and When Required' Basis: Term Tender for Period



Ending 30 June 2025. The maximum allowable project threshold was reached earlier than expected; therefore, the service providers' contracts had to be terminated, and a new tender had to be advertised in July / August 2024;

- ✦ Various installations of new air conditioners and repair and maintenance of air conditioners were done under Tender B/SM 20/22;
- ✦ Upgrading of Dorp Street Flats was successfully completed (B/SM 27/22);
- ✦ Structural maintenance / upgrade of the Stellenbosch Townhall Complex was successfully completed (B/SM 66/23);
- ✦ Installation of Handrails at Lapland Flats Ramps was successfully completed (FQ 122/24);
- ✦ The quantity surveyor for the renovation and structural maintenance of the Jamestown Ward Office and Library was successfully awarded, and a service provider was appointed (B/SM 22/24 – Professional Services);
- ✦ Professional Architect to draft building plans on Erf RE 194 Hoffman Street Stellenbosch was successfully awarded, and a service provider was appointed (B/SM 36/24 – Professional Services);
- ✦ The appointment of an architectural professional / principal agent for Millenium Hall on Farm 14/1674 Pniël–Stellenbosch was successfully awarded, and a service provider was appointed (BSM–40–24 – Professional Services);
- ✦ The renovations of the Municipal Court Strong Room were successfully completed;
- ✦ The appointment of a structural engineer for an assessment on the waterproofing and rainwater runoff at the NPK Building, Stellenbosch, was successfully awarded, and a service provider was appointed (B/SM 50.23. SE.5 – Professional Services);
- ✦ Tender for Phase 1 Structural, Electrical, Fire, Compliance, and Roof Replacement for the Upgrade of the Beltana Depot to appoint a Construction Contractor was advertised (B/SM 113/24 – Construction Work);
- ✦ As-built Building Plans for Beltana Depot were successfully completed (FQ 79/22);
- ✦ As-built Building Plans for Rhenish Complex were successfully completed (FQ 89/22);
- ✦ Remedial repairs at Klapmuts Multi-Purpose Centre Treatment Works were successfully completed (FQ 103/24); and
- ✦ Renovations of a La Motte Fire Station were successfully completed (FQ 114/24).

The planning phase of the following projects started or was finalised:

- ✦ Appointment of a Structural Engineer for the Makupula Hall Renovations (Professional Services);
- ✦ Waterproofing Remedial Construction Work to the NPK Building (Construction Work);
- ✦ Renovation and Structural Maintenance of Jamestown Ward Office and Library (Construction Work);
- ✦ Maintenance and Upgrades of the Millennium (Construction Work);
- ✦ Phase 1 and 2: Upgrade, Alterations, Extensions, and Additions on Erf RE/194, Hofman Street, Stellenbosch (Construction Work); and
- ✦ Installation of Above Counter Geysers at the NPK Building.

The following projects are in ongoing phases:

- ✦ Upgrade / Maintenance of Heritage Buildings Voorgelegen Rhenish and Bergzicht (B/SM 24/22);
- ✦ Eerste River Flood Rehabilitation Structures Agricultural Hall (Tender B/SM 27/24);
- ✦ Professional Architect Monitoring and Overseeing Heritage Building Works / Alterations / Upgrades (B/SM 31/23);
- ✦ Drafting of 'as built' building plans for the Municipal Townhall Complex (FQ 130/24);
- ✦ Lift Service for the Lift at the Klapmuts Multi-Purpose Centre (B/SM 76/23);
- ✦ Lift Service for the Plein Street Lift (B/SM 28/22);



- ✦ Hygienic Services for the Municipal Buildings (B/SM 13/24);
- ✦ Office furniture acquisitions (B/SM 91/23);
- ✦ Plumbing materials and equipment acquisitions (B/SM 51/23); and
- ✦ Installations of new air conditioners and repairs and maintenance (B/SM 20/22).

Various projects / acquisitions were processed under the following term tenders:

- ✦ Furniture, tools, and equipment; and
- ✦ Plumbing materials and equipment.

The following term tenders / quotations were awarded:

- ✦ Supply, delivery, and fitting of office furniture for Stellenbosch Municipality ending 30 June 2026 was successfully awarded and service providers were appointed (B/SM 95/23);
- ✦ The service provider for the installation of handrails at Lapland Flats Ramps was successfully appointed (FQ 122/24);
- ✦ Hygienic Services Provider for Municipal Buildings was successfully appointed (B/SM 13/24);
- ✦ Supply, delivery, and offloading of plumbing materials, plumbing tools, and irrigation items service providers were appointed (BSM 51/23); and
- ✦ Registered Air Conditioner Service Provider for Call Out and Diagnostic Services was successfully appointed (FQ 116.24).

The table below indicates the capital expenditure for the Section: Property Management and Building Maintenance as at 30 June 2024.

Table 126: Capital Expenditure as at 30 June 2024: Section: Property Management and Building Maintenance

Capital Projects	Adjustment Budget	Actual Expenditure	Variance from the Adjustment Budget
	R'000		
Langrug UISP (1899) Subdivisional area	240	234	2.63%
Northern Extension: Feasibility	279	279	0.04%
Erf 64, Kylemore	1 167	1 167	0%
Erf 7001 Cloetesville (380) FLISP	341	331	2.91%
Jamestown: Housing	580	437	24.58%
Only the five largest capital projects are listed.			

The Section: Property Management and Building Maintenance has spent 104% of its capital budget for the financial year.

The table below indicates the total number of employees in the Section: Property Management and Building Maintenance.

Table 127: Total number of employees in the Section: Property Management and Building Maintenance

Job Level	Posts	Employees	Vacancies (full-time equivalents)	Vacancies (as a % of total posts)
	Number			
18 – 22	0	0	0	0
14 – 17	1	0	1	0
9 – 13	9	3	6	66.6
4 – 8	11	8	3	27.2
3 – 0	0	0	0	0
Total	21	11	10	47.6



COMPONENT B: ROADS, TRANSPORT AND STORMWATER

3.10 Roads

To facilitate effective mobility throughout the municipal area, a range of interventions are undertaken to reduce congestion and improve access for residents, the underprivileged sector, tourists, students, as well as the business and industrial sectors. This component serves as a strategic level for accelerated economic growth; roads also enable safety aspects such as access to fire, emergency, and disaster services; mobility for public transport and freight; and a safe environment for those who are using non-motorised means of transport or walking. The WC024 area is going through growth shifts and projects that will make it easier for people to live there. Because of this, the municipality's transportation plans include building a sustainable road network, which means adding new roads to connect existing ones and improving intersections, among other things.

The team also responded well to the flood-hit regions and damage to transport infrastructure during the June and September 2023 floods. The following damages were incurred: riverbanks were eroded, building foundations were exposed and at risk, bridges were damaged and washed away, roads and river protection structures were undermined, and stormwater structures were damaged. The damage estimated by the flood-hit areas is more than R100 million, but the municipality moved quickly to stabilise and repair what needed to be urgently attended to, while the longer-term rehabilitation and upgrading of the stormwater systems are scheduled to follow.

3.10.1 STRATEGIC PLANNING

3.10.1.1 Comprehensive Integrated Transport Plan (CITP)

The CITP presents the municipality's long-term transport vision and objectives, as well as the annual action plans and projects that would enable the municipality to realise its transport vision. The CITP will be synchronised with the annual updating of the IDP.

A current review (2023-2028) of the CITP represents the 5-yearly overhaul of the plan and requires, inter alia, that:

- † Every aspect of the previous CITP must be re-examined to see if it is still up-to-date;
- † The previous CITP is revised and updated where necessary, and relevant new aspects are added;
- † An update of the Transport Register be prepared;
- † It reflects revisions of the municipality's SDF, Roads Master Plan, and NMT Master Plan;
- † It provides a revised Public Transport Plan dealing with the restructuring of the public transport network of services; and
- † It provides an update on progress made with previously proposed action plans and projects and proposes additional plans and projects.

The 2023-2028 review of the CITP has been finalised and has been approved by the Council in 2023.



3.10.2 Transport Studies

The municipality commissioned and recently concluded the following transport studies:

A Freight Strategy Study has also been concluded. This study assesses routes typically utilised by freight vehicles in, around, and through the Stellenbosch Municipal Area to develop a strategic freight network.

The municipality has concluded studies towards the development of a business model for an inclusive public transport service for people with disabilities in Stellenbosch.

3.10.2.1 Park Ride Studies

Concept planning studies have been undertaken for proposed park-and-ride facilities located on the outskirts of the urban area; the following studies are earmarked for the near future:

- ✚ Confirm feasibility and further design processes;
- ✚ Determine the most appropriate transport system model that would be associated with the park and ride facilities; and
- ✚ Determine the possible long-term phased implementation programme.

ATC Transport Studies are currently underway to ascertain the required levels of accessibility within the corridor, as well as the mobility requirements surrounding main roads. The ATC Transport Studies align with the approved ATC MSDF and guidelines by, among other things, promoting public transport and non-motorised transport (NMT) within the corridor; the compilation of a Public Transport Plan that sets out the incremental measures required to improve public transport services within the municipal area is currently underway. In line with the municipality's Transport Strategy and council resolution previously taken.

3.10.3 PLANNING

The municipality has approved its Non-Motorised Transport (NMT) Master Plan and Policy in 2022. The NMT Master Plan and Policy is a review, consolidation, and update of the NMT policy and NMT network and cycle plans, which were compiled in 2015.

The NMT Master Plan and Policy strive to promote and encourage alternative modes of transport, such as walking and cycling. They also aim to analyse the capacity of the current network, identify current and future NMT needs, and recommend improvements that will ensure an effective NMT network.

The NMT Master Plan and Policy further strives to position NMT as a consistent long-term municipal priority. The strategic objective of the NMT Master Plan is the implementation of a coherent, logical, and integrated NMT network for Stellenbosch.

The municipality has approved its Sidewalk Accessibility Policy (2023), which aims to improve sidewalk management and strive towards a safe environment for all users. The policy puts procedures in place that would improve safety and make sidewalks more accessible and user-friendly for pedestrians.

The main road networks through Stellenbosch currently operate at capacity and at times beyond capacity, resulting in traffic congestion. Analysis of the road networks and assessments of the public transport operations and facilities are periodically carried out to identify shortcomings and opportunities for improvements. The municipality has approved its Road Master Plan (RMP) in 2022,



which analyses the capacity of the current network and current and future needs and recommends infrastructure improvements that will aid in establishing an effective road network.

The municipality has compiled its Road Transport Safety Master Plan (RTSMP). The Road Transport Safety Master Plan is a review, consolidation, and update of the Transport Safety Master Plan (TSMP), which was compiled in 2015. The TSMP includes an audit of traffic safety interventions and identifies priority projects with low- to medium-cost engineering measures such as traffic calming, speed monitoring, roundabouts, etc. for implementation.

Extensive investigations, assessments, and analyses are undertaken when compiling master plans. The outputs of master planning are used to inform strategic plans, such as the CIP. Outputs from master plans also aid other municipal decision-making processes.

3.10.4 ROAD CONSTRUCTION AND INTERSECTION UPGRADES

To reduce the effects of congestion, improve traffic flow, and increase traffic safety at intersections within Stellenbosch, various intersections were upgraded by the municipality through the Intersection Improvement Programme that commenced about 10 years ago.

The following has been completed in the 2023/24 financial year:

† Construction of R304 / Newinbosch Intersection.

The following intersection and road upgrades are currently in various stages of planning and design:

† Lower Dorp Street and its intersection with Strand Road (R44) and Adam Tas (R310);
 † Adam Tas and R44 / Alexander;
 † Adam Tas and R44 / Merriman;
 † Phase 2: R44 / Helshoogte;
 † Dualling Bird Street between R44 and Kayamandi;
 † R45 / Le Roux Street Intersection;
 † Extension of Wildebosch Road to Trumali;
 † Techno-Park and Adam Tas Link Road;
 † Minor Road Improvement Klappmuts; and
 † Road development at the Jamestown Schools precinct.

3.10.4.1 Road Reseal

During the 2023/24 financial year, the municipality resealed portions of the following roads in WC024:

Table 128: Road Rehabilitation

	Name	Length (m)	Width (m)	Area (m2)
Franschhoek	R45 Main Road	1 450	6.5	9 425
	Heide Street	248	5.5	1 364
	Freesia Street	90	5.5	495
	Erika-Disa Street	500	6	3 000
	Lillie Street	67	5	335
	De Wet Street	106	5.6	593.6
	Oaklodge Street	79	5.6	442.4
		2 540		15 655
Stellenbosch	Van Riebeeck	400	6.1	2 440



	Name	Length (m)	Width (m)	Area (m2)
	Merriman Ave	355	8.2	2 911
	Herold Street	222	5.6	12 43.2
	Mark Street	96	14.5	1 392
		73	9	657
		73	9	657
	Soeteweide	277	6.8	1 883.6
	Vereweide Road	52.8	6.8	359.04
	Unie Road	952.6	7.8	7 430.28
	Rattray Avenue	210	5.2	1 092
	Ryneveld Street	52	6.9	358.8
		27	2.6	70.2
		2 790.4		20 494.12
Groendal	Arend	161	5.5	885.5
	Davids	220	5.5	1210
		381		2 095.5
Klapmuts	Merchant Street	550	6.8	3740
		550		3 740
Ida's Valley	Juffernbruch Street	244	6.8	1 659.2
	Talana Road	47	6.2	291.4
	Talana Link	50	5	250
		341		2 200.6
Total L(m)=		6 602.4m	Total Area(m2)=	44 185.22

3.10.5 NON-MOTORISED TRANSPORT (NMT)

In line with the municipality's NMT Master Plan, NMT infrastructure was rolled out and implemented to ensure continuous expansion of the NMT network.

During the 2023/24 financial year, sidewalks were constructed along portions of the following roads:

Stellenbosch CBD and Surrounding:

- ✚ Ryneveld Street;
- ✚ Bosman Street;
- ✚ Van Riebeeck Street; and
- ✚ Stellenbosch – Strand (R44).

Cloetesville:

- ✚ Tennant Street;
- ✚ Ortell Street;
- ✚ Toefy Street;
- ✚ Lang Road; and
- ✚ Asalea Road.

Ida's Valley:

- ✚ Hahn Street;



- ⚡ Moffat Street; and
- ⚡ Oak Tree Village.

Pniël:

- ⚡ Panorama Street;
- ⚡ Simonsberg Street;
- ⚡ Jamboes Street; and
- ⚡ Kastaiing Street.

Paradyskloof:

- ⚡ Rhodes-Noord Road.

Klapmuts:

- ⚡ Skool Street.

La Motte:

- ⚡ Stinkhout Street;
- ⚡ Ysterhout Street;
- ⚡ Geelhout Street;
- ⚡ Akkerhout Street;
- ⚡ Kershout Street;
- ⚡ Olienhout Street; and
- ⚡ Bergendal Street.

3.10.5.1 Parking

The municipality embarked upon several interventions to improve the provision of parking in Stellenbosch CBD and Franschhoek. These interventions comprise the following:

- ⚡ Reviewing and improving the parking management model and the leasing of parking areas for improved management of these facilities;
- ⚡ The upgrading of identified parking areas in Franschhoek; and
- ⚡ Feasibility studies and associated works for the establishment of a possible public-private partnership (PPP) project to implement and manage a bulk parking facility in Stellenbosch.

3.10.5.2 Traffic Signals

Stellenbosch Municipality, in collaboration with Stellenbosch University, continues with research and development to establish a real-time traffic signal control system for Stellenbosch. This research project will assist in addressing everyday congestion through the application of Smart Transportation Technology namely Traffic-Adaptive-Signal-Control (TASC). TASC refers to the real-time control of signalised intersections and enables the real-time adjustment of traffic signal timing to increase vehicle flows through the intersection, thereby reducing congestion.

During the 2023/24 financial year, traffic signal systems were upgraded, and devices were installed that would improve vehicle detection at the following intersections:

- ⚡ R310 and Alexander;



- ✦ R44, R304, and Bird Street;
- ✦ R44 and Welgevonden;
- ✦ R304 and Newinbosch (new installation); and
- ✦ R304 and Sokuqala (new installation).

During the 2023/24 financial year, the maintenance traffic signals at the following listed sites have been transferred from the Western Cape Government, Department of Infrastructure, to Stellenbosch Municipality:

- ✦ R44 and R101 (Klapmuts);
- ✦ R304 and Bottellary Road;
- ✦ R310 and M12 Polkadraai;
- ✦ R310 and Annandale;
- ✦ R310 and Vlottenburg; and
- ✦ R44 and Annandale Road.

3.10.5.3 Pedestrian Crossing

During the 2023/24 financial year, pedestrian crossings were implemented.

- | | |
|----------------------|--|
| ✦ Akademie Street | 1x raised pedestrian crossing |
| ✦ Mark Street | 1x raised pedestrian crossing |
| ✦ Curry Road | 1x convert speedhump to raised pedestrian crossing |
| ✦ Groenefontein Road | 3x raised pedestrian crossing |

3.10.5.4 Traffic Calming Implementation

During the 2023/24 financial year, traffic calming interventions were implemented along the following roads:

Franschhoek

- | | |
|-------------------------|--------------|
| ✦ Reservoir-East | 1x speedhump |
| ✦ Akademie and Oaklodge | 1x 4way Stop |

Wemmershoek

- | | |
|----------------------|--------------|
| ✦ Prins Africa Drive | 1x speedhump |
|----------------------|--------------|

Pniël

- | | |
|---------------------|---|
| ✦ Protea Street | 1x speedhump |
| ✦ Silwermyl | 1x speedhump rebuild and 1x speedhump removed |
| ✦ Simonsberg Street | 1x speedhump |
| ✦ Panorama Street | 1x speedhump |

Johannesdal

- | | |
|---------------------|--------------|
| ✦ Morgenster Street | 1x speedhump |
| ✦ Sonstraal Street | 2x speedhump |
| ✦ Lumley Avenue | 2x speedhump |
| ✦ Greenway Street | 1x speedhump |

Kylemore

- | | |
|------------------|--------------|
| ✦ Skool Street | 1x speedhump |
| ✦ Blarney Street | 2x speedhump |



Ida's Valley

	Merton Street	2x speedhump
	Helderberg Street	1x speedhump
	Oaktree Village	4x speedhump

Kayamandi

	Tata Mandela Drive	2x speedhump
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Stellenbosch

	Papegaai Street	2x speedhump
	Hofmeyr Street	2x speedhump and 2x painted pedestrian crossing

Cloetesville

	Kloof Street	2x speedhump
	Hoek Street	1x speedhump
	Essenhout Street	1x speedhump
	Waaierpalm Street	1x speedhump rebuild

Jamestown

	Mountain View Rd	3x speedhump
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Longlands

	Roos Crescent	6x speedhump
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3.10.5.5 Bridges

The Distillery Road Bridge crosses the Plankenbrug River and is located on the western edge of Stellenbosch, near the point where Adam Tas Road / R310 crosses the railway line that was completed in 2023.

The construction of a new bridge on the Lanquedoc Access Road over the Dwars River would better serve the needs of the Lanquedoc community; included as part of the project is the upgrading of the bridge and access road and the implementation of improved NMT facilities.

Two culvert bridges over the La Cotte River on Akademie and Dirkie Uys Streets, Franschhoek, that incurred damages during the September 2023 flood, are currently being reinstated. Planning and designs are underway for the construction of three pedestrian bridges over the Stiebeuel River in Mooiwater, Langrug, and Groendal that incurred damages during the September 2023 flood.



3.10.6 ROADS STATISTICS

The following graphs provide an overview of the total kilometres of road infrastructure and non-motorised transport from 2018/19 until 2023/24.

Figure 36: Asphalt Road Infrastructure

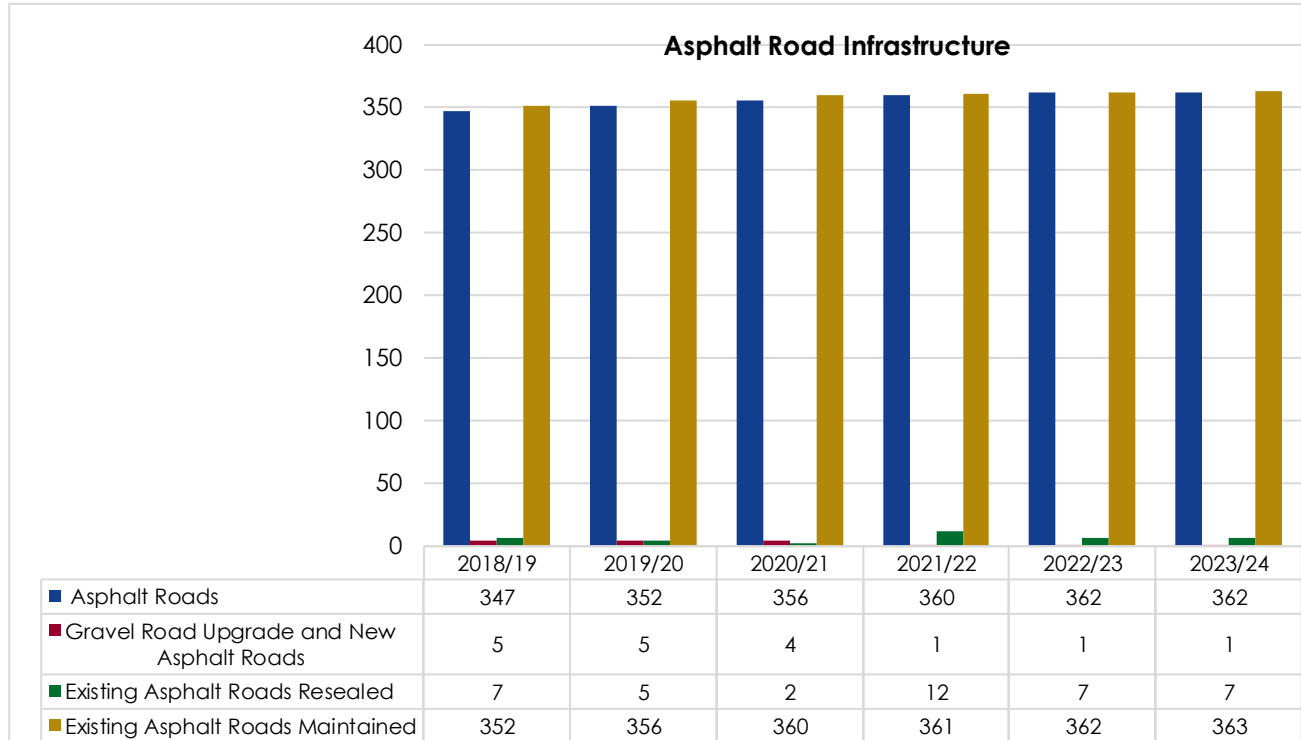
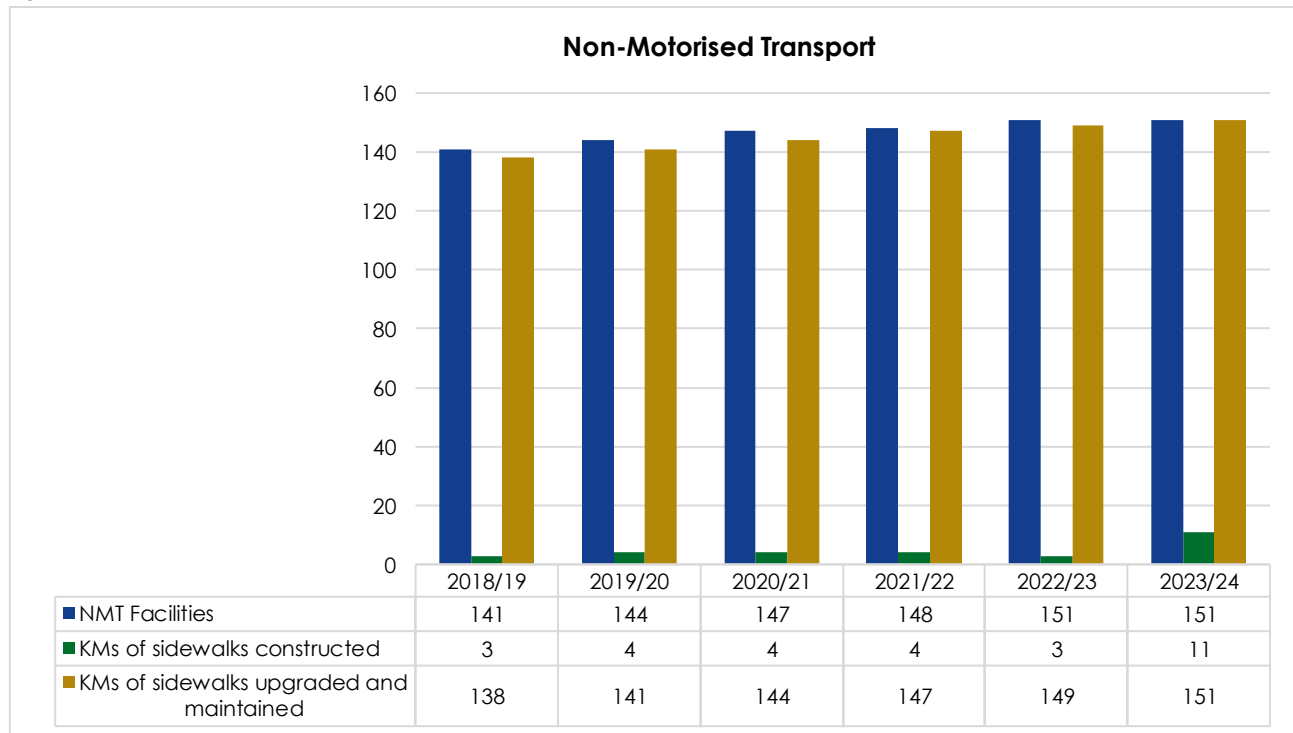




Figure 37: Non-Motorised Transport



Stellenbosch and Franschhoek were severely impacted by the June and September floods of 2023. A national disaster was declared for the September 2023 floods in the Franschhoek area, where the banks of the Steibeuel River were washed away, and the Lacotte River burst its banks, causing significant flooding and damage to roads, bridges, and private property in the central area.

The municipality had submitted applications and successfully received funding for twelve (12) short- and medium-term projects where municipal infrastructure had incurred flood damage. Extensive hydrological studies and assessments were carried out to investigate and propose interventions required to respond to flood damages and propose interventions that would increase future flood resilience. The short- and medium-term flood response projects comprise the reconstruction of damaged bridges, riverbanks, and roadways. Most short- and medium-term repair and rehabilitation projects are complete or currently under construction. To date, projects that are at the construction stage are progressing well.

The National Flood Disaster declared in September 2023 led to the commissioning of an extensive hydrological study and assessment. These assessments also proposed interventions that would increase future flood resilience in the Franschhoek area. Strategies for future flood resilience for the Franschhoek area are in the process of being defined and compiled and may comprise the following:

- ⚙️ Upgrading infrastructure to increase the capacity of the river system running through the centre of town; and
- ⚙️ Widening portions of the river, formalising berms to prevent overtopping / breaches.

The table below indicates the capital expenditure for the Section: Roads, Transport, and Stormwater Services as at 30 June 2024.

**Table 129: Capital Expenditure as at 30 June 2024: Roads, Transport and Stormwater Services**

Capital Projects	Adjustment Budget	Actual Expenditure	Variance from the Adjustment Budget
	R'000		
Bridge Construction	10 470	6 356	39.30%
Adhoc Reconstruction Of Roads (WC024)	21 105	11 055	47.62%
Non-Motorised Transport Implementation	6 748	6 747	0.01%
River Rehabilitation Implementation	5 723	2 373	58.53%
Provision of Bulk Parking Planning and Development	7 239	7 085	2.12%
Only the five largest capital projects are listed.			

The Section: Roads and Stormwater has spent 75% of its capital budget for the financial year.

The table below indicates the total number of employees in the Department: Roads, Stormwater, Transport, and Traffic Engineering as at 30 June 2024.

Table 130: Total number of employees in the Department: Roads, Stormwater, Transport and Traffic Engineering

Job Level	Posts	Employees	Vacancies (full-time equivalents)	Vacancies (as a % of total posts)
	Number			
18 – 22	1	1	0	0
14 – 17	2	1	1	50
9 – 13	19	18	1	5.2
4 – 8	35	31	4	11.4
3 – 0	53	44	9	16.9
Total	110	95	15	13.6

3.11 DEVELOPMENT SERVICES AND PROJECT MANAGEMENT DEVELOPMENT SERVICES, ASSET MANAGEMENT AND SYSTEMS AND PROJECT MANAGEMENT UNIT (PMU)

The Department: Asset Management and Systems, Development Services and Project Management Unit (PMU) are responsible for technical information management, asset management, wayleave management, development services, and project / programme management in the Directorate: Infrastructure Services. The department continued to provide operational services in terms of wayleave applications, building plan assessments, land use applications, and project management.

The PMU Section spent over R13.4 million of its capital budget in the 2023/24 financial year on various ongoing projects aimed at providing basic services to informal settlement areas and serviced sites to qualifying beneficiaries.

During the 2023/24 financial year, the Section: Development Services facilitated the approval of land use applications and building plans, which led to a development contribution revenue of R28 million excl. VAT (cash payments). This revenue can be used on bulk infrastructure engineering projects to create capacity to accommodate further development and broaden the municipal income base in terms of property rates and taxes. The section also managed over and above the DCs generated in terms of cash payments; infrastructure upgrades in lieu of DCs to the value of R14 million excl. VAT has been completed in 2023/24, and infrastructure upgrades in lieu of DCs to the value of R197 million excl. VAT is currently ongoing.



In the same financial year, the Wayleave Management Sub-section of the Asset Management and Systems Section generated a total revenue of R529 244.30 through the facilitation and management of over 100 wayleave applications from external clients. The sub-section continues to monitor safety and ensure the protection of municipal infrastructure services.

3.11.1 PROJECT MANAGEMENT UNIT (PMU)

The Project Management Unit (PMU) is a unit within the municipality that is dedicated to managing capital infrastructure projects. The unit is responsible for providing support to municipal departments to manage capital projects throughout the various stages of the project's life cycle, namely, initiation, planning, execution, monitoring, and closure. These projects included the construction of new services and houses, the provision of basic services to informal settlements, bulk infrastructure projects, and municipal facilities projects.

In addition to the management of the above-mentioned function, the PMU is also responsible for functions that include:

- ✦ Development, maintenance, and improvement of project management systems, procedures, and processes for the life cycle of implementing infrastructure projects;
- ✦ Rendering specialised lifecycle project management services for all types of infrastructure projects;
- ✦ Management of cross-functional projects in conjunction with relevant departments;
- ✦ Engagement with departments in the medium- to long-term planning and budgeting of capital projects;
- ✦ Assisting with the compilation of the long-term budget for the Directorate;
- ✦ Management and reporting on infrastructure implementation projects; and
- ✦ Management of Grant Funding programmes (CAPEX / RSEP / IUDG).

During the 2023/24 financial year, the Project Management Unit managed a capital expenditure budget of R21 801 117. 71% of the budget came from the ISUP grant, 3% from the IUDG, and 26% from the CRR funds. The Project Management Unit achieved a capital expenditure of R 13 439 518 (61.65%) at the end of this 2023/24 financial year.

In addition to the Project Management Section's projects of the capital budget and expenditure discussed above, the section also managed various project stages of other major projects from the Infrastructure Directorate and other Directorates within the Municipality.

The PMU managed the following major projects for external directorates during the 2023/24 financial year:

- ✦ Rehabilitation of Erf 3229, Franschhoek;
- ✦ Kayamandi: Zone O, Housing Development;
- ✦ Vloottenburg New Reservoir and Pipeline;
- ✦ Construction of the Stellenbosch 10ml Reservoir, Bulk Water Supply, and Associated Works;
- ✦ Vloottenburg Outfall Sewer: Construction of Bulk Sewer and Associated Infrastructure;
- ✦ Construction of The La Terra 11kv Switching Station, Franschhoek (Directorate: Electrical Services);
- ✦ Construction of New Cells and Associated Infrastructure at Stellenbosch Landfill;
- ✦ Installation of Landfill Gas Extraction and Flaring Infrastructure at the Stellenbosch Landfill;
- ✦ Upgrading of Municipal ECD Facilities;
- ✦ Calcutta Memorial Park (Directorate: Community and Protection Services);



- ✦ Ida's Valley Housing Project, Erf 9445 Oak Tree Village (Gap Housing Project); and
- ✦ Upgrading of 146 Municipal Rental Flats in Kayamandi.

Herewith is a brief overview of the highlights of major multi-year projects that were managed by PMU during the 2023/24 financial year:

Rehabilitation of Erf 3229, Franschhoek

The project aims to establish a temporary relocation site for families affected by the planned rehabilitation of the dam at Langrug Informal Settlement. The selected location, Erf 3229, currently used for illegal dumping, has been deemed feasible by recent municipal studies for the development of a decanting site. The project involves servicing approximately 236 sites with essential utilities, including water, sanitation, and electrification. Currently, in the construction phase, the project was awarded and is valued at R21 million.



711 Service sites in Zone 0 Kayamandi

This project is designed to provide 711 Service sites in Zone 0 Kayamandi. The project is split into 3 phases of construction. The first phase has commenced construction, and a contractor is nearly complete with the construction engineering services to 178 sites which will service the future affordable double-storey row housing units.



The work carried out includes bulk earthworks for preparation of the top structures, construction of urban roads and stormwater management, water and wastewater reticulation services, electrical services ducts and related ancillary services. The next phase of the project is for the construction of the top structures (house units) with procurement of the contractor scheduled to commence in November 2024, for 170 structures.

Infrastructure Directorate's Major Projects

Vlottenburg New Reservoir and Pipeline

Phase one of this project is now 100% complete. This phase involved the demolition of the existing 200-kiloliter Skoonheid circular reservoir and the construction of a new 3-megaliter (ML) reinforced concrete rectangular reservoir, complete with concrete chambers, pipework, and specialised fittings. Additionally, a new 200-kilolitre reinforced concrete sump with a pump station and pump rooms was constructed, along with two new water mains. The project also included the removal of an existing asbestos cement pipeline along Polkadraai Road, the construction of a new 10-megalitre reinforced concrete reservoir, and the installation of renewable energy sources, electrical, and control cabling. Further works included the installation of stormwater management systems, as well as the construction of new access roads, parking areas, and high-security perimeter fences around the reservoirs.



Vlottenburg New Reservoir, Pipeline and Associated Works

Phase two of the project is currently in the design stage. This phase will involve connecting a new water main to the Phase 1 infrastructure and extending the network to a new pump station that will be built at Onder-Papegaaiberg, adjacent to the existing reservoir. The construction tender for Phase 2 is expected to be advertised within the current financial year.

Construction of the Stellenbosch 10ml Reservoir, Bulk Water Supply, and Associated Works

The project was initiated through a masterplan study that considered the observed considerable growth of the northern suburb of Stellenbosch town. With this project, the municipality is allowing for further expansion of this area towards the north, and to accommodate this growing population, the municipality needs to upgrade its bulk water supply network. The 10 Ml Stellenbosch Reservoir and Bulk Water Supply project will provide infrastructure to convey water from the Papegaaiberg Reservoir



to the new Stellenbosch Reservoir that will be constructed above the Kayamandi area to supply water services to this growing area.



Stellenbosch 10ml Reservoir and Associated Works Project Overview Image

The project is currently in the procurement stage of the contractor who will carry out construction works. The project's estimated duration is eighteen (18) and it is a multi-year project planned to commence in the 2024/25 financial year. The figure below provides the locality and overview extent of the project crossing the Baden Powell Rd from the Vlothenburg Rd site towards the east.

Vlottenburg Outfall Sewer: Construction of Bulk Sewer and Associated Infrastructure

The municipality's objective for this project is to provide bulk sewer services to augment the capacity of the existing municipal infrastructure and meet the needs of current and future development in the Vlotenburg area.

The masterplan studies of the municipality identified a need for new bulk sewer infrastructure to support the growing Digtebij / Vlottenburg area. The project involves the construction of a 1.2 km, 315 mm diameter bulk sewer main, along with related ancillary works. The scope includes civil works, mainly new bulk sewer pipelines, micro tunnelling, and connecting the new infrastructure to the existing sewer system.



Vloffenburg Outfall Sewer Project Overview Image

The project is currently in the procurement stage of the contractor who will carry out construction works. The estimated duration of the project is eighteen (18) months, with a multi-year plan to commence in the 2024/25 financial year. The figure below provides the locality and overview extent of the project crossing the Baden Powell Rd from the Vloffenburg Rd site towards the east.

Construction of the La Terra 11kV Switching Station, Franschhoek

The Franschhoek distribution network has been identified for expansion and strengthening to meet growing demand, enhance reliability, and alleviate the load on the existing electrical infrastructure. The network, fed by the Franschhoek 66/11 kV substation, serves the Franschhoek area. A new switching substation has been constructed to establish a new bulk supply point in the area, reducing the load on existing substations, increasing network capacity, and providing a redundant supply for feeders during outages. The construction of the new La Terra 11kV switching station was completed and handed over to the Electrical Department in May 2024.



La Terra 11kv Switching Station



Construction of new cells and associated infrastructure at Stellenbosch Landfill

The Waste Management Department's objective was to deliver a new landfill cell along with all related civil works and containment systems for Stellenbosch Municipality. The scope of work included constructing a shared office facility for monitoring meetings, access roads, a container staging area, and a new landfill cell.



Stellenbosch Landfill New Cells and Associated Infrastructure

Additionally, the project involved the installation of a leachate management system, a contaminated water management system, a contaminated water dam, stormwater drainage, water reticulation, sewer systems, and the relocation of the existing weighbridge. An additional weighbridge with a weighbridge office was also installed. The project was completed in July 2024 and has since been handed over to the Waste Management Department.

Installation of Landfill Gas Extraction and Flaring Infrastructure at the Stellenbosch Landfill

As part of the closure of the existing landfill cells and the operation of the new cell, the municipality intends to implement a gas extraction system. The primary objective of this project is to recover and utilise landfill gas. In the initial phase, the gas will be flared, with plans to potentially generate power in a subsequent phase, depending on viability.



Landfill Gas Extraction and Flaring Infrastructure

The scope of this contract includes the civil, mechanical, and electrical works required for the installation of the landfill gas collection and flaring system. This encompasses the installation of landfill gas wells, a network of buried HDPE gas collection pipes, condensate traps, condensate pumping chambers, and a flaring compound.

Upgrading of municipal ECD facilities

The Municipal Manager has identified the upgrading of municipal facilities used by private Early Childhood Development (ECD) centres as a priority project, with funding allocated accordingly.



Upgrading of Municipal ECD facilities.

The project is financed through the Capital Replacement Reserve (CRR) and the Integrated Urban Development Grant (IUDG). Initially estimated at R22 million for the improvement of five facilities, the scope of work was later reduced due to funding constraints. This adjustment was made to focus on addressing high-priority risks identified during the condition assessment stage.



Calcutta Memorial Park

The project is in the tender and implementation stage. The project output will be 40 000 grave sites. The cost to implement the project is estimated at R196 million.

The consultants are busy with detailed designs and statutory approvals. The project below is funded through the IUDG funding.



Ida's Valley Housing Project, Erf 9445 Oak Tree Village (Gap Housing Project)



Before the project, no development in Ida's Valley had occurred, which led to a massive need in the community for housing opportunities.

The Stellenbosch Council made the land available for the development of a turnkey developer.

The housing project was approved by the Department of Human Settlements as a second phase of the Ida's Valley housing project in terms of the Integrated Residential Development Programme (IRDP) for the installation of civil

engineering services for the development of 166 sites.

The final completion of the second access road was accomplished. The construction of 166 GAP houses was completed, with the last phase ending in February 2024.



Upgrading of 146 Municipal Rental Flats on Kayamandi

The purpose of this project is to upgrade the 146 municipal rental flats located in Kayamandi. The condition assessment was undertaken. The project cost was estimated to be R5 million. The project is currently at the procurement stage.



Despite only having three (3) project managers in the department, the PMU department has received numerous requests to assist directorates in managing various CAPEX projects. The current structure makes provision for assistant project managers, and the request was submitted to fill these vacancies in the new financial year. It is evident from the new CAPEX budget that the positions must be filled to spend the CAPEX budget, especially the IUDG allocated to the municipality.

Despite all the highlights, some of the challenges were identified in the department.

Table 131: PMU Challenges

Service Area	Challenge	Actions to address
PMU	Dependence on other departments to meet the CAPEX budget allocated to PMU.	Planning of projects to be aligned to meet final project objectives – community and external stakeholder engagement.
PMU	Criteria of Grant reporting to Provincial and National departments.	Appointment of additional staff to assist with grant reporting.
PMU	Response time of internal departments to meet project outputs that cause delays on active projects.	Internal departments to remain project owners of CAPEX projects.



3.11.2 ASSET MANAGEMENT AND SYSTEMS

The Asset Management and Systems Unit is a dual-function unit within the Infrastructure Directorate, and its functions are concerned with the financial and physical accountability of all infrastructure assets (Asset Management). The other function (Wayleave Management) seeks to ensure protection (from damage, loss, etc.) of all existing infrastructure assets / services through regular inspections and monitoring of all works conducted on and around the municipality's assets. Additionally, this function aids in the documentation of internal (municipal-owned) and external services or assets that are located within the road reserve of the municipal land.

This unit seeks to maximise municipal infrastructure management to support the current Strategic Focus Area 5: Good Governance and Compliance. As one of the largest economies nationally, the greater Stellenbosch area and municipality are significant providers of services. Deciding what to do, when, where, and for whose benefit is the difficult task that Infrastructure Asset Management addresses. Enhanced infrastructure capabilities also augment the achievement of the other four Strategic Focus Areas, i.e., 1: Valley of Possibility, 2: Green and Sustainable Valley, 3: Safe Valley, and 4: Dignified Living.

Municipalities are not only responsible for the provision of essential engineering services that include potable water supply, sanitation, electricity reticulation, the provision of roads and stormwater, and solid waste collection and disposal but also for housing and shared community assets like cemeteries, parks, sports grounds, libraries, etc. While municipalities also have obligations towards governance, community safety and health, and development services, the success or failure of a municipality is substantially measured by the availability and quality of infrastructure services. As such, a municipality is an asset-intensive business.

The unit strives to comply with the recently introduced Generally Recognised Accounting Practice (GRAP) standard for local governments, which focuses attention on asset management. Additionally, this unit ensures compliance with the issued National Treasury asset management practices and reporting requirements. These requirements include identifying, componentising, valuing, and tracking the health of the municipal-owned assets; establishing programmes; providing resources to care for those assets; and reporting the status of existing and new assets for sustainable development.

The collective value of the municipality's infrastructure assets, installed mainly in the public road reserve and on other municipal land, amounts to a considerable value. Without the collective support and coordination by the Asset Management and Systems' (Asset and Wayleaves Management) Unit, the financial and physical accountability and protection of the existing municipal infrastructure assets would be difficult, if not practically impossible, to manage by the individual infrastructure department.

This unit strives to continuously improve its functions and systems to provide better and more efficient support to the internal departments and the public. Through these continuous improvement goals, this unit has improved its overall efficiency in Wayleave Management to over 90% in the financial year 2023/24.



The table below provides a summary of the functional statistics of the Wayleave applications.

Table 132: Wayleave Applications

Wayleave (WL) Activity	2023/24												FY Totals and Rates (%)	Average per month
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June		
Number of Standard WL Applications Received	21	49	26	22	35	1	18	27	27	38	19	22	305	25
Number of Emergency WL Applications Received	6	16	8	24	16	5	14	25	9	1	9	6	139	12
Number of Standard Wayleave Applications Finalised (Approved / Refused / Cancelled)	21	49	26	22	33	1	17	25	26	36	19	19	294	25
Number of Wayleave Finalised Within 30 Days from Date of Application	19	34	16	15	29	1	16	22	23	29	18	14	236	20
Number of Wayleave Finalised Beyond 30 Days from Date of Application	2	15	10	7	4	0	1	3	3	7	1	5	58	5
Number of Standard Wayleave Not Finalised Yet	0	0	0	0	2	0	1	2	1	2	0	3	11	1
% Finalised Standard Wayleaves	100%	100%	100%	100%	94%	100%	94%	93%	96%	95%	100%	86%	96%	96%
% Cancelled and Refused Wayleaves	0%	4%	12%	0%	0%	0%	0%	0%	0%	0%	0%	0%	2%	2%
% Standard Wayleave Not Finalised (Target = 00%)	0%	0%	0%	0%	6%	0%	6%	7%	4%	5%	0%	14%	4%	4%
% Standard Wayleave Finalised Within 30 Days of Application (Target = 80%)	90%	69%	62%	68%	83%	100%	89%	81%	85%	76%	95%	64%	77%	77%

3.11.3 DEVELOPMENT SERVICES

The Section: Development Services is a section within the municipality that is responsible for managing the approval of engineering services and the implementation stages of all new developments in the municipality to ensure that the impact on municipal services and the environment is adequately and responsibly mitigated. Additionally, this section is required to facilitate development to promote economic growth, stimulate job creation, expand the municipal revenue stream (Development Contributions (DCs) and new property rates), and ensure development contributes to the achievement of the strategic goals of the municipality, using the following activities:

- ✦ The approval of new developments and monitoring and control of engineering projects implemented by developers;
- ✦ Provides ongoing technical support and guidance to ensure responsible and successful development;
- ✦ Plan, organise, coordinate, and control the activities, procedures, and outcomes associated with the evaluation and approval of land use and building plan applications, as well as the calculation and coordination of bulk infrastructure development charges;



- ✦ Plan, organise, coordinate, and control the activities, procedures, and outcomes associated with the engineering side of the rate clearance applications;
- ✦ Manages the implementation of specific developments and development contribution-linked infrastructure projects to ensure capacity for new developments; and
- ✦ Develops and provides input into strategic documents, policies, and guidelines related to the engineering aspects of development.

During the 2023/24 financial year, the Section: Development facilitated the approval of land-use applications and building plans, which led to a DC revenue of R28 million excl. VAT (cash payments). This revenue can be used on bulk infrastructure engineering projects to create capacity to accommodate further development and broaden the municipal income base in terms of property rates and taxes.

Over and above the DCs generated in terms of cash payments, infrastructure upgrades in lieu of DCs to the value of R14 million excl. VAT has been completed in 2023/24, and infrastructure upgrades in lieu of DCs to the value of R197 million excl. VAT is currently ongoing.

The images below depict some of the projects for the 2023/24 financial year, some of which are still ongoing. All amounts stated are excluding VAT.

Upgrading of R44 / Hendrickse Street with Voiliere's DCs





Klapmuts R44 NMT and intersection upgrade – with Mount Vernon's DCs



Klapmuts Bulk Infrastructure – with Stellenbosch Bridge's DCs





Schuilplaats Road Extension and Traffic Calming; With Welgegend's DCs



R44 / Paradyskloof Road Butterfly intersection With Welgegend's DCs



Dennesig NMT and Transport upgrades – with Dennesig's DCs





Botmanskop Reservoir - with Botmanskop Village's DCs



To provide more perspective on the above, the monthly and annual applications are summarised in the table below:

Table 133: Building Plans and Land Use Applications

Activity	2023/24												Total
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	
Building Plans: Received	123	106	130	110	135	55	50	109	126	96	121	104	1 265
Building Plans: Commented on within 14 days	57	41	67	26	76	28	33	69	100	72	94	87	750
% within the deadline (target = 50%)	46%	39%	52%	24%	56%	51%	66%	63%	79%	75%	78%	84%	59%
Land-use Applications: Received	23	15	17	21	19	22	3	12	20	21	13	16	202
Land-use Applications: Commented on within 30 days	8	13	11	12	11	14	2	5	16	13	7	15	127
% within the deadline (target = 35%)	35%	87%	65%	57%	58%	64%	67%	42%	80%	62%	54%	94%	63%

All the previously vacant posts have been filled from December 2023. It is evident from the statistics above the positive impact that this has had on productivity and service delivery.

Despite all the highlights some of the challenges were identified in the department:

Table 134: DC Challenges

Service Area	Challenge	Actions to address
Development	Dependence on other service departments to meet service delivery targets.	Vacancies in other service departments have a negative effect on response times to development.



Service Area	Challenge	Actions to address
Development	Developers often face challenges in DC calculations, particularly when it comes to the use of DC on Provincial Roads.	Problematic areas in the DC Policy need to be addressed. The consultant's tender expires in June 2023, and a new tender needs to be awarded. Collaboration with the Section: Land Use Planning is required. Inconsistencies regarding DCs between the DC Policy and the Land Use Planning Bylaw must also be addressed.
Development	Shortfalls on DC projects funded by developers.	The mechanism of dealing with this scenario must be thoroughly investigated and formulated to ensure compliance with all relevant legislation. Newly appointed DC consultants to assist with this project in 2024/25.
Development	DCs payable by schools, ECDs, churches, and other social institutions are problematic for the developers of these facilities, frequently stating that they render the school, etc., unfeasible. This has a domino effect if the school / social facility is not built because the underlying social issue cannot be addressed.	The Council considers if an automatic DC exemption will apply to these types of land uses. This can be addressed in the next revision of the DC Policy (2025/26).
Development	Opportunity: Compare road upgrades vs. NMT upgrades in terms of impact and return on investment.	The outcomes of the Dennesig NMT upgrade project need to be scientifically measured once the project is completed to ascertain the value created by spending DCs on NMT upgrades vs. traditional road upgrades.

The table below indicates the capital expenditure for the Section: IPDI as at 30 June 2024.

Table 135: Capital Expenditure as at 30 June 2024: Development Services and Project Management Development Services, Asset Management and Systems and Project Management Unit (PMU)

Capital Projects	Adjustment Budget	Actual Expenditure	Variance from the Adjustment Budget
	R'000		
Upgrading Ad hoc Housing Projects	2 603	2 603	0%
Franschhoek Mooiwater 236	1 000	206	79.39%
Franschhoek Mooiwater 236	3 015	–	100%
Kayamandi: Zone O	13 350	8 798	34.09%
Franschhoek Mooiwater Basic Services	1 233	1 233	0%
Only the five largest capital projects are listed.			

The Section: IPDI has spent 62% of its capital budget for the financial year.



The table below indicates the total number of employees in the Department: Development Services and Project Management Development Services, Asset Management and Systems, and Project Management Unit (PMU) as at 30 June 2024.

Table 136: Total number of employees in the Department: Development Services and Project Management Development Services, Asset Management and Systems and Project Management Unit (PMU)

Job Level	Posts	Employees	Vacancies (full-time equivalents)	Vacancies (as a % of total posts)
	Number			
18 – 22	1	1	0	0
14 – 17	5	5	0	0
9 – 13	6	5	1	16.7
4 – 8	2	2	0	0
3 – 0	0	0	0	0
Total	14	13	1	7.1



COMPONENT C: PLANNING AND ECONOMIC DEVELOPMENT

3.12 SPATIAL AND INFRASTRUCTURE PLANNING

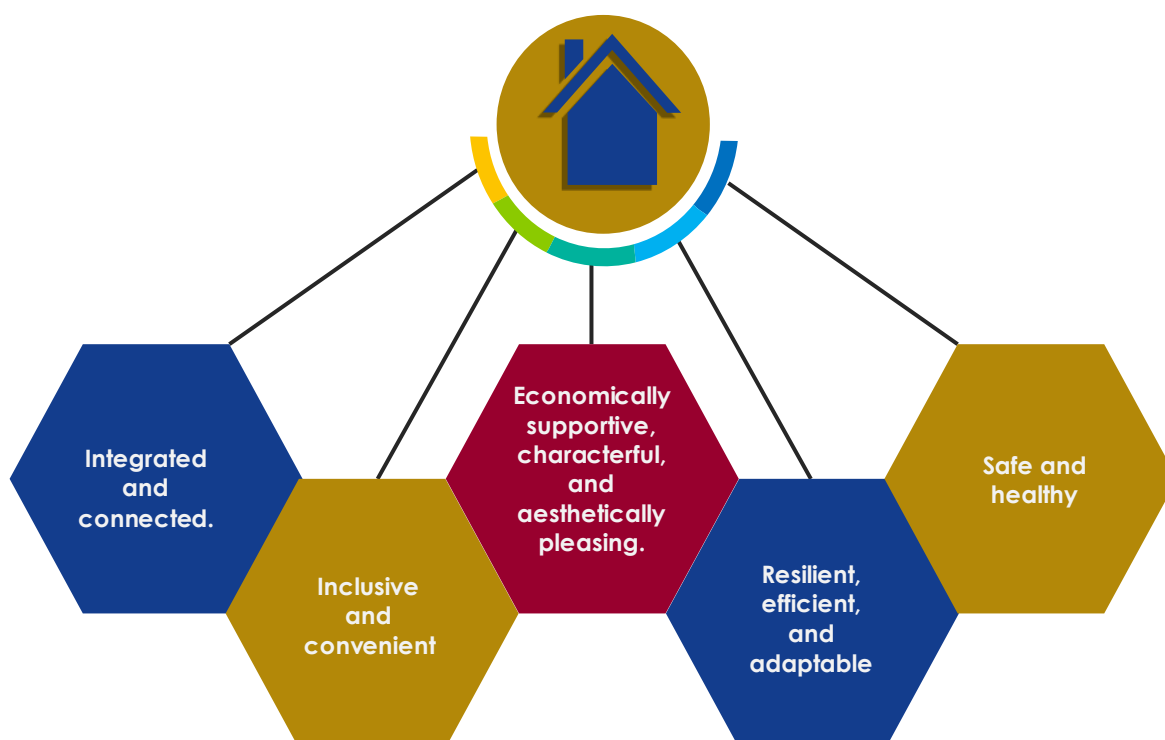
a) Integrative Spatial Planning Approach

Spatial planning is critical for delivering economic, social, and environmental benefits by creating more stable and predictable conditions for investment and development, securing community benefits from development, and promoting prudent use of land and natural resources for development. Spatial planning is therefore an important lever for promoting sustainable development and improving the quality of life.

Integrative spatial planning is informed by universal planning approaches and concepts, normative and developmental planning principles, norms, and standards. These informants provide clarity on the scope and focus for achieving spatial planning outcomes / benefits for creating positively performing areas that are generally regarded as successful and liveable settlements.

The characteristics of a desirable and successful settlement are illustrated in the figure below:

Figure 24: Characteristics of a settlement





To achieve these positively performing, successful, liveable settlements the following requirements are required of the planning system, namely:

- ✦ To achieve a greater mix of land uses and densities in the urban structure that provides a full range of urban functions—housing, employment, and services—in a pattern that minimises the need to travel great distances to work, shop, or conduct business. The efficient use of land needs to be compatible with social well-being and healthy environmental objectives;
- ✦ to initiate urban regeneration in inner-city areas and main streets with high-density concentrations of mixed employment, residential, and other uses. These areas, with adequate investment in modernisation and renovation of the existing stock and infrastructure, can provide housing closer to services and a wider range of lifestyle opportunities;
- ✦ to enhance and support the regeneration of housing estates through innovative financing, technological and regulatory initiatives, and demonstration projects. Focusing on the elimination of barriers to investment will facilitate small-scale urban renewal through cooperative efforts and self-help;
- ✦ to enhance broad participation, improve community involvement, and build support for sustainable planning policies and programmes; to promote community identity through the creation of meeting places, public spaces, pedestrian networks, and the preservation of historic buildings and attractive streetscapes;
- ✦ to provide a range of cultural and recreational opportunities that correspond to diverse needs through efficient use of natural areas for passive recreation and cultural purposes; to maintain a system of integrated and interconnected open spaces, parks, and river valleys; and to protect the natural habitat and resources in the areas;
- ✦ to provide water and sewerage infrastructure that accommodates the needs of the local community while meeting the objectives of a healthy environment; to undertake considerable improvement of existing infrastructure to reduce the amount of untreated urban runoff wastewater discharge; and to increase the capacity of the existing infrastructure to accommodate urban growth and intensification; and
- ✦ to improve and expand the transport system to meet the challenges of readjustment in the urban economy and to sustain the competitiveness of public transport. To maximise efficiency, supplement conventional public transit with specialised services directed at specific market segments and promote energy efficiency and alternative modes of transport.

b) The system of Integrative Spatial Planning

One of the legislated spatial planning system tools available to urban and regional planners is Spatial Development Frameworks (SDFs), a strategic and integrated spatial planning policy that must outline specific arrangements for prioritising, mobilising, sequencing, and implementing public and private infrastructural and land development investment in the priority spatial structuring areas as identified in these SDFs to give effect to the vision, goals, and objectives of the municipal IDP or related business plans of the government.

The Master Spatial Development Framework (MSDF) covers the jurisdictional area of the municipality. In the case of the Stellenbosch Municipality, the MSDF must answer the following questions: “How is Stellenbosch going to develop over the next ten to thirty years? What kind of development will take place, where will it take place, and who will be responsible for what aspect of the development? What are the non-negotiables and fixes necessary to achieve the proposed development path, and



which areas require more detailed studies / precinct plans?" all while maintaining the best and most sustainable use of resources.

With the reform in planning law, a shift in focus to an integrative spatial planning approach was facilitated. This shift results in:

- ✦ More effective coordination of sectoral actions that have a cross-sectional spatial dimension;
- ✦ Greater responsibility for operating the system for authorities at regional and local levels, while ensuring conformity and adequate support;
- ✦ More effective participation by local communities and other stakeholders;
- ✦ The ability of planning authorities to recoup a proportion of the financial gain from the allocation of development rights to private developers to provide or pay for externality effects and provide local community benefits; and
- ✦ The responsible consideration of environmental impacts of development so that any adverse impacts are mitigated and / or compensated for.

c) The local spatial strategy informs the MSDF, its review, and amendments (2023/24)

The MSDF was amended and approved in June 2023. The approved MSDF for 2023 was informed by various specialists and spatial strategies, namely:

- ✦ The development of scenarios of land demand to inform the development of a preferred 20-year growth strategy, development path, and nodal development concepts for Stellenbosch Municipality. This work culminated in the status quo and Urban Development Strategy (UDS) documents in 2017;
- ✦ A request for a development proposal was received from external parties;
- ✦ Area-based planning investigations for parts of the municipality, notably Stellenbosch town, Klipmuts, and the area north of Kayamandi;
- ✦ The Capital Expenditure Framework (CEF), 2023. An updated CEF was commissioned in 2023 due to the approval of the Adam Tas Corridor Local Area Spatial Development Framework (ATC LASDF), 2022, and the ATC Development Guidelines. The updated CEF for 2023 has been adopted simultaneously with the amended MSDF process for 2023/24;
- ✦ The completion and approval of the Adam Tas Corridor Local Area Spatial Development Framework, which was done in partnership with the Western Cape Government (WCG): Department of Environmental Affairs and Development Planning (DEA&DP);
- ✦ In parallel, the Adam Tas Corridor Overlay Zone was developed, finalised, and adopted in May 2023;
- ✦ The Inclusionary Zoning Policy identified in the MSDF implementation framework was completed and approved by the Council in 2023. This was done in partnership with the WCG, DEA&DP, Development Action Group (DAG), City of Cape Town, and other metropolitan municipalities considering the development of the policy;
- ✦ The local area plan for the redevelopment of the Rhenish complex for economic development opportunities has been concluded and approved by the Council in 2023. This is linked to the proposed urban revitalisation of Mill Square and its surrounds, as initiated by the Council in 2022. The latter plan is prepared by Checkers and is currently being peer-reviewed by an external urban designer;
- ✦ The Comprehensive Integrated Transport Plan was approved in 2023;
- ✦ The "Innovation Precinct" or "Smart City District," directly west of and adjacent to Klipmuts South, was approved in 2023; and



- ✦ A sales agreement was reached between the University of Stellenbosch and the Bridge development for the transfer of a substantial portion of land in Klapmuts from the Bridge to the University for the development of university-related land uses that will support and promote the principles of a Smart City.

Since the approval of the MSDF (2019), related work has focused on:

- ✦ To assist with the implementation of the ATC LASDF, SM and the ATC's collective landowners signed a Memorandum of Understanding (MoU) in 2022. The Council approved the MoU in August 2022 and appointed the Economic Development Partnership (EDP) to draft the terms of reference for the project manager to appoint a person in the municipality temporarily to facilitate the development of the ATC. The EDP was also tasked to facilitate and assist the municipality in appointing the Steering Committee for the ATC, consisting of senior municipal officials and an equal number of representatives of the landowners collective;
- ✦ The CEF was updated to align with the municipal spatial vision, functional areas (FAs), and Priority Development Areas (PDAs) for the municipality. Following this, a socio-economic and developmental profile was prepared for the municipality as well as for each of the FAs and PDAs. This input enabled extensive spatial demand quantification, and the setting of programmatic long-term infrastructure investment targets required to realise the spatial vision of the municipality; and
- ✦ Continuous support was given for the creation of an intergovernmental initiative for the development of Klapmuts by the Greater Cape Metropolitan Regional Spatial Implementation Framework (GCMRSIF) Intergovernmental Steering Committee. The National Department of Rural Development and Land Reform, Stellenbosch, City of Cape Town and Drakenstein Municipalities, and the Provincial Department of Environmental Affairs and Development Planning agreed to conduct a study to better understand current regional infrastructure systems. Following this analysis, three spatial scenarios will be developed to accommodate growth within a specified area along the N1 between the City of Cape Town and Paarl, considering factors such as population growth, household demographics, and land use.

The table below indicates the capital expenditure for the Department: Planning and Development Services as at 30 June 2023.

Table 137: Capital Expenditure as at 30 June 2024: Department: Planning and Development

Capital Projects	Adjustment Budget	Actual Expenditure	Variance from the Adjustment Budget
	R'000		
Furniture, Tools, and Equipment: Spatial Planning	16 318	16 318	0%

The Departments: Planning and Development have spent 100% of their capital budget for the financial year.



The table below indicates the total number of employees in the Department: Development Planning as at 30 June 2023.

Table 138: Total number of employees in the Department: Development Planning

Job Level	Posts	Employees	Vacancies (full-time equivalents)	Vacancies (as a % of total posts)
	Number			
18 – 22	1	1	0	0
14 – 17	2	2	0	0
9 – 13	6	6	0	0
4 – 8	5	5	0	0
3 – 0	0	0	0	0
Total	14	14	0	0

The table below indicates the highlights experienced within the department as at 30 June 2023.

Table 139: Performance Highlights- Department: Development Planning

Highlight	Description
Local Spatial Development Framework for the Adam Tas Corridor	The local spatial development and development guidelines for the Adam Tas Corridor (ATC LSDF), which is a catalytic project listed in the MSDF, have been finalised and adopted by the Council in 2022.
Adam Tas Overlay Zone	The preparation of the ATC LSDF included drafting a concept overlay zone. The Council approved the overlay zone, and its promulgation is currently underway.
Review and amendments to the MSDF and CEF	The department embarked on a process to ensure a better alignment of the strategic and higher-order plans of the municipality with the approved MSDF, which required the review and amendment of the MSDF (including the Capital Expenditure Framework CEF). The Council approved the final amended MSDF and CEF on 27 June 2023.
Inclusionary Zoning (Housing) Policy	The MSDF proposed that an Inclusionary Zoning (Housing) policy be drafted through which the delivery of more affordable housing within new developments and / or targeted areas can be achieved. The Inclusionary Zoning Policy was adopted by the Council on 27 June 2023. Stellenbosch Municipality is the first intermediate city to adopt a policy of this nature.
Feasibility studies for land / building acquisition	Four studies for properties that could potentially be obtained by the Council, three of which are in the Adam Tas Corridor, were completed and submitted to management for consideration.
A precinct plan for the Rhenish complex	An urban design study and precinct plan for the Rhenish Complex in Stellenbosch, setting out the potential measures to preserve, develop, and activate the Rhenish Complex, was drafted, and published for public participation. The comments are currently being reviewed, and the amended policy will be transmitted to the Council for approval during the latter part of 2023.
Intergovernmental relations	DEA&DP took the initiative to arrange for quarterly intergovernmental relations meetings for municipalities falling within the Greater Cape Metropole. The meetings are mandated to discuss common issues and cross-boundary matters. All the department's senior staff attend the meetings.

The table below indicates the challenges experienced within the department as at 30 June 2023.

Table 140: Performance Challenges- Department: Development Planning

Challenge	Actions to address
Approval of the Inclusionary Housing Zoning Policy	Stellenbosch is the first municipality (except the City of Johannesburg) to approve an Inclusionary Zoning Policy. The policy will require that developers contribute a certain percentage of the housing delivery to a specific income band (affordable) in exchange for offset incentives (i.e., up-zoning, density bonuses, etc.). There is a real risk that developers will view this requirement as a penalty, and considerable opposition can be expected from some developments. The process of implementing the policy will be challenging and may be challenged in a court of law.
Capacity	The total staff component of the Section: Spatial Planning amounts to four (4) officials, consisting of a manager, a senior planner, and a spatial and administrative officer. With the increase in projects undertaken in-house, as well as the need to develop LSDFs for each smaller town, as well as for the "Bosdorpe," and to facilitate and lead the implementation of the MSDF. Catalytic projects and the LSDF are currently placing the department under severe pressure.



Challenge	Actions to address
	The Department: Development Planning notes that the organogram approved in 2017 does not meet the requirements to successfully fulfil the functions and mandate required by the Section and must be urgently reviewed and amended.

3.12.1 LOCAL ECONOMIC DEVELOPMENT (LED)

The table below indicates the highlights within the Section: LED and Tourism.

Table 141: LED Achievements

Achievement / Highlight	Description	Financial years					
		2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
Business Interventions	Business registrations	37	37	29	n/a	n/a	n/a
	Municipal Jobseekers Database Registrations	27	n/a	181	1 767	7 903	11 244
	Advice to walk-ins	1 795	n/a	334	19	24	48
	Workshops	12	15	1	0	n/a	n/a
	Business Licences	13	2	22	19	24	14
Informal Trading	<p>The Section: Economic Development and Tourism has several informal trading sites:</p> <ul style="list-style-type: none"> • Cloetesville; • Kayamandi; • Klapmuts; and • Ida's Valley. <p>The only site not operational yet is Groendal, but this will be operational within the 2024/25 financial year.</p>	n/a	n/a	n/a	3	4	4
Enterprise Development and Support	<p>Training for Stellenbosch-based entrepreneurs did exceptionally well in the 2023/24 financial year.</p> <p>The types of training and mentoring workshops delivered during the financial year were as follows:</p> <ul style="list-style-type: none"> • SEDA Co-operative training. • SEDA Networking Event for Women's Day; • "The Art of Pitching for Funding" Masterclass; • Entrepreneur Awareness: Emerging Farmers; • Co-operative Training; and • Start-up Tribe (22 training courses with over 200 	n/a	n/a	3	11	22	27



Achievement / Highlight	Description	Financial years					
		2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
	participants in total). The unit has also been very active with the processing of informal trading permits, ensuring active microbusiness trading in Stellenbosch.						
Vacant Agricultural Property	Four portions of land were awarded in the 2023/24 financial year.	n/a	n/a	2	n/a	n/a	4

The table below gives a brief description of all the challenges within the Section: Economic Development and Tourism during 2023/24.

Table 142: LED Challenges

Description	Actions to address
Human resources are insufficient to drive an effective economic development and tourism programme.	The Directorate: Planning and Economic Development has since filled two critical positions within the unit, namely the Senior Economic Development Officer: Rural Development and Agricultural Support position and the Senior Economic Development Officer: Business Development position. The only concern now is that the current salary offering does not retain the required experienced, qualified, and well-trained staff to enable the section to perform its functions for a substantial period.

3.12.2 EPWP JOB CREATION 2023/24

The Expanded Public Works Programme (EPWP) met the expected target of **1 100** as planned for the year 2023/24 with an actual of **1 695** job opportunities created.

The table below illustrates job creation through the EPWP for the 2023/24 financial year.

Table 143: Job Creation through EPWP Projects

EPWP Projects	Number of jobs created
External EPWP Projects	
Projects: 4	
Newinbosch 2023/24	12
Ibhunga Cleaning Franschoek 2023/24	17
Ibhunga Cleaning Kayamandi 2023/24	43
MRF	4
IG-funded EPWP Projects	
Projects: 14	
EDT	27
IPDI Support Warriors	5
Supply Chain Management	5
Cleaning of Libraries	1
Complaints and Documents Administration	6
Artisan Assistants	8
EPWP Fire Assistants	16



EPWP Projects	Number of jobs created
EPWP Disaster Assistant	13
EPWP Sport Facility Assistants	5
Community Dev Office Assistant	3
Cleaning of Rental Stock	55
Ward Office Management	24
Stellenbosch Park Wardens	22
Roads and Stormwater	26
Municipal Funded Projects: Total Projects: 17	
Parking / Que Marshall and Scholar Safety	331
Stepping Stone-Violence and Crime Project	8
EPWP Sport Admin	1
Firebreak Maintenance	21
Rental Stock and Tra Survey	15
Title Deeds Restoration Programme	13
Area Cleaning WC024	833
Waste Water Treatment and Network Sites	52
Parks FHK Maintenance and Cleaning	14
Maintenance and Cleaning Of Alien Species (Cemetries)	11
Ornamental Horticulture	21
Jonkershoek Picnic Site	13
Visible Policing Operations	30
Cleaning Services	5
Service Patrol	19
Cleaning The River	14
Area Cleaning WC024 / Waste Recycling Project	2
Total Jobs	1 695

Table 144: Jobs created per area

Jobs created per area					
Stellenbosch and Surrounds	Kayamandi	Franschhoek and surrounds	Dwarsriver Valley	Klapmuts	Rural areas
548	732	178	99	130	8

3.12.3 TOURISM

The strategic goal of tourism promotion should be contextualised to support sustainable growth. This includes regularising the operational functioning of external bodies appointed or supported by the municipality to fulfil its constitutional mandate towards tourism and economic development.

It is essential to ensure coordination of activities among funded entities and maintain efficient oversight of both funding and outcomes. Acknowledging and leveraging the private sector and independent initiatives will strengthen tourism efforts, while developing sustainable tourism events and brands will help create long-term value. Sponsorship opportunities should be enabled for the commercialisation of events and brands, while cyclical tourism numbers can be smoothed by establishing and implementing off-peak tourism products and initiatives.

Additionally, opportunities and venues for business tourism should be developed and packaged to attract a broader range of visitors. Enabling local businesses to participate in the market, alongside creating training, mentorship, and employment opportunities for local citizens, will further stimulate



economic growth.

Finally, it is crucial to quantify the return on investment in events and funded entities to ensure resources are being utilised effectively.

Agricultural Support and Rural Development

Executive Mayor, Adv Gesie van Deventer, joined by Western Cape Minister of Agriculture Mr Ivan Meyer, once again handed over contracts to four additional emerging farmers, signalling the municipality's continued commitment to sustainable agricultural practices, economic growth, and job creation in its region.

The ongoing effort to lease municipal agricultural land to local farmers underscores the municipality's dedication to creating lasting opportunities and fostering inclusivity within the community. This multi-round approach demonstrates a forward-looking strategy, ensuring the ongoing empowerment of emerging farmers and the fruitful utilisation of previously underutilised land.

The contracts, ranging between 9 to 11 years leases with the option of renewal based on productive land use, were handed over with a commitment to optimise every available patch of agricultural land in the Stellenbosch municipal area.

The Executive Mayor emphasised the Municipality's strategic objective to create a business-friendly environment and promote job creation. The administration's dedication to providing opportunities for emerging farmers is evident in the selection process, considering farming experience, business plans, and financial readiness. The municipality will also ensure essential infrastructure like electricity and water supply, facilitating connections with agricultural groups and government departments.

Its municipal policy for the Management of Agricultural Land creates the framework for openness, transparency, accountability, and predictability. More importantly, it provides the basis for small-scale farmers who possess the required knowledge, expertise, passion, and commitment to lease parcels of municipal agricultural land and develop their farming businesses into sound commercial enterprises. Doing so brings hope to these farmers and the role they play in securing food security and jobs in the sector.

This initiative aligns with the Stellenbosch Municipal Council's 2016 Policy on the Management of Municipal Agricultural Land, allowing effective utilisation of previously unused land to empower emerging and historically disadvantaged farmers. As a caring and responsible government, Stellenbosch Municipality continues to pioneer practices that boost the local agricultural sector, demonstrating the crucial role local governments play in creating opportunities and supporting residents' economic empowerment.

StartUp Tribe

The Stellenbosch Entrepreneurship Academy is an initiative to bring know-how to thousands of people to empower them with tools and skills to achieve what they want to achieve in business. Partnership between Stellenbosch Municipality and the StartUp Tribe to contribute positively towards Small Medium Micro Enterprise Development ("SMME") in the Stellenbosch Municipality.

The StartUp Tribe is an online entrepreneurship academy that focuses on providing learning material such as short practical courses to help people start and grow their local businesses. The courses are all free and designed to be used on a mobile phone in low-bandwidth environments.



The StartUp Tribe is a valuable resource for small business owners based in Stellenbosch Municipality as it provides them with the knowledge, skills, and support needed to navigate the challenges of entrepreneurship and increase their chances of building a successful business. The courses are designed to help you in a practical, hands-on way to start and grow your business, whether you are a student, start-up, small business, or a professional (lawyer, doctor, accountant, engineer, artisan, farmer, etc.).

Alternative Energy Support Programme

On 2 February 2024, Executive Mayor Adv Gesie van Deventer, accompanied by the Municipal Manager and colleagues from the Western Cape Department of Economic Opportunities, visited Huguenot Fine Chocolates in Franschhoek. This local business received support from the municipality and the department through its Alternative Energy Support Programme.

The Alternative Energy Support Programme was established to assist small, medium, and micro enterprises (SMMEs) in adopting alternative energy solutions, ensuring their operational continuity during instances of load shedding. The department initiated a pilot project, installing 12 solar backup systems at municipal SMME trading hubs across seven municipalities, of which two SMMEs in Stellenbosch have benefitted from the project.

Small businesses play a pivotal role in fostering job creation and driving local economic development. These enterprises serve as the backbone of communities, contributing significantly to employment opportunities and economic vitality. Unlike large corporations, small businesses are often deeply rooted in their local environments, generating a sense of community and providing personalised goods and services. Job creation within small businesses not only addresses unemployment but also nurtures a diverse and resilient local economy. As these enterprises grow, they stimulate additional economic activities, creating a ripple effect that benefits suppliers, service providers, and the overall community. Furthermore, small businesses often prioritise local hiring, contributing to the development of a skilled and engaged workforce.

Job Seekers Database Outreach Programme

Several Job Seekers Outreach Programmes were run during the financial year. The Economic Development and Tourism Unit conducted 27 outreach sessions to register more members of the community on the database between 28 February and 26 April 2023.

The table below indicates the capital expenditure for the Section: Economic Development Tourism as at 30 June 2024.

Table 145: Capital Expenditure as at 30 June 2024: Section: Economic Development and Tourism

Capital Projects	Adjustment Budget	Actual Expenditure	Variance from the Adjustment Budget
	R'000		
Establishment of the Kayamandi Informal Trading Area	1 000	866	13.36%
Furniture, Tools and Equipment: LED	88	85	2 384%
Only the five largest capital projects are listed.			

The Section: Local Economic Development and Tourism has spent 87% of its capital budget for the financial year.



3.12.4 HERITAGE AND RESOURCE MANAGEMENT

The Section: Heritage Resources Management is mandated to enable, facilitate, and manage cultural heritage development within the Stellenbosch municipal area through the formulation and implementation of long-term cultural heritage plans, strategies, policies, and guidelines that are appropriately integrated with the applicable sectoral plans of the municipality and aligned with the requirements of the National Heritage Resources Act, 1999 (Act No. 25 of 1999).

Part of this work was updating the Stellenbosch Municipality Heritage Inventory, which was done in partnership with the Stellenbosch Heritage Foundation. The municipality intends to expand on this partnership to ensure that the heritage inventory is continually updated.

The municipality has also undertaken a process to review and amend the Stellenbosch Municipality Outdoor Advertising and Signage Bylaw, and this bylaw is currently being advertised for public participation with the intention that it will be adopted and promulgated during the 2024/25 financial year.

3.12.5 GEOGRAPHIC INFORMATION SYSTEMS (GIS)

The GIS Section is responsible for managing, coordinating, and controlling the professional and technical processes associated with Geographic Information Systems (GIS) in respect of the municipality, Management of Information Systems (MIS) through research and evaluation of best practices and cost-effective approaches, and providing guidance and advice on the functionalities to internal departments to ensure that broader goals and service delivery objectives are accomplished and quality and professional standards maintained per agreed timeframes, budgets, and appropriate legislation.

The Section has assisted the Directorate: Planning and Economic Development with the development of electronic and online submissions of building plans and land use applications. Through this process, the Section has developed the Building Plan Application Management System ("BPAMS") and the Town Planning Application Management System ("TPAMS"). These systems will allow residents and potential developers to submit their development applications online and monitor the progress of their respective applications.

Currently, BPAMS is fully operational and will be launched with TPAMS during the next financial year.

The table below indicates the total number of employees in the Department: Development Planning as at 30 June 2024.

Table 146: Total number of employees in the Department: Development Planning (Entire department)

Job Level	Posts	Employees	Vacancies (full-time equivalents)	Vacancies (as a % of total posts)
	Number			
18 – 22	2	2	0	0
14 – 17	5	5	0	0
9 – 13	8	8	0	0
4 – 8	2	2	0	0
3 – 0	0	0	0	0
Total	17	17	0	0



COMPONENT D: COMMUNITY AND SOCIAL SERVICES

3.13 LIBRARIES

Renowned author Eric Klinenberg, in one of his speeches at a library in the United States, referred to libraries as:

"...an irreplaceable part of our "social infrastructure." Libraries make democracy possible by bringing people together, ensuring open access to information, and fostering strong communities".

The Stellenbosch Municipality Public Libraries Section is proud to support and strengthen the communities, bring people together, and create spaces where everyone feels welcome. The year under review was full of remarkable accomplishments and meaningful impact on the communities. The municipality focused on the following service areas:

Empowering Individuals

Providing individuals with free access to information and opportunities is one of the greatest ways to empower and engage them. The Public Libraries Section's core function is to provide education and access to information for all it serves, irrespective of whether they are career-ready, teaching them computer skills, language, literacy, and numeracy skills, or just connecting them to other critical skills. The municipality has introduced visits to the homebound patrons and welcomed and assisted many homeless citizens to find employment and parents needing assistance with filling in online school application forms. The Public Library connects individuals of all backgrounds to important resources and services such as wellness lectures, career expos for scholars, and SARS visits for those needing assistance with filing tax forms, bursaries, and university applications.

Building Community

Throughout the year, the municipality works to inspire members of the community to become civically engaged.

Voter Awareness Displays were put up in libraries, a vital step in supporting democracy. Municipal libraries are vital for connecting their patrons with the important resources and information they need to support and strengthen their local communities.

Literacy

Since its inception, the Stellenbosch Public Libraries Section has been a leader in the promotion of reading and literacy. The municipality dedicates itself to fostering a love of reading throughout the municipality, whether it is assisting its youngest learners or older adults in discovering the transformative power of books. The public library has focused its efforts on reintroducing patrons to the library following the devastating effects of the COVID-19 pandemic. Additionally, the municipality is resolute in its dedication to the communities it supports. The municipality is aware that libraries and literacy are essential for achieving equality. Consequently, the municipality has dedicated a significant portion of its efforts to the promotion and dissemination of the benefits of reading and the numerous services that libraries can provide to communities during the year under review.

Engaging new patrons also means strengthening connections with local communities through expanded outreach and increased awareness. Therefore, librarians have developed and delivered school outreach programmes to kids and teens to ensure all students have access to the library's resources.



Another new initiative designed to attract new users to the library is the “ADOPT A SCHOOL” programme which brings together young children and their caregivers to learn how the library can support children's early learning and development. Lastly, adult patrons can be part of the regular library book launches and events of renowned authors.

Despite the various challenges this year, which included severe budget cuts and staff shortages, Stellenbosch Public Libraries have proved to be a section full of innovative thinkers who are steadfast in their dedication to breaking down barriers and serving those most in need. Despite these challenges and with the municipality's response to the pandemic and 4IR, the municipality was encouraged to adapt and expand its services. The municipality's library champions jumped into action quickly to reinvent traditional library services in creative ways. The municipality's aim continues to be that of strengthening the community by creating an inclusive sense of place and environment for learning.

Libraries have over the last year endeavoured to strengthen the existing public and private partnerships with the communities within the WCO24 Area.

Table 147: Libraries services

Type of service	Annual statistics 2023/24
Book circulation	14 0469
Exhibitions held adults	136
Exhibitions held children	157
Internet access points	103
Internet sessions granted to the library users	22 655
children's programmes	265
Number of children attending programmes	12 130
Visits by school groups	145
Book group meetings for adults- old age home	135
Patron's visits to the library	56 366
Library hall usage	188 480
Total number of project and pamphlet files developed	283
Total number of books reviewed	139
In-house usage	244
Book group meeting for adults-old age home	1 045
Primary and secondary book education sessions	38

Table 148: Libraries partnerships

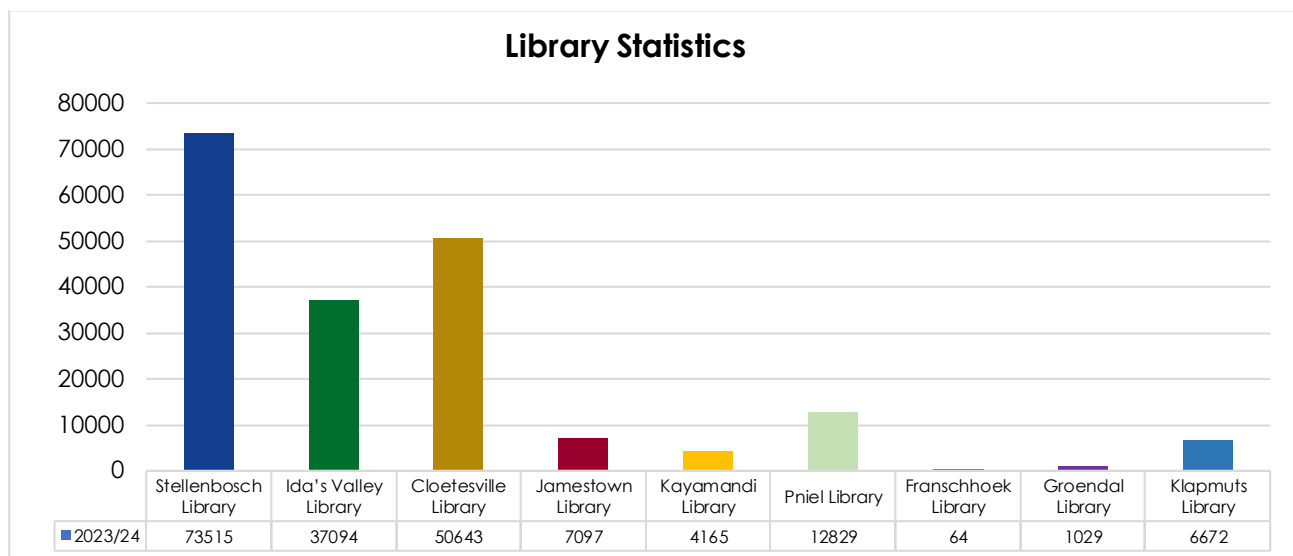
Organisation	Type of partnership	Current Activities
Khula Development Group	Informal	Facilitated talk on Father's Day Programme
Right to Care	Informal	LGBTQIA awareness programme
Usiko	Informal	Yeboneers assist with the holiday programme
Right to Care	Informal	Weekly health awareness programmes and testing – every Monday
Rietenbosch Primary School	Informal	Africa Day programme
SAPS (Klapmuts)	Informal	Road Safety
Ebrahim Samsodien	Informal	Author's launch
SARS	Informal	SARS pop-up office

**Table 149: General Information**

Item	Description	Total number
Libraries in the WCO24 Area	Public Libraries: Kayamandi, Cloetesville, Ida's Valley, Jamestown, Stellenbosch, Pniël, Groendal, and Franschhoek,	8
Right to Care	School / public libraries Koelenhof and Klapmuts	2
Library staff (permanent)	Library Manager	1
	Senior Librarians	4
	Senior Library Assistant	1
	Library Assistants	
	Library Aid / Cleaner	5
	IT Cadet	0
	Admin Assistant	0
	Library Attendant	1
Vacancies (including conditional grant-funded vacancies)	Senior Librarians	3
	Senior Library Assistant	3
	Library Assistants	5
	Library Aid / Cleaner	3
	IT Cadet	1
	Admin Assistant	1

Table 150: Personnel

Item	Description	Total number
Libraries in the WCO24 Area	Public Libraries: Kayamandi, Cloetesville, Ida's Valley, Jamestown, Stellenbosch, Pniël, Groendal, and Franschhoek	8
	School / public libraries Koelenhof and Klapmuts	2
Library staff (permanent)	Library Manager	1
	Senior Librarians	4
	Senior Library Assistant	1
	Library Assistants	19
	Library Aid / Cleaner	5
	IT Cadet	0
	Admin Assistant	0
	Library Attendant	1
Vacancies (including conditional grant-funded vacancies)	Senior Librarians	3
	Senior Library Assistant	3
	Library Assistants	5
	Library Aid / Cleaner	3
	IT Cadet	1
	Admin Assistant	1

**Graph 16: Library Membership**

The table below indicates the capital expenditure for the Section: Library Services as at 30 June 2024.

Table 151: Capital Expenditure as at 30 June 2024: Section: Library Services

Capital Projects	Adjustment Budget	Actual Expenditure	Variance from the Adjustment Budget
	R'000		
Upgrade Stellenbosch Library	4 339	203	95.31%
Upgrading: Cloetesville Library	200	105	47.26%
Library Books	217	51	76.46%
Cloetesville: Furniture, Tools and Equipment	555	260	53.19%
Only the five largest capital projects are listed.			

The Section: Libraries has spent 12% of its capital budget for the financial year.

3.14 CEMETERIES AND PARKS

Stellenbosch Municipality is responsible for the maintenance and management of six cemeteries in greater Stellenbosch. Pniël and Groendal have reached their capacity, while Franschhoek South and North are fully operational. Space has been created at Onder Pappegaai cemetery. A new cemetery in Kylemore is currently being established. The Jamestown cemetery suffered harm because of high underground water levels during this year's storms. It became practically impossible for new graves to be dug in the area. Simultaneously, the municipality could not do any reopening of graves due to the underlying high-water levels. The municipality is in the process of investigating possibilities to reduce the amount of water after rains.

Consultants were appointed (3 years + project) to assist Stellenbosch Municipality with the plan and construction of a new cemetery. This will address the critical need for burial space within the municipality. This project is at an advanced stage of acquiring the required environmental, water, and land use approvals. All licenses have been received for the commencement of the new Stellenbosch Memorial Park, situated alongside the R304, planned at the site known as the Calcutta.

The objective of the Section: Cemeteries and Parks is to provide adequate burial space and ensure a dignified burial.



The table below indicates the availability of burial space within the WC024 as at 30 June 2024:

Table 152: Cemetery space availability

Cemetery	Airspace	Status		
		Open	Full	Closed
Jamestown	Open	✓		
Onderpapegaaiberg	Open	✓		
Pniël	Reopening		✓	
Groendal	Reopening		✓	
Franschhoek South	Open	✓		
Kylemore	Not open yet			✓
Calcutta	Not open yet			✓

3.14.1 INCOME – CEMETERIES

The table below indicates the income generated from the financial years of 2018/19 – 2023/24.

Table 153: Cemeteries Income

Gravesite locations	2022/23		2023/24	
	Number of Burials	Income	Number of Burials	Income
Onder-Papegaaiberg	65	R612 431.84	452	R1 292 061.44
Jamestown	554	R1 355 202.05	1	R2 139.90
Pniël	22	R12 993.95	10	R4 972.94
Wemmershoek	5	R7 728.48	0	R0
Franschhoek North Groendal	71	R44 597.62	9	R0
Franschhoek South	41	R78 505.95	65	R77 171.31

The table below indicates the capital expenditure for the Section: Cemetery and Parks as at 30 June 2024.

Table 154: Capital Expenditure as at 30 June 2024: Cemetery and Parks

Capital Projects	Adjustment Budget	Actual Expenditure	Variance from the Adjustment Budget
	R'000		
Calcutta Memorial Park	9 500	9 386	1.20%
Only the five largest capital projects are listed.			

The Section: Cemeteries has spent 99% of its capital budget for the financial year.

The table below indicates the total number of employees in the Department: Community Services as at 30 June 2024.

**Table 155: Total number of employees in the Department: Community Services (Entire Department)**

Job Level	Posts	Employees	Vacancies (full-time equivalents)	Vacancies (as a % of total posts)
	Number			
18 – 22	0	0	0	0
14 – 17	10	10	0	0
9 – 13	37	36	1	2,7
4 – 8	94	87	7	7.4
3 – 0	60	59	1	1.6
Total	201	192	9	4.4

3.15 CHILD CARE; AGED CARE; SOCIAL PROGRAMMES–COMMUNITY DEVELOPMENT

The Department: Community Development is thankful to the municipal council for not cutting the departmental budget, which makes serving vulnerable communities still possible. The impact of the economic situation in the country is visible in local households and on the local streets. This is evident in the increased expectations from local government to deliver services not received from other spheres of government and the number of people trying to make a living being homeless.

Table 156: Service Statistics – Childcare, Aged Care, Social Programmes

Focus area	Description	Ward	Activity
Children	<ul style="list-style-type: none"> Capacity building of ECD practitioners; Initiatives in awareness programmes (ECD children); ECD Registration Compliance; Strengthening and establishing ECD forums; Transversal committees / ad hoc committees; and Awareness Programmes. 	All	154 ECD practitioners attended the annual appreciation event.
		All	130 ECD practitioners were assisted with information and access to officials relating to the registration of ECD facilities.
		1-4, 12-15, 18-19	First Aid training was provided to 38 ECD practitioners.
		ALL	The registration status of 120 ECD facilities was plotted on the GIS system.
		All	Holiday programmes reached 2 000 children.
		4, 12-15, 20	Back to School programme reaching 5 000 children.
		All	100 foster parents and children participated in the parenting training session with DSD.
		All	3 000 children participated in the Child Protection Week activities.
People with Disabilities	Awareness and Wellness programmes Universal Access	All	90 people with disabilities participated in the disability sports day.
		All	The municipality updated the published link to the local Disability Organisations Information Portal on the municipal website.
		All	355 people and various organisations participated in the Walk with Disability Awareness programme on World Disability Day.
		All	181 people attended general prevention and awareness sessions.
		All	Nine training sessions have been completed with the internal UA Champions, two information sessions were done with internal



Focus area	Description	Ward	Activity
			departments, and the process of policy alignment started.
Older Persons	Special Events, Awareness programmes and Capacity Building	1-6, 10, 12-17, 20	400 elderly people participated in the Golden Games programme.
		2-4, 6, 13, 20	7 elderly received technical official training for Golden Games.
		18	10 elderly received capacity-building training to form a club.
		19	17 elderly were introduced to issues affecting them and the availability of services through an awareness programme.
		3-6, 12-15, 18, 20	130 members of elderly clubs benefitted from the CWDM Adult Diaper Relief Programme.
		1-6, 13, 16-18, 20	37 elderly people participated in the Elderly Month programme
		1-6, 13, 16-18, 20	63 elderly people participated in the Elderly Abuse Awareness Day.
Gender	Special Events and Awareness programmes	2	Women's Day with 100 women.
		4, 12-15	Fatherhood Programme with 70 men
		2, 12 to 15	120 widows participated in an empowerment programme.
		All	The local VEP Forum was launched by DSD and was attended by 50 persons.
		12-15, 18	1 000 girls were reached through the Help a Girl campaign.
		All	2 000 persons were reached through the 16 Days of Activism campaign, where all service providers in the sector developed a key ring with service information on it to be introduced to the communities.
		All	Officials attended Roses on the River, the World AIDS Day commemoration of @heart.
		All	100 women participated in general GBV and SUD awareness programmes.
		12-15, 16	22 unemployed youth were trained in the SSCF programme
Youth	Youth Empowerment programmes Youth Capacity Building Transversal committees / Ad hoc programmes	3-6, 16-18, 20, 21	98 youth were reached through a career expo.
		12-15, 20	39 youths received business development training over two days.
		19	9 youth were trained at the e-Centre in basic MS applications.
		12-15, 20	25 youth participated in an entrepreneurship training.
		1, 2, 12-15, 20	41 youth participated in the DCAS Cape Winelands Drama Festival.



Focus area	Description	Ward	Activity
		2-4, 10, 12-20	Accredited skills training was completed in the following fields: ↳ Learner Licence: 10; ↳ Assistant Cheff: 13; ↳ Table Attendant: 25; ↳ General Building Maintenance: 13; and ↳ Lifeguard Training: 8
		18	↳ 33 youth participated in the Community Capacity Enhancement Programme of DSD.
		1-2, 16-20	↳ 129 youth participated in the job-readiness programme in partnership with DSD.
		6, 12, 13, 16-18	↳ 20 youth were trained as Emergency First Aid Responders.
		12-16	↳ 30 youth participated in the general awareness programme.
		2	↳ 33 youth were trained in substance abuse prevention.
		12-16	↳ 30 youth participated in the Chrysalis and IEC awareness programme.
Grant in Aid	Donations to community organisations serving among others: youth, gender, ECDs, Old Age Homes, Health Organisations, and sports clubs	All	↳ 1 financial management workshop with 17 organisations. ↳ 3 compulsory clarification workshops with 157 organisations. ↳ 97 GiA applications were assessed. ↳ 29 organisations attended the MOA signing workshop. ↳ See the table below regarding the approved donations. ↳ GiA Policy and SOP reviewed. ↳ 720 persons were trained through a GiA Food Garden Project, and 602 gardens were established.
People on the Street	Development, awareness raising through collaboration and services rendered	All	↳ 285 homeless persons were reached with general prevention and awareness information.
		All	↳ 460 persons were reached through the Winter Readiness Street Store.
		All	↳ The Homelessness Forum continued with the conversations around homelessness and developed a service directory. ↳ SU recognised the work of the forum and awarded the interim chairperson with the Award for Social Impact.
		All	↳ Give Responsibly marketing via Facebook and during the festive season safety campaign. ↳ The campaign was extended to include 2 000 license disc stickers and posters distributed. ↳ 427 first-year students were reached with the Give Responsibly Campaign during orientation week. ↳ 18 shops participate in the programmes through the sale of coupons. ↳ One mini-site on Give Responsibly was updated on the Visit Stellenbosch website to make the information on Give Responsibly available to tourists through a QR code. ↳ Give Responsibly Coupons sold: 5 240. ↳ Give Responsibly Coupons redeemed: 4 957.



Focus area	Description	Ward	Activity
		All	<ul style="list-style-type: none"> 585 work opportunities were provided to people on the street through the Animal Welfare Walk a Dog project and the Stellenbosch Night Shelter Cleaning project.
		All	<ul style="list-style-type: none"> 9 439 beds were taken up by homeless persons at the Stellenbosch Night Shelter through the GiA Donation.
		All	<ul style="list-style-type: none"> 74 homeless persons participated in the celebration of World Homeless Day.
Social Relief of Distress	Provision of food parcels, blankets, mattresses, vanity packs and warm food according to the need due to disaster incidences	All	<ul style="list-style-type: none"> 1 512 individuals were assisted.
Stellenbosch Local Drug Action Committee	Networking, Development of Service Directory, Collective programme implementation	All	<ul style="list-style-type: none"> The executive committee continued to meet monthly with quarterly, bigger engagements and was attended in total by 121 persons. 64 people participated in the International Day Against Drug Abuse and Illicit Trafficking. General Awareness programmes were implemented reaching 240 persons. Collaboration between role-players led to the establishment of an AA group in Kayamandi.
Mobile Thusong Centre	Inter-governmental Cooperation, taking services to the communities	1, 2	<ul style="list-style-type: none"> The event served 612 persons over the two days.



Pictorial view of the focus areas:





The table below indicates the number of Grant in Aid applications recommended and approved for the year under review:

Table 157: Number of Grant in Aid applications recommended and approved

Subcategory	Applications Recommended and approved	Recommended Amount R
2023/24		
General Soc Dev	4	160 000
Partial Care	12	470 000
Disability	3	120 000
Youth	2	80 000
Substance Abuse	1	40 000
Food Security	1	2 979 890.40
People who are homeless	2	2 568 331.78
Skills Development	1	40 000
Physical and Psychological Health	2	80 000
Sport Clubs	1	40 000
Art and Culture	2	80 000
Total	31	6 698 222.18

The table below indicates the total number of employees in the Section: Community Development as at 30 June 2024.

Table 158: Total number of employees in the Section: Community Development

Job Level	Posts	Employees	Vacancies (full-time equivalents)	Vacancies (as a % of total posts)
	Number			
18 – 22	0	0	0	0
14 – 17	1	1	0	0
9 – 13	4	4	0	0
4 – 8	6	5	1	16.6
3 – 0	0	0	0	0
Total	11	10	1	9.1



COMPONENT E: ENVIRONMENTAL PROTECTION

3.16 POLLUTION CONTROL, BIO-DIVERSITY, BEAUTIFICATION, OPEN SPACES AND PARKS

Stellenbosch Municipality is continuously developing its capacity to protect the environment within its boundaries and to strive towards a municipality and communities that recognise the vital importance of their rich natural capital and manage these in a manner that ensures sustainability and fulfils the needs of all concerned. To this effect, Stellenbosch Municipality developed the Stellenbosch Environmental Management Framework in 2018, administered by the Department: Community Services.

Stellenbosch Municipality is compiling dedicated Environmental Management Plans (EMPs) for all its declared nature reserves as well as nature areas. In this regard Council has adopted the Ida's Valley Dam / Botmaskop EMP in 2023 and the Mont Rochelle Nature Reserve EMP in 2022. Papegaaiberg Nature Reserve and Paradyskloof Nature Area have approved EMPs, both currently under review. Stellenbosch Municipality has also completed an Invasive Alien Plant Management Plan, as required in terms of the National Environmental Management: Biodiversity Act, 2004 (10 of 2004), and an Integrated Fire Management Plan to assist in the management of large vacant nature areas under the management of the Council.

An Air Quality Control Bylaw as well as a Noise Control Policy have been developed and adopted by the Council. The latter is implemented by a dedicated Air Quality / Noise Control Officer appointed within the Department: Community Services.

A Nature Reserves Bylaw has been drafted and submitted for public comments, and the bylaw is set to serve before the Council within the 3rd quarter of this financial year.

Air quality and noise complaints are captured in a central database and dealt with within the required timeframes. The following statistics included both air quality-related matters and noise complaints. All noise complaints are investigated in terms of the Western Cape Noise Control Regulations PN200/2013.

Table 159: Air Quality Complaints 2022 to 2024

Complaints	2022				2023				2024			
	1 st Quarter	2 nd Quarter	3 rd Quarter	4 th Quarter	1 st Quarter	2 nd Quarter	3 rd Quarter	4 th Quarter	1 st Quarter	2 nd Quarter	3 rd Quarter	4 th Quarter
Fumes	15	15	7	29	8	11	21	19	20	11	17	12
Smoke	5	3	0	5	3	4	3	4	2	1	5	4
Dust	4	3	0	6	5	5	4	6	6	5	2	3
Burning of waste / tyres	2	0	0	2	1	2	3	2	1	2	3	2
Farmland burning	3	0	0	0	2	2	3	3	0	1	2	2
Crop spraying	6	2	2	0	1	0	2	4	1	1	1	3
Offensive odors	5	0	1	3	3	3	5	2	3	3	4	2
Unlicensed facilities	0	0	0	0	0	0	1	0	0	2	0	2
Noise	35	31	6	41	66	53	38	40	66	56	51	49
Other	2	0	0	0	0	0	0	1	1	1	2	1



Total noise complaints for 2022 = **122**

Total noise complaints for 2023 = **197**

Total noise complaints for 2024 = **222**

3.16.1 ENVIRONMENTAL IMPLEMENTATION

Stellenbosch Municipality works closely with the Department of Environmental Affairs and Development Planning concerning local government compliance and adherence to legislation. Implementation of operational plans concerning management plans is executed within the area of responsibility.

3.16.2 URBAN FORESTRY

Maintenance of the Urban Forestry within the CBD is guided by the Tree Management Policy and applicable Standard Operating Procedures that facilitate the planting, protection, felling, maintenance, and long-term management of all trees located on municipal property through tree management (arboricultural) practices, thus promoting a sustainable development approach. This approach is geared towards making the areas within Stellenbosch Municipality green through advancing sustainable urban forestry practices, aiming to guide investors towards eco-development.

Below are the highlights and challenges:

Table 160: Environmental Management Highlights

Highlight	Description
Phase 2 completed of the Tree Application Management System	This is a three-year capital project that is focused on managing the maintenance of trees on a computerised application system.

Table 161: Environmental Management Challenges

Challenge	Actions to address
Load shedding	Noise nuisance and an increase in air pollution were also encountered as many businesses and households switched to backup generators, which run on fossil fuels such as diesel or petrol. The increased use of these generators leads to higher emissions of greenhouse gases such as carbon dioxide and nitrous oxide, as well as particulate matter. These pollutants can contribute to climate change, harm human health, and need to be managed in accordance with relevant legislation. The Noise Control officer is mandated to investigate complaints and implement the necessary corrective measures, and at the same time try to increase awareness and education among the public and help develop an environment that takes cognisance of everyone's rights.
Severe weather Conditions	The adverse weather conditions caused destructive damage in nature reserves and areas that affected infrastructure and flora. These conditions have resulted in negative effects on both the natural and built environment. Repair work to the affected environments is gradually underway.



COMPONENT E: SECURITY AND SAFETY

3.17 Law Enforcement

The primary role of Law Enforcement is bylaw enforcement and the protection of municipal assets and staff. The function includes the monitoring and prevention of invasions of municipal land, for which the responsibility is shared between Community and Protection Services and the Section: Informal Settlements.

A 24/7 control room is in place, as is the monitoring of crime hotspot areas through CCTV cameras. License Plate Recognition Cameras (LPR) have been installed at all entrances / exits to Stellenbosch and Franschhoek towns, with several LPR cameras installed on minor roads that are used regularly by thoroughfare traffic to avoid congested areas during peak times. This has proven to be successful in the combatting of crime and crime prevention initiatives.

Highlights:

- ✦ Weekly operational planning with key stakeholders (SAPS and other safety partners);
- ✦ 24/7 operational control room to ensure more efficient service delivery and open to other role-players; and
- ✦ Procurement of a multi-purpose armoured vehicle to effectively deal with land invasions and assist SAPS in crime prevention initiatives.

Challenges:

- ✦ To render a 24/7 law enforcement patrol service;
- ✦ Increase and maintain surveillance of key places;
- ✦ Functionality of some CCTV and LPR cameras;
- ✦ Prevention of land invasions;
- ✦ Increase of homeless people, which results in an increase in criminal and bylaw offences;
- ✦ There is insufficient staff to fulfil operational requirements;
- ✦ There is insufficient office space to accommodate departmental staff; and
- ✦ The reduction of temporary law enforcement officers for the last financial year, evidence can be seen in the number of fines issued between the two financial years.

Law Enforcement attended to the following from 2022/23 until 2023/24:

Table 162: Law Enforcement highlights

Type of activity	2022/23	2023/24
Fines issued Section 56's and 341's	5 196	2 078
Liquor Compliance Inspections	51	95
Scrap metal / Bucket Shop Inspections	67	83
Law Enforcement Awareness sessions	33	64

3.17.1 TRAFFIC SERVICES

Traffic Services is performing its functions as guided by the National Road Safety Strategy, with its main objective being to achieve traffic safety on municipal roads, including the functions as defined in the municipality's IDP.

The National Road Safety Strategy provides all-year-round road safety initiatives. The municipality has increased its enforcement strategy in collaboration with stakeholders and affected parties.



Operations like automatic number-plate recognition are conducted to improve compliance with and payment of traffic fines.

Ongoing objectives are to improve road user behaviour; reduce the incidence of traffic offences; speeding; drunk driving and driving under the influence of narcotics; dangerous overtaking; remove unfit road users from traffic; roadworthiness of vehicles; public transport compliance concerning vehicles and drivers; provide sufficient and coordinated regulation of traffic on strategic roads; provide pedestrian education and compliance; eradicate corruption; ensure administrative compliance; and overall improve enforcement systems. This includes additional hours and Saturday operations at the Admin Section and a new approach to law enforcement strategies.

Highlights:

Traffic Service strategies have managed to yield favourable results.

In the 2023/24 financial year, Traffic Service continued with the delivery of its Traffic and Pedestrian Safety Programme, which entails a team of two traffic officers who focus on the education of learners and farm workers regarding road safety issues. Lectures were presented at schools, and training was provided in respect of correct bicycle etiquette and the registration, training, and monitoring of scholar patrols throughout the municipality. Eighty-two (82) awareness initiatives on public safety were held at targeted schools in the municipal area.

The special operations unit with Traffic Law Enforcement has yielded great results in the enforcement of public transport infringements as well as focussing on drag racing, driving under the influence, and moving violations, which include reckless and negligent driving.

The temporary traffic parking project is continuing successfully within limits and is beneficial to both the contractual staff who are earning an income (job creation) and the municipality, which is managing parking within the municipal area internally.

The OUTsurance Points Man project is another intervention that supports traffic operations by assisting in peak hour traffic, both early and late peaks. This project allows operational staff to focus on transgressions during peak hours, while the OUTsurance pointsmen are focussing on problematic intersections controlling traffic.

The appointment of six internally trained traffic wardens as officers has yielded positive results and boosted the operational efficiency of the enforcement teams.

Challenges:

- ⚠ Inadequate Human Resources: Limited Staff;
- ⚠ To render a 24/7 traffic service;
- ⚠ The capacity of the Drivers Licence Testing Centre limits the number of tests that can be performed in a day; and
- ⚠ Vehicle Testing Station infrastructure challenges and staff shortages.

Stellenbosch is continuing to be a preferred business and employment hub. The resources required to provide a quality service to the residents and business sector are inadequate and pose a significant challenge for the future. This limitation has a negative impact on service delivery.



Service Statistics – Traffic Services

Table 163: Service Data for Traffic Services

Details	2021/22	2022/23	2023/24
Drivers License Tests	2 211	2 095	1 189
Learner Driver License Tests	3 118	4 471	3 363
Number of Section 56 Notices Issued	34 400	43 504	55 506
Number of Section 341 Notices Issued	28 062	29 867	35 823
Traffic Awareness Sessions	86	54	82
Number of camera speeding fines issued	357 144	372 420	353 279
Number of ANPR interventions	97	100	118
Number of public transport operations	258	261	320
Number of drunken driving operations	275	223	208

The tables below indicate the capital expenditure for the Section: Law Enforcement and Traffic Services as at 30 June 2024:

Table 164: Capital Expenditure as at 30 June 2024: Section: Traffic and Law Enforcement

Capital Projects	Adjustment Budget	Actual Expenditure	Variance from the Adjustment Budget
	R'000		
Vehicle Fleet: Law Enforcement	7 094	7 064	0.42%
Furniture, Tools and Equipment: Traffic Services	93	91	1.66%
Vehicle Fleet: Traffic	1 099	1 099	0%
Install Computerised Access Security Systems and CCTV Cameras At Municipal Buildings	261	25	90.53%
Furniture, Tools and Equipment: Law Enforcement	153	147	4.13%
Only the five largest capital projects are listed.			

The Section: Traffic and Law Enforcement has spent 100% of its capital budget for the financial year.

The tables below indicate the total number of employees in the Department: Protection Services as at 30 June 2024.

Table 165: Total number of employees in the office of the Senior Manager: Protection Services

Job Level	Posts	Employees	Vacancies (full-time equivalents)	Vacancies (as a % of total posts)
	Number			
18 – 22	1	1	0	0
14 – 17	0	0	0	0
9 – 13	0	0	0	0
4 – 8	2	1	1	50
3 – 0	0	0	0	0
Total	3	2	1	33.3

**Table 166: Total number of employees in the office of the Manager: Traffic Law Enforcement**

Job Level	Posts	Employees	Vacancies (full-time equivalents)	Vacancies (as a % of total posts)
	Number			
18 – 22	0	0	0	0
14 – 17	1	1	0	0
9 – 13	0	0	0	0
4 – 8	0	0	0	0
3 – 0	0	0	0	0
Total	1	1	0	0

Table 167: Total number of employees in the office of the Chief Traffic Services

Job Level	Posts	Employees	Vacancies (full-time equivalents)	Vacancies (as a % of total posts)
	Number			
18 – 22	0	0	0	0
14 – 17	1	1	0	0
9 – 13	1	1	0	0
4 – 8	1	1	0	0
3 – 0	1	1	0	0
Total	4	4	4	100

Table 168: Total number of employees in Traffic Law Enforcement Services

Job Level	Posts	Employees	Vacancies (full-time equivalents)	Vacancies (as a % of total posts)
	Number			
18 – 22	0	0	0	0
14 – 17	3	1	2	66.6
9 – 13	39	33	6	15.3
4 – 8	13	4	9	69.2
3 – 0	0	0	0	0
Total	55	38	17	31

Table 169: Total number of employees in Traffic Admin Services

Job Level	Posts	Employees	Vacancies (full-time equivalents)	Vacancies (as a % of total posts)
	Number			
18 – 22	0	0	0	0
14 – 17	1	1	0	0
9 – 13	7	7	0	0
4 – 8	13	10	3	23.1
3 – 0	0	0	0	0
Total	21	18	3	14.2

**Table 170: Total number of employees in Law Enforcement Services**

Job Level	Posts	Employees	Vacancies (full-time equivalents)	Vacancies (as a % of total posts)
	Number			
18 – 22	0	0	0	0
14 – 17	3	2	1	33.3
9 – 13	30	27	3	10
4 – 8	34	30	4	11.7
3 – 0	0	0	0	0
Total	67	59	8	11.9

3.18 FIRE AND DISASTER MANAGEMENT

The Republic of South Africa's 1996 Constitution imposes legal obligations on the government to protect the health and safety of its citizens. Section 41(1)(b) determines that all spheres of government are required to "secure the well-being of the people of the Republic," while Section 152(1)(d) requires that local government "ensures a safe and healthy environment."

Fire service strives to be proactive in preventing fires and other risks rather than simply reacting to fires through –

- Acting in support of the wider developmental agenda as outlined in the NDP;
- Establishing sound institutional and administrative capabilities that support its roles and purpose;
- Demonstrating good governance and administration;
- Adopting community-based approaches;
- Putting people and their concerns first; and
- Professionalisation of the function.

Schedule 4, Part A of the Constitution, determines that disaster management is a functional area of concurrent national and provincial legislative competence, meaning that both national and provincial governments have a legal imperative to implement disaster management according to the requirements of the Constitution and the Disaster Management Act. This does not mean that municipalities (the local sphere of government) are exempt from disaster management responsibilities. Section 156 (4) of the Constitution determines that national and provincial governments must assign to a municipality, by agreement and subject to any conditions, the administration of a matter listed in Part A, Schedule 4 (e.g., disaster management), which necessarily relates to local government, if that matter would most effectively be administered locally and if the municipality has the capacity to administer it.

The impact of disasters has been part of human history. Disasters have influenced, shaped, and modified human behaviour and the way humans live and respond to the environment. Despite the municipality's best efforts in rolling out risk reduction programmes, disasters still result in enormous tangible and intangible losses. Disaster risk is intimately connected to human development. Disasters can put this development at risk while, at the same time, development choices made by people, communities, and nations can generate new risks. This, however, is not inevitable, as human development can also contribute to a reduction in disaster risk.



Highlights:

- Conversion of the panel van into a mobile incident command vehicle.



Challenges:

- The manifestation of climate change – seen in excessive rains and flooding, as well as in more frequent and ferocious veld fires.

a) Service Statistics – Fire and Disaster Management

Table 171: Service Data for Fire and Disaster Management

Details	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
Total fires attended in the year	647	1 011	1 043	947	944	1 022	893	1 209
Total of other incidents attended in the year	1 952	1 655	1 511	1 740	3416	2 515	1 948	1 615
Average turnout time - urban areas (minutes)	8.25	8.25	8.25	8.25	8.25	8.25	8.25	8.25
Average turnout time - rural areas (minutes)	22.75	20.5	20	15	15	15	15	15
Firefighters in post at year-end	52	57	57	58	61	61	64	64
Total fire appliances at year-end	10	11	13	15	17	17	17	17
The average number of appliances off the road during the year	3	2	2	2	2	2	2	2
Total operational callouts	2 704	2 666	2 556	2 687	4 360	3 537	2 841	2 824
Immediate relief to victims	831	849	437	573	555	775	1 478	1 986
Emergency flood kits	300	184	118	372	37	0	82	1
Emergency housing kits	277	190	149	262	156	208	568	307
Meals (food parcels)	327	180	158	138	155	213	8 651 Meals / 328 Food Parcels	36 360 Meals / 534 Food Parcels
Blankets	315	526	473	479	497	601	984	1 512



The table below indicates the capital expenditure for the Section: Fire and Disaster Management as at 30 June 2024.

Table 172: Capital Expenditure as at 30 June 2024: Section: Fire and Disaster Management Services

Capital Projects	Adjustment Budget	Actual Expenditure	Variance from Adjustment Budget
	R'000		
Furniture, Tools and Equipment: Fire	350	349	0.38%
Specialised Vehicles: Disaster Management	1 115	1 115	0%
Only the 5 largest capital projects are listed			

The Section: Fire and Disaster Management has spent 100% of its capital budget for the financial year.

The table below indicates the number of employees in the Section: Fire and Disaster Management as at 30 June 2024.

Table 173: Total number of employees in the Section: Fire and Disaster Management

Job Level	Posts	Employees	Vacancies (full-time equivalents)	Vacancies (as a % of total posts)
	Number			
18 – 22	1	1	0	0
14 – 17	5	5	0	0
9 – 13	37	37	0	0
4 – 8	27	27	0	0
3 – 0	0	0	0	0
Total	70	70	0	0



COMPONENT F: SPORT AND RECREATION

3.19 HOLIDAY RESORTS AND CAMPSITES

The Stellenbosch Municipality is responsible for the management and maintenance of one picnic site, the Jonkershoek Picnic Site. This site is situated in the Jonkershoek Valley on the banks of the Eerste River. The picnic site attracts up to 15 840 visitors per annum due to its natural beauty and tranquillity, set at the foothills of the Jonkershoek mountains, and provides outdoor leisure for visitors, catering for braai and picnics along the river course.

3.19.1 SPORTS FACILITIES AND SWIMMING POOLS

Table 174: Service Statistics – Holiday Resorts and Campsites

Type of service	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
Number of resorts	1	1	1	1	1	1	1	1
% Occupation for the year for Jonkershoek picnic site (open from 1 September to 30 April)	PAX:15840 CARS:3372 Income: R448 701	PAX:13636 CARS:2434 Income: R403 579.74	PAX:20690 CARS:5246 Income: R648 115	PAX:12993 CARS:2063 Income: R462 832.73	PAX:0 CARS:0 Income: R0	PAX:10 585 CARS: 1757 Income: R380 269	PAX:5710 CARS: 1309 Income: R205 134.50	PAX:0 CARS:0 Income: R0 Flood damage

The Stellenbosch Municipality is responsible for the management and maintenance of seventeen (17) sports grounds in its municipal area. The picturesque beauty of the Stellenbosch Mountains surrounds these grounds. Ten (10) are in urban areas, and seven are in rural areas.

It is the municipality's goal to create active, healthy communities and to provide a sporting hub for all its residents and visitors by offering a wide range of well-maintained and well-managed sporting facilities.

Stellenbosch Municipality manages and maintains one swimming pool in the greater Stellenbosch area. The swimming pool is situated in Cloetesville and can accommodate two hundred and seventy-five (275) people at any time per day. The existing facility can host swimming galas and aims to further sports development and recreation.

3.19.2 SERVICE STATISTICS SPORT - GROUNDS AND SWIMMING POOLS

Table 175: Service Statistics Sports Grounds and Swimming Pool

Type of service	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
Number of sport grounds / fields	17	17	17	17	17	14	15	15
Number of swimming pools	1	1	1	1	1	1	1	1
Number of stadiums	10	10	10	10	10	14	10	10

3.20 COMMUNITY HALLS AND FACILITIES

Stellenbosch Municipality is the proud owner of two top-class town halls and nine community facilities that cater to residents and both national and international visitors.

The facilities are available throughout the year (365 days per annum) and can be booked for events such as meetings, weddings, training sessions, conferences, and community and social events.

**Table 176: Total functions: Community Halls and Facilities**

Type of service	2019/20	2020/21	2021/22	2022/23	2023/24
Total functions at municipal halls					
Stellenbosch Town Hall	65	0	10	40	40
Klapmuts Centre	59	28	80	81	80
Eikestad Hall	142	17	74	80	68
Wemmershoek Hall	31	7	37	27	29
La Motte Community Hall	12	14	59	47	52
Franschhoek Town Hall	11	1	2	2	9
Groendal Community Hall	76	18	69	66	21
Kylemore Community Hall	20	19	36	35	38
Pniël Banquet Hall	44	15	34	50	50
Kayamandi Community Hall	N/A	N/A	27	152	147
Cloetesville Banquet Hall	N/A	N/A	5	65	51
Total	460	119	433	645	585

The table below indicates the total revenue for Community Halls and Facilities.

Table 177: Total Revenue / Income: Community Halls and Facilities

Type of service	2020/21	2021/22	2022/23	2023/24
Stellenbosch Town Hall	R0	R 100 935.38	R 384 455.10	R492 919.30
Klapmuts Centre	R23 475.60	R 62 892.64	R 50 824	R73 125.70
Eikestad Hall	R9 407.60	R 51 675.42	R 50 362.60	R108 729.30
Wemmershoek Hall	R3 662.63	R 18 385.53	R 10 926	R13 924.90
La Motte Community Hall	R7 068.61	R 30 293.54	R 18 379	R21 298.60
Franschhoek Town Hall	R9 403	R10 565.22	R 16 120	R74 706.50
Groendal Community Hall	R13 488.50	R 42 818.74	R 39 732	R26 898.00
Kylemore Community Hall	R10 855.72	R 25 718.23	R 23 001.48	R25 869.50
Pniël Banquet Hall	R8 522.12	R 30 556.39	R 30 347	R52 978.00
Kayamandi Community Hall	-	R 5 214.69	R 24 996	R33 369.00
Cloetesville Banquet Hall	-	R 815	R 17 130	R27 405.00
Total	R 85 883.78	R 379 870.78	R 666 273.18	R951 223.80



The table below indicates the capital expenditure for the Section: Sport, Recreation and Halls as at 20 June 2024.

Table 178: Capital Expenditure: Section: Sport, Recreation and Halls

Capital Projects	Adjustment Budget	Actual Expenditure	Variance from Adjustment Budget (%)
	R'000		
Upgrade of Sport Facilities	4 239	3 307	21.98%
Upgrading of Parks	2 296	1 881	18.06%
Fencing: Parks and Gardens	700	678	3.14%
Furniture, Tools and Equipment: Environmental Management	958	755	21.18%
Jonkershoek Picnic Site upgrades	569	569	0%
Only the 5 largest capital projects are listed			

The Section: Sport, Recreation and Halls has spent 72% of its capital budget for the financial year.



COMPONENT G: CORPORATE POLICY OFFICES AND OTHER SERVICES

This component includes corporate policy offices, financial services, human resource services, ICT services, and property services.

3.21 FINANCIAL SERVICES

3.21.1 SERVICE STATISTICS

Table 179: Financial service statistics

Details of the types of accounts raised and recovered	2023/24		
	Billed in Year	Actual for accounts billed in a year	The proportion of value of accounts billed that were collected
	R		%
Property Rates	484 454 441	476 145 135	98.28%
Electricity	874 585 643	849 400 451	97.12%
Water	203 270 709	156 034 673	76.76%
Sanitation	114 951 742	104 456 373	90.87%
Refuse	96 326 521	84 249 108	87.46%

3.22 HUMAN RESOURCES SERVICES

The vision of the Department: Human Resources Management is undoubtedly to build partnerships with management at all levels of the organisation, to create a culture or working environment where employees are valued or appreciated, and to ensure a diverse, qualified, healthy, and highly motivated workforce focused on achieving critical outcomes through the development and administration of cost-effective and results-oriented human resources.

Accordingly, the mission of the Department: Human Resources Management is to address and achieve the goals and challenges of Stellenbosch Municipality by **providing services that promote a work environment that is characterised by fair treatment of staff, open communications, personal accountability, trust, and mutual respect**. The municipality will seek and provide solutions to workplace issues that support and optimise the operating principles of the organisation.

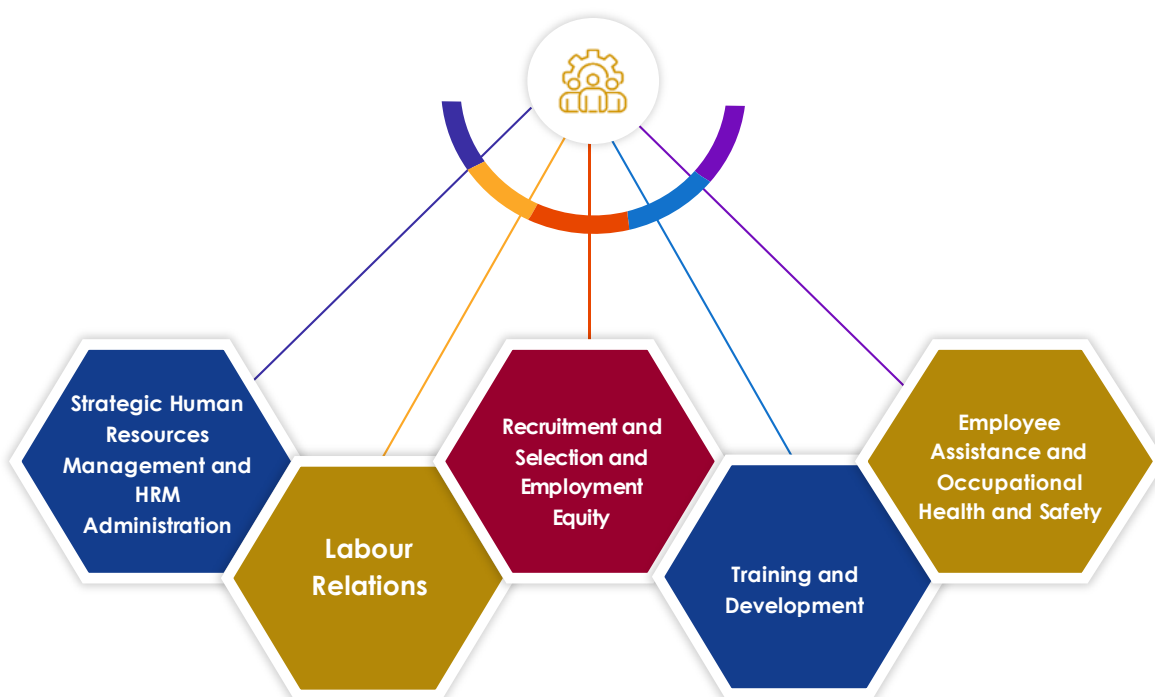


The Department: Human Resources Management objectives for Stellenbosch Municipality include, but are not limited to:

- ✦ Helping the organisation achieve its goals;
- ✦ Ensuring effective utilisation and maximum development of human resources;
- ✦ Ensuring respect for human beings;
- ✦ Identifying and satisfying the needs of individuals;
- ✦ Ensuring reconciliation of individual goals with those of the organisation;
- ✦ Achieving and maintaining high morale among employees;
- ✦ Providing the organisation with well-trained and well-motivated employees;
- ✦ Increasing employees' job satisfaction and self-actualisation;
- ✦ Developing and maintaining the quality of work-life;
- ✦ Being ethically and socially responsive to the needs of the community;
- ✦ Developing the overall personality of each employee in its multidimensional aspect;
- ✦ Enhancing employees' capabilities to perform the present job; and
- ✦ Ensuring service excellence for the Stellenbosch municipal area.

The figure below illustrates the services rendered by the Human Resource Management Department.

Figure 25: HRM elements



Each director, manager, departmental head, superintendent, assistant superintendent, and foreman is responsible for setting objectives, delegating responsibilities and tasks, motivating staff, disciplining staff, developing skills and career paths, measuring performance, and generally guiding their staff. In these endeavours, management and line management are assisted by the Department: Human Resources Management, which provides policies, guidelines, support, systems, and specialised inputs.



The table below indicates the total number of employees in the Department: Human Resource Management as at 20 June 2024:

Table 180: Total number of employees in the Department: Human Resources Management

Job Level	Posts	Employees	Vacancies (full-time equivalents)	Vacancies (as a % of total posts)
	Number			
18 – 22	1	1	0	0
14 – 17	2	2	0	0
9 – 13	11	11	0	0
4 – 8	4	3	1	25
3 – 0	0	0	0	0
Total	18	17	1	5.5

3.23 INFORMATION AND COMMUNICATION TECHNOLOGY (ICT) SERVICES

The Department of ICT committed its time in the 2023/24 financial year to reviewing ICT contracts and the purchase and replacement of computer software and hardware to further enable the various municipal business units.

a) Highlights

- High-site wireless hardware links were procured and delivered during this time, with the plan to upgrade the municipal network to the outer-lying areas under the WC024 area. A rate tender for WAN infrastructure was approved to assist in shortening the municipality's turnaround time in commissioning new sites and improving current location services.
- Successfully drafted and awarded a tender for the upgrade of the Council Chambers' audio and conferencing electronic system.
- Enhanced security levels against malware attacks and the like by implementing and successfully commissioning the supply and installation of next-generation firewalls with unified threat management and licensing.
- Successfully rolled out fibre connectivity to office buildings to ensure solid / stable connectivity and increased capacity for needed communications to service ICT, CCTV, and electricity specialised services.
- Implemented and successfully commissioned the network and communication network across all 4 floors of the newly acquired NPK building. This required that all data and voice communications be configured to be available and secured at all times and further enable communications from the building to the data centre for needed system / server access.
- Successfully extended the services of the municipality's e-mail protection and injection system, Mimecast, by introducing DMARC (Domain-based Message Authentication, Reporting, and Conformance), which is a standard that prevents spammers from using the municipality's domain to send email without its permission—also known as spoofing.
- Introduced and successfully rolled out security awareness training using Mimecast for all computer-enabled staff by way of guided security video clips to help harden the municipality's security posture against malware attacks.
- The Global Information System ESRI GIS, in its 2nd year, developed a customer care module and revived the **Tree Application Management System** (TRAMS). ESRI GIS continued with the upgrade of the BPAMS and TPAMS and began the development of incorporating the SAMRAS electronic signature to improve turnaround times in approval across all stages with the submission of plans.



- ✦ ICT continued streamlining and securing the Microsoft Office 365 and Windows 10 migration to improve collaboration within and between directorates by introducing added functionality within Teams and OneDrive.
- ✦ Went out to the market to procure storage, which consisted of two hosts and one Tintri vmstore storage. This has been successfully installed and is currently online and will be the replacement for multiple hosts and Tintri vmstore storage that will reach End of Service Life (EOSL) in 2025.
- ✦ Procured an additional HP core switch, which was installed in the DC room and will be used to connect various devices that require network access in the server room. This will drastically reduce the strain on the current HP core.
- ✦ ICT, in conjunction with the Collaborator service provider, successfully upgraded Collaborator to the latest version.
- ✦ Replaced faulty UPS in ICT offices that had multiple battery failures with new upgraded UPS.
- ✦ Assisted the Electrical Engineering Department and service provider with the SCADA project, which included the installation and implementation of 2 SCADA servers at the ITC DC server room on the ground floor.
- ✦ Successfully relocated the DR site from Teraco Rondebosch to Teraco Brackenfell with the new service provider.

3.23.1 SERVICE STATISTICS – INFORMATION AND COMMUNICATION TECHNOLOGY (ICT)

Table 181: Service Statistics – ICT

Details	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
	%						
Ensure the availability of the network to ensure effective ICT systems for municipal processes.	99.9	99	99	99	99	99	99
Provide ICT support to all municipal departments by attending to requests within 4 working days.	98	98	98	98	98	98	98
Connecting all municipal sites to the ICT network.	100	100	100	100	100	100	100

The table below indicates the capital expenditure for the Department: ICT as at 30 June 2024.

Table 182: Capital expenditure - ICT services as at 30 June 2024

Capital Projects	Adjustment Budget	Actual Expenditure	Variance from the Adjustment Budget %
	R'000		
Purchase and Replacement of Computer / software and Peripheral devices	1 286	1 286	0%
Upgrading Communication Network	1 300	1 300	0%
Upgrade and Expansion of IT Infrastructure Platforms	5 714	5 264	7.88%
Server Storage expansion and upgrades	4 645	4 645	0%
Fibre Optic Implementation	1 909	1 908	0.05%

The Department: ICT has spent 97% of its capital budget for the financial year.



The table below indicates the number of employees in the Department: ICT as at 30 June 2024.

Table 183: Total number of employees in the Department: ICT

Job Level	Posts	Employees	Vacancies (full-time equivalents)	Vacancies (as a % of total posts)
	Number			
18 – 22	1	1	0	0
14 – 17	2	1	1	50
9 – 13	8	7	1	12.5
4 – 8	0	0	0	0
3 – 0	0	0	0	0
Total	11	9	2	18.2

3.24 LEGAL SERVICES

The Section: Legal Services, in conjunction with user departments, ensures and manages the implementation, monitoring, evaluation, and reporting of key service delivery objectives concerning Legal Services. During the year under review, 45 cases were registered at the High Court, Labour Court, and Magistrate's Court.

a) The main objectives are the following:

- ✦ Advise and manage litigations instituted by the municipality and against it;
- ✦ Provide legal advice, opinions, and input on policies, contracts, agreements, memorandums, legislation, bylaws, and regulations;
- ✦ Advising the Municipal Council, Mayco, and Portfolio Committees on items submitted to meetings;
- ✦ Ensuring bylaws are promulgated after consultation with user departments and approved by the Council; and
- ✦ Attend to new legislation and proclamations for comment as and when required.

b) Challenges:

- ✦ To deal with urgent requests for legal input to the Sections 79 and 80 committees;
- ✦ Lack of skilled administrative support for the Chief Legal Advisor; and
- ✦ Availability of a well-maintained legal library and reference resources.

The table below indicates the total number of employees in the Section: Legal Services as at 30 June 2024.

Table 184: Total number of employees in the Section: Legal Services

Job Level	Posts	Employees	Vacancies (full-time equivalents)	Vacancies (as a % of total posts)
	Number			
18 – 22	1	1	0	0
14 – 17	0	0	0	0
9 – 13	0	0	0	0
4 – 8	1	0	1	100
3 – 0	0	0	0	0
Total	2	1	1	50



3.25 MUNICIPAL COURT – ADDITIONAL COURT - STELLENBOSCH

The Municipal Court is responsible for the following prosecutions:

- ✦ Traffic bylaws;
- ✦ Provincial traffic bylaws;
- ✦ SAPS bylaws;
- ✦ Law enforcement bylaws;
- ✦ Fire bylaws;
- ✦ Building and Land Use Regulations, and all other bylaw contraventions;
- ✦ Electrical Bylaws; and
- ✦ Noise pollution.

a) **Mission Statement of the Municipal Court**

The Municipal Court aims to: -

- ✦ promote justice and service delivery;
- ✦ enhance revenue to invest in the community;
- ✦ “*Let Justice be seen to be done*”; and
- ✦ minimise crime and have a safer Stellenbosch.

The Municipal Court was established to:

- ✦ Support and secure good governance;
- ✦ Ease the burden on regular courts;
- ✦ Increase the speed of services;
- ✦ Allow for more successful prosecutions by applying specialist knowledge;
- ✦ Improve communications between the bylaw prosecutors and enforcers;
- ✦ Support bylaw enforcement;
- ✦ Ensure a user-friendly court; and
- ✦ Keeps members of the public who committed a minor crime (such as a traffic offence) away from hardened criminals.

The municipality is also looking into having an ad hoc court in Franschhoek / Klapmuts in the near future. This could be another boost for the Municipal Court's service to the community. Prosecuting some of the cases in the Paarl Magistrate's Court is also currently being considered.

The introduction of the Municipal Court has been an essential, strategic implementation that will benefit the whole community of Stellenbosch.



3.25.1 STATISTICAL REPORT – CASE LOAD

Table 185: Statistical Report Caseload 2023/24

Months:	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
Cases on the roll	1 018	1 698	1 312	1 946	1 470	725	1 171	2 046	1 921	2 863	2 699	1 985
Withdrawn	9	3	1	1	0	2	2	2	3	1	31	0
Struck off the role	187	266	198	320	257	82	137	290	269	577	262	198
Warrants authorised	835	1 414	1 084	1 581	1 188	725	982	2 030	1 424	1 679	2 356	1 738
Deferment	0	0	0	0	0	0	0	0	0	0	0	0
Payments	5	17	13	30	15	11	29	22	46	31	225	39
Postponed	8	14	13	23	10	18	27	60	102	61	9	28
Mediations	0	0	0	0	0	0	0	0	0	0	0	0

3.25.2 FINANCIAL REPORT OF THE MUNICIPAL COURT 2023/24

Table 186: Financial Report of the Municipal Court 2023/24

Month	Traffic Fines	SAPS Fines	Law Enforcement Fines	Contempt of Court Fines	Provincial Fines	Electricity	Building	Total Amount
Jul	R413 900	R0	R3 950	R70 500	R900	R0	R12 000	R501 250
Aug	R560 610	R0	R1 800	R110 100	R6 550	R0	R13 000	R692 060
Sep	R545 260	R180	R1 000	R101 700	R750	R900	R4 000	R653 790
Oct	R656 930	R400	R1 400	R137 000	R500	R0	R2 500	R798 730
Nov	R746 480	R250	R1 150	R130 800	R1 300	R0	R4 500	R884 480
Dec	R714 110	R0	R3 000	R121 800	R4 850	R0	R2 500	R846 260
Jan	R559 950	R500	R950	R111 250	R4 500	R0	R3 000	R680 150
Feb	R758 800	R1 850	R1 450	R162 700	R5 600	R3 500	R7 500	R929 800
Mar	R939 800	R1 250	R1 750	R150 300	R1 000	R0	R4 000	R1 098 100
Apr	R641 560	R0	R650	R95 800	R3 350	R0	R16 500	R757 860
May	R782 960	R0	R970	R119 100	R5 800	R0	R9 200	R918 030
June	R682 430	R0	R850	R120 150	R2 000	R1 000	R10 500	R816 930
Total	R8 002 970	R4 430	R18920	R1 431 200	R37 100	R5 400	R89 200	R9 577 440

The table below indicates the total number of employees in the Section: Municipal Court as at 30 June 2024.

Table 187: Total number of employees in the Section: Municipal Court

Job Level	Posts	Employees	Vacancies (full-time equivalents)	Vacancies (as a % of total posts)
	Number			
18 – 22	1	1	0	0
14 – 17	0	0	0	0
9 – 13	0	0	0	0
4 – 8	5	3	2	40
3 – 0	0	0	0	0
Total	6	4	2	33.3



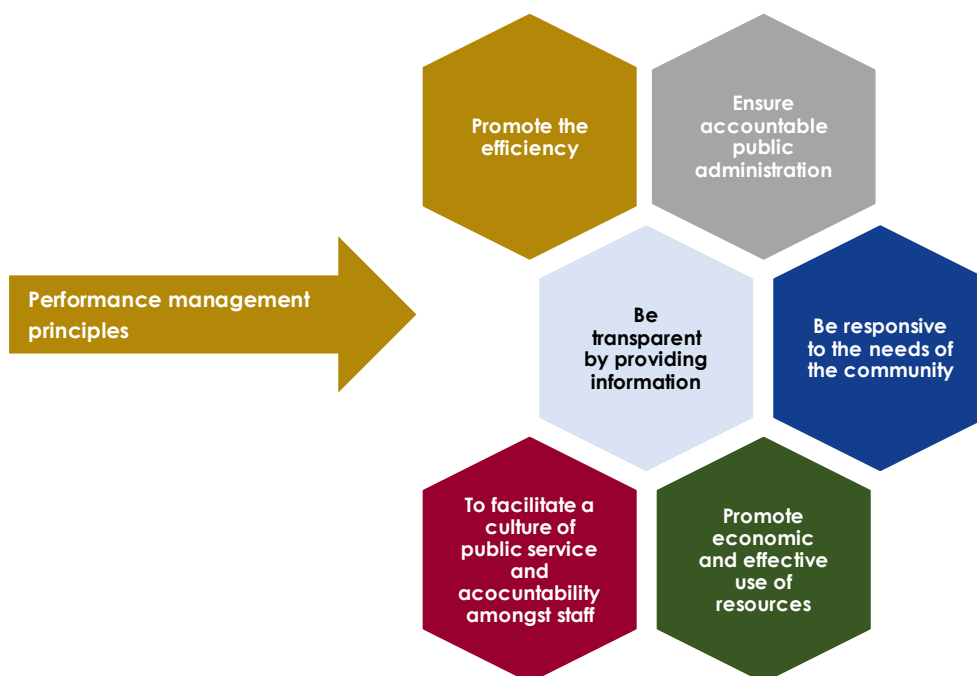
COMPONENT H: ORGANISATIONAL PERFORMANCE SCORECARD

3.26 PERFORMANCE MANAGEMENT

Performance management is defined as a management mechanism through which a municipality can plan, manage, monitor, and review the performance of the municipality and its employees to measure the progress made in achieving the objectives set out in the Integrated Development Plans (IDPs) and further measure the efficiency, effectiveness, and impact of its service delivery.

Section 152 of the Constitution of the Republic of South Africa, 1996, deals with the objectives of local government and paves the way for performance management. The idea of an accountable government is important to meet the needs of Stellenbosch. The democratic values and principles in terms of Section 195(1) of the Constitution are also linked with the concept of performance management, concerning the principles of the following, among others:

Figure 26: Performance Management Principles



It is a statutory requirement, according to the MSA, to establish a performance management system and an IDP that must be aligned with the municipal budget. The monitoring of the organisational performance of the budget must be done against the IDP every quarter via the Service Delivery and Budget Implementation Plan (SDBIP). The report is made public after the council has been informed of the quarterly progress against set targets.

In addition, Regulation 7(1) of the Local Government: Municipal Planning and Performance Management Regulations of 2001 states that "A Municipality's Performance Management System entails a framework that describes and represents how the municipality's cycle and processes of performance planning, monitoring, measurement, review, reporting, and improvement will be conducted, organised, and managed, including determining the roles of the different role players." Performance management is not only relevant to the organisation but also to the individuals employed in the organisation, as well as the external service providers and municipal entities. This framework, inter alia, reflects the linkage between the IDP, the Budget, and the SDBIP.



3.26.1 LEGISLATIVE REQUIREMENTS

In terms of Section 46(1)(a) of the MSA, a municipality must prepare a performance report for each financial year that reflects the municipality's and any service provider's performance during the financial year. The report must furthermore indicate the development and service delivery priorities, the performance targets set by the municipality for the following financial year, and measures that were or are to be taken to improve performance.

3.26.2 ORGANISATIONAL PERFORMANCE

A strategic performance assessment indicates how well the municipality is meeting its objectives and which policies and processes are working. All government institutions must report on strategic performance to ensure that service delivery is efficient, effective, and economical. Municipalities must develop strategic plans and allocate resources for their implementation. The implementation must be monitored on an ongoing basis, and the results must be reported to various role players during the financial year to enable them to implement corrective measures when and where required.

This report highlights the strategic performance in terms of the municipality's Top-layer Service Delivery and Budget Implementation Plan (SDBIP), high-level performance in terms of the strategic objectives of the municipality, and performance on the National Key Performance Indicators prescribed in terms of Section 43 of the MSA.

3.26.3 GOVERNANCE FRAMEWORK FOR THE IDP, BUDGET, AND PERFORMANCE MANAGEMENT

The draft review of the 5th Generation IDP was tabled in March 2023 and advertised for public comment thereafter. Stellenbosch Municipal Council adopted the 5th Generation IDP (2022 / 2027) together with the 2023/24 MTREF Budget on 31 May 2023.

The IDP is the principal planning instrument that guides and informs the municipal budget. The MSA requires each municipality in South Africa to prepare a strategic plan to guide all development and management within the municipal area. The IDP sets out the development priorities of Stellenbosch Municipality over the next five years. The IDP must guide and determine municipal planning and project implementation. The 2023/24 budget was based on the IDP and other spheres of government and service providers.

The IDP is a strategic tool that guides all the activities of local government in consultation with residents and stakeholders. In keeping with the more evolved and strategic approach to this IDP, the implementation plan focuses on only the key strategic programmes, projects, and initiatives that will support the achievement of the priorities during the five-year term of office. Its focus is on development in a broader sense, and it is a structured plan that informs budget priorities, decision-making, and the allocation of resources.

The focus of the IDP is varied and includes the provision of basic municipal services, measures for building and transforming municipal capacity, measures to assist in expanded livelihood opportunities for citizens, enterprise development, building dignified and safe living environments, and, crucially, exploring new ways of working and living together. It directs and is informed by different aspects of the municipality's work, including how the municipality is structured politically and administratively, the municipal budget, the sector plans and service delivery and budget implementation plans of different municipal services, and how the municipality manages its performance.



The three-year budget sets out the revenue-raising and expenditure plan of the municipality for approval by the Council under the MFMA. The allocation of funds needs to be aligned with the priorities in the IDP.

The IDP must be reflected in the performance agreements of the relevant staff and, through the budget, in the service delivery and budget implementation plan (SDBIP). The key performance management instrument of the municipality is the SDBIP. Linked to the IDP, the SDBIP forms the basis of the performance contracts of directors and quarterly, mid-year, and annual performance reviews of senior management, directorates, and the municipality.

3.26.4 SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN

The organisational performance is evaluated using a municipal scorecard (Top-layer SDBIP). Performance objectives, as reflected in the municipal scorecard, are required to be practical, measurable, and based on the key performance indicators.

It also allocates responsibility to directorates to deliver the services in terms of the IDP and the budget.

The purpose of performance reporting is to report specifically on the implementation and achievement of IDP outcomes. This section should provide an overview of the achievements of a municipality in terms of the strategic intent and deliverables achieved as stated in the IDP. The Top-layer (strategic) SDBIP is the municipality's strategic plan and shows the strategic alignment between the different documents (IDP, budget, and performance agreements).

The organisational performance is evaluated using a Municipal Scorecard (TL SDBIP) at an organisational level and through the Service Delivery and Budget Implementation Plan (SDBIP) at departmental levels.

The SDBIP is a plan that converts the IDP and Budget into measurable indicators of how, where, and when the strategies, objectives, and normal business processes of the municipality are implemented. It also allocates responsibilities to directorates to deliver the services in terms of the IDP and Budget.

MFMA Circular No. 13 is a clarification of the Municipal Budget and Reporting Regulations, Schedule A 1, GenN 393 in GG32141 of 2009, and prescribes that the:

- ✦ IDP and Budget must be aligned;
- ✦ The Budget must address the strategic priorities;
- ✦ SDBIP should indicate what the municipality is going to do during the next 12 months; and
- ✦ SDBIP should form the basis for measuring the performance against goals set during the budget / IDP processes.

3.26.4.1 The Municipal Scorecard (Top-layer SDBIP)

The municipal scorecard (Top-layer SDBIP) consolidates service delivery targets set by the Council as advised by senior management and provides an overall picture of the performance of the municipality, reflecting performance in its strategic priorities for the 2023/24 financial year. The scorecard is the performance evaluation tool and is used during informal and formal performance reviews.

A one-year detailed plan with the following components:

- ✦ Monthly projections of revenue to be collected from each source;
- ✦ Monthly projections of expenditure (operating and capital) and revenue for each vote;



- ✦ Quarterly projections of service delivery targets and performance indicators for each vote;
- ✦ Ward information for expenditure and service delivery; and
- ✦ A detailed capital works plan broken down by ward over three years.

Top-layer KPIs were prepared based on the following:

- ✦ Key performance indicators (KPIs) for the programmes / activities identified to address the strategic objectives as documented in the IDP in cooperation with the community, which identify developmental priorities;
- ✦ KPIs identified during the IDP and KPIs that need to be reported to key municipal stakeholders; and
- ✦ KPIs to address the required national minimum reporting requirements.

3.26.4.2 Amendment of the Top-layer SDBIP

The TL SDBIP 2023/24 was reviewed once during the financial year under review and submitted to the Council for approval on 20 June 2023 and revised on 25 January 2024.

The municipality utilises a web-based, real-time, performance-based system on which KPI owners update actual performance monthly. KPI owners report on the results of the KPI by documenting the following information on the performance system:

- ✦ The actual result in terms of the target set;
- ✦ A performance comment; and
- ✦ Actions to improve performance include the submission of corrective measures to meet the set target for the reporting interval in question if the target is not achieved.

It is the responsibility of every KPI owner to maintain a portfolio of evidence to support actual performance results that are updated and provided to the internal auditor and AGSA upon request during the quarterly and annual audit testing.

3.26.4.3 Monitoring of the Service Delivery and Budget Implementation Plan (SDBIP)

Municipal performance is measured as follows:

In terms of section 72(1)(a) of the MFMA:

- ✦ The accounting officer must, by 25 January of each year, assess the performance of the municipality during the first half of the financial year;
- ✦ A report on such an assessment must, in terms of Section 72(1)(b) of the MFMA, be submitted to the Mayor, Provincial, and National Treasury; and
- ✦ Once the Mayor has considered the report, it must be submitted to the Council by 31 January in terms of Section 54 of the MFMA.

Quarterly assessment in terms of Section 52(d) of the MFMA:

- ✦ Assess the performance of the municipality during the first half of the financial year.

The Executive Mayor, who must provide general political guidance over the fiscal and financial affairs of the municipality, is required by Section 52(d) of the MFMA to submit a report on the implementation of the budget and the financial situation of the municipality to the Council within 30 days after the end of each quarter.



The actual performance was audited by the Department: Internal Audit (IA), and the results of their findings were submitted to the APAC:

- ✦ Quarter 1 (July to September);
- ✦ Quarter 2 (October to December);
- ✦ Quarter 3 (January to March); and
- ✦ Quarter 4 (April to June).

Other municipal personnel

The municipality has implemented individual performance management for employees at the three highest levels of management.

Municipal Manager and Managers Directly Accountable to the Municipal Manager

The MSA prescribes that the municipality must enter into performance-based agreements with the municipal manager and managers directly reporting to the municipal manager, i.e., MSA Section 56 managers. Performance agreements must be reviewed annually and published in the public interest. This process and the format are further regulated by Regulation 805 (August 2006), MSA.

The revised (latest) performance plans for the municipal manager and MSA Section 56 appointments for the 2023/24 financial year were signed on 26 February 2024 as prescribed. They include performance agreements for the:

- ✦ Municipal Manager;
- ✦ Chief Financial Officer;
- ✦ Director: Corporate Services;
- ✦ Director: Planning and Local Economic Development;
- ✦ Director: Community and Protection Services; and
- ✦ Director: Infrastructure Services.

Table 188: Performance Management Governance

	Performance Management Policy	All MSA s57/56 Performance contracts signed	Audit Committee	Municipal Public Accounts Committee (MPAC)	Quarterly Performance Reporting to the Council	Annual Performance Reporting to the Council
In place?	√	√	√	√	√	√

In the paragraphs below, the performance achieved is illustrated against the Top-layer SDBIP according to the IDP strategic objectives. The following table explains the method by which the overall assessment of actual performance against targets set for the key performance indicators (KPIs) of the SDBIP is measured:

Table 189: Performance Assessment Criteria

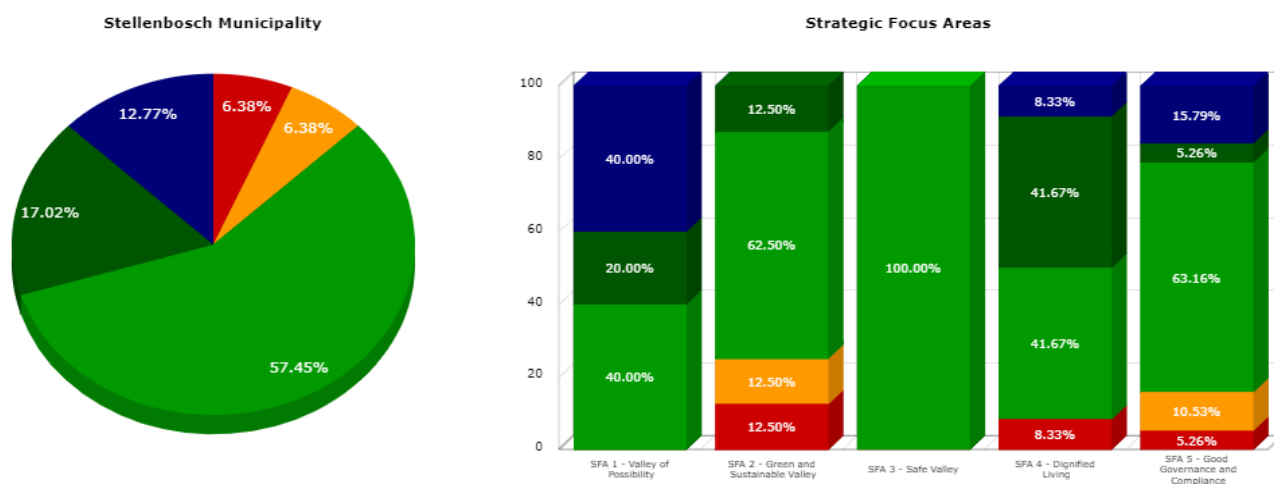
Colour	Category	Explanation
	KPI Not Yet Measured	KPIs with no targets or actual results for the selected period
	KPI Not Met	Actual vs. target less than 75%
	KPI Almost Met	Actual vs. target between 75% and 100%
	KPI Met	Actual vs. target 100% achieved
	KPI Well Met	Actual vs. target more than 100% and less than 150% achieved
	KPI Extremely Well Met	Actual vs. target of more than 150% achieved



The TL SDBIP (the Municipal Scorecard) consolidates service delivery targets set by the Council / Senior Management and provides an overall picture of performance for the municipality, reflecting performance on its strategic priorities.

3.26.4.4 Overall Performance per Municipal Strategic Focus Area

The following graph and table illustrate the municipality's overall performance per Municipal Strategic Focus Area (SFA).



Stellenbosch Municipality		Municipal Strategic Focus Areas (SFAs)				
		SFA 1 - Valley of Possibility	SFA 2 - Green and Sustainable Valley	SFA 3 - Safe Valley	SFA 4 - Dignified Living	SFA 5 - Good Governance and Compliance
KPI Not Yet Measured	-	-	-	-	-	-
KPI Not Met	3 (6.38%)	-	1 (12.50%)	-	1 (8.33%)	1 (5.26%)
KPI Almost Met	3 (6.38%)	-	1 (12.50%)	-	-	2 (10.53%)
KPI Met	27 (57.45%)	2 (40%)	5 (62.50%)	3 (100%)	5 (41.67%)	12 (63.16%)
KPI Well Met	8 (17.02%)	1 (20%)	1 (12.50%)	-	5 (41.67%)	1 (5.26%)
KPI Extremely Well Met	6 (12.77%)	2 (40%)	-	-	1 (8.33%)	3 (15.79%)
Total:	47	5	8	3	12	19
	100%	10.64%	17.02%	6.38%	25.53%	40.43%

Table and Graph 190: Overall performance per SFA - 01 July 2023 – 30 June 2024



CHAPTER 4: ORGANISATIONAL DEVELOPMENT PERFORMANCE

4.1 INTRODUCTION TO THE MUNICIPAL WORKFORCE

Stellenbosch Municipality, as of 30 June 2024, employed **1 151** officials (excluding councillors and non-permanent positions) who individually and collectively contributed to the achievement of the municipality's objectives. The primary objective of Human Resource Management is to render an innovative HR service that addresses both skills development and an administrative function.

4.1.1 EMPLOYMENT EQUITY

The Employment Equity Act, 1998 (Act No. 55 of 1998), Chapter 3, Section 15(1), states that affirmative action measures are measures designed to ensure that suitably qualified people from designated groups have equal employment opportunities and are equitably represented in all occupational categories and levels in the workforce of a designated employer. The national performance indicator also refers to the "number of people from employment equity target groups employed in the three highest levels of management in compliance with a municipality's approved employment equity plan." The following table provides clarity on the employment equity status.

Table 191: EE Targets / Actual by Racial Classification

Financial Year	African			Coloured			Indian			White		
	Target June	Actual June	Target reached	Target June	Actual June	Target reached	Target June	Actual June	Target reached	Target June	Actual June	Target reached
2018/19	334	372	111.4%	497	651	131%	23	4	17%	75	94	125.3%
2019/20	334	383	111.4%	497	680	137%	23	4	17%	75	96	128%
2020/21	334	395	118.3%	497	660	132.8%	23	4	17%	75	83	110.67%
2021/22	334	387	115.9%	497	671	135.01%	23	4	17%	75	79	105.3%
2022/23	334	391	117%	497	674	135.6%	23	4	17.4%	75	78	104%
2023/24	334	409	122%	497	665	133%	23	5	21.7%	75	72	96%

Table 192: Targets / Actual by Gender Classification

Financial Year	Male			Female			Disability		
	Target June	Actual June	Target reached	Target June	Actual June	Target reached	Target June	Actual June	Target reached
2018/19	681	750	110.1%	670	371	55.3%	10	10	100%
2019/20	681	760	111.6%	670	398	59.4%	10	10	100%
2020/21	681	737	108.22%	670	405	60.45%	10	10	100%
2021/22	681	735	107.9%	670	406	60.6%	10	10	100%
2022/23	681	727	106.7%	670	420	62.5%	10	6	60%
2023/24	681	715	104.9%	670	437	65.2%	10	4	40%



4.1.2 OCCUPATIONAL CATEGORIES - RACE

The table below categorises the number of employees by race within the occupational levels.

Table 193: Occupational Categories – Race

Occupational Levels	Male				Female				Total
	A	C	I	W	A	C	I	W	
Top Management and Councillors	12	14	1	3	6	2	0	11	49
Senior management	0	6	0	4	1	2	0	0	13
Professionally qualified and experienced specialists and mid-management	8	26	1	10	11	14	1	10	81
Skilled technical and academically qualified workers, junior management, supervisors, foremen, and superintendents	53	11	2	26	64	93	0	15	368
Semi-skilled and discretionary decision-making	79	158	0	4	66	94	0	2	403
Unskilled and defined decision-making	98	121	0	0	29	32	0	0	280
Total permanent	250	440	4	54	170	237	1	38	1 194
Non-permanent employees (incl. EPWP, conditional grants, and provincial grants)	18	9	0	2	31	44	0	2	106
Grand total	268	449	4	56	201	281	1	40	1 300

4.1.3 DIRECTORATES BY RACE

The table below categorises the number of employees by race within the different Directorates:

Table 194: Directorates by Race

Directorate	Male				Female				Total
	A	C	I	W	A	C	I	W	
Office of the Mayor	12	11	0	3	6	1	0	10	43
Office of the Municipal Manager	0	2	0	1	4	5	0	2	14
Financial Services	10	36	1	2	23	49	0	4	124
Planning and Economic Development	7	21	0	7	20	27	0	8	90
Corporate Services	6	21	0	1	14	21	0	5	68
Community and Protection Services	73	132	1	20	65	95	1	6	393
Infrastructure Services	142	217	2	20	44	40	0	3	462
Total permanent	250	440	4	54	170	237	1	38	1 194
Non-permanent employees (incl. EPWP, conditional grants, and provincial grants)	18	9	0	2	31	44	0	2	106
Grand total	268	449	4	56	201	281	1	40	1 300



4.1.4 VACANCY RATE

The approved organogram (2017/2019) has a total of **1996** posts. The actual positions filled in the 2023/24 financial year are indicated in the tables below by post-level and functional level.

A total of **115** posts were vacant and funded at the end of 2023/24, resulting in a vacancy rate of **9.16%**.

The table below indicates the vacancies within the municipality:

Table 195: Vacancy rate per post and functional level

Per Post Level		
Post Level	Filled	Vacant
Top Management (MM and MSA section 57 Managers)	6	0
Senior Management	13	0
Middle management	81	12
Skilled technical and academically qualified workers, junior management, supervisors, foremen and superintendents	368	44
Semi-skilled	403	46
Unskilled and defined decision-making	280	13
Total	1 151	115
Per Functional Level		
Functional area	Filled	Vacant
Office of the Mayor	43	0
Office of the Municipal Manager	14	2
Financial Services	124	14
Planning and Economic Development	90	10
Corporate	68	20
Community and Protection Services	393	29
Infrastructure Services	462	40
Total	1 194	115



4.1.5 TURNOVER RATE

A high turnover rate may be costly to a municipality and might negatively affect productivity, service delivery, and institutional memory / organisational knowledge. Below is a table that shows the turnover rate in the municipality.

The table below indicates the turnover rate over the last four financial years.

Table 196: Turn-over Rate

Financial year	Total no appointments at the end of each Financial Year	New appointments	Number of terminations during the year	Turn-over Rate
2018/19	1 121	55	39	3.47%
2019/20	1 158	60	51	4.40%
2020/21	1 142	48	61	5.34%
2021/22	1 140	82	82	7.19%
2022/23	1 137	96 (incl promotion)	71	6.2%
2023/24	1 148	72 (New) 39 (Promotions)	70	6.1%

4.1.6 MANAGING THE MUNICIPAL WORKFORCE

Managing the municipal workforce refers to analysing and coordinating employee behaviour.

An occupational injury is a personal injury, disease, or death resulting from an occupational accident. Compensation claims for such occupational injuries are calculated according to the seriousness of the injury / disease and can be costly to a municipality. An occupational injury will influence the loss of man-hours and, therefore, financial and productivity performance.

Table 197: Injuries per Directorate

Directorates	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
Office of the Municipal Manager	1	0	0	0	0	0	1
Financial Services	0	0	2	4	0	0	6
Planning and Economic Development Services	3	3	2	10	12	10	2
Corporate Services	1	1	7	9	5	7	5
Community and Protection Services	73	49	36	21	35	64	59
Infrastructure Services	42	32	42	77	57	69	56
Total	125	86	92	121	109	150	129

Injuries in operational services are normally higher due to the nature of work and the constant handling of equipment and machinery.



4.1.7 SICK LEAVE

The number of sick days taken by employees has an impact on costs and service delivery. The monitoring of sick leave identifies certain patterns or trends. Once patterns of concern are identified, corrective actions are taken.

The total number of employees that have taken sick leave during the **2023/24** financial year shows a decrease of **733.43** working days when compared to the **2022/23** financial year.

The table below indicates the total number of sick leave days taken within the different directorates.

Table 198: Table 185: Sick Leave as at 30 June 2024

Directorate	2022/23	2022/23 (%)	2023/24	2023/24 (%)
Office of the Municipal Manager	83	19.45	106	28.39
Financial Services	667	21.75	660.62	19.98
Planning and Economic Development	449	21.59	391.22	16.30
Corporate Services	480.79	25.76	391.5	21.59
Community and Protection Services	1 915.93	19.21	1 792.28	17.10
Infrastructure Services	2 181.51	19.20	2 093.68	16.99
Total	5 777.23	21.16	5 043.80	20.06

4.1.8 HUMAN RESOURCES POLICIES AND PLANS

Policies and plans guide fair and consistent staff treatment and a consistent approach to the management of staff.

The table below shows the status of the Human Resources policies and plans:

Table 199: Approved Policies for the year under review

Name of policy	Date approved / revised
Leave Policy	16 February 2024
Acting Policy	16 February 2024
Cellphone Policy	16 February 2024
Attendance and Punctuality	16 February 2024
Motor Vehicle Allowance	April 2024
Housing Policy	May 2024
Incapacity	16 February 2024
Work-related functions	16 February 2024
Sexual Harassment	April 2024
Internal Bursaries	16 February 2024
External Bursaries	16 February 2024
Student Assistance	April 2024
Occupational Health and Safety	16 February 2024
Employee Assistance	16 February 2024
Substance Abuse	April 2024
Smoking Policy	May 2024
Diversity	April 2024
Performance Management	November 2023



The Department: Human Resources Management submits policies to the Local Labour Forum regularly for review purposes.

4.1.9 CAPACITY BUILDING OF THE MUNICIPAL WORKFORCE

The Skills Development Act, 1998 (Act No. 97 of 1998) and the MSA require that employers supply employees with the necessary training to develop their human resource capacity. Section 55(1)(f) states that, as head of administration, the Municipal Manager is responsible for the management, utilisation, and training of staff.

4.1.10 SKILLS MATRIX

The table below indicates the number of employees who received training in the year under review.

Table 200: Number of employees that received training

Management level	Gender	Number of employees identified for training at the start of the year	Number of employees that received training
MM and S57	Female	0	0
	Male	1	1
Legislators, senior officials, and managers	Female	12	1
	Male	10	6
Professionals	Female	4	6
	Male	2	2
Associate professionals and Technicians	Female	16	8
	Male	36	10
Community and Personal Services	Female	0	0
	Male	0	0
Clerks	Female	31	9
	Male	19	11
Service and sales workers	Female	50	16
	Male	84	44
Skilled, Agricultural, Fishery, Craft, and Related Trades Workers	Female	3	3
	Male	39	22
Plant and machine operators and assemblers	Female	0	0
	Male	29	12
Elementary occupations	Female	19	6
	Male	176	38
Sub-total	Female	135	49
	Male	396	146
Total		531	195



4.1.11 SKILLS DEVELOPMENT – TRAINING PROVIDED AND BUDGET ALLOCATION

The table below indicates that a total of **R 6 143 421** was spent on the workplace skills plan. This represents **95%** when compared to the total salary budget of the municipality in the 2023/24 financial year.

Table 201: Budget allocated and spent for skills development

Year	Total personnel budget	Total Allocated	Total Spend	% Spent
	R	R	R	
2020/21	R 532 497 021	R 532 497 021	R 3 300 217	0.62%
2021/22	R 598 305 199	R 5 838 508	R 3 267 622	0.55%
2022/23	R 588 075 877	R 4 500 000	R 4 805 444	0.82%
2023/24	R 622 332 797	R 4 590 000	R 5 186 870	1.13%

4.1.12 MANAGING THE MUNICIPAL WORKFORCE EXPENDITURE

4.1.12.1 Personnel Expenditure

The percentage of personnel expenditure is essential in the budgeting process as it reflects current and future efficiency. The table below indicates the percentage of the municipal budget that was spent on salaries and allowances for the past five financial years, and the municipality is well below the national norm of between 35 to 40%.

Table 202: Personnel Expenditure as % of Total Operating Expenditure

Financial year	Total expenditure salary and allowances	Total operating expenditure	Percentage
	R		%
2017/18	407 801	1 307 335	31%
2018/19	444 711	1 508 629	29%
2019/20	481 583	1 661 441	29%
2020/21	544 391	1 809 977	30%
2021/22	550 719	1 925 898	29%
2022/23	542 779	1 947 880	28%
2023/24	631 802	2 241 787	28%

Below is a summary of councillor and staff benefits for the year under review.

Table 203: Councillor and staff benefits

Financial year	2022/23	2023/24		2023/24
Description	Actual	Original Budget	Adjusted Budget	Actual
	R'000			
Councillors (Political Office Bearers Plus Other)				
Salary	19 152	18 759	18 759	18 816
Pension Contributions	511	495	495	518
Medical Aid Contributions	115	133	133	102
Motor Vehicle Allowance	985	763	763	961
Cell Phone and Other Allowances	2 002	1 946	1 946	2 223
Sub-Total - Councillors	22 765	22 096	22 096	22 620



Financial year	2022/23	2023/24		2023/24
Description	Actual	Original Budget	Adjusted Budget	Actual
	R'000			
% Increase / (Decrease) on Actual	12.96%	10.32%	10.32%	12.40%
Other Municipal Staff				
Basic Salaries and Wages	347 682	371 655	362 287	369 228
Pension and UIF Contributions	59 000	63 933	68 013	63 117
Medical Aid Contributions	27 108	28 434	30 528	29 853
Overtime	40 403	38 107	40 740	44 954
Performance Bonus	1 249	1 472	1 658	1 088
Motor Vehicle Allowance	8 857	12 006	12 959	9 837
Cellphone Allowance	2 172	2 746	2 990	2 274
Housing Allowances	2 716	3 057	3 232	2 744
Other benefits and allowances	46 349	60 903	63 977	71 958
Payments instead of leave	-42	7 523	7 523	5 751
Other Municipal staff				
Long service awards	5 150	2 402	2 402	5 375
Post-retirement benefit obligations	2 136	25 456	26 022	25 623
Sub-Total - Other Municipal Staff	542 779	617 694	622 331	631 802
% Increase / (Decrease)	-1.46%	10.84%	11.51%	12.83%
Total municipality	565 544	639 790	644 427	654 422
% Increase / (Decrease)	-088%	10.82%	11.47%	12.82%



CHAPTER 5: FINANCIAL PERFORMANCE

COMPONENT A: STATEMENTS OF FINANCIAL PERFORMANCE

The Statement of Financial Performance provides an overview of the financial performance of the municipality and focuses on the financial health of the municipality.

5.1 FINANCIAL SUMMARY

The table below indicates a summary of the financial performance for the 2023/24 financial year.

Table 204: Financial Performance

Description	2022/23	2023/24			2023/24 Variance	
	Actual	Original Budget	Adjustment Budget	Actual	Original Budget	Adjustment Budget
	R'000				%	
Financial Performance						
Property rates	444 035	473 589	473 589	484 454	-2.29%	-2.29%
Service charges	1 138 698	1 315 591	1 306 867	1 289 135	2.01%	1.36%
Investment revenue	42 250	41 193	44 168	57 312	-39.13%	-29.76%
Transfers recognised - operational	211 107	240 911	225 163	230 231	4.43%	-2.25%
Other own revenue	264698	213 644	270 474	291 594	-36.49%	-7.81%
Total revenue (excluding capital transfers and contributions)	2 100 788	2 284 928	2 320 261	2 352 726	-2.97%	-1.40%
Employee costs	542 779	617 694	623 836	631 802	-2.28%	-1.28%
Remuneration of councillors	22 765	22 097	22 097	22 620	-2.37%	-2.37%
Depreciation and asset impairment	231 679	220 283	239 799	204 290	7.26%	14.81%
Finance charges	59 928	59 688	68 935	63 411	-6.24%	8.01%
Materials and bulk purchases	544 002	636 393	636 393	658 227	-3.43%	-3.43%
Transfers and grants	17 758	20 636	20 199	21 324	-3.33%	-5.57%
Other expenditure	528 968	681 559	749 120	640 112	6.08%	14.55%
Total Expenditure	1 947 880	2 258 350	2 360 379	2 241 786	0.73%	5.02%
Surplus / (Deficit)	152 908					
Transfers recognised - capital	100 335	103 856	135 828	106 864	-2.9%	21.3%
Contributions recognised - capital and contributed assets	0	—	—	5 136	-	0%
Surplus / (Deficit) after capital transfers and contributions	253 243	130 434	95 710	222 939	-71%	-133%
Capital expenditure and funds sources						
Capital expenditure						
Transfers recognised - capital	8 3467	103 856	135 828	106 533	-2.58%	21.57%
Public contributions and donations	0				0%	0%
Borrowing	100 335	200 000	146 884	137 739	31.13%	6.23%
Internally generated funds	137 704	200 944	209 014	182 886	8.99%	12.50%
Total sources of capital funds	321 506	504 800	491 726	427 158	15.38%	13.13%
Financial position						
Total current assets	955 338	812 698	962 448	1 053 537	-29.63%	-9.46%
Total non-current assets	6 076 313	6 443 332	6 330 437	6 291 559	2.36%	0.61%
Total current liabilities	498 795	448 318	493 183	517 751	-15.49%	-4.98%



Description	2022/23	2023/24			2023/24 Variance	
	Actual	Original Budget	Adjustment Budget	Actual	Original Budget	Adjustment Budget
	R'000				%	
Total non-current liabilities	733 525	1 059 662	906 942	827 907	21.87%	8.71%
Community wealth / equity	5 799 331	5 748 050	5 892 760	5 999 439	-4.37%	-1.81%
Net cash from (used) operating	433 938	428 518	459 629	368 809	13.93%	19.76%
Net cash from (used) investing	-346 495	-576 970	-562 824	-547 475	5.11%	2.73%
Net cash from (used) financing	23 213	144 368	144 368	82 399	42.92%	42.92%
Cash / cash equivalents at the year-end	248 533					
Cash backing / surplus reconciliation						
Cash and investments available	580 301	428 557	621 473	606 395	-41%	2%
Application of cash and investments	361 775	284 588	284 588	358 511	-26%	-26%
Balance - surplus (shortfall)	218 526	143 969	336 886	247 884	-72%	26%
Asset management						
Asset register summary (WDV)	5 634 083	6 004 827	5 887 144	5 853 785	2.52%	0.57%
Depreciation	231 679	220 283	239 799	204 290	7.26%	14.81%
Renewal of Existing Assets	20 533	33 634	52 027	31 809	5.43%	38.86%
Repairs and Maintenance	55 115	76 789	96 144	92713	18.57%	24.59%
Free Services						
Cost of Free Basic Services provided	4 519	3 608	3 608	3 466	3.92%	3.92%
The revenue cost of free services provided	52 011	111 495	112 071	64 549	42.11%	42.40%
Households below the minimum service level						
Water:	1	1	1	-	71%	71%
Sanitation / sewerage:	1	1	1	1	-76%	-76%
Energy:	2	2	2	-	100%	100%
Refuse:	4	4	4	12	-245%	-245%
Although Households receiving refuse removal below the minimum service level may seem high, it is important to note that households below the minimum service level still receive communal refuse collection. Variances are calculated by dividing the difference between the actual and original / adjustments budget by the budget. This table is aligned.						

The table below shows a summary of performance against budgets.

Table 205: Performance against Budgets

Financial Year	Revenue				Operating expenditure			
	Budget	Actual	Diff.	%	Budget	Actual	Diff.	%
	R'000				R'000			
2016/17	1 490 495	1 534 354	43 859	2.94%	1 450 845	1 316 387	134 458	9.27%
2017/18	1 778 647	1 609 729	-168 918	-9.50%	1 575 255	1 363 953	211 302	13.41%
2018/19	1 738 394	1 629 667	-108 727	-6.25%	1 719 105	1 508 629	210 476	12.24%
2019/20	1 834 539	1 742 596	-91 943	-5.01%	1 778 284	1 661 441	116 843	6.57%
2020/21	1 930 252	1 805 680	-124 572	-6.45%	1 830 891	1 812 392	18 499	1.01%
2021/22	2 116 591	2 042 353	-74 238	-3.51%	1 977 679	1 925 898	51 781	2.62%
2022/23	2 209 698	2 201 123	8 575	0.39%	2 119 665	1 947 880	171 785	8.10%
2023/24	2 456 089	2 464 726	-8.637	-0.35%	2 359 977	2 241 787	118 190	5.01%



5.2 REVENUE COLLECTION BY VOTE

The table below indicates the Revenue collection performance by vote for the 2023/24 financial year.

Table 206: Revenue collection performance by vote

Vote Description	2022/23	2023/24			2023/24 Variance	
	Actual	Original Budget	Adjusted Budget	Actual	Original Budget	Adjustment Budget
	R'000				%	
Municipal Manager	550	–	–	–	0%	0%
Planning and Development	20 807	26 357	24 009	23 002	12.73%	4.19%
Infrastructure Services	1 405 955	1 589 956	1 626 185	1 593 728	-0.24%	2%
Community and Protection Services	188 870	164 777	196 160	184 153	-11.76%	6.12%
Corporate Services	11 557	10 179	12 553	12 196	-19.82%	2.84%
Financial Services	573 384	597 514	597 183	651 647	-9.06%	-9.12%

5.3 REVENUE COLLECTION BY SOURCE

The table below indicates the Revenue collection performance by source for the 2023/24 financial year.

Table 207: Revenue Collection by Source

Description	2022/23	2023/24			2023/24 Variance	
	Actual	Original Budget	Adjustments Budget	Actual	Original Budget	Adjustment Budget
	R'000				%	
Property rates	444 035	473 589	473 589	484 454	-2.29%	-2.29%
Service Charges	1 138 698	1 315 591	1 306 867	1 289 135	2.01%	1%
Rentals of facilities and equipment	12 373	10 604	13 014	11 056	-4.26%	15%
Interest earned - external investments	42 250	41 193	44 168	57 312	-39.13%	-30%
Interest earned - outstanding debtors	19 886	15 413	17 324	23 505	-52.50%	-36%
Interest	0	3 293	3 293	4 239	0%	0%
Sale of Goods and Rendering of Services	21 698	22 190	22 124	25 260	-13.84%	-14%
Fines	146 658	131 570	155 565	166 868	-26.83%	-7%
Licences and permits	8 408	7 872	7 994	8 149	-3.53%	-2%
Agency services	3 438	3 358	3 617	3 697	-10.11%	-2%
Transfers recognised - operational	211 107	240 911	225 163	230 231	4.43%	-2%
Transfers recognised - capital	100 335	103 856	135 828	112 001	-7.84%	18%
Other revenue	44 608	19 346	47 544	48 819	-152.35%	-3%
Gains on the disposal of PPE	0	–	–	–	0%	0%
Total Revenue (excluding capital transfers and contributions)	2 201 123	2 388 783	2 456 089	2 464 726	-3.18%	-0.35%



5.4 OPERATIONAL SERVICES PERFORMANCE

The table below indicates the operational services performance for the 2023/24 financial year.

Table 208: Operational Services Performance: Expenditure

Description	2022/23	2023/24			2023/24 Variance	
	Actual	Original Budget	Adjustments Budget	Actual	Original Budget	Adjustment Budget
	R'000					%
Operating Cost						
Water	159 960	148 236	156 544	184 225	-24.28%	-17.68%
Wastewater (Sanitation)	143 425	153 124	204 058	162 910	-6.39%	20.17%
Electricity	851 029	758 726	737 990	958 343	-26.31%	-29.86%
Waste Management	117 588	147 466	167 006	123 558	16.21%	26.02%
Housing	18 389	31 614	35 757	17 358	45.09%	51.46%
Component A: sub-total	1 290 390	1 239 166	1 301 355	1 446 394	-16.72%	-11.15%
Roads and Stormwater	8 728	114 164	123 652	22 530	80.26%	81.78%
Component B: sub-total	8 728	114 164	123 652	22 530	80.26%	81.78%
Town Planning and Spatial Planning	-	12 784	10 596	58	99.54%	99.45%
Local Economic Development	1 928	16 428	14 441	2 563	84.40%	82.25%
Component C: sub-total	1 928	29 212	25 037	2 621	91.03%	89.53%
Libraries	10 798	14 026	13 536	10 277	26.73%	24.08%
Cemeteries	4 979	6 306	6 126	1 271	79.85%	79.25%
Community development	179	17 271	17 882	800	95.37%	95.53%
Component D: sub-total	15 956	37 603	37 544	12 348	67.16%	67.11%
Environmental Protection	-	-	-	-	0%	0%
Component E: sub-total	0	0	0	0	0%	0%
Traffic services	121 920	214 927	259 639	175 649	18.28%	32.35%
Fire Services and Disaster Management	941	58 878	51 237	1 132	98.08%	97.79%
Component F: sub-total	122 861	273 805	310 876	194 266	29.05%	37.51%
Holiday Resorts and Campsites	427	602	616	12	97.97%	98.02%
Sports grounds, parks, swimming pools	1 249	86 056	78 848	1 819	97.89%	97.69%
Community Halls, Facilities and Thusong Centres	579	5 421	5 448	819	84.89%	84.97%
Component G: sub-total	2 256	92 080	84 913	2 650	97.12%	96.88%



Description	2022/23	2023/24			2023/24 Variance	
	Actual	Original Budget	Adjustments Budget	Actual	Original Budget	Adjustment Budget
	R'000					%
Office of the MM	-0	17 089	16 787	5	99.97%	99.97%
Financial Services	572 686	251 424	214 734	648 642	-157.99%	-202.07%
Administration	100 885	117 566	82 011	95 795	18.52%	-16.81%
Property and contract management	9 406	48 010	40 740	7 136	85.14%	82.48%
HR	1 278	70 652	68 649	1 939	97.26%	97.18%
IT	-2	52 531	48 568	-	100%	100%
Internal Audit	550	4 234	4 065	-	100%	100%
Legal Services	2	8 048	6 996	23	99.71%	99.67%
Component H: sub-total	684 805	569 554	482 550	753 541	-32.30%	-35.96%
Total Expenditure	2 126 923	2 355 584	2 365 926	2 416 865	-2.60%	-2.11%

In this table, operational income is offset against operational expenditure, leaving a net operational expenditure total for each service. Variances are calculated by dividing the difference between the actual and original / adjustments budget by the budget.

5.5 FINANCIAL PERFORMANCE PER MUNICIPAL FUNCTION

The tables below indicate the financial performance per municipal function for the 2023/24 financial year.

5.5.1 WATER SERVICES

Table 209: Financial Performance: Water Services

Description	2022/23	2023/24			
	Actual (Audited Outcome)	Original Budget	Adjustment Budget	Actual	Variance to Budget
	R'000				%
Total Operational Revenue	(174 333)	(196 564)	(202 740)	(219 898)	-8%
Expenditure:					
Employees	30 863	35 413	37 601	41 525	-10%
Repairs and Maintenance	5 541	7 834	6 888	5 639	18%
Other	122 726	104 989	112 055	137 061	-22%
Total Operational Expenditure	159 130	148 236	156 544	184 225	-18%
Net Operational (Service)	(15 203)	(48 329)	(46 196)	(35 673)	-26%

Variances are calculated by dividing the difference between the actual and original budget by the actual.



5.5.2 SANITATION SERVICES

Table 210: Financial Performance: Sanitation Services

Description	2022/23	2023/24			
	Actual (Audited Outcome)	Original Budget	Adjustment Budget	Actual	Variance to Budget
	R'000				%
Total Operational Revenue	(149 486)	(159 082)	(154 425)	(169 300)	-10%
Expenditure:					
Employees	39 837	46 221	48 292	39 825	18%
Repairs and Maintenance	6 219	8 782	34 638	36 550	-6%
Other	95 114	98 122	121 128	86 535	29%
Total Operational Expenditure	141 171	153 124	204 058	162 910	20%
Net Operational (Service)	(8 315)	(5 958)	49 633	(6 390)	113%
Variances are calculated by dividing the difference between the actual and original budget by the actual.					

5.5.3 ELECTRICITY SERVICES

Table 211: Financial Performance: Electricity Services

Description	2022/23	2023/24			
	Actual (Audited Outcome)	Original Budget	Adjustment Budget	Actual	Variance to Budget
	R'000				%
Total Operational Revenue	(850 173)	(979 174)	(1 022 632)	(957 392)	6%
Expenditure:					
Employees	33 196	34 399	29 707	35 288	-19%
Repairs and Maintenance	8 881	11 215	11 280	10 623	6%
Other	808 925	713 112	697 003	912 433	-31%
Total Operational Expenditure	851 001	758 726	737 990	958 343	-30%
Net Operational (Service)	828	(220 448)	(284 642)	951	100%
Variances are calculated by dividing the difference between the actual and original budget by the actual.					



5.5.4 WASTE MANAGEMENT SERVICES (REFUSE COLLECTIONS, WASTE DISPOSAL AND RECYCLING)

Table 212: Financial Performance: Waste Management Services (Refuse Collections, Waste Disposal, and Recycling)

Description	2022/23	2023/24			
	Actual (Audited Outcome)	Original Budget	Adjustment Budget	Actual	Variance to Budget
	R'000				%
Total Operational Revenue	(130 737)	(151 336)	(134 130)	(142 012)	-6%
Expenditure:					
Employees	32 039	32 817	33 300	49 759	-49%
Repairs and Maintenance	4 732	4 013	5 703	5 902	-3%
Other	77 870	110 636	128 003	67 897	47%
Total Operational Expenditure	114 641	147 466	167 006	123 558	26%
Net Operational (Service)	(16 096)	(3 870)	32 877	(18 453)	156%

Variances are calculated by dividing the difference between the actual and original budget by the actual.

5.5.5 INTEGRATED HUMAN DEVELOPMENT

Table 213: Financial Performance: Integrated Human Settlement

Description	2022/23	2023/24			
	Actual (Audited Outcome)	Original Budget	Adjustment Budget	Actual	Variance to Budget
	R'000				%
Total Operational Revenue	(20 879)	(17 411)	(17 303)	(19 033)	-10%
Expenditure:					
Employees	18 089	22 475	21 672	18 624	14%
Repairs and Maintenance	(76)	174	1 168	1 137	3%
Other	645	8 964	12 916	(2 404)	119%
Total Operational Expenditure	18 659	31 614	35 757	17 358	51%
Net Operational (Service)	(2 221)	14 202	18 454	(1 675)	109%

Variances are calculated by dividing the difference between the actual and original budget by the actual.



5.5.6 ROADS AND STORMWATER

Table 214: Financial Performance: Roads and Stormwater

Description	2022/23	2023/24			
	Actual (Audited Outcome)	Original Budget	Adjustment Budget	Actual	Variance to Budget
	R'000				%
Total Operational Revenue	(9 426)	(7 966)	(33 012)	(22 466)	32%
Expenditure:					
Employees	33 109	38 011	39 134	34 909	11%
Repairs and Maintenance	16 114	16 998	17 723	17 420	2%
Other	(42 159)	59 155	66 795	(29 799)	145%
Total Operational Expenditure	7 064	114 164	123 652	22 530	82%
Net Operational (Service)	(2 361)	106 198	90 640	64	100%
Variances are calculated by dividing the difference between the actual and original budget by the actual.					

5.5.7 TOWN AND SPATIAL PLANNING

Table 215: Financial Performance: Town and Spatial Planning

Description	2022/23	2023/24			
	Actual (Audited Outcome)	Original Budget	Adjustment Budget	Actual	Variance to Budget
	R'000				%
Total Operational Revenue	-				
Expenditure:					
Employees	10 584	11 993	9 771	11 431	-17%
Repairs and Maintenance	-	-	15	12	22%
Other	-10 584	792	810	(11 385)	1 506%
Total Operational Expenditure	-	12 784	10 596	58	99%
Net Operational (Service)	-	12 784	10 596	58	99%
Variances are calculated by dividing the difference between the actual and original budget by the actual.					



5.5.8 LOCAL ECONOMIC DEVELOPMENT (LED)

Table 216: Financial Performance: Local Economic Development (LED)

Description	2022/23	2023/24			
	Actual (Audited Outcome)	Original Budget	Adjustment Budget	Actual	Variance to Budget
	R'000				%
Total Operational Revenue	(1 928)	(2 069)	(2 238)	(2 272)	-2%
Expenditure:					
Employees	4 310	3 310	3 461	4 467	-29%
Repairs and Maintenance	–	–	–	–	0%
Other	(2 403)	13 118	10 981	(1 904)	117%
Total Operational Expenditure	1 906	16 428	14 441	2 563	82%
Net Operational (Service)	(22)	14 359	12 203	291	98%
Variances are calculated by dividing the difference between the actual and original budget by the actual.					

5.5.9 LIBRARIES

Table 217: Financial Performance: Libraries

Description	2022/23	2023/24			
	Actual (Audited Outcome)	Original Budget	Adjustment Budget	Actual	Variance to Budget
	R'000				%
Total Operational Revenue	-179	(81)	(281)	(81)	71%
Expenditure:					
Employees	4 894	5 362	5 742	5 395	6%
Repairs and Maintenance	20	33	52	49	6%
Other	-4 736	11 875	12 089	(4 644)	138%
Total Operational Expenditure	179	17 271	17 882	800	96%
Net Operational (Service)	-0	17 190	17 602	719	96%
Variances are calculated by dividing the difference between the actual and original budget by the actual.					



5.5.10 COMMUNITY DEVELOPMENT

Table 218: Financial Performance: Community Development

Description	2022/23	2023/24			
	Actual (Audited Outcome)	Original Budget	Adjustment Budget	Actual	Variance to Budget
	R'000				%
Total Operational Revenue	-179	(81)	(281)	(81)	71%
Expenditure:					
Employees	4 894	5 362	5 742	5 395	6%
Repairs and Maintenance	20	33	52	49	6%
Other	-4 736	11 875	12 089	(4 644)	138%
Total Operational Expenditure	179	17 271	17 882	800	96%
Net Operational (Service)	-0	17 190	17 602	719	96%
Variances are calculated by dividing the difference between the actual and original budget by the actual.					

5.5.11 CEMETERIES

Table 219: Financial Performance: Cemeteries

Description	2022/23	2023/24			
	Actual (Audited Outcome)	Original Budget	Adjustment Budget	Actual	Variance to Budget
	R'000				%
Total Operational Revenue	-1 362	(1 140)	(1 163)	(1 271)	-9%
Expenditure:					
Employees	3 344	3 979	4 514	3 737	17%
Repairs and Maintenance	273	290	387	280	27%
Other	(2 255)	2 036	1 225	(2 747)	324%
Total Operational Expenditure	1 362	6 306	6 126	1 271	79%
Net Operational (Service)	-	5 166	4 963	-	100%
Variances are calculated by dividing the difference between the actual and original budget by the actual.					



5.5.12 TRAFFIC SERVICES AND LAW ENFORCEMENT

Table 220: Financial Performance: Traffic Services

Description	2022/23	2023/24			
	Actual (Audited Outcome)	Original Budget	Adjustment Budget	Actual	Variance to Budget
	R'000				%
Total Operational Revenue	-163 167	(147 228)	(171 490)	(160 461)	6%
Expenditure:					
Employees	70 929	66 449	69 797	73 217	-5%
Repairs and Maintenance	1 946	4 090	2 213	1 921	13%
Other	48 934	144 388	187 629	117 997	37%
Total Operational Expenditure	121 809	214 927	259 639	193 135	26%
Net Operational (Service)	(41 357)	67 699	88 149	32 674	63%
Variances are calculated by dividing the difference between the actual and original budget by the actual.					

5.5.13 FIRE SERVICES AND DISASTER MANAGEMENT

Table 221: Financial Performance: Fire Services and Disaster Management Personnel Expenditure

Description	2022/23	2023/24			
	Actual (Audited Outcome)	Original Budget	Adjustment Budget	Actual	Variance to Budget
	R'000				%
Total Operational Revenue	(931)	(983)	(1 045)	(1 100)	-5%
Expenditure:					
Employees	44 086	47 397	38 273	47 670	-25%
Repairs and Maintenance	1 779	3 199	3 059	3 732	-22%
Other	(44 925)	8 282	9 905	(50 269)	608%
Total Operational Expenditure	940	58 878	51 237	1 132	98%
Net Operational (Service)	9	57 895	50 192	32	100%
Variances are calculated by dividing the difference between the actual and original budget by the actual.					



5.5.14 HOLIDAY RESORTS AND CAMPSITES

Table 222: Financial Performance: Holiday Resorts and Campsites

Description	2022/23	2023/24			
	Actual (Audited Outcome)	Original Budget	Adjustment Budget	Actual	Variance to Budget
	R'000				%
Total Operational Revenue	-427	(415)	(66)	(12)	82%
Expenditure:					
Employees	124	488	517	101	80%
Repairs and Maintenance	-	-	-	-	0%
Other	303	115	98	(89)	190%
Total Operational Expenditure	427	602	616	12	98%
Net Operational (Service)	-	187	550	-	100%
Variances are calculated by dividing the difference between the actual and original budget by the actual.					

5.5.15 SPORTS GROUNDS, PARKS, AND SWIMMING POOLS

Table 223: Financial Performance: Sport Grounds, Parks, and Swimming Pools

Description	2022/23	2023/24			
	Actual (Audited Outcome)	Original Budget	Adjustment Budget	Actual	Variance to Budget
	R'000				%
Total Operational Revenue	(1 759)	(1 552)	(1 337)	(1 656)	-24%
Expenditure:					
Employees	40 460	47 489	51 123	43 184	16%
Repairs and Maintenance	1 699	1 496	2 184	1 655	24%
Other	(31 872)	37 070	25 541	(43 019)	268%
Total Operational Expenditure	10 286	86 056	78 848	1 819	98%
Net Operational (Service)	8 527	84 504	77 511	163	100%
Variances are calculated by dividing the difference between the actual and original budget by the actual.					



5.5.16 OFFICE OF THE MUNICIPAL MANAGER

Table 224: Financial Performance: Office of the Municipal Manager

Description	2022/23	2023/24			
	Actual (Audited Outcome)	Original Budget	Adjustment Budget	Actual	Variance to Budget
	R'000				%
Total Operational Revenue	-				
Expenditure:					
Employees	15 282	12 860	13 265	9 631	27%
Repairs and Maintenance	24	81	20	-	100%
Other	-15 306	4 148	3 502	(9 626)	375%
Total Operational Expenditure	-	17 089	16 787	5	100%
Net Operational (Service)	-	17 089	16 787	5	100%

Variances are calculated by dividing the difference between the actual and original budget by the actual.

5.5.17 HUMAN RESOURCE SERVICES

Table 225: Financial Performance: Human Resource Services

Description	2022/23	2023/24			
	Actual (Audited Outcome)	Original Budget	Adjustment Budget	Actual	Variance to Budget
	R'000				%
Total Operational Revenue	-1 278	(625)	(1 250)	(1 265)	-1%
Expenditure:					
Employees	11 008	47 510	48 320	27 108	44%
Repairs and Maintenance	-	53	-	-	0%
Other	(9 730)	23 089	20 329	(25 169)	224%
Total Operational Expenditure	1 278	70 652	68 649	1 939	97%
Net Operational (Service)	(0)	70 027	67 399	674	99%

Variances are calculated by dividing the difference between the actual and original budget by the actual.



5.5.18 INFORMATION AND COMMUNICATION TECHNOLOGY (ICT) SERVICES

Table 226: Financial Performance: Information and Communication Technology (ICT) Services

Description	2022/23	2023/24			
	Actual (Audited Outcome)	Original Budget	Adjustment Budget	Actual	Variance to Budget
	R'000				%
Total Operational Revenue	–	–	–	–	0%
Expenditure:					
Employees	8 323	9 897	10 590	9 072	14%
Repairs and Maintenance	599	1 007	679	621	9%
Other	(8 936)	41 627	37 299	(9 693)	126%
Total Operational Expenditure	(15)	52 531	48 568	–	100%
Net Operational (Service)	(15)	52 531	48 568	–	100%

Variances are calculated by dividing the difference between the actual and original budget by the actual.

5.5.19 LEGAL SERVICES

Table 227: Financial Performance: Legal Services

Description	2022/23	2023/24			
	Actual (Audited Outcome)	Original Budget	Adjustment Budget	Actual	Variance to Budget
	R'000				%
Total Operational Revenue	-2	(1)	(2)	(23)	-9.83%
Expenditure:					
Employees	2 112	1 791	1 910	1 705	11%
Repairs and Maintenance	-	–	–	–	0%
Other	-2 110	6 257	5 086	(1 682)	133%
Total Operational Expenditure	2	8 048	6 996	23	100%
Net Operational (Service)	-0	8 046	6 994	0	100%

Variances are calculated by dividing the difference between the actual and original budget by the actual.



5.5.20 PROPERTY MANAGEMENT

Table 228: Financial Performance: Property and Contract Management

Description	2022/23	2023/24			
	Actual (Audited Outcome)	Original Budget	Adjustment Budget	Actual	Variance to Budget
	R'000				%
Total Operational Revenue	-9 570	(8 320)	(10 238)	(10 062)	2%
Expenditure:					
Employees	7 470	9 431	10 418	6 453	38%
Repairs and Maintenance	7 146	16 273	9 274	6 830	26%
Other	(5 724)	22 306	21 048	(6 147)	129%
Total Operational Expenditure	8 892	48 010	40 740	7 136	82%
Net Operational (Service)	(678)	39 689	30 502	(2 926)	110%
Variances are calculated by dividing the difference between the actual and original budget by the actual.					

5.5.21 FINANCIAL SERVICES

Table 229: Financial Performance: Financial Services

Description	2022/23	2023/24			
	Actual (Audited Outcome)	Original Budget	Adjustment Budget	Actual	Variance to Budget
	R'000				%
Total Operational Revenue	-573 084	(597 514)	(597 183)	(652 046)	-9%
Expenditure:					
Employees	57 665	63 703	65 036	81 886	-26%
Repairs and Maintenance	91	381	678	196	71%
Other	517 551	187 341	149 020	566 560	-280%
Total Operational Expenditure	575 308	251 424	214 734	648 642	-202%
Net Operational (Service)	2 223	(346 090)	(382 449)	(3 404)	99%
Variances are calculated by dividing the difference between the actual and original budget by the actual.					



5.5.22 INTERNAL AUDIT

Table 230: Financial Performance: Internal Audit

Description	2022/23	2023/24			
	Actual (Audited Outcome)	Original Budget	Adjustment Budget	Actual	Variance to Budget
	R'000				%
Total Operational Revenue	-550	–	–	–	0%
Expenditure:					
Employees	3 884	3 217	3 217	4 368	-36%
Repairs and Maintenance	-	–	–	–	0%
Other	-3 334	1 017	847	(4 368)	616%
Total Operational Expenditure	550	4 234	4 065	–	100%
Net Operational (Service)	0	4 234	4 065	–	100%

Variances are calculated by dividing the difference between the actual and original budget by the actual.

5.5.23 ADMINISTRATION

Table 231: Financial Performance: Administration

Description	2022/23	2023/24			
	Actual (Audited Outcome)	Original Budget	Adjustment Budget	Actual	Variance to Budget
	R'000				%
Total Operational Revenue	-101 012	(105 538)	(88 969)	(95 490)	-7%
Expenditure:					
Employees	45 189	41 673	43 791	54 403	-24%
Repairs and Maintenance	47	631	86	46	47%
Other	56 892	75 262	38 133	41 347	-8%
Total Operational Expenditure	102 129	117 566	82 011	95 795	-17%
Net Operational (Service)	1 117	12 028	(6 958)	306	104%

Variances are calculated by dividing the difference between the actual and original budget by the actual.



5.6 GRANTS

5.6.1 GRANT PERFORMANCE

The municipality had a total amount of **R225 million** for operational expenditure available that was received in the form of grants from the national and provincial governments during the 2023/24 financial year. The performance in the spending of these grants is summarised as follows:

Table 232: Grant Performance

Description	2022/23	2023/24			2023/24 Variance	
	Actual	Budget	Adjustment Budget	Actual	Original Budget	Adjustment Budget
	R'000				%	
National Government:	188 219	210 148	240 013	221 325	-12%	45%
Equitable Share	179 634	200 841	200 841	200 488	0%	0%
Financial Management Grant	1 550	1 550	1 550	1 448	7%	7%
EPWP	3 748	4 786	4 519	5 699	-19%	-26%
Integrated Urban Development Grant	3 287	2 971	2 971	2 971	0%	0%
Municipal Disaster Response Grant	-	-	30 132	10 719	0%	64%
Provincial Government:	24 946	30 963	14 583	14 314	54%	2%
Community Development Workers Operational Support Grant	38	38	38	38	0%	0%
Library Services: Conditional Grant	10 628	11 252	11 252	12 704	-13%	-13%
Municipal Library Support Grant	3 102	-	-	-	0%	0%
Library Services: Replacement Funding for most vulnerable B3 Municipalities	550	-	180	180	0%	0%
Municipal Accreditation and Capacity Building Grant	669	245	245	245	0%	0%
Financial Management Capability Building Grant	319	200	241	241	-21%	0%
Human Settlements Development Grant	6 954	17 380	535	-	100%	100%
Maintenance and Construction of Transport Infrastructure	495	345	345	345	0%	0%
Title Deeds Restoration Grant	940	1 503	1 503	317	79%	79%
Western Cape Municipal Energy Resilience Grant (WC MER Grant)	1 184	-	244	244	0%	0%
Housing consumer education	68	-	-	-	0%	0%
Community Development Workers Operational Support Grant	38	38	38	38	0%	0%
District Municipality:	599	0	200	120	0%	40%
Cape Winelands District Grant Long-Term Financial Plan	484	0	0	0	0%	0%
Cape Winelands Disaster Grant COMMUNITY SAFETY	115	0	200	120	0%	40%
Other Grant Providers:	0					
LG SETA Discretionary	0	-	-	-	-	0%
DBSA Grant	0	-	-	-	-	0%
Total Operating Transfers and Grants	213 764	241 111	254 796	235 759	2.22%	7.47%



5.6.2 LEVEL OF RELIANCE ON GRANTS AND SUBSIDIES

Table 233: Reliance on Grants

Financial year	Total grants and subsidies received	Total Operating Revenue	Percentage
	R'000		%
2016/17	227 752	1 534 354	14.84
2017/18	211 190	1 609 728	13.12
2018/19	233 433	1 541 685	15.14
2019/20	285 026	1 742 596	16.36
2020/21	264 637	1 805 680	14.66
2021/22	289 061	2 028 289	14.25
2022/23	311 629	2 201 123	14.16
2023/24	342 323	2 464 726	13.89

Developers' contributions have been excluded from the grant item to express only allocations and not policy-related revenue, which NT allocates to capital revenue. It would distort the reliance on grant calculation if excluded from the above ratio.

5.7 ASSET MANAGEMENT

Asset management is practised within the organisation based on a comprehensive Asset Management Policy. The Asset Management Policy provides direction for the management, accounting, and control of property, plant, and equipment (assets) owned or controlled by the municipality to ensure the following:

- ✦ Implementation of the approved Asset Management Policy as required in terms of section 63 of MFMA;
- ✦ Verify assets in the possession of the Council annually, during the financial year;
- ✦ Keep a complete and balanced record of all assets in the possession of the Council;
- ✦ Report in writing all asset losses, where applicable, to the Council; and
- ✦ Those assets are valued and accounted for under a statement of GRAP.

5.8 REPAIRS AND MAINTENANCE

Table 234: Repairs and Maintenance Expenditure

Description	2022/23	2023/24			2023/24 Variance
	Actual	Original Budget	Adjustment Budget	Actual	Budget variance
	R'000				%
Repairs and Maintenance Expenditure	55 115	113 859	122 953	92 713	24.60%



5.9 FINANCIAL RATIOS BASED ON KEY PERFORMANCE INDICATORS

Table 235: Liquidity Ratio

Description	Basis of calculation	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
Current Ratio	Current assets / current liabilities	2.18	2.02	2.09	1.82	1.48	1.68	1.90	2.03

5.10 IDP REGULATION FINANCIAL VIABILITY INDICATORS

Table 236: IDP Regulation Financial Viability of Indicators

Description	Basis of calculation	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
Cost Coverage	(Available cash + investments) / monthly fixed operational expenditure	5.71	4.59	4.70	2.21	1.83	2.26	3.10	2.98
Total Outstanding Service Debtors to Revenue	Total outstanding service debtors / annual revenue received for services	10.22	18.09	28.05	22.02	21.64	30.47	25.95	28.51
Debt Coverage	(Total operating revenue - operating grants) / debt service payments due within the financial year	47.16	46.81	43.81	-0.64	29.27	26.86	22.65	22.64

5.11 BORROWING MANAGEMENT

Table 237: Borrowing Management

Description	Basis of calculation	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
Capital Charges to Operating Expenditure	Interest and Principal Paid / Operating Expenditure	1.21%	2.31%	2.09%	3.44%	3.04%	3.37%	4.76%	4.65%

5.12 EMPLOYEE COSTS

Table 238: Employee Costs

Description	Basis of calculation	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
Employee costs	Employee costs / (total revenue - capital revenue)	26.84	28.80%	29.09%	29.99%	32.45%	28.70	25.84%	27.21%



COMPONENT B: SPENDING AGAINST CAPITAL BUDGET

5.13 CAPITAL EXPENDITURE

5.13.1 CAPITAL EXPENDITURE BY ASSETS PROGRAMME

Table 239: Capital Expenditure by Asset Programme

Description	2023/24		
	Original Budget	Adjustment Budget	Actual Expenditure
	R'000		
Capital Expenditure by Asset Class			
Infrastructure	437 507	415 609	348 574
Roads Infrastructure	70 100	92 684	60 797
Roads	41 700	57 667	44 763
Road Structures	21 200	22 726	9 169
Road Furniture	4 600	5 090	3 014
Stormwater Infrastructure	500	300	300
Stormwater Conveyance	2 100	6 900	3 550
Electrical Infrastructure	112 113	99 465	97 726
Power Plants	5 018	16 634	27 945
HV Substations	34 365	8 765	37 302
MV Switching Stations	–	–	–
MV Networks	36 572	38 353	3 175
MV Substations	29 708	29 209	20 975
LV Networks	6 200	6 253	2 500
Capital Spares	250	250	5 829
Water Supply Infrastructure	138 954	97 899	89 431
Dams and Weirs	–	–	1 992
Boreholes	500	500	–
Reservoirs	82 000	56 359	56 833
Water Treatment Works	7 000	–	3 549
Bulk Mains	12 021	17 014	13 615
Distribution	37 433	24 026	13 443
Capital Spares	–	–	–
Sanitation Infrastructure	46 340	29 868	16 032
Pump Station	500	600	–
Reticulation	1 800	300	–
Wastewater Treatment Works	37 040	15 351	28 168
Outfall Sewers	7 000	13 617	(12 136)
Toilet Facilities	–	–	–
Capital Spares	–	–	–
Solid Waste Infrastructure	62 000	87 694	70 506
Landfill Sites	46 000	69 630	65 366
Waste Transfer Stations	2 500	5 000	374
Waste Drop-off Points	2 500	2 367	470
Waste Separation Facilities		90	4 297
Capital Spares	1 000	700	–
Information and Communication Infrastructure	8 000	8 000	14 081



Description	2023/24		
	Original Budget	Adjustment Budget	Actual Expenditure
	R'000		
Data Centres	2 000	4 700	4 645
Distribution Layers	6 000	3 300	4 203
Capital Spares	–	–	5 233
Community Assets			
Community Facilities	15 380	18 656	24 780
Halls	2 400	400	115
Centres	200	249	–
Fire / Ambulance Stations	–	–	–
Markets	–	–	225
Abattoirs	–	–	95
Libraries	3 080	4 339	149
Cemeteries / Crematoria	5 500	9 000	9 389
Crèches	1 000	–	–
Police	–	–	7
Public Open Space	300	800	8 068
Nature Reserves	1 000	788	1 343
Public Ablution Facilities	–	–	143
Stalls	1 000	1 000	–
Taxi Ranks / Bus Terminals	–	–	2 324
Parks	900	2 080	2 921
Capital Spares	–	–	–
Sport and Recreation Facilities	8 211	7 002	4 831
Outdoor Facilities	8 211	7 002	4 831
Heritage assets	–	–	2 323 741
Heritage assets	5 781	7 483	–
Historic Buildings	5 781	7 483	–
Conservation Areas	–	–	–
Investment Properties			
Revenue Generating	–	–	–
Improved Property	–	–	–
Unimproved Property	–	–	–
Non-revenue Generating	–	–	–
Improved Property	–	–	–
Unimproved Property	–	–	–
Other assets	5 800	9 719	12 971
Operational Buildings	3 500	9 569	4 158
Municipal Offices	–	–	3 503
Yards	2 000	–	–
Stores	–	–	–
Training Centres	–	–	–
Manufacturing Plant	300	150	–
Depots	–	–	5 310



Description	2023/24		
	Original Budget	Adjustment Budget	Actual Expenditure
	R'000		
Capital Spares	–	–	–
Housing	1 000	1 320	1 016
Social Housing	1 000	1 320	1 016
Biological or Cultivated Assets	250	350	–
Biological or Cultivated Assets	250	350	–
Intangible Assets	–	–	–
Licences and Rights	–	–	–
Computer Software and Applications	–	–	–
Computer Equipment	6 770	8 486	2 476
Computer Equipment	6 770	8 486	2 476
Furniture and Office Equipment	770	2 838	1 624
Furniture and Office Equipment	770	2 838	1 624
Machinery and Equipment	13 165	10 416	2 533
Machinery and Equipment	13 165	10 416	2 533
Transport Assets	10 166	9 847	23 291
Transport Assets	10 166	9 847	23 291
Land	–	–	5 063
Land	–	–	5 063
Total Capital Expenditure	504 800	491 726	427 158

5.13.2 SOURCES OF FINANCE

The table below indicates the capital expenditure by funding source for the 2023/24 financial year.

Table 240: Capital Expenditure by Funding Source

Details	2023/24			
	Original Budget (OB)	Adjustment Budget	Actual	Adjustment Budget Variance
	R'000			%
Source of finance				
External Loans	200 000	146 884	137 739	6.23%
Public Contributions and Donations	–	–	–	0%
Grants and Subsidies	103 856	135 828	106 533	21.57%
Other	200 944	209 014	182 886	12.50%
Total	504 800	491 726	427 158	13.13%
External Loans	40%	30%	32.23%	-7.89%
Public Contributions and Donations	0%	0%	0%	0%
Grants and Subsidies	21%	28%	24.93%	9.76%
Own Funding	40%	43%	42.84%	-0.79%
Water and Sanitation	170 290	104 407	94 140	9.83%
Electricity	113 113	100 352	98 375	1.97%



Details	2023/24			
	Original Budget (OB)	Adjustment Budget	Actual	Adjustment Budget Variance
	R'000			%
Housing	7 894	3 457	3 262	5.65%
Roads and Stormwater	71 750	97 699	73 507	24.76%
Other	141 753	185 811	158 091	14.92%
Total	504 800	491 726	427 374	13.09%
Water and Sanitation	34%	21%	22.03%	-3.74%
Electricity	22%	20%	23.02%	-12.79%
Housing	2%	1%	0.76%	-8.56%
Roads and Stormwater	14%	20%	17.20%	13.43%
Other	28%	38%	36.99%	2.11%

5.13.3 CAPITAL SPENDING ON 5 LARGEST PROJECTS

Projects with the highest capital expenditure in 2023/24.

Table 241: Capital Expenditure on the 5 Largest Projects

Name of Project	2023/24			Variance 2023/24	
	Original Budget	Adjustment Budget	Actual Expenditure	Original Variance	Adjustment Variance
				%	
Expansion of the landfill site (New cells)	46 000	67 281	65 366	-42%	2.85%
New Reservoir and Pipeline: Vlottenburg	46 000	35 901	35 222	23%	1.89%
Laterra Substation	23 108	22 967	22 454	3%	2.23%
Bulk Water Supply Pipeline and Reservoir - Jamestown	32 500	22 697	21 694	33%	4.42%
Electrification INEP	18 450	16 279	16 104	13%	1.07%

5.13.4 INTEGRATED URBAN DEVELOPMENT GRANT (IUDG)

Table 242: Integrated Urban Development Grant (IUDG)

Details	Budget	Adjustment Budget	Actual	Variance
	R'000			%
New Development Bulk Sewer Supply WC024	1 000 000	-	-	0%
Cloetesville Bulk Sewer upgrade	1 000 000	-	-	0%
Fencing: Parks and Gardens	200 000	700 000	700 000	0%
Upgrading Ad hoc Housing Projects	-	550 096	550 096	0%
Beautification of Parks and Cemeteries	300 000	300 000	300 000	0%
Calcutta Memorial Park	5 500 000	9 500 000	9 500 000	0%
Non-Motorised Transport Implementation	-	3 450 135	3 450 135	0%
Adhoc Reconstruction of Roads (WC024)	3 000 000	3 904 372	3 904 372	0%
Kayamandi Pedestrian Bridge (R304, River, and Railway Line)	11 000 000	549 865	549 865	0%
Languedoc access road and bridge	-	1 595 628	1 595 628	0%



Details	Budget	Adjustment Budget	Actual	Variance Budgets
	R'000			%
Expansion of the landfill site (New cells)	-	2 189 569	2 189 569	0%
Northern Extension: Feasibility	-	-	-	0%
New Reservoir and Pipeline: Vlottenburg	31 939 500	33 699 835	33 699 835	0%
New Developments Bulk Water Supply WC024	1 500 000	-	-	0%
Upgrading: Early Childhood Development Centres on Municipal Land	1 000 000	-	-	0%
Basic Salary and Wages	2 970 500	2 970 500	2 970 500	0%
Total	59 410	59 410	59 410	0%

5.14 CASH FLOW

Table 243: Cash flow

Description	2022/23	2023/24		
	Actual (Audited Outcome)	Original Budget	Adjusted Budget	Actual
R'000				
Cash Flow from Operating Activities				
Receipts				
Ratepayers and Other	1 630 359	2 106 841	2 142 527	1 824 843
Government Grants	314 394	344 766	348 270	333 123
Interest	42 250	41 193	44 168	57 312
Employee Costs	-579 747	-	-	-
Suppliers	-932 884	-2 000 844	-2 011 898	-1 797 283
Finance Costs	-46 712	-42 802	-42 802	-49 186
Transfers and Grants	-17 758	-20 636	-20 636	-
Net Cash from / (Used) Operating Activities	409 902	428 518	459 629	368 808
Cash Flow from Investing Activities				
Receipts				
Proceeds on Disposal of PPE	1 738	-	-	724
Proceeds on Disposal of Biological Assets	-	-	-	0
Movement in Non-Current Receivables	-	-	-	0
Payments				
Purchase of PPE	0	-	-	-
Movement in Non-Current Receivables	0	-	-	-
Movement in Investments	-26 245	-	-	-123 949
Capital assets	-297 952	-576 970	-562 824	-424 249
Net Cash from / (Used) Investing Activities	-344 219			
Cash Flow from Financing Activities				
Receipts				
Proceeds from other Financial Liabilities	69 244	200 000	200 000	137 446
Increase in consumer deposits	0	-	-	-
Payments				



Description	2022/23	2023/24		
	Actual (Audited Outcome)	Original Budget	Adjusted Budget	Actual
	R'000			
Repayment of Borrowing	-46 031	-55 632	-55 632	-55 047
Prior period error	-	-	-	-
Net Cash from / (Used) Financing Activities	23 213	144 368	144 368	82 399
Net Increase / (Decrease) in Cash Held	110 656	-4 084	41 173	-96 265
Cash / Cash Equivalents at the Year-Begin:	139 312	432 641	580 301	249 945
Cash / Cash Equivalents at the Year-End:	249 968	428 557	621 474	153 680

5.15 GROSS OUTSTANDING DEBTORS PER SERVICE

Table 244: Gross Outstanding Debtors per Service

Financial year	Rates	Trading services	Trading services	Housing rentals	Other	Total
		(Electricity and Water)	(Sanitation and Refuse)			
	(R'000)					
2021/22	49 872	262 980	69 220	29 192	216 025	627 289
2022/23	56 526	323 873	86 820	31 363	252 067	750 649
Difference	6 654	60 893	17 600	2171	36 042	123 360
% growth year on year	12%	19%	20%	7%	14%	16%
2023/24	66 235	395 050	110 550	33 114	252 711	857 660
Difference	9 709	71 177	23 730	1 751	644	107 011
% growth year on year	15%	18%	21%	5%	0%	12%

Note: Figures exclude provision for bad debt.

5.16 DEBTORS AGE ANALYSIS

Table 245: Debtors Age Analysis

Financial year	Less than 30 days	Between 30-60 days	Between 60-90 days	Between 90-120 days	More than 120 days	Total
	(R'000)					
2021/22	224 149	16 533	16 880	17 537	352 191	627 289
2022/23	278 937	14 865	16 267	13 531	427 049	750 649
Difference	54 788	-1 668	-613	-4006	74 858	123 360
% growth year on year	20%	-11%	-4%	-30%	18%	16%
2023/24	235 655	20 202	20 517	10 759	570 527	857 660
Difference	-43 282	5 337	4 250	-2 772	143 478	107 011
% growth year on year	-18%	26%	21%	-26%	25%	12%

Note: Figures exclude provision for bad debt.

5.17 BORROWING AND INVESTMENTS

The municipality's cash position is monitored daily, and any cash not required immediately to meet cash flow requirements is invested every month at approved institutions, strictly in accordance with the Council's approved Cash and Investment Policy.



5.18 ACTUAL BORROWINGS

Table 246: Actual Borrowings

Instrument	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
R'000								
Long-Term Loans	186 386	173 302	318 800	292 930	368 997	478 736	501 950	584 049

5.19 MUNICIPAL INVESTMENTS

Table 247: Municipal Investments

Investment type	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
R'000								
Deposits - Bank	575 418	505 618	398 164	306 637	222 434	305 522	331 767	455 717



CHAPTER 6: AUDITOR GENERAL OF SOUTH AFRICA AUDIT FINDINGS

6.1 INTRODUCTION

This chapter provides allowances details on the audit outcomes for the past two financial years with the corrective steps implemented.

COMPONENT A: AUDITOR-GENERAL OF SOUTH AFRICA OPINION 2022/23

6.2 AUDITOR GENERAL OF SOUTH AFRICA REPORT 2022/23

Table 248: Auditor General of South Africa Report 2022/23

2022/23	
Audit Report Status:	Finalised (unqualified with no findings)
2022/23	
Issue raised	Corrective step implemented
Emphasis of matter:	
Restatement of corresponding figures	
As disclosed in note 64 to the financial statements, the corresponding figures for 30 June 2022 were restated as a result of errors in the financial statements of the municipality, and for the year ended 30 June 2023.	None required
Material Impairments	
As disclosed in note 5 to the financial statements, the municipality provided for the impairment of trade and other receivables from exchange transactions of R238,8 million (2021/22: R204,3 million).	None required
As disclosed in note 6 to the financial statements, the municipality provided for the impairment of trade and other receivables from non-exchange transactions of R230,1 million (2021/22: R187,6 million).	None required
Material losses	
None	
Material Non-Compliance	
None	
Annual financial statements	
I have audited the financial statements of the Stellenbosch Municipality set out on pages 6 to 130, which comprise the statement of financial position as at 30 June 2023, statement of financial performance, statement of changes in net assets, cash flow statement, and statement of comparison of budget and actual amounts for the year then ended, as well as notes to the financial statements, including a summary of significant accounting policies.	None required
In my opinion, the financial statements present fairly, in all material respects, the financial position of the Stellenbosch Municipality as at 30 June 2023, and its financial performance and cash flows for the year ended in accordance with the Standards of Generally Recognised Accounting Practice (GRAP) and the requirements of the Municipal Finance Management Act 56 of 2003 (MFMA) and the Division of Revenue Act 5 of 2022 (Dora).	None required



COMPONENT B: AUDITOR-GENERAL OPINION 2023/24

6.3 AUDITOR GENERAL OF SOUTH AFRICA REPORT 2023/24

Table 249: Auditor General of South Africa Report 2023/24

2023/24	
Audit Report Status:	
2023/24	
Issue raised	Corrective step implemented
Emphasis of matter:	
Restatement of corresponding figures	
As disclosed in note 62 to the financial statements, the corresponding figures for 30 June 2023 were restated as a result of errors in the financial statements of the municipality at, and for the year ended, 30 June 2024	None Required
Material Impairments	
As disclosed in note 4 to the financial statements, the municipality provided for the impairment of receivables from exchange transactions of R268,7 million (2022-23: R208 million).	None Required
As disclosed in note 5 to the financial statements, the municipality provided for the impairment of receivables from non-exchange transactions of R217,9 million (2022-23: R225,8 million).	None Required
Material losses	
None	
Material Non-Compliance	
None	
Annual financial statements	
I have audited the financial statements of the Stellenbosch Municipality set out on pages 7 to 135, which comprise the statement of financial position as at 30 June 2024, statement of financial performance, statement of changes in net assets, cash flow statement and comparison of budget and actual amounts for the year then ended, as well as notes to the financial statements, including a summary of significant accounting policies.	None Required
In my opinion, the financial statements present fairly, in all material respects, the financial position of the Stellenbosch Municipality as at 30 June 2024 and its financial performance and cash flows for the year that ended in accordance with the Standards of Generally Recognised Accounting Practice (GRAP) and the requirements of the Municipal Finance Management Act 56 of 2003 (MFMA) and the Division of Revenue Act 5 of 2023 (Dora).	None Required



ANNEXURE A: ANNUAL FINANCIAL STATEMENTS 2023/24



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

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Annual Financial Statements

30 JUNE 2024



AUDITOR-GENERAL
SOUTH AFRICA

Auditing to build public confidence
30 November 2024

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

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Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

General Information

Legal form of entity

Municipality in terms of section 1 of the Local Government: Municipal Structures Act (Act 117 of 1998) read with section 155 (1) of the Constitution of the republic of South Africa (Act 108 of 1996)

Legislation governing the municipality's operations

Constitution of the Republic of south Africa (Act 108 of 1998)
Municipal Finance Management Act (Act 56 of 2003)
Local Government: Municipal Systems Act (Act 32 of 2000)
Local Government: Municipal Structures Act (Act 117 of 1998)
Municipal Property Rates Act (act of 6 2004)
Division of Revenue Act (Act 1 of 2007)

Nature of business and principal activities

The provision of services (electricity, water, sanitation and refuse) to communities in a sustainable manner, to promote social and economic development; and to promote a safe and healthy environment

Mayoral committee

Portfolio

Executive mayor and chairperson of mayoral committee
Deputy executive mayor
Speaker
Council Whip
MMC Human settlements
MMC Youth, sport and culture
MMC Planning, Local Economic Development and Tourism
MMC Environmental Management, Parks, Open Spaces, Cemeteries
MMC Community development
MMC Corporate services
MMC Financial services
MMC Protection services
MMC Infrastructure
MMC Rural Development

Councillor

G van Deventer
J Fasser
Q Smit
P Crawley
R Du Toit
JC Anthony
C van Wyk
J Williams

X Kalipa
L Nkamisa
J Fasser
R Pheiffer
P Johnson (Resigned: 12/06/2024)
J Joon

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

General Information

Council Members

Nr	Surname	Initials	Nr	Surname	Initials
1	Jooste	O	18	Pietersen	W
2	Rataza	M	19	De Taillefer	I
3	Mananga-Gugushe	N	20	Slabbert	M
4	Ntsunguzi	N	21	Petersen	W
5	Nalumango (Resigned: 10/06/2024)	R	22	Manuel	C
6	Schafer	S	23	Van Rooyen	R
7	Adams	R	24	Mcombring	N
8	Mdemka	X	25	Ferns	N
9	Hanekom	A	26	Vermeulen	E
10	Petersen	G	27	Serdyn	J
11	Olayi	N	28	Tomose	A
12	Mkhontwana	N	29	Nkopane	M
13	Ndalasi	Z	30	Danana	M
14	Noble (Resigned: 05/04/2024)	C	31	Masimini	E
15	Van Stade	M	32	Dalling	Z
16	Hendrikse	R	33	Groenewald	E
17	Andrews	J			

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

General Information

Executive management

Position

Municipal Manager
 Chief Financial Officer (CFO)
 Director: Infrastructure
 Director: Corporate Services
 Director: Planning and Economic Development
 Director: Community and Protection Services

Name

Geraldine Mettler
 Kevin Carolus
 Preshane Chandaka
 Annalene de Beer
 Anthony Barnes
 Gary Boshoff

Members of the Audit Committee

Chairperson:

Linda Cecil Nene

Members:

Reyhana Gani
 Ruthaleen Lucinda Colette Strydom
 Nimrod Llewellyn Mortimer

Registered head office

Plein Street
 Stellenbosch
 7600

Physical address

Plein Street
 Stellenbosch
 7600

Postal address

P O Box 17
 Stellenbosch
 7600

Bankers

First National Bank

Auditors

Auditor-General of South Africa (AGSA)

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Abbreviations

ASB	Accounting Standards Board
CIGFARO	Chartered institute of Government, Finance, Audit and Risk Officers
COID	Compensation for Occupational Injuries and Diseases
DBSA	Development Bank of South Africa
DORA	Division of Revenue Act
DSACR	Department of Sport, Arts, Culture and Recreation
GRAP	Generally Recognised Accounting Practice
HDF	Housing Development Fund
IAS	International Accounting Standards
IPSAS	International Public Sector Accounting Standards
LGSETA	Local Government Services Sector Education and Training Authority
MFMA	Municipal Finance Management Act
MIG	Municipal Infrastructure Grant
MMC	Member of Mayoral Committee
MPAC	Municipal Public Accounts Committee
MPRA	Municipal Property Rates Act
MSIG	Municipal System Improvement Grant
MSCOA	Municipal standard chart of accounts
SALGA	South African Local Government Association
SAPS	South African Police Services
SCM	Supply Chain Management
SRAC	Sports, Recreation, Arts and Culture

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Accounting Officer's Responsibilities and Approval

The Accounting Officer is required by the Municipal Finance Management Act (Act 56 of 2003), to maintain adequate accounting records and is responsible for the content and integrity of the audited annual financial statements and related financial information included in this report. It is the responsibility of the Accounting Officer to ensure that the audited annual financial statements fairly present the state of affairs of the municipality as at the end of the financial year and the results of its operations and cash flows for the period then ended. The external auditors are engaged to express an independent opinion on the audited annual financial statements and was given unrestricted access to all financial records and related data.

The audited annual financial statements were prepared in accordance with Standards of Generally Recognised Accounting Practice (GRAP) as well as relevant interpretations, guidelines and directives issued by the Accounting Standards Board.

The audited annual financial statements are based upon appropriate accounting policies consistently applied and supported by reasonable and prudent judgements and estimates.

I, as the Accounting Officer acknowledges that I am ultimately responsible for the system of internal financial control established by the municipality and place considerable importance on maintaining a strong control environment. To enable me to meet these responsibilities, I have set standards for internal control aimed at reducing the risk of error or deficit in a cost-effective manner. The standards include the proper delegation of responsibilities within a clearly defined framework, effective accounting procedures and adequate segregation of duties to ensure an acceptable level of risk. These controls are monitored throughout the municipality and all employees are required to maintain the highest ethical standards in ensuring the municipality's business is conducted in a manner that in all reasonable circumstances is above reproach. The focus of risk management in the municipality is on identifying, assessing, managing and monitoring all known forms of risk across the municipality. While operating risk cannot be fully eliminated, the municipality endeavours to minimise it by ensuring that appropriate infrastructure, controls, systems and ethical behaviour are applied and managed within predetermined procedures and constraints.

I am of the opinion, based on the information and explanations given by management, that the system of internal control provides reasonable assurance that the financial records may be relied on for the preparation of the audited annual financial statements. However, any system of internal financial control can provide only reasonable, and not absolute, assurance against material misstatement or deficit.

Although, I am primarily responsible for the financial affairs of the municipality, this is supported by the municipality's external auditors.

I would like to bring the following material matters to your attention:

I certify that the salaries, allowances and benefits of councillors as disclosed in note 34 to these audited annual financial statements are within the upper limits of the framework envisaged in section 219 of the Constitution of the Republic of South Africa, read with the Remuneration of Public Office Bearers Act, Act 20 of 1998 and the Minister of Provincial and Local Government's determination in accordance with the Act.

The external auditors, being the Auditor-General of South Africa (AGSA), are responsible for independently reviewing and reporting on the municipality's audited annual financial statements.

The audited annual financial statements set out in terms of Section 126(1) of the Municipal Finance Management Act (Act 56 of 2003), which have been prepared on the going concern basis, I have signed on behalf of the municipality on 31 August 2024:



Accounting Officer
Geraldine Mettler

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Statement of Financial Position as at 30 June 2024

	Note(s)	2024	2023
Assets			
Current Assets			
Cash and cash equivalents	2	150 678 869	246 945 413
Receivables from exchange transactions	4	251 987 494	217 120 693
Receivables from non-exchange transactions	5	86 667 444	70 092 489
Inventories	6	23 268 245	22 151 767
Value-added-tax	8	30 829 208	11 979 052
Other receivables from exchange transactions	7	54 389 107	38 652 229
Short term investments	3	455 716 603	331 767 247
Total Current Assets		1 053 536 970	938 708 890
Non-Current Assets			
Investment property	9	422 930 670	425 076 488
Property, plant and equipment	10	5 853 784 635	5 624 551 933
Biological assets	12	2 925 054	5 142 777
Heritage assets	13	1 312 810	1 312 810
Intangible assets	11	4 097 725	4 260 776
Trade and other receivables from exchange transactions	14	6 508 597	4 598 731
Total Non-Current Assets		6 291 559 491	6 064 943 515
Total Assets		7 345 096 461	7 003 652 405
Liabilities			
Current Liabilities			
Borrowings	18	69 853 210	55 046 811
Lease liabilities	17	-	694 514
Employee benefits	16	65 195 966	58 283 915
Consumer deposits	15	24 190 439	22 347 626
Trade and other payables from exchange transactions	19	320 683 582	324 793 769
Payables from non-exchange transactions	20	37 827 435	32 460 665
Total Current Liabilities		517 750 632	493 627 300
Non-Current Liabilities			
Borrowings	18	514 496 032	446 903 149
Employee benefits	16	206 670 001	191 200 001
Provision	21	106 740 477	95 421 976
Total Non-Current Liabilities		827 906 510	733 525 126
Total Liabilities		1 345 657 142	1 227 152 426
Net Assets		5 999 439 319	5 776 499 979
Community Wealth / Equity			
Accumulated surplus		5 727 759 087	5 589 788 223
Reserves and funds		271 680 259	186 711 771
Total Community Wealth / Equity		5 999 439 346	5 776 499 994

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Statement of Financial Performance

	Note(s)	2024	2023
Revenue			
Exchange Revenue			
Services charges – Electricity	22	874 585 643	779 983 813
Services charges – Water	22	203 270 709	162 138 204
Services charges – Waste water management	22	114 951 742	106 739 375
Services charges – Waste Management	22	96 326 521	89 836 854
Rental from fixed assets	23	11 055 806	12 373 336
Interest earned from receivables	24	23 504 654	16 467 413
Interests earned from current and non-current assets	25	57 311 807	42 250 158
Licences or permits	26	8 149 482	8 407 621
Agency services	27	3 697 082	3 438 321
Operational revenue	28	48 819 184	44 608 302
Sales of goods and rendering of services	29	25 260 049	21 697 627
Total Exchange Revenue		1 466 932 679	1 287 941 024
Non-Exchange Revenue			
Property rates	30	484 454 441	452 019 022
Fines, penalties and forfeits	31	166 867 895	146 657 768
Transfers and subsidies	32	342 231 985	311 629 905
Interest earned from receivables	24	4 239 407	3 418 263
Total Non-Exchange Revenue		997 793 728	913 724 958
Total Revenue		2 464 726 407	2 201 665 982
Expenditure			
Employee related cost	33	631 801 689	542 779 491
Remuneration of councillors	34	22 619 919	22 764 755
Bulk purchases	35	658 227 496	544 002 101
Inventory consumed	36	66 371 383	64 172 062
Debt impairment	37	49 123 660	70 722 081
Depreciation and amortisation	38	204 290 393	231 676 940
Impairment loss /(reversal) of impairment	39	2 756 436	1 572 668
Finance costs	40	63 411 228	59 928 458
Contracted services	41	278 249 405	229 356 127
Transfers and subsidies	42	21 324 136	17 758 255
Irrecoverable debts written off	43	101 629 854	91 945 701
Contribution to/(from) Landfill provision	44	583 529	(69 693 846)
Operating leases	45	6 145 742	9 292 497
Operational cost	46	132 062 028	132 292 422
Gain/(Loss) on disposals and fair value adjustments	47	3 480 147	834 920
Inventory adjustments to net realisable value	48	(290 008)	389 307
Total Expenditure		2 241 787 037	1 949 793 939
Surplus for the year		222 939 370	251 872 043

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Statement of Changes in Net Assets

	Self insurance reserve	Capital replacement reserve	Total reserves	Accumulated surplus	Total net assets
Opening balance as previously reported	9 885 492	152 605 135	162 490 627	5 383 597 051	5 546 087 678
Adjustments					
Correction of errors	-	-	-	(18 436 426)	(18 436 426)
Balance at 01 July 2022 as restated*	9 885 492	152 605 135	162 490 627	5 362 137 323	5 524 627 950
Surplus for the year	-	-	-	251 872 043	251 872 043
Transfers to / from accumulated surplus for the year	-	161 293 889	161 293 889	(161 293 889)	-
Property, plant and equipment purchased	-	(137 072 745)	(137 072 745)	137 072 745	-
Total changes	-	24 221 144	24 221 144	227 650 899	251 872 043
Balance at 01 July 2023	9 885 492	176 826 279	186 711 771	5 589 788 203	5 776 499 974
Surplus for the year	-	-	-	222 939 370	222 939 370
Transfers to / from accumulated surplus for the year	-	262 985 070	262 985 070	(262 985 070)	-
Property, plant and equipment purchased	-	(178 016 582)	(178 016 582)	178 016 584	-
Total changes	-	84 968 488	84 968 488	137 970 884	222 939 372
Balance at 30 June 2024	9 885 492	261 794 767	271 680 259	5 727 759 087	5 999 439 346

We draw to your attention amounts restated for net assets as depicted in note 62

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Cash Flow Statement

	Note(s)	2024	2023
Cash flows from operating activities			
Receipts			
Sale of goods and services		1 824 843 027	1 630 358 920
Grants received		333 123 650	314 394 297
Interest		57 311 807	42 250 158
Payments			
Cash paid to employees		(632 039 518)	(579 747 395)
Cash paid to suppliers		(1 149 677 354)	(932 883 954)
Grants paid		(15 566 458)	(17 758 255)
Finance costs		(49 186 011)	(46 712 396)
Net cash from(used) operating activities	49	368 809 143	409 901 375
Cash flows from investing activities			
Receipts			
Capital asset sales		723 740	1 738 223
Payments			
Capital assets additions		(424 249 313)	(297 952 022)
Short term investments		(123 949 356)	(26 244 801)
Net cash flows from investing activities		(547 474 929)	(322 458 600)
Cash flows from financing activities			
Receipts			
Net movement in borrowings		82 399 282	23 213 468
Net cash flows from financing activities		82 399 282	23 213 468
Net increase/(decrease) in cash		(96 266 504)	110 656 243
Cash and cash equivalents at year begin		246 945 413	136 289 170
		150 678 909	246 945 413

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Comparison of Budget and Actual Amounts for the year ended 30 June 2024

	Approved budget	*Budget adjustments	Final budget	Actual amounts on comparable basis	Difference between final budget and actual	Reason for the material variance
2024						
Financial performance						
Revenue by source						
Exchange revenue						
Service charges - Electricity	913 669 187	-	913 669 187	874 585 643	(39 083 544)	The under performance is due to consumers making use of alternative energy sources.
Service charges - Water	171 866 497	-	171 866 497	203 270 709	31 404 212	The municipality has billed more water charges than initially anticipated due to an increase in water consumption.
Service charges - Waste Water Management	113 677 435	-	113 677 435	114 951 742	1 274 307	
Service charges - Waste Management	107 653 574	-	107 653 574	96 326 521	(11 327 053)	
Sale of goods and rendering of services	22 123 608	-	22 123 608	25 260 049	3 136 441	
Agency services	3 617 114	-	3 617 114	3 697 082	79 968	
Interest earned from receivables	17 323 717	-	17 323 717	23 504 654	6 180 937	
Interest earned from current and non current assets	44 167 518	-	44 167 518	57 311 807	13 144 289	
Rental from fixed assets	13 013 749	-	13 013 749	11 055 806	(1 957 943)	
Licence and permits	7 993 809	-	7 993 809	8 149 482	155 673	
Operational revenue	47 544 383	-	47 544 383	48 819 184	1 274 801	
	1 462 650 591	-	1 462 650 591	1 466 932 679	4 282 088	

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Comparison of Budget and Actual Amounts for the year ended 30 June 2024

	Approved budget	*Budget adjustments	Final budget	Actual amounts on comparable basis	Difference between final budget and actual	Reason for the material variance
Non-exchange revenue						
Property rates	473 588 918	-	473 588 918	484 454 441	10 865 523	
Fines, penalties and forfeits	155 565 187	-	155 565 187	166 867 895	11 302 708	The municipality recognised unclaimed deposits in the current financial year.
Transfer and subsidies - Operational	225 163 265	-	225 163 265	230 231 110	5 067 845	
Interest	3 292 796	-	3 292 796	4 239 407	946 611	
	857 610 166	-	857 610 166	885 792 853	28 182 687	
Total Revenue by source (excl. capital transfers and contributions)	2 320 260 757	-	2 320 260 757	2 352 725 532	32 464 775	

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Comparison of Budget and Actual Amounts for the year ended 30 June 2024

	Approved budget	*Budget adjustments	Final budget	Actual amounts on comparable basis	Difference between final budget and actual	Reason for the material variance
Expenditure						
Employee costs	(623 835 797)	1 503 000	(622 332 797)	(631 801 689)	(9 468 892)	
Remuneration of councillors	(22 096 514)	-	(22 096 514)	(22 619 919)	(523 405)	
Bulk purchases - Electricity	(636 392 814)	9 682 987	(626 709 827)	(626 175 769)	534 058	
Inventory consumed	(97 491 474)	(4 877 555)	(102 369 029)	(98 423 110)	3 945 919	
Debt impairment	(71 053 115)	-	(71 053 115)	(49 123 660)	21 929 455	
Depreciation and amortisation	(239 798 581)	-	(239 798 581)	(204 290 393)	35 508 188	
Interest	(68 934 733)	3 771 400	(65 163 333)	(63 411 228)	1 752 105	
Contracted services	(289 033 616)	(11 367 066)	(300 400 682)	(278 249 405)	22 151 277	
Transfers and subsidies	(20 198 529)	(5 620 529)	(25 819 058)	(21 324 136)	4 494 922	
Irrecoverable debts written off	(115 712 979)	-	(115 712 979)	(101 629 854)	14 083 125	
Operational costs	(175 829 278)	6 921 963	(168 907 315)	(138 791 299)	30 116 016	
Losses on disposal of Assets	-	-	-	(3 480 147)	(3 480 147)	
Other Losses	-	-	-	(2 466 428)	(2 466 428)	
Total Expenditure	(2 360 377 430)	14 200	(2 360 363 230)	(2 241 787 037)	118 576 193	
Surplus	(40 116 673)	14 200	(40 102 473)	110 938 495	151 040 968	
Transfers and subsidies - capital (monetary allocations)	135 828 072	-	135 828 072	106 864 062	(28 964 010)	Revenue recognition of grants was not done due to non-spending of conditional grants on capital expenditure projects.
Transfers and subsidies - capital (in-kind)	-	-	-	5 136 813	5 136 813	
Surplus for the year	95 711 399	14 200	95 725 599	222 939 370	127 213 771	

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Reconciliation of total revenue

Reconciliation items

Revenue as per Budget statement - before capital transfers and subsidies

2 352 725 532

Add reconciling items:

Transfers and subsidies - Capital (Monetary allocations)

106 864 062

Transfers and subsidies - Capital (In-kind)

5 136 813

Total Revenue

2 464 726 407

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Comparison of Budget and Actual Amounts for the year ended 30 June 2024

	Approved budget	*Budget adjustments	Final budget	Actual amounts on comparable basis	Difference between final budget and actual	Reason for the material variance
Financial position						
Assets						
Current assets						
Cash and cash equivalents	621 473 443	-	621 473 443	609 418 774	(12 054 669)	
Trade and other receivables from exchange transactions	248 105 399	-	248 105 399	251 987 494	3 882 095	
Receivables from non-exchange transactions	37 785 443	-	37 785 443	86 667 444	48 882 001	The variance is mainly due to the outstanding traffic fines issued.
Inventory	37 108 629	(4 777 555)	32 331 074	23 268 245	(9 062 829)	
VAT	12 014 179	-	12 014 179	33 106 172	21 091 993	
Other current assets	5 961 272	-	5 961 272	54 389 107	48 427 835	
Total current assets	962 448 365	(4 777 555)	957 670 810	1 058 837 236	101 166 426	
Non-current assets						
Investment property	426 892 921	-	426 892 921	422 930 670	(3 962 251)	
Property, plant and equipment	5 887 143 725	-	5 887 143 725	5 853 784 635	(33 359 090)	The variance is due to capital spending targets that were not reached as well as decrease in depreciation due to targets not achieved.
Biological assets	5 492 777	-	5 492 777	2 925 054	(2 567 723)	
Heritage assets	1 312 677	-	1 312 677	1 312 810	133	
Intangible assets	4 996 551	-	4 996 551	4 097 725	(898 826)	
Trade and other receivables from exchange transactions	4 581 571	-	4 581 571	6 491 436	1 909 865	
Non-current receivables from non-exchange transactions	17 161	-	17 161	17 161	-	
Total non-current assets	6 330 437 383	-	6 330 437 383	6 291 559 491	(38 877 892)	
Total assets	7 292 885 748	(4 777 555)	7 288 108 193	7 350 396 727	62 288 534	

Comparison of Budget and Actual Amounts for the year ended 30 June 2024

	Approved budget	*Budget adjustments	Final budget	Actual amounts on comparable basis	Difference between final budget and actual	Reason for the material variance
Liabilities						
Current liabilities						
Financial liabilities	62 456 896	-	62 456 896	69 853 210	7 396 314	
Consumer deposits	23 688 825	-	23 688 825	24 190 439	501 614	
Trade and other payables from exchange transactions	322 478 941	(1 020 355)	321 458 586	320 683 582	(775 004)	
Trade and other payables from non-exchange transactions	21 331 570	-	21 331 570	37 827 435	16 495 865	The variance is due to unspent conditional grants.
Provision	58 198 189	(3 771 400)	54 426 789	65 195 966	10 769 177	
VAT	5 028 816	-	5 028 816	-	(5 028 816)	
Total current liabilities	493 183 237	(4 791 755)	488 391 482	517 750 632	29 359 150	
Non-current liabilities						
Financial liabilities	584 555 129	-	584 555 129	514 496 032	(70 059 097)	The external loan amount to be taken up was reduced due to the slow capital spending.
Provision	322 387 252	-	322 387 252	313 410 478	(8 976 774)	
Total non-current liabilities	906 942 381	-	906 942 381	827 906 510	(79 035 871)	
Total liabilities	1 400 125 618	(4 791 755)	1 395 333 863	1 345 657 142	(49 676 721)	
Net assets	5 892 760 130	14 200	5 892 774 330	6 004 739 585	111 965 255	

Comparison of Budget and Actual Amounts for the year ended 30 June 2024

	Approved budget	*Budget adjustments	Final budget	Actual amounts on comparable basis	Difference between final budget and actual	Reason for the material variance
Community wealth/ Equity						
Accumulated Surplus/(Deficit)	5 573 258 327	14 200	5 573 272 527	5 733 059 354	159 786 827	An increase in the surplus for the current financial year has contributed to this variance.
Reserves	319 501 803	-	319 501 803	271 680 259	(47 821 544)	
Total current community wealth/ equity	5 892 760 130	14 200	5 892 774 330	6 004 739 613	111 965 283	

Comparison of Budget and Actual Amounts for the year ended 30 June 2024

	Approved budget	*Budget adjustments	Final budget	Actual amounts on comparable basis	Difference between final budget and actual	Reason for the material variance
Cash flow						
Cash flow from operating activities						
Receipts						
Property rates	481 303 031	-	481 303 031	484 454 441	3 151 410	
Service charges	1 481 790 190	-	1 481 790 190	1 286 848 344	(194 941 846)	The municipality under collected in terms of the service charges
Other revenue	179 433 659	-	179 433 659	53 539 981	(125 893 678)	Over estimation during the forecasting of other revenue
Transfers and Subsidies - Operational	224 378 500	-	224 378 500	221 122 775	(3 255 725)	
Transfers and Subsidies - Capital	123 891 103	-	123 891 103	112 000 875	(11 890 228)	
Interest	44 167 518	-	44 167 518	57 311 807	13 144 289	
	2 534 964 001	-	2 534 964 001	2 215 278 223	(319 685 778)	
Payments						
Suppliers and employees	(2 011 898 374)	-	(2 011 898 374)	(1 781 716 651)	230 181 723	The municipality paid less than anticipated.
Finance charges	(42 801 802)	-	(42 801 802)	(49 186 011)	(6 384 209)	
Transfers and subsidies	(20 635 518)	-	(20 635 518)	(15 566 458)	5 069 060	
	(2 075 335 694)	-	(2 075 335 694)	(1 846 469 120)	228 866 574	
Net cash from/(used) operating activities	459 628 307	-	459 628 307	368 809 103	(90 819 204)	

Comparison of Budget and Actual Amounts for the year ended 30 June 2024

	Approved budget	*Budget adjustments	Final budget	Actual amounts on comparable basis	Difference between final budget and actual	Reason for the material variance
Cash flow from investing activities						
Receipts						
Proceeds on disposal of PPE	-	-	-	723 740	723 740	The municipality took advantage of the increased interest rates and invested excess funds
Decrease (increase) in short term investments	-	-	-	(123 949 356)	(123 949 356)	
	-	-	-	(123 225 616)	(123 225 616)	
Payments						
Capital assets	(562 823 611)	-	(562 823 611)	(424 249 313)	138 574 298	The municipality had an under spending on its capital expenditure budget.
Net cash from/(used) investing activities	(562 823 611)	-	(562 823 611)	(547 474 929)	15 348 682	
Cash flow from financing activities						
Receipts						
Borrowing long term/refinancing	200 000 000	-	200 000 000	137 446 093	(62 553 907)	The municipality required less funding from borrowings than anticipated.
Payments						
Repayment of borrowing	(55 632 448)	-	(55 632 448)	(55 046 810)	585 638	The municipality required less funding from borrowings than anticipated.
Net cash from/(used) financing activities	144 367 552	-	144 367 552	82 399 283	(61 968 269)	
Net Increase/ (Decrease) in cash held	41 172 248	-	41 172 248	(96 266 543)	(137 438 791)	
Cash/cash equivalents at the year begin:	580 301 195	-	580 301 195	246 945 413	(333 355 782)	The amount budgeted includes investments as cash and cash equivalents, however these investments are taken into account in the Investing activities for the actual amount on the comparative basis.
Cash/cash equivalents at the year end:	621 473 443	-	621 473 443	150 678 869	(470 794 574)	

Comparison of Budget and Actual Amounts for the year ended 30 June 2024

	Approved budget	*Budget adjustments	Final budget	Actual amounts on comparable basis	Difference between final budget and actual	Reason for the material variance

Commentary

Budget adjustments are done in terms of section 28 and section 31 of the MFMA.

All budget adjustments above relate to virements in terms of Council Approved Virement Policy.

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Accounting Policies

The annual financial statements have been prepared in accordance with the Standards of Generally Recognised Accounting Practice (GRAP), including any interpretations, guidelines and directives, issued by the Accounting Standards Board in accordance with Section 122(3) of the Municipal Finance Management Act (Act 56 of 2003).

These annual financial statements have been prepared on an accrual basis of accounting and are in accordance with historical cost convention as the basis of measurement, unless specified otherwise. They are presented in South African Rand. All figures are rounded to the nearest Rand.

The annual financial statements have been prepared in accordance with the Finance Management Act (MFMA) and effective Standards of Generally Recognised Accounting Practice (GRAP), including any interpretations and directives issued by the Accounting Standards Board in accordance with Section 122(3) of the Municipal Finance Management Act, (Act No 56 of 2003)

In the absence of an issued and effective Standard of GRAP, accounting policies for material transactions, events or conditions were developed in accordance with paragraphs 8, 10 and 11 of GRAP 3 as read with Directive 5.

The principal accounting policies adopted in the preparation of these annual financial statements are set out below.

1. Summary of significant accounting policies

1.1 Going concern assumption

These audited annual financial statements were prepared based on the expectation that the municipality will continue to operate as a going concern for at least the next 12 months.

1.2 Capital replacement reserve (CRR)

In order to finance the acquisition of infrastructure and other items of property, plant and equipment from internal sources, amounts are transferred from the accumulated surplus/(deficit) to the CRR in terms of the Annual Budget. The cash in the designated CRR bank account can only be utilised to finance items of property, plant and equipment. The CRR is reduced and the accumulated surplus/(deficit) is credited by a corresponding amount when the amounts in the CRR are utilised.

1.3 Self-insurance reserve

The municipality has a Self-insurance reserve to set aside amounts to offset potential losses or claims that cannot be insured externally. The balance of the self-insurance fund is invested in short-term investments. Claims are settled by transferring a corresponding amount from the self-insurance reserve to the accumulated surplus.

1.4 Accumulated surplus

The accumulated surplus/deficit represent the net difference between the total assets and the total liabilities of the municipality. Any surpluses and deficits realised during a specific financial year are credited/debited against accumulated surplus/deficit. Prior year adjustments, relating to income and expenditure, are debited/credited against accumulated surplus when retrospective adjustments are made.

1.5 Materiality

Material omissions or misstatements of items are material if they could, individually or collectively, influence the decisions or assessments of users made on the basis of the financial statements. Materiality depends on the nature or size of the omission or misstatement judged in the surrounding circumstances. The nature or size of the information item, or a combination of both, could be the determining factor.

Assessing whether an omission or misstatement could influence decisions of users, and so be material, requires consideration of the characteristics of those users. The Framework for the Preparation and Presentation of Financial Statements states that users are assumed to have a reasonable knowledge of government, its activities, accounting and a willingness to study the information with reasonable diligence. Therefore, the assessment takes into account how users with such attributes could reasonably be expected to be influenced in making and evaluating decisions.

Materiality utilised for the statement of budget comparison (GRAP 24) comprises of the following components:

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Accounting Policies

1.5 Materiality (continued)

Statement of financial Performance

Revenue: 1% of Total Revenue

Expenditure: 2% of Total expenditure

Statement of financial position

Assets: 1% of total assets

Liabilities: 2% of total liabilities

Net assets: 5% of accumulated surplus

Cash flow statement

The receipt items follow a revenue base as per the statement of financial performance and the payments follow an expenditure base as per the statement of financial performance.

1.6 Significant judgements and estimates

In the application of the municipality's accounting policies, which are described below, management is required to make judgement, estimates and assumption that affect the reported amounts of revenues, expenses, assets and liabilities, and the disclosure of contingent liabilities, at the end of the reporting period. The estimates and associated assumptions are based on historical experiences and other factors that are considered too reasonable under the circumstances, the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

These estimates and underlying assumptions are reviewed on an on-going basis. Revisions to accounting estimates are recognised in the period in which the estimate is revised if the revision affects only that period or in the period of the revision and future periods if the revision affects both current and future periods.

1.7 Biological assets that form part of an agricultural activity

The municipality recognises biological assets that form part of an agricultural activity or agricultural produce when and only when:

- the municipality controls the asset as a result of past events;
- it is probable that future economic benefits or service potential associated with the asset will flow to the municipality; and
- the fair value or cost of the asset can be measured reliably

Biological assets that form part of an agricultural activity are measured at their fair value less costs to sell.

A gain or loss arising on initial recognition of biological assets that form part of an agricultural activity or agricultural produce at fair value less costs to sell and from a change in fair value less costs to sell of a biological assets that form part of an agricultural activity, is included in surplus or deficit for the period in which it arises.

Where market determined prices or values are not available, the present value of the expected net cash inflows from the asset, discounted at a current market-determined pre-tax rate where applicable, is used to determine fair value.

Where fair value cannot be measured reliably, biological assets are measured at cost less any accumulated depreciation and any accumulated impairment losses.

The municipality classifies biological assets as consumables which consist of timber in the form of pine trees. All biological assets are held for sale.

Agricultural produce harvested from an entity's biological assets shall be measured at its fair value less costs to sell at the point of harvest. Such measurement is the cost at that date when applying GRAP 12 or another applicable Standard of GRAP.

Item	Useful life
Trees in plantation forest	Indefinite

Stellenbosch Municipality

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Accounting Policies

1.8 Investment property

Investment property is property (land or a building - or part of a building - or both) held to earn rentals or for capital appreciation or both, rather than for:

- use in the production or supply of goods or services; or for
- Administrative purposes, or
- Sale in ordinary course of operations.

Investment property is recognised as an asset when, it is probable that the future economic benefits or service potential that is associated with the investment property will flow to the municipality, and the cost or fair value of the investment property can be measured reliably.

Investment property is initially recognised at cost. Transaction costs are included in the initial measurement.

Where investment property is acquired through a non-exchange transaction, its cost is its fair value as at the date of acquisition.

Costs include costs incurred initially and costs incurred subsequently to add to, or to replace a part of, or service a property. If a replacement part is recognised in the carrying amount of the investment property, the carrying amount of the replaced part is derecognised.

Subsequent measurement – cost model

Investment property is, subsequent to initial measurement, carried at cost less accumulated depreciation and any accumulated impairment losses.

Depreciation is provided to write down the cost, less estimated residual value by equal installments over the useful life of the property, which is as follows:

Item	Useful life
Property-Land	Indefinite
Property-buildings	30-99 years

Investment property is derecognised on disposal or when the investment property is permanently withdrawn from use and no future economic benefits or service potential are expected from its disposal.

Gains or losses arising from the retirement or disposal of investment property is the difference between the net disposal proceeds and the carrying amount of the asset and is recognised in surplus or deficit in the period of retirement or disposal.

Compensation from third parties for investment property that was impaired, lost or given up is recognised in surplus or deficit when the compensation becomes receivable.

The nature OR type of properties classified as held for strategic purposes are as follows:

The municipality separately discloses expenditure to repair and maintain investment property in the notes to the annual financial statements (see note 9).

The municipality discloses relevant information relating to assets under construction or development, in the notes to the annual financial statements (see note 9).

When classification is difficult, the criteria used to distinguish investment property from owner -occupied property and from property held for sale in the ordinary course of operations, are as follows:

All properties held to earn market-related rentals or for capital appreciation or both and that are not used for administrative purposes, and that will not be sold within the next 12 months are classified as Investment Properties

A building owned by the municipality (or held by the municipality under a finance lease) and leased out under one or more operating leases

Transfers to, or from, investment property shall be made when, and only when, there is a change in use, evidenced by:

(a) commencement of owner-occupation, for a transfer from investment property to owner-occupied property;

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Accounting Policies

1.8 Investment property (continued)

(b) commencement of development with a view to sale, for a transfer from investment property to inventories;

(c) end of owner-occupation, for a transfer from owner-occupied property to investment property; or

(d) commencement of an operating lease (on a commercial basis) to another party, for a transfer from inventories to investment property.

1.9 Property, plant and equipment

Property, plant and equipment are tangible non-current assets (including infrastructure assets) that are held for use in the production or supply of goods or services, rental to others, or for administrative purposes, and are expected to be used during more than one period. The municipality elected the cost model for Property, plant and equipment.

The cost of an item of property, plant and equipment is recognised as an asset if, and only if

- if it is probable that future economic benefits or service potential associated with the item will flow to the municipality, and
- the cost or fair value of the item can be measured reliably.

Initial recognition and measurement

Property, plant and equipment are initially recognised at cost on its acquisition date. The cost of an item of property, plant and equipment is the purchase price and other costs attributable to bring the asset to the location and condition necessary for it to be capable of operating in the manner intended by the municipality. Trade discounts and rebates are deducted in arriving at the cost. The cost also includes the necessary costs of dismantling and removing the asset and restoring the site on which it is located.

Where an asset is acquired through a non-exchange transaction, its cost is its fair value as at date of acquisition.

Where an item of property, plant and equipment is acquired in exchange for a non-monetary asset or monetary assets, or a combination of monetary and non-monetary assets, the asset acquired is initially measured at fair value (the cost). If the acquired item's fair value was not determinable, its deemed cost is the carrying amount of the asset(s) given up.

When significant components of an item of property, plant and equipment have different useful lives, they are accounted for as separate items (major components) of property, plant and equipment.

Costs include costs incurred initially to acquire or construct an item of property, plant and equipment and costs incurred subsequently to add to, replace part of, or service it. If a replacement cost is recognised in the carrying amount of an item of property, plant and equipment, the carrying amount of the replaced part is derecognised.

The initial estimate of the costs of dismantling and removing the item and restoring the site on which it is located is also included in the cost of property, plant and equipment, where the municipality is obligated to incur such expenditure, and where the obligation arises as a result of acquiring the asset or using it for purposes other than the production of inventories.

Recognition of costs in the carrying amount of an item of property, plant and equipment ceases when the item is in the location and condition necessary for it to be capable of operating in the manner intended by management.

Major spare parts and standby equipment which are expected to be used for more than one period are included in property, plant and equipment. In addition, spare parts and standby equipment which can only be used in connection with an item of property, plant and equipment are accounted for as property, plant and equipment.

Major inspection costs which are a condition of continuing use of an item of property, plant and equipment and which meet the recognition criteria above are included as a replacement in the cost of the item of property, plant and equipment. Any remaining inspection costs from the previous inspection are derecognised. Subsequent to initial measurement property, plant and equipment is carried at cost less accumulated depreciation and any impairment losses.

Incomplete construction work

Incomplete construction work is stated at historical cost. Depreciation only commences when the asset is available for use.

Impairment

Stellenbosch Municipality

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Accounting Policies

1.9 Property, plant and equipment (continued)

Where the carrying amount of an item of property, plant and equipment is greater than the estimated recoverable service amount, it is written down immediately to its recoverable service amount and an impairment loss is charged to the statement of financial performance.

Depreciation

Property, plant and equipment are depreciated on the straightline basis over their expected useful lives to their estimated residual value.

The useful lives of items of property, plant and equipment have been assessed as follows:

Item	Depreciation method	Average useful life
Land	Straight-line	indefinite
Machinery and equipment	Straight-line	1-66
Furniture and office equipment	Straight-line	2-24
Transport assets	Straight-line	4-21
Computer equipment	Straight-line	5-23
Community assets	Straight-line	4-50
Other property, plant and equipment	Straight-line	6-99
Capital restoration asset	Straight-line	5-30
Electrical infrastructure	Straight-line	10-100
Water supply infrastructure	Straight-line	10-100
Solid waste infrastructure	Straight-line	10-50
Roads infrastructure	Straight-line	10-100
Information and communication infrastructure	Straight-line	3-15
Waste water network	Straight-line	10-100
Stormwater infrastructure	Straight-line	10-50

The depreciable amount of an asset is allocated on a systematic basis over its useful life.

Each part of an item of property, plant and equipment with a cost that is significant in relation to the total cost of the item is depreciated separately.

The depreciation method used reflects the pattern in which the asset's future economic benefits or service potential are expected to be consumed by the municipality. The depreciation method applied to an asset is reviewed at least at each reporting date and, if there has been a significant change in the expected pattern of consumption of the future economic benefits or service potential embodied in the asset, the method is changed to reflect the changed pattern. Such a change is accounted for as a change in an accounting estimate.

The municipality assesses at each reporting date whether there is any indication that the municipality expectations about the residual value and the useful life of an asset have changed since the preceding reporting date. If any such indication exists, the municipality revises the expected useful life and/or residual value accordingly. The change is accounted for as a change in an accounting estimate.

The depreciation charge for each period is recognised in surplus or deficit unless it is included in the carrying amount of another asset.

Items of property, plant and equipment are derecognised when the asset is disposed of or when there are no further economic benefits or service potential expected from the use of the asset.

The gain or loss arising from the derecognition of an item of property, plant and equipment is included in surplus or deficit when the item is derecognised. The gain or loss arising from the derecognition of an item of property, plant and equipment is determined as the difference between the net disposal proceeds, if any, and the carrying amount of the item.

The municipality separately discloses expenditure to repair and maintain property, plant and equipment in the notes to the financial statements (see note 10).

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Accounting Policies

1.10 Intangible assets

Initial recognition and measurement

An asset is identifiable if it either:

- is separable, i.e. is capable of being separated or divided from the municipality and sold, transferred, licensed, rented or exchanged, either individually or together with a related contract, identifiable assets or liability, regardless of whether the entity intends to do so; or
- arises from binding arrangements (including rights from contracts), regardless of whether those rights are transferable or separable from the municipality or from other rights and obligations. A binding arrangement describes an arrangement that confers similar rights and obligations on the parties to it as if it were in the form of a contract.

An intangible asset is recognised when:

- it is probable that the expected future economic benefits or service potential that are attributable to the asset will flow to the municipality; and
- the cost or fair value of the asset can be measured reliably

The municipality assesses the probability of expected future economic benefits or service potential using reasonable and supportable assumptions that represent management's best estimate of the set of economic conditions that will exist over the useful life of the asset.

Where an intangible asset is acquired through a non-exchange transaction, its initial cost at the date of acquisition is measured at its fair value as at that date.

If the expected useful life of the asset is different from previous estimates, the amortisation period shall be changed accordingly. If there has been a change in the expected pattern of consumption of the future economic benefits or service potential embodied in the asset, the amortisation method shall be changed to reflect the changed pattern. Such changes shall be accounted for as changes in accounting estimates in accordance with GRAP 3.

Subsequent measurement

Subsequent to initial measurement intangible assets are carried at cost less any accumulated amortisation and any impairment losses.

An intangible asset is regarded as having an indefinite useful life when, based on all relevant factors, there is no foreseeable limit to the period over which the asset is expected to generate net cash inflows or service potential. Amortisation is not provided for these intangible assets, but they are tested for impairment annually and whenever there is an indication that the asset may be impaired. For all other intangible assets amortisation is provided on a straight line basis over their useful life.

The amortisation period and the amortisation method for intangible assets are reviewed at each reporting date.

Reassessing the useful life of an intangible asset with a finite useful life after it was classified as indefinite is an indicator that the asset may be impaired. As a result the asset is tested for impairment and the remaining carrying amount is amortised over its useful life.

Internally generated goodwill, brands, mastheads, publishing titles, customer lists and items similar in substance are not recognised as intangible assets.

If the expected useful life of the asset is different from previous estimates, the amortisation period shall be changed accordingly. If there has been a change in the expected pattern of consumption of the future economic benefits or service potential embodied in the asset, the amortisation method shall be changed to reflect the changed pattern. Such changes shall be accounted for as changes in accounting estimates in accordance with GRAP 3.

Amortisation is provided to write down the intangible assets, on a straight line basis, to their residual values as follows:

Item	Depreciation method	Average useful life
Internally generated: Capital development	Straight-line	5 - 7 years
Computer software	Straight-line	3 - 30 years
Service operating and land rights	Straight-line	5 - 30 years

Stellenbosch Municipality

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Accounting Policies

1.10 Intangible assets (continued)

Derecognition

Intangible assets are derecognised:

- on disposal; or
- when no future economic benefits or service potential are expected from its use or disposal.

The gain or loss arising from the derecognition of an intangible asset shall be included in surplus or deficit when the asset is derecognised.

1.11 Heritage assets

Heritage assets are assets that have a cultural, environmental, historical, natural, scientific, technological or artistic significance and are held indefinitely for the benefit of present and future generations.

Initial recognition and measurement

The municipality recognises a heritage asset as an asset if it is probable that future economic benefits or service potential associated with the asset will flow to the municipality, and the cost or fair value of the asset can be measured reliably.

Where the municipality holds a heritage asset, but on initial recognition it does not meet the recognition criteria because it cannot be reliably measured, information on such a heritage asset is disclosed in note 13 Heritage assets.

Initial measurement

Heritage assets are measured at cost.

Where a heritage asset is acquired through a non-exchange transaction, its cost is measured at its fair value as at the date of acquisition.

Subsequent measurement

Subsequent to initial measurement classes of heritage assets are carried at cost less any accumulated impairment losses.

Impairment

The municipality assesses at each reporting date whether there is an indication that it may be impaired. If any such indication exists, the municipality estimates the recoverable amount or the recoverable service amount of the heritage asset.

Reference to impairment paragraphs can be made to note 1.16, 1.17 and 1.18.

Compensation from third parties for heritage assets that have been impaired, lost or given up, shall be included in surplus or deficit when the compensation becomes receivable.

Dererecognition

The municipality derecognises heritage asset on disposal, or when no future economic benefits or service potential are expected from its use or disposal.

The gain or loss arising from the derecognition of a heritage asset is included in surplus or deficit when the item is derecognised (unless the Standard of GRAP on leases requires otherwise on a sale and leaseback).

Transfers

Transfers from heritage assets are only made when the particular asset no longer meets the definition of a heritage asset.

Transfers to heritage assets are only made when the asset meets the definition of a heritage asset.

Stellenbosch Municipality

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Accounting Policies

1.12 Financial instruments

A financial instrument is any contract that gives rise to a financial asset of one entity and a financial liability or a residual interest of another entity. Financial instruments are classified into three categories namely, financial instruments at fair value, financial instruments at amortised cost or financial instruments at cost. The municipality determines the classification of its financial instruments at initial recognition.

1.12.1 Classification of financial instruments

Financial assets

A financial asset is any asset that is a cash or contractual right to receive cash. In accordance with GRAP 104 the Financial Assets of the municipality are classified as follows into the three categories allowed by this standard:

Financial asset at amortised cost being a non-derivative financial asset with fixed or determinable payments that are not quoted in an active market. They are included in current assets, except for maturities greater than 12 months, which are classified as non-current assets.

Financial assets measured at fair value being financial assets that meet either of the following conditions:

- Derivatives;
- Combined instruments that are designated at fair value;
- Instruments held for trading;
- Non-derivative financial assets or financial liabilities with fixed or determinable payments that are designated at fair value at initial recognition; or
- Financial instruments that do not meet the definition of financial instruments at amortised cost or financial instruments at cost.

Financial assets measured at cost being investments in residual interests that do not have a quoted market price in an active market, and whose fair value cannot be reliably measured.

The municipality has the following types of financial assets as reflected on the face of the Statement of financial position or in the notes thereto:

Type of financial asset

Long-term receivables
Consumer debtors
Other debtors
Short-term investment deposit - Call
Bank balances and cash

Classification in terms of GRAP 104

Financial assets at amortised cost
Financial assets at amortised cost
Financial assets at amortised cost
Financial assets at amortised cost
Financial assets at amortised cost

Cash includes cash on hand (including petty cash) and cash with banks (including call deposits). Cash equivalents are short-term highly liquid investments, readily convertible into known amounts of cash that are held with registered banking institutions with maturities of three months or less and are subject to an insignificant risk of change in value. For the purposes of the Cash flow statement, cash and cash equivalents comprise cash on hand, deposits held on call with banks, net of bank overdrafts. The municipality categorises cash and cash equivalents as financial assets at amortised cost.

Financial liabilities

A financial liability is a contractual obligation to deliver cash or another financial asset to another entity.

The following main categories of financial liabilities and the classification determining how they are measured exist:

- Financial liabilities measured at amortised cost; or
- Financial liabilities measured at fair value.

The municipality has the following types of financial liabilities as reflected on the face of the Statement of financial position or in the notes thereto:

Type of financial liability

Long-term liabilities
Current portion of long-term liabilities
Other creditors

Classification in terms of GRAP 104

Financial liability at amortised cost
Financial liability at amortised cost
Financial liability at amortised cost

Stellenbosch Municipality

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Accounting Policies

1.12 Financial instruments (continued)

1.12.2 Initial and subsequent measurement

Initial recognition and measurement

A financial instruments is recognised, when the municipality becomes a party to the contractual provisions of the instrument, and are initially measured at fair value. In the case of a financial instruments not subsequently measured at fair value, transaction costs that are directly attributable to the acquisition or issue of the financial instruments are added or deducted from the fair value, as appropriate on initial recognition.

Subsequent measurement – Financial assets

Financial assets consist of cash and cash equivalents, deposits, receivables and investments.

Receivables are subsequently measured at amortised cost using the effective interest rate method, less impairment. Amortised cost is calculated by taking into account any discount or premium on acquisition and fees or costs that are an integral part of the effective interest rate.

A provision for impairment of receivables is established when there is objective evidence that the municipality will not be able to collect all amounts due according to the original terms of receivables. The amount of the provision is the difference between the asset's carrying amount and the present value of estimated future cash flows, discounted at the effective interest rate. Changes in the carrying amount of the provision is recognised in the Statement of financial performance. When a receivable is considered uncollectible, it is written off against the provision. Any gains or losses arising from the change in fair value of investments measured at fair value are recognised in the Statement of financial performance.

Trade and other receivables (excluding Value Added Taxation, prepayments and operating lease receivables), loans to municipal entities and loans that have fixed and determinable payments that are not quoted in an active market are classified as financial assets at amortised cost.

Financial assets measured at fair value are initially measured at fair value plus directly attributable transaction costs. They are subsequently measured at fair value with unrealised gains or losses recognised directly in equity until the investment is derecognised, at which time the cumulative gain or loss recorded in equity is recognised in the Statement of financial performance, or determined to be impaired, at which time the cumulative loss recorded in equity is recognised in the Statement of financial performance.

Subsequent measurement – Financial Liabilities

Financial liabilities consist of payables, interest bearing loans and bank overdrafts. These liabilities are subsequently measured at amortised cost, using the effective interest rate method. Finance costs are expensed in the Statement of financial performance in the period in which they are incurred except where stated otherwise (see accounting policy on borrowing costs).

Bank borrowings, consisting of interest-bearing short-term bank loans, repayable on demand and overdrafts are recorded at the proceeds received. Finance costs are accounted for using the accrual basis and are added to the carrying amount of the bank borrowing to the extent that they are not settled in the period that they arise.

Prepayments are carried at cost less any accumulated impairment losses.

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Accounting Policies

1.12 Financial instruments (continued)

1.12.3 Derecognition

Financial assets

The municipality derecognises financial assets only when the contractual rights to the cash flows from the asset expires or it transfers the financial assets and substantially all the risks and rewards of ownership of the asset to another entity, except when Council approves the write-off of financial assets due to non-recoverability.

If the municipality neither transfers nor retains substantially all the risks and rewards of ownership and continues to control the transferred asset, the municipality recognises its retained interest in the asset and an associated liability for amounts it may have to pay. If the municipality retains substantially all the risks and rewards of ownership of a transferred financial assets, the municipality continues to recognise the financial assets and also recognises a collateralised borrowing for the proceeds received.

Financial liabilities

The municipality derecognises financial liabilities when, and only when, the municipality's obligations are discharged, cancelled or they expire.

An exchange between an existing borrower and lender of debt instruments with substantially different terms shall be accounted for as having extinguished the original financial liability, and a new financial liability recognised. Similarly, a substantial modification of the terms of an existing financial liability or a part of it (whether or not attributable to the financial difficulty of the debtor) shall be accounted for as having extinguished the original financial liability and having recognised a new financial liability.

The difference between the carrying amount of a financial liability (or part of a financial liability) extinguished or transferred to another party and the consideration paid, including any non-cash assets transferred or liabilities assumed, shall be recognised in surplus or deficit. Any liabilities that are waived, forgiven or assumed by another entity by way of a nonexchange transaction, are accounted for in accordance with GRAP 23.

1.12.4 Fair value measurement considerations

The best evidence of fair value is quoted prices in an active market. If the market for a financial instruments is not active, the municipality establishes fair value using a valuation technique. The chosen valuation technique makes maximum use of market inputs and relies as little as possible on municipality-specific inputs.

1.13 Leases

A lease is classified as a finance lease if it transfers substantially all the risks and rewards incidental to ownership. A lease is classified as an operating lease if it does not transfer substantially all the risks and rewards incidental to ownership.

When a lease includes both land and buildings elements, the municipality assesses the classification of each element separately

Entity as lessee - operating leases

Operating lease payments are recognised as an expense on a straight-line basis over the lease term. The difference between the amounts recognised as an expense and the contractual payments are recognised as an operating lease asset or liability.

The aggregate benefit of incentives is recognised as a reduction of rental expense over the lease term on a straight- line basis.

Any contingent rent is expensed in the period in which they are incurred.

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Accounting Policies

1.14 Inventory

Initial measurement:

Inventories are initially measured at cost except where inventories are acquired through a non-exchange transaction, then their costs are their fair value as at the date of acquisition.

Inventories shall be recognised as an asset if, and only if:

- (a) it is probable that future economic benefits or service potential associated with the item will flow to the entity;
- (b) and the cost of the inventories can be measured reliably.

Subsequently inventories are measured at the lower of cost and net realisable value.

Inventories are measured at the lower of cost and current replacement cost where they are held for:

- distribution at no charge or for a nominal charge; or
- consumption in the production process of goods to be distributed at no charge or for a nominal charge.

Net realisable value is the estimated selling price in the ordinary course of operations less the estimated costs of completion and the estimated costs necessary to make the sale, exchange or distribution.

Current replacement cost is the cost the municipality incurs to acquire the asset on the reporting date.

The cost of inventories comprises of all costs of purchase, costs of conversion and other costs incurred in bringing the inventories to their present location and condition. The cost of inventories of items that are not ordinarily interchangeable and goods or services produced and segregated for specific projects is assigned using specific identification of the individual costs. The cost of inventories is assigned using the weighted average cost formula. The same cost formula is used for all inventories having a similar nature and use to the municipality.

When inventories are sold, the carrying amounts of those inventories are recognised as an expense in the period in which the related revenue is recognised. If there is no related revenue, the expenses are recognised when the goods are distributed, or related services are rendered. The amount of any write-down of inventories to net realisable value or current replacement cost and all losses of inventories are recognised as an expense in the period the write-down or loss occurs. The amount of any reversal of any write-down of inventories, arising from an increase in net realisable value or current replacement cost, are recognised as a reduction in the amount of inventories recognised as an expense in the period in which the reversal occurs.

1.15 Landfill site

Site restoration and dismantling cost - The municipality has an obligation to dismantle, remove and restore items of property, plant and equipment. Such obligations are referred to as 'decommissioning, restoration and similar liabilities'. The cost of an item of property, plant and equipment includes:

- the initial estimate of the costs of dismantling and removing the item and restoring the site on which it is located;
- changes in the measurement of an existing decommissioning, restoration and similar liability that result from change in the estimated timing or amount of the outflow of resources embodying economic benefits or service potential required to settle the obligation, or a change in discount rate; and
- the obligation the municipality incurs for having used the items during a particular period for purposes other than to produce inventories during that period.

If the related asset is measured using the cost model:

- (a) subject to (b), changes in the liability are added to, or deducted from, the cost of the related asset in the current period;
- (b) if a decrease in the liability exceeds the carrying amount of the asset, the excess is recognised immediately in surplus or deficit; and
- (c) if the adjustment results in an addition to the cost of an asset, the municipality considers whether this is an indication that the new carrying amount of the asset may not be fully recoverable. If it is such an indication, the asset is tested for impairment by estimating its recoverable amount or recoverable service amount, and any impairment loss is recognised in accordance with the accounting policy on impairment of cash-generating assets and/or impairment of non-cash-generating assets

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Accounting Policies

1.16 Impairment of property, plant and equipment, investment property, intangible assets and heritage assets

The municipality classifies all assets held with the primary objective of generating a commercial return as cash-generating assets. A commercial return means that the return charged by the entity is commensurate with the risk associated with holding the asset and the asset is intended to generate positive cash inflows. All other assets are classified as non-cash-generating assets.

1.17 Impairment of cash-generating assets

Cash-generating assets are assets managed with the objective of generating a commercial return. An asset generates a commercial return when it is deployed in a manner consistent with that adopted by a profit-oriented entity

Cash generating assets are assets used with the objective of generating a commercial return. Commercial return means that positive cash flows are expected to be significantly higher than the cost of the asset.

Impairment is a loss in the future economic benefits or service potential of an asset, over and above the systematic recognition of the loss of the asset's future economic benefits or service potential through depreciation (amortisation).

Carrying amount is the amount at which an asset is recognised in the statement of financial position after deducting any accumulated depreciation and accumulated impairment losses thereon.

A cash generating unit is the smallest identifiable group of assets used with the objective of generating a commercial return that generates cash inflows from continuing use that are largely independent of the cash inflows from other assets or groups of assets.

Costs of disposal are incremental costs directly attributable to the disposal of an asset, excluding finance costs and income tax expense.

Depreciation (Amortisation) is the systematic allocation of the depreciable amount of an asset over its useful life.

Fair value less costs to sell is the amount obtainable from the sale of an asset in an arm's length transaction between knowledgeable, willing parties, less the costs of disposal.

Recoverable amount of an asset or a cash generating unit is the higher its fair value less costs to sell and its value in use.

Useful life is either:

- the period of time over which an asset is expected to be used by the municipality; or
- the number of production or similar units expected to be obtained from the asset by the municipality.

Management has judged all assets as non cash generating assets.

Identification

When the carrying amount of a cash-generating asset exceeds its recoverable amount, it is impaired.

The municipality assesses at each reporting date whether there is any indication that a cash-generating asset may be impaired. If any such indication exists, the municipality estimates the recoverable amount of the asset.

Value in use

Value in use of a cash-generating asset is the present value of the estimated future cash flows expected to be derived from the continuing use of an asset and from its disposal at the end of its useful life.

When estimating the value in use of an asset, the municipality estimates the future cash inflows and outflows to be derived from continuing use of the asset and from its ultimate disposal and the municipality applies the appropriate discount rate to those future cash flows.

Discount rate

The discount rate is a pre-tax rate that reflects current market assessments of the time value of money, represented by the current risk-free rate of interest and the risks specific to the asset for which the future cash flow estimates have not been adjusted.

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Accounting Policies

1.17 Impairment of cash-generating assets (continued)

Recognition and measurement (individual asset)

If the recoverable amount of a cash-generating asset is less than its carrying amount, the carrying amount of the asset is reduced to its recoverable amount. This reduction is an impairment loss.

An impairment loss is recognised immediately in surplus or deficit.

After the recognition of an impairment loss, the depreciation (amortisation) charge for the cash-generating asset is adjusted in future periods to allocate the cash-generating asset's revised carrying amount, less its residual value (if any), on a systematic basis over its remaining useful life.

Cash-generating units

If there is any indication that an asset may be impaired, the recoverable amount is estimated for the individual asset. If it is not possible to estimate the recoverable amount of the individual asset, the municipality determines the recoverable amount of the cash-generating unit to which the asset belongs (the asset's cash-generating unit).

If an active market exists for the output produced by an asset or group of assets, that asset or group of assets is identified as a cash-generating unit, even if some or all of the output is used internally. If the cash inflows generated by any asset or cash-generating unit are affected by internal transfer pricing, the municipality use management's best estimate of future price(s) that could be achieved in arm's length transactions in estimating:

- the future cash inflows used to determine the asset's or cash-generating unit's value in use; and
- the future cash outflows used to determine the value in use of any other assets or cash-generating units that are affected by the internal transfer pricing.

Cash-generating units are identified consistently from period to period for the same asset or types of assets, unless a change is justified.

The carrying amount of a cash-generating unit is determined on a basis consistent with the way the recoverable amount of the cash-generating unit is determined.

An impairment loss is recognised for a cash-generating unit if the recoverable amount of the unit is less than the carrying amount of the unit. The impairment is allocated to reduce the carrying amount of the cash-generating assets of the unit on a pro rata basis, based on the carrying amount of each asset in the unit. These reductions in carrying amounts are treated as impairment losses on individual assets.

In allocating an impairment loss, the entity does not reduce the carrying amount of an asset below the highest of:

- its fair value less costs to sell (if determinable);
- its value in use (if determinable); and
- zero.

The amount of the impairment loss that would otherwise have been allocated to the asset is allocated pro rata to the other cash-generating assets of the unit.

Where a non-cash-generating asset contributes to a cash-generating unit, a proportion of the carrying amount of that non-cash-generating asset is allocated to the carrying amount of the cash-generating unit prior to estimation of the recoverable amount of the cash-generating unit.

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Accounting Policies

1.17 Impairment of cash-generating assets (continued)

Reversal of impairment loss

The municipality assesses at each reporting date whether there is any indication that an impairment loss recognised in prior periods for a cash-generating asset may no longer exist or may have decreased. If any such indication exists, the entity estimates the recoverable amount of that asset.

An impairment loss recognised in prior periods for a cash-generating asset is reversed if there has been a change in the estimates used to determine the asset's recoverable amount since the last impairment loss was recognised. The carrying amount of the asset is increased to its recoverable amount. The increase is a reversal of an impairment loss. The increased carrying amount of an asset attributable to a reversal of an impairment loss does not exceed the carrying amount that would have been determined (net of depreciation or amortisation) had no impairment loss been recognised for the asset in prior periods.

A reversal of an impairment loss for a cash-generating asset is recognised immediately in surplus or deficit

After a reversal of an impairment loss is recognised, the depreciation (amortisation) charge for the cash-generating asset is adjusted in future periods to allocate the cash-generating asset's revised carrying amount, less its residual value (if any), on a systematic basis over its remaining useful life.

A reversal of an impairment loss for a cash-generating unit is allocated to the cash-generating assets of the unit pro rata with the carrying amounts of those assets. These increases in carrying amounts are treated as reversals of impairment losses for individual assets. No part of the amount of such a reversal is allocated to a non-cash-generating asset contributing service potential to a cash-generating unit.

In allocating a reversal of an impairment loss for a cash-generating unit, the carrying amount of an asset is not increased above the lower of:

- its recoverable amount (if determinable); and
- the carrying amount that would have been determined (net of amortisation or depreciation) had no impairment loss been recognised for the asset in prior periods.

The amount of the reversal of the impairment loss that would otherwise have been allocated to the asset is allocated pro rata to the other assets of the unit.

In assessing whether there is any indication that an asset may be impaired, the municipality will consider, as a minimum, the following indications:

External sources:

- (a) During the period, an asset's market value has declined significantly more than would be expected as a result of the passage of time or normal use.
- (b) Significant changes with an adverse effect on the entity have taken place during the period, or will take place in the near future, in the technological, market, economic or legal environment in which the entity operates or in the market to which an asset is dedicated.
- (c) Market interest rates or other market rates of return on investments have increased during the period, and those increases are likely to affect the discount rate used in calculating an asset's value in use and decrease the asset's recoverable amount materially

Internal sources:

- (d) Evidence is available of obsolescence or physical damage of an asset.
- (e) Significant changes with an adverse effect on the entity have taken place during the period, or are expected to take place in the near future, in the extent to which, or manner in which, an asset is used or is expected to be used. These changes include the asset becoming idle, plans to discontinue or restructure the operation to which an asset belongs, plans to dispose of an asset before the previously expected date, and reassessing the useful life of an asset as finite rather than indefinite.
- (f) A decision to halt the construction of the asset before it is complete or in a usable condition.
- (g) Evidence is available from internal reporting that indicates that the economic performance of an asset is, or will be, worse than expected.

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Accounting Policies

1.18 Impairment of non-cash-generating assets

Non cash generating assets are assets other than cash generating assets

Identification

When the carrying amount of a non-cash-generating asset exceeds its recoverable service amount, it is impaired.

The municipality assesses at each reporting date whether there is any indication that a non-cash-generating asset may be impaired. If any such indication exists, the municipality estimates the recoverable service amount of the asset.

Irrespective of whether there is any indication of impairment, the entity also tests a non-cash-generating intangible asset with an indefinite useful life or a non-cash-generating intangible asset not yet available for use for impairment annually by comparing its carrying amount with its recoverable service amount. This impairment test is performed at the same time every year. If an intangible asset was initially recognised during the current reporting period, that intangible asset was tested for impairment before the end of the current reporting period.

In assessing whether there is any indication that an asset may be impaired, an entity shall consider, as a minimum, the following indications:

External sources of information

- (a) Cessation, or near cessation, of the demand or need for services provided by the asset.
- (b) Significant long-term changes with an adverse effect on the entity have taken place during the period or will take place in the near future, in the technological, legal or government policy environment in which the entity operates.

Internal sources of information

- (c) Evidence is available of obsolescence or physical damage of an asset.
- (d) Significant long-term changes with an adverse effect on the entity have taken place during the period, or are expected to take place in the near future, in the extent to which, or manner in which, an asset is used or is expected to be used. These changes include the asset becoming idle, plans to discontinue or restructure the operation to which an asset belongs, plans to dispose of an asset before the previously expected date and reassessing the useful life of an asset as finite rather than indefinite.
- (e) A decision to halt the construction of the asset before it is complete or in a usable condition.
- (f) Evidence is available from internal reporting that indicates that the service performance of an asset is, or will be, significantly worse than expected.

Value in use

Value in use of non-cash-generating assets is the present value of the non-cash-generating assets remaining service potential.

The present value of the remaining service potential of a non-cash-generating assets is determined using the following approach:

Depreciated replacement cost approach

The present value of the remaining service potential of a non-cash-generating asset is determined as the depreciated replacement cost of the asset. The replacement cost of an asset is the cost to replace the asset's gross service potential. This cost is depreciated to reflect the asset in its used condition. An asset may be replaced either through reproduction (replication) of the existing asset or through replacement of its gross service potential. The depreciated replacement cost is measured as the current reproduction or replacement cost of the asset, whichever is lower, less accumulated depreciation calculated on the basis of such cost, to reflect the already consumed or expired service potential of the asset.

The replacement cost and reproduction cost of an asset is determined on an "optimised" basis. The rationale is that the municipality would not replace or reproduce the asset with a like asset if the asset to be replaced or reproduced is an overdesigned or overcapacity asset. Overdesigned assets contain features which are unnecessary for the goods or services the asset provides. Overcapacity assets are assets that have a greater capacity than is necessary to meet the demand for goods or services the asset provides. The determination of the replacement cost or reproduction cost of an asset on an optimised basis thus reflects the service potential required of the asset.

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Accounting Policies

1.18 Impairment of non-cash-generating assets (continued)

Recognition and measurement

If the recoverable service amount of a non-cash-generating asset is less than its carrying amount, the carrying amount of the asset is reduced to its recoverable service amount. This reduction is an impairment loss.

An impairment loss is recognised immediately in surplus or deficit.

After the recognition of an impairment loss, the depreciation (amortisation) charge for the non-cash-generating asset is adjusted in future periods to allocate the non-cash-generating asset's revised carrying amount, less its residual value (if any), on a systematic basis over its remaining useful life.

Reversal of an impairment loss

The municipality assesses at each reporting date whether there is any indication that an impairment loss recognised in prior periods for a non-cash-generating asset may no longer exist or may have decreased. If any such indication exists, the municipality estimates the recoverable service amount of that asset.

An impairment loss recognised in prior periods for a non-cash-generating asset is reversed if there has been a change in the estimates used to determine the asset's recoverable service amount since the last impairment loss was recognised. The carrying amount of the asset is increased to its recoverable service amount. The increase is a reversal of an impairment loss. The increased carrying amount of an asset attributable to a reversal of an impairment loss does not exceed the carrying amount that would have been determined (net of depreciation or amortisation) had no impairment loss been recognised for the asset in prior periods.

A reversal of an impairment loss for a non-cash-generating asset is recognised immediately in surplus or deficit.

After a reversal of an impairment loss is recognised, the depreciation (amortisation) charge for the non-cash-generating asset is adjusted in future periods to allocate the non-cash-generating asset's revised carrying amount, less its residual value (if any), on a systematic basis over its remaining useful life.

1.19 Employee benefits

Employee benefits are all forms of consideration given by a municipality in exchange for service rendered by employees.

A qualifying insurance policy is an insurance policy issued by an insurer that is not a related party of the reporting municipality, if the proceeds of the policy can be used only to pay or fund employee benefits under a defined benefit plan and are not available to the reporting municipality's own creditors (even in liquidation) and cannot be paid to the reporting municipality, unless either:

the proceeds represent surplus assets that are not needed for the policy to meet all the related employee benefit obligations; or

the proceeds are returned to the reporting municipality to reimburse it for employee benefits already paid.

Termination benefits are employee benefits payable as a result of either:

a municipality's decision to terminate an employee's employment before the normal retirement date; or

an employee's decision to accept voluntary redundancy in exchange for those benefits.

Other long-term employee benefits are employee benefits (other than post-employment benefits and termination benefits) that are not due to be settled within twelve months after the end of the period in which the employees render the related service.

Vested employee benefits are employee benefits that are not conditional on future employment.

Composite social security programmes are established by legislation and operate as multi-employer plans to provide postemployment benefits as well as to provide benefits that are not consideration in exchange for service rendered by employees.

Stellenbosch Municipality

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Accounting Policies

1.19 Employee benefits (continued)

A constructive obligation is an obligation that derives from a municipality's actions where by an established pattern of past practice, published policies or a sufficiently specific current statement, the municipality has indicated to other parties that it will accept certain responsibilities and as a result, the municipality has created a valid expectation on the part of those other parties that it will discharge those responsibilities.

Short-term employee benefits

Short-term employee benefits are employee benefits (other than termination benefits) that are due to be settled within twelve months after the end of the period in which the employees render the related service.

Short-term employee benefits include items such as:

wages, salaries and social security contributions;

short-term compensated absences (such as paid annual leave and paid sick leave) where the compensation for the absences is due to be settled within twelve months after the end of the reporting period in which the employees render the related employee service;

bonus, incentive and performance related payments payable within twelve months after the end of the reporting period in which the employees render the related service; and

non-monetary benefits (for example, medical care, and free or subsidised goods or services such as housing, cars and cellphones) for current employees.

When an employee has rendered service to the municipality during a reporting period, the entity recognise the undiscounted amount of short-term employee benefits expected to be paid in exchange for that service:

as a liability (accrued expense), after deducting any amount already paid. If the amount already paid exceeds the undiscounted amount of the benefits, the municipality recognise that excess as an asset (prepaid expense) to the extent that the prepayment will lead to, for example, a reduction in future payments or a cash refund; and

as an expense, unless another Standard requires or permits the inclusion of the benefits in the cost of an asset.

The expected cost of compensated absences is recognised as an expense as the employees render services that increase their entitlement or, in the case of non-accumulating absences, when the absence occurs. The municipality measure the expected cost of accumulating compensated absences as the additional amount that the entity expects to pay as a result of the unused entitlement that has accumulated at the reporting date.

The municipality recognises the expected cost of bonus, incentive and performance related payments when the municipality has a present legal or constructive obligation to make such payments as a result of past events and a reliable estimate of the obligation can be made. A present obligation exists when the entity has no realistic alternative but to make the payments.

The costs of all short-term employee benefits such as leave pay, are recognised during the period in which the employee renders the related service.

Liabilities for staff bonuses are recognised as they accrue to employees. The liability at year-end is based on the bonus accrued at year-end for each employee.

A provision, in respect of the liability relating to the anticipated costs of performance bonuses payable to Section 57 employees, is recognised as it accrues to Section 57 employees. Municipal entities' performance bonus provisions are based on the employment contract stipulations as well as previous performance bonus payment trends.

Leave pay

Liabilities for annual leave are recognised as they accrue to employees. Liability is based on the total accrued leave days owing to employees and is reviewed annually.

Stellenbosch Municipality

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Accounting Policies

1.19 Employee benefits (continued)

Post-employment benefits: Defined contribution plans

A defined contribution plan is a plan under which the municipality pays fixed contributions into a separate entity. The municipality has no legal or constructive obligation to pay further contributions if the fund does not hold sufficient assets to pay all employees the benefits relating to service in the current or prior periods.

When an employee has rendered service to the entity during a reporting period, the entity recognises the contribution payable to a defined contribution plan in exchange for that service:

- as a liability (accrued expense), after deducting any contribution already paid. If the contribution already paid exceeds the contribution due for service before the reporting date, an entity recognises that excess as an asset (prepaid expense) to the extent that the prepayment will lead to, for example, a reduction in future payments or a cash refund; and
- as an expense, unless another Standard requires or permits the inclusion of the contribution in the cost of an asset.

Post-employment benefits: Defined benefit plans

Defined benefit plans are post-employment benefit plans other than defined contribution plans. In this aspect defined contribution plans can be considered as the pension fund.

Current service cost is the increase in the present value of the defined benefit obligation resulting from employee service in the current period.

Interest cost is the increase during a period in the present value of a defined benefit obligation which arises because the benefits are one period closer to settlement.

Past service cost is the change in the present value of the defined benefit obligation for employee service in prior periods, resulting in the current period from the introduction of, or changes to, post-employment benefits or other long-term employee benefits. Past service cost may be either positive (when benefits are introduced or changed so that the present value of the defined benefit obligation increases) or negative (when existing benefits are changed so that the present value of the defined benefit obligation decreases). In measuring its defined benefit liability the entity recognises past service cost as an expense in the reporting period in which the plan is amended.

Plan assets comprise assets held by a long-term employee benefit fund and qualifying insurance policies.

The present value of a defined benefit obligation is the present value, without deducting any plan assets, of expected future payments required to settle the obligation resulting from employee service in the current and prior periods.

The return on plan assets is interest, dividends or similar distributions and other revenue derived from the plan assets, together with realised and unrealised gains or losses on the plan assets, less any costs of administering the plan (other than those included in the actuarial assumptions used to measure the defined benefit obligation) and less any tax payable by the plan itself.

The entity account not only for its legal obligation under the formal terms of a defined benefit plan, but also for any constructive obligation that arises from the entity's informal practices. Informal practices give rise to a constructive obligation where the entity has no realistic alternative but to pay employee benefits. An example of a constructive obligation is where a change in the entity's informal practices would cause unacceptable damage to its relationship with employees.

The amount recognised as a defined benefit liability is the net total of the following amounts:

- the present value of the defined benefit obligation at the reporting date;
- minus the fair value at the reporting date of plan assets (if any) out of which the obligations are to be settled directly;
- plus any liability that may arise as a result of a minimum funding requirement

The amount determined as a defined benefit liability may be negative (an asset). The entity measures the resulting asset at the lower of:

- the amount determined above; and
- the present value of any economic benefits available in the form of refunds from the plan or reductions in future contributions to the plan. The present value of these economic benefits is determined using a discount rate which reflects the time value of money.

Any adjustments arising from the limit above is recognised in surplus or deficit

Stellenbosch Municipality

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Accounting Policies

1.19 Employee benefits (continued)

The entity determines the present value of defined benefit obligations and the fair value of any plan assets with sufficient regularity such that the amounts recognised in the audited annual financial statements do not differ materially from the amounts that would be determined at the reporting date.

The entity recognises the net total of the following amounts in surplus or deficit, except to the extent that another Standard requires or permits their inclusion in the cost of an asset:

- current service cost;
- interest cost
- the expected return on any plan assets and on any reimbursement rights;
- actuarial gains and losses
- past service cost;
- the effect of any curtailments or settlements; and
- the effect of applying the limit on a defined benefit asset (negative defined benefit liability)

The entity uses the Projected Unit Credit Method to determine the present value of its defined benefit obligations and the related current service cost and, where applicable, past service cost. The Projected Unit Credit Method (sometimes known as the accrued benefit method pro-rated on service or as the benefit/years of service method) sees each period of service as giving rise to an additional unit of benefit entitlement and measures each unit separately to build up the final obligation.

In determining the present value of its defined benefit obligations and the related current service cost and, where applicable, past service cost, a entity shall attribute benefit to periods of service under the plan's benefit formula. However, if an employee's service in later years will lead to a materially higher level of benefit than in earlier years, a entity shall attribute benefit on a straight-line basis from:

- the date when service by the employee first leads to benefits under the plan (whether or not the benefits are conditional on further service); until
- the date when further service by the employee will lead to no material amount of further benefits under the plan, other than from further salary increases.

Actuarial valuations are conducted on an annual basis by independent actuaries separately for each plan. The results of the valuation are updated for any material transactions and other material changes in circumstances (including changes in market prices and interest rates) up to the reporting date.

The entity recognises gains or losses on the curtailment or settlement of a defined benefit plan when the curtailment or settlement occurs. The gain or loss on a curtailment or settlement comprises:

- any resulting change in the present value of the defined benefit obligation; and
- any resulting change in the fair value of the plan assets.

Before determining the effect of a curtailment or settlement, the entity re-measure the obligation (and the related plan assets, if any) using current actuarial assumptions (including current market interest rates and other current market prices).

When it is virtually certain that another party will reimburse some or all of the expenditure required to settle a defined benefit obligation, the right to reimbursement is recognised as a separate asset. The asset is measured at fair value. In all other respects, the asset is treated in the same way as plan assets. In surplus or deficit, the expense relating to a defined benefit plan is presented as the net of the amount recognised for a reimbursement.

The entity offsets an asset relating to one plan against a liability relating to another plan when the entity has a legally enforceable right to use a surplus in one plan to settle obligations under the other plan and intends either to settle the obligations on a net basis, or to realise the surplus in one plan and settle its obligation under the other plan simultaneously.

Actuarial assumptions

Actuarial assumptions are unbiased and mutually compatible.

Financial assumptions are based on market expectations, at the reporting date, for the period over which the obligations are to be settled.

The rate used to discount post-employment benefit obligations (both funded and unfunded) reflect the time value of money. The currency and term of the financial instrument selected to reflect the time value of money is consistent with the currency and estimated term of the post-employment benefit obligations.

Stellenbosch Municipality

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Accounting Policies

1.19 Employee benefits (continued)

Post-employment benefit obligations are measured on a basis that reflects:

- estimated future salary increases;
- the benefits set out in the terms of the plan (or resulting from any constructive obligation that goes beyond those terms) at the reporting date; and
- estimated future changes in the level of any state benefits that affect the benefits payable under a defined benefit plan, if, and only if, either:
 - Those changes were enacted before the reporting date; or
 - past history, or other reliable evidence, indicates that those state benefits will change in some predictable manner, for example, in line with future changes in general price levels or general salary levels.

Assumptions about medical costs take account of estimated future changes in the cost of medical services, resulting from both inflation and specific changes in medical costs.

Other long term employee benefit

The municipality provides post-retirement health care benefits, housing subsidies and gratuities upon retirement to some retirees.

Long term service awards is payable after 10 years of continuous service and after every 5 years thereafter to employees. Additional to this employees shall be entitled to a 14th cheque for continuous employment on their 30th and every 5th year onward. Furthermore a retirement gift is payable on retirement to employees with 10 years or more service. The provision is an estimate of the long service award based on historical staff turnover based on historical staff turnover. No other long service benefits are provided to employees.

The entitlement to post-retirement health care benefits is based on the employee remaining in service up to retirement age and the completion of a minimum service period. The expected costs of these benefits are accrued over the period of employment. Independent qualified actuaries carry out valuations of these obligations. The municipality also provides a gratuity and housing subsidy on retirement to certain employees. An annual charge to income is made to cover both these liabilities.

Actuarial gains and losses arising from the experience adjustments and changes in actuarial assumptions are recognised in the Statement of financial performance in the period that it occurs. Interest cost on employee benefit obligation is recognised as part of employee related cost.

The amount recognised as a liability for other long-term employee benefits is the net total of the following amounts:

the present value of the defined benefit obligation at the reporting date;

minus the fair value at the reporting date of plan assets (if any) out of which the obligations are to be settled directly.

The municipality shall recognise the net total of the following amounts as expense or revenue, except to the extent that another Standard requires or permits their inclusion in the cost of an asset:

current service cost;

interest cost;

the expected return on any plan assets and on any reimbursement right recognised as an asset;

actuarial gains and losses, which shall all be recognised immediately;

past service cost; and

the effect of any curtailments or settlements.

Termination benefits

The municipality recognises termination benefits as a liability and an expense when the entity is demonstrably committed to either:

terminate the employment of an employee or group of employees before the normal retirement date; or

provide termination benefits as a result of an offer made in order to encourage voluntary redundancy.

Stellenbosch Municipality

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Accounting Policies

1.19 Employee benefits (continued)

The municipality is demonstrably committed to a termination when the entity has a detailed formal plan for the termination and is without realistic possibility of withdrawal. The detailed plan includes [as a minimum]:

the location, function, and approximate number of employees whose services are to be terminated;

the termination benefits for each job classification or function; and

the time at which the plan will be implemented.

Implementation begins as soon as possible and the period of time to complete implementation is such that material changes to the plan are not likely.

Where termination benefits fall due more than twelve months after the reporting date, they are discounted using an appropriate discount rate. The rate used to discount the benefit reflects the time value of money. The currency and term of the financial instrument selected to reflect the time value of money is consistent with the currency and estimated term of the benefit.

In the case of an offer made to encourage voluntary redundancy, the measurement of termination benefits shall be based on the number of employees expected to accept the offer.

1.20 Provisions

Provisions are recognised when:

- the municipality has a present obligation as a result of a past event;
- it is probable that an outflow of resources embodying economic benefits or service potential will be required to settle the obligation; and
- a reliable estimate can be made of the obligation.

The amount of a provision is the best estimate of the expenditure expected to be required to settle the present obligation at the reporting date.

Where the effect of time value of money is material, the amount of a provision is the present value of the expenditures expected to be required to settle the obligation.

The discount rate is a pre-tax rate that reflects current market assessments of the time value of money and the risks specific to the liability.

Provisions are reviewed at each reporting date and adjusted to reflect the current best estimate. Provisions are reversed if it is no longer probable that an outflow of resources embodying economic benefits or service potential will be required, to settle the obligation.

Where discounting is used, the carrying amount of a provision increases in each period to reflect the passage of time. This increase is recognised as an interest expense.

A provision is used only for expenditures for which the provision was originally recognised. Provisions are not recognised for future operating deficits.

If the municipality has a contract that is onerous, the present obligation (net of recoveries) under the contract is recognised and measured as a provision.

Stellenbosch Municipality

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Accounting Policies

1.20 Provisions (continued)

Environmental rehabilitation provisions

At year end a provision is raised for the rehabilitation of landfill sites. The provision is the net present value of the future cash flows to rehabilitate damaged land at year end.

As the related asset is measured using the cost model:

changes in the liability is added to, or deducted from, the cost of the related asset in the current period;

the amount deducted from the cost of the asset does not exceed its carrying amount. If a decrease in the liability exceeds the carrying amount of the asset, the excess is recognised immediately in surplus or deficit;

if the adjustments result in an addition to the cost of an asset, the municipality considers whether this is an indication that the new carrying amount of the asset may be fully recoverable. If there is such an indication, the municipality tests the asset for the impairment by estimating its recoverable amount or recoverable service amount, and accounts for any impairment loss, in accordance with the accounting policy on impairment of assets as described in the accounting policy on impairment of cash-generating assets and/or impairment of non-cash generating assets.

The adjusted depreciable amount of the asset is depreciated over its useful life. Therefore, once the related asset has reached the end of its useful life, all subsequent changes in the liability are recognised in surplus or deficit as they occur.

1.21 Contingent assets and contingent liabilities

Contingent liabilities represent a possible obligation that arises from past events and whose existence will be confirmed only by an occurrence or non-occurrence of one or more uncertain future events not wholly within the control of the municipality.

A contingent liability can also arise as a result of a present obligation that arises from past events but which is not recognised as a liability either because it is not probable that an outflow of resources embodying economic benefits will be required to settle the obligation or the amount of the obligation cannot be measured with sufficient reliability.

Contingent assets represent possible assets that arise from past events and whose existence will be confirmed only by an occurrence or non-occurrence of one or more uncertain future events not wholly within the control of the municipality.

Contingent assets and contingent liabilities are not recognised. Contingencies are disclosed in the notes to the municipality.

Stellenbosch Municipality

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Accounting Policies

1.22 Revenue

Revenue is the gross inflow of economic benefits or service potential during the reporting period when those inflows result in an increase in net assets, other than increases relating to contributions from owners.

An exchange transaction is one in which the municipality receives assets or services, or has liabilities extinguished, and directly gives approximately equal value (primarily in the form of goods, services or use of assets) to the other party in exchange.

Fair value is the amount for which an asset could be exchanged, or a liability settled, between knowledgeable, willing parties in an arm's length transaction

Recognition and measurement

Revenue is measured at the fair value of the consideration received or receivable, net of trade discounts and volume rebates.

1.22.1 Revenue from exchange transactions

Service charges

Service charges relating to electricity and water are based on consumption. Meters are read on a monthly basis and are recognised as revenue when invoiced. Provisional estimates of consumption, based on the consumption history, are made monthly when meter readings have not been performed. The provisional estimates of consumption are recognised as revenue when invoiced, except at year-end when estimates of consumption up to year-end are recorded as revenue without being invoiced. Adjustments to provisional estimates of consumption are made in the invoicing period in which meters have been read. These adjustments are recognised as revenue in the invoicing period. In respect of estimates of consumption between the last reading date and the reporting date, an accrual is made based on the billings done during July and August. The billing and invoiced amounts done in July are recognized in total as an accrual as all billing in July pertains to services rendered prior 30 June. An estimate is then made based on August billing pertaining to services rendered up until 30 June.

Service charges relating to refuse removal are recognised on a monthly basis in arrears by applying the approved tariff to each property that has improvements. Tariffs are determined per category of property usage, and are levied monthly based on the number of refuse containers on each property, regardless of whether or not all containers are emptied during the month.

Service charges from sewerage and sanitation are based on the number of sewerage connections on each developed property using the tariffs approved from Council and are levied monthly.

The municipality accounts for availability charges as an exchange transaction.

When the outcome of a transaction involving the rendering of services can be estimated reliably, revenue associated with the transaction shall be recognised by reference to the stage of completion of the transaction at the reporting date. The outcome of a transaction can be estimated reliably when all the following conditions are satisfied:

- (a) the amount of revenue can be measured reliably;
- (b) it is probable that the economic benefits or service potential associated with the transaction will flow to the entity
- (c) the stage of completion of the transaction at the reporting date can be measured reliably; and
- (d) the costs incurred for the transaction and the costs to complete the transaction can be measured reliably.

interest is levied on outstanding debtors using the effective interest rate method.

Rentals on facilities and equipment are recognised on the straight-line basis over the term of the lease agreement

Pre-paid electricity

Revenue from the sale of electricity prepaid units is recognised when all the following conditions have been satisfied:

The municipality has transferred to the buyer the significant risks and rewards of ownership of the goods.

The municipality retains neither continuing managerial involvement to the degree usually associated with ownership nor effective control over the goods sold.

The amount of revenue can be measured reliably.

It is probable that the economic benefits or service potential associated with the transaction will flow to the municipality.

Stellenbosch Municipality

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Accounting Policies

1.22 Revenue (continued)

The costs incurred or to be incurred in respect of the transaction can be measure reliably.

Interest earned and rentals received

Interest earned on investments is recognised in the statement of financial performance on the time proportionate basis that takes into account the effective yield on the investment.

Traffic charges

Revenue arising from the application of the approved tariff of charges is recognised when the relevant service is rendered by applying the relevant authorised tariff. This includes the issuing of licences and permits.

Income from agency services

Income for agency services is recognised on a monthly basis once the income collected on behalf of agents has been quantified. The income recognised is in terms of the agency agreement.

Sale of goods

Revenue from the sale of goods is recognised when all the following conditions have been satisfied:

- the municipality has transferred to the buyer the significant risks and rewards of ownership of the goods;
- the municipality retains neither continuing managerial involvement to the degree usually associated with ownership nor effective control over the goods sold;
- the amount of revenue can be measured reliably;
- it is probable that the economic benefits or service potential associated with the transaction will flow to the municipality; and
- the costs incurred or to be incurred in respect of the transaction can be measured reliably.

Revenue recognition of unclaimed deposits

Unclaimed deposits older than three (3) years are recognised as revenue.

1.22.2 Revenue from non-exchange transactions

Rates and taxes

Other than services in-kind not recognised in terms of paragraph .99, an inflow of resources from a non-exchange transaction that meets the definition of an asset shall be recognised as an asset when, and only when:

- (a) it is probable that the future economic benefits or service potential associated with the asset will flow to the entity; and
- (b) the fair value of the asset can be measured reliably.

The municipality recognises an asset in respect of taxes when the taxable event occurs and the asset recognition criteria are met.

Resources arising from taxes satisfy the definition of an asset when the municipality controls the resources as a result of a past event (the taxable event) and expects to receive future economic benefits or service potential from those resources.

Resources arising from taxes satisfy the criteria for recognition as an asset when it is probable that the inflow of resources will occur and their fair value can be reliably measured.

The municipality analyses the taxation laws to determine what the taxable events are for the various taxes levied.

The taxable event for property tax is the passing of the date on which the tax is levied, or the period for which the tax is levied, if the tax is levied on a periodic basis.

Taxation revenue is determined at a gross amount. It is not reduced for expenses paid through the tax system.

Rebates and discounts are offset against the revenue. As per iGRAP 1, there is no intention to collect this revenue

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Accounting Policies

1.22 Revenue (continued)

Fines

Fines constitute both spot fines and camera fines. Fines are recognised when the receivable meets the definition of an asset and satisfies the criteria for recognition as an asset. It is measured at the best estimate, based on past experience, of the amount of revenue the municipality is entitled to collect.

Subsequent to initial recognition and measurement, the municipality assess the collectability of the revenue and recognises a separate impairment loss where appropriate.

Donations and contributions

Donations and funding are recognised as revenue to the extent that the municipality has complied with any of the criteria, conditions or obligations embodied in the agreement. Where the agreement contains a stipulation to return the asset, other future economic benefits or service potential, in the event of non-compliance to these stipulations and would be enforced by the transferor, a liability is recognised to the extent that the criteria, conditions or obligations have not been met. Where such requirements are not enforceable, or where past experience has indicated that the transferor has never enforced the requirement to return the transferred asset, other future economic benefits or service potential when breaches have occurred, the stipulation will be considered a restriction and is recognised as revenue.

Transfers and subsidies

The municipality recognises an asset in respect of transfers when the transferred resources meet the definition of an asset and satisfy the criteria for recognition as an asset.

Transferred assets are measured at their fair value as at the date of acquisition.

Unconditional grants

Equitable share allocations are recognised in revenue at the start of the financial year.

Conditional grants

Conditional grants recognised as revenue to the extent that the municipality has complied with any of the criteria, conditions or obligations embodied in the agreement. Where the agreement contains a stipulation to return the asset, other future economic benefits or service potential, in the event of non-compliance to these stipulations and would be enforced by the transferor, a liability is recognised to the extent that the criteria, conditions or obligations have not been met. Where such requirements are not enforceable, or where past experience has indicated that the transferor has never enforced the requirement to return the transferred asset, other future economic benefits or service potential when breaches have occurred, the stipulation will be considered a restriction and is recognised as revenue.

Interest earned on grants received and invested is treated in accordance with grant conditions. If it is payable to the funder it is recorded as part of the creditor and if it is the municipality's interest it is recognised as interest earned in the Statement of financial performance.

Interest earned on unspent grants and receipts

Interest earned on unspent grants and receipts is treated in accordance with grant conditions. If it is payable to the funder it is recorded as part of the creditor and if it is the municipality's interest it is recognised as interest earned in the Statement of financial performance in accordance with GRAP 9.

Services received in-kind

Services in-kind that are significant to the municipality's operations and/or service delivery objectives are recognised as assets or expenditure and the related revenue when it is probable that the future economic benefits or service potential will flow to the municipality and the fair value of the assets can be measured reliably.

Where services in-kind are not significant to the municipality's operations and/or service delivery objectives and/or do not satisfy the criteria for recognition, the municipality discloses the nature and type of services in-kind received during the reporting period.

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Accounting Policies

1.23 Statutory receivables

1.23.1 Identification

Statutory receivables are receivables that arise from legislation, supporting regulations, or similar means, and require settlement by another entity in cash or another financial asset.

The cost method is the method used to account for statutory receivables that requires such receivables to be measured at their transaction amount, plus any accrued interest or other charges (where applicable) and, less any accumulated impairment losses and any amounts derecognised.

Nominal interest rate is the interest rate and/or basis specified in legislation, supporting regulations or similar means.

The transaction amount for a statutory receivable means the amount specified in, or calculated, levied or charged in accordance with, legislation, supporting regulations, or similar means.

In estimating the future cash flows, an entity considers both the amount and timing of the cash flows that it will receive in future. Consequently, where the effect of the time value of money is material, an entity discounts the estimated future cash flows using a rate that reflects the current risk free rate and, if applicable, any risks specific to the statutory receivable or group of statutory receivables, for which the future cash flow estimates have not been adjusted.

1.23.2 Recognition

The municipality recognises statutory receivables as follows:

- if the transaction is an exchange transaction, using the policy on Revenue from exchange transactions;
- if the transaction is a non-exchange transaction, using the policy on Revenue from non-exchange transactions (Taxes and transfers); or
- if the transaction is not within the scope of the policies listed in the above or another Standard of GRAP, the receivable is recognised when the definition of an asset is met and, when it is probable that the future economic benefits or service potential associated with the asset will flow to the entity and the transaction amount can be measured reliably.

1.23.3 Measurement

The municipality initially measures statutory receivables at their transaction amount.

The municipality measures statutory receivables after initial recognition using the cost method. Under the cost method, the initial measurement of the receivable is changed subsequent to initial recognition to reflect any:

- interest or other charges that may have accrued on the receivable (where applicable);
- impairment losses; and
- amounts derecognised.

Where the municipality levies interest on the outstanding balance of statutory receivables, it adjusts the transaction amount after initial recognition to reflect any accrued interest. Accrued interest is calculated using the nominal interest rate.

Interest on statutory receivables is recognised as revenue in accordance with the accounting policy on Revenue from exchange transactions or the accounting policy on Revenue from non-exchange transactions (Taxes and transfers), whichever is applicable.

Other charges

Where the municipality is required or entitled to levy additional charges in terms of legislation, supporting regulations, by-laws or similar means on overdue or unpaid amounts, these charges are accounted for in terms of the municipality's accounting policy on Revenue from exchange transactions or the policy on Revenue from non-exchange transactions (taxes and transfers).

1.23.4 Impairment

The municipality assesses at each reporting date whether there is any indication that a statutory receivable, or a group of statutory receivables, may be impaired.

In assessing whether there is any indication that a statutory receivable, or group of statutory receivables, may be impaired, the municipality considers, as a minimum, the following indicators:

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Accounting Policies

1.23 Statutory receivables (continued)

significant financial difficulty of the receivable, which may be evidenced by an application for debt counselling, business rescue or an equivalent.

it is probable that the receivable will enter sequestration, liquidation or other financial re-organisation.

a breach of the terms of the transaction, such as default or delinquency in principal or interest payments (where levied).

adverse changes in international, national or local economic conditions, such as a decline in growth, an increase in debt levels and unemployment, or changes in migration rates and patterns.

If there is an indication that a statutory receivable, or a group of statutory receivables, may be impaired, the municipality measures the impairment loss as the difference between the estimated future cash flows and the carrying amount. Where the carrying amount is higher than the estimated future cash flows, the carrying amount of the statutory receivable, or group of statutory receivables, is reduced through the use of an allowance account. The amount of the losses is recognised in surplus or deficit.

An impairment loss recognised in prior periods for a statutory receivable is revised if there has been a change in the estimates used since the last impairment loss was recognised, or to reflect the effect of discounting the estimated cash flows.

Any previously recognised impairment loss is adjusted by adjusting the allowance account. The adjustment does not result in the carrying amount of the statutory receivable, or group of statutory receivables exceeding what the carrying amount of the receivable(s) would have been had the impairment loss not been recognised at the date the impairment is revised. The amount of any adjustment is recognised in surplus or deficit.

1.23.5 Derecognition

The municipality derecognises a statutory receivable, or a part thereof, when:

- the rights to the cash flows from the receivable are settled, expire or are waived;
- the municipality transfers control of the statutory receivable and substantially all the risks and rewards of ownership of the asset to another entity; or
- the municipality, despite having retained some significant risks and rewards of ownership of the receivable, has transferred control of the receivable to another party and the other party has the practical ability to sell the receivable in its entirety to an unrelated third party, and is able to exercise that ability unilaterally and without needing to impose additional restrictions on the transfer. In this case, the entity:
 - derecognise the receivable; and
 - recognise separately any rights and obligations created or retained in the transfer.

The carrying amounts of any statutory receivables transferred are allocated between the rights or obligations retained and those transferred on the basis of their relative fair values at the transfer date. The entity considers whether any newly created rights and obligations are within the scope of the Standard of GRAP on Financial Instruments or another Standard of GRAP. Any difference between the consideration received and the amounts derecognised and, those amounts recognised, are recognised in surplus or deficit in the period of the transfer.

1.24 Principal-agent arrangements

Identification

An agent is an entity that has been directed by another entity (a principal), through a binding arrangement, to undertake transactions with third parties on behalf of the principal and for the benefit of the principal.

A principal is an entity that directs another entity (an agent), through a binding arrangement, to undertake transactions with third parties on its behalf and for its own benefit.

A principal-agent arrangement results from a binding arrangement in which one entity (an agent), undertakes transactions with third parties on behalf, and for the benefit of, another entity (the principal).

Stellenbosch Municipality

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Accounting Policies

1.24 Principal-agent arrangements (continued)

Identifying whether an entity is a principal or an agent

When the municipality is party to a principal-agent arrangement, it assesses whether it is the principal or the agent in accounting for revenue, expenses, assets and/or liabilities that result from transactions with third parties undertaken in terms of the arrangement.

The assessment of whether a municipality is a principal or an agent requires the municipality to assess whether the transactions it undertakes with third parties are for the benefit of another entity or for its own benefit.

Binding arrangement

The municipality assesses whether it is an agent or a principal by assessing the rights and obligations of the various parties established in the binding arrangement.

Where the terms of a binding arrangement are modified, the parties to the arrangement re-assess whether they act as a principal or an agent.

Assessing which entity benefits from the transactions with third parties

When the municipality in a principal-agent arrangement concludes that it undertakes transactions with third parties for the benefit of another entity, then it is the agent. If the municipality concludes that it is not the agent, then it is the principal in the transactions.

The municipality is an agent when, in relation to transactions with third parties, all three of the following criteria are present:

- It does not have the power to determine the significant terms and conditions of the transaction.
- It does not have the ability to use all, or substantially all, of the resources that result from the transaction for its own benefit.
- It is not exposed to variability in the results of the transaction.

Where the municipality has been granted specific powers in terms of legislation to direct the terms and conditions of particular transactions, it is not required to consider the criteria of whether it does not have the power to determine the significant terms and conditions of the transaction, to conclude that it is an agent. The municipality applies judgement in determining whether such powers exist and whether they are relevant in assessing whether the municipality is an agent.

Recognition

The municipality, as a principal, recognises revenue and expenses that arise from transactions with third parties in a principal-agent arrangement in accordance with the requirements of the relevant Standards of GRAP.

The municipality, as an agent, recognises only that portion of the revenue and expenses it receives or incurs in executing the transactions on behalf of the principal in accordance with the requirements of the relevant Standards of GRAP.

The municipality recognises assets and liabilities arising from principal-agent arrangements in accordance with the requirements of the relevant Standards of GRAP.

1.25 Borrowing costs

Borrowing costs are interest and other expenses incurred by an municipality in connection with the borrowing of funds.

Borrowing costs are recognised as an expense in the Statement of financial performance in the period in which they are incurred.

Borrowing costs directly attributable to the acquisition, construction or production of a qualifying asset are capitalised to the cost of the asset. All other borrowing costs are recognised as an expense in the period in which it is incurred. The capitalisation rate used to determine the amount of borrowing costs eligible for capitalisation is disclosed in the notes below.

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Accounting Policies

1.26 Comparative of actual information to budgeted information

The annual budget figures have been prepared in accordance with the Municipal Budget and Reporting Regulations, 2009. A comparative of actual to budgeted amounts are reported in a separate additional financial statement, called the Statement of comparison of budget and actual amounts. Explanatory comment is provided in the notes to the statement giving motivations for over- or under spending on line items where it is found to be material. The budgeted figures are those approved by the Council at the beginning and during the year following a period of consultation with the public as part of the Integrated Development Plan. The budget is prepared and approved on an accrual basis by nature classification. The approved budget covers the period from 01 July 2023 to 30 June 2024.

In general, a difference of 10% or more is considered material, although the surrounding circumstances are taken into account if it could influence the decisions or assessments of the users of the audited annual financial statements in determining whether a difference between the budgeted and actual amount is material.

1.27 Unauthorised expenditure

Unauthorised expenditure means:

- overspending of a vote or a main division within a vote; and
- expenditure not in accordance with the purpose of a vote or, in the case of a main division, not in accordance with the purpose of the main division.

All expenditure relating to unauthorised expenditure is recognised as an expense in the statement of financial performance in the year that the expenditure was incurred. The expenditure is classified in accordance with the nature of the expense, and where recovered, it is subsequently accounted for as revenue in the statement of financial performance.

1.28 Fruitless and wasteful expenditure

Fruitless and wasteful expenditure is expenditure that was made in vain and would have been avoided had reasonable care been exercised. All expenditure relating to fruitless and wasteful expenditure is recognised as an expense in the Statement of financial performance in the year that the expenditure was incurred. The expenditure is classified in accordance with the nature of the expense, and where recovered, it is subsequently accounted for as revenue in the Statement of financial performance.

1.29 Irregular expenditure

Irregular expenditure is expenditure that is contrary to the Municipal Finance Management Act (Act No.56 of 2003), the Municipal Systems Act (Act No.32 of 2000), and the Public Office Bearers Act (Act No. 20 of 1998) or is in contravention of the economic entity's supply chain management policy. Irregular expenditure excludes unauthorised expenditure.

All expenditure relating to irregular expenditure is recognised as an expense in the statement of financial performance in the year that the expenditure was incurred. The expenditure is classified in accordance with the nature of the expense, and where recovered, it is subsequently accounted for as revenue in the statement of financial performance.

1.30 Related parties and related party transactions

A related party is a person or an entity with the ability to control or jointly control the other party, or exercise significant influence over the other party, or vice versa, or an entity that is subject to common control, or joint control.

Control is the power to govern the financial and operating policies of an entity so as to obtain benefits from its activities.

Joint control is the agreed sharing of control over an activity by a binding arrangement, and exists only when the strategic financial and operating decisions relating to the activity require the unanimous consent of the parties sharing control (the venturers).

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Accounting Policies

1.30 Related parties and related party transactions (continued)

An entity is related to the Municipality if any of the following conditions apply:

- the entity is a member of the same economic entity (which means that each controlling entity, controlled entity and fellow controlled entity is related to the others).
- one entity is an associate or joint venture of the other entity (or an associate or joint venture of a member of an economic entity of which the other entity is a member).
- both entities are joint ventures of the same third party.
- one entity is a joint venture of a third entity, and the other entity is an associate of the third entity.
- the entity is a post-employment benefit plan for the benefit of employees of either the Municipality or an entity related to the Municipality. If the reporting entity is itself such a plan, the sponsoring employers are related to the entity.
- the entity is controlled or jointly controlled by a person identified in (a).
- a person identified in (a) has significant influence over that entity or is a member of the management of that entity (or its controlling entity).

A person is considered to be a close member of the family of another person if they:

- are married or live together in a relationship similar to a marriage or are separated by no more than two degrees of natural or legal consanguinity or affinity.

Management (formerly known as “Key Management”) includes all persons having the authority and responsibility for planning, directing and controlling the activities of the Municipality, including:

- all members of the governing body of the Municipality;
- a member of the governing body of an economic entity who has the authority and responsibility for planning, directing and controlling the activities of the Municipality;
- any key advisors of a member, or sub-committees, of the governing body who has the authority and responsibility for planning, directing and controlling the activities of the Municipality; and
- the senior management team of the Municipality, including the chief executive officer or permanent head of the Municipality, unless already included in (a).

Management personnel include:

- All directors or members of the governing body of the Municipality, being the Executive Mayor, Deputy Mayor, Speaker and members of the Mayoral Committee. Other persons having the authority and responsibility for planning, directing and controlling the activities of the reporting Municipality being the Municipal Manager, Chief Financial Officer, and all other managers reporting directly to the Municipal Manager or as designated by the Municipal Manager.

Related party transaction is a transfer of resources, services or obligations between the reporting entity and a related party, regardless of whether a price is charged.

Significant influence is the power to participate in the financial and operating policy decisions of an entity, but is not control over those policies.

Key management as well as their close family members, and/or entities are related parties if one party has the ability, directly or indirectly, to control or jointly control the other party or exercise significant influence over the other party in making financial and/or operating decisions.

Management are those persons responsible for planning, directing and controlling the activities of the municipality including those charged with the governance of the municipality in accordance with legislation, in instances where they are required to perform such functions.

Close members of the family of a person are considered to be those family members who may be expected to influence, or be influenced by, that management in their dealings with the municipality.

The municipality is exempt from disclosure requirements in relation to related party transactions if that transaction occurs within normal supplier and/or client/recipient relationships on terms and conditions no more or less favourable than those which it is reasonable to expect the municipality to have adopted if dealing with that individual entity or person in the same circumstances and terms and conditions are within the normal operating parameters established by that reporting entity's legal mandate.

Where the municipality is exempt from the disclosures in accordance with the above, the municipality discloses narrative information about the nature of the transactions and the related outstanding balances, to enable users of the entity's financial statements to understand the effect of related party transactions on its annual financial statements.

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Accounting Policies

1.31 Change in accounting policies, estimates and errors

Changes in accounting policies that are affected by management have been applied retrospectively in accordance with GRAP 3 requirements, except to the extent that it is impracticable to determine the period-specific effects or the cumulative effect of the change in policy. In such cases the municipality shall restate the opening balances of assets, liabilities and net assets for the earliest period for which retrospective restatement is practicable.

Changes in accounting estimates are applied prospectively in accordance with GRAP 3 requirements.

Correction of errors is applied retrospectively in the period in which the error has occurred in accordance with GRAP 3 requirements, except to the extent that it is impracticable to determine the period-specific effects or the cumulative effect of the error. In such cases the municipality shall restate the opening balances of assets, liabilities and net assets for the earliest period for which retrospective restatement is practicable.

Details of changes in accounting policies, changes in estimates and correction of errors are disclosed in the notes to the audited annual financial statements where applicable.

1.32 Commitments

Items are classified as commitments when an entity has committed itself to future transactions that will normally result in the outflow of cash.

Disclosures are required in respect of unrecognised contractual commitments.

Commitments are not recognised in the statement of financial position as a liability, but are included in the disclosure notes in the following cases:

- approved and contracted commitments;
- where the expenditure has been approved and the contract has been awarded at the reporting date; and
- where disclosure is required by a specific standard of GRAP.

1.33 Value Added Tax

The municipality accounts for Value Added Tax on the cash (receipt) basis.

1.34 Budget information

The approved budget is prepared on a accrual basis and presented by economic classification linked to performance outcome objectives.

The approved budget covers the fiscal period from 2022/07/01 to 2023/06/30.

The audited annual financial statements and the budget are on the same basis of accounting therefore a comparison with the budgeted amounts for the reporting period have been included in the Statement of comparison of budget and actual amounts.

Material variances are determined in accordance with the municipalities materiality framework. These material differences will be explained in the financial statements under note for budget differences referenced to the statement of budget comparison.

1.35 Events after reporting date

Events after the reporting date that are classified as adjusting events have been accounted for in the audited annual financial statements. The events after the reporting date that are classified as non-adjusting events after the reporting date have been disclosed in the notes to the audited annual financial statements.

Events after reporting date are those events, both favourable and unfavourable, that occur between the reporting date and the date when the financial statements are authorised for issue. Two types of events can be identified:

- those that provide evidence of conditions that existed at the reporting date (adjusting events after the reporting date); and
- those that are indicative of conditions that arose after the reporting date (non-adjusting events after the reporting date).

The municipality will adjust the amount recognised in the financial statements to reflect adjusting events after the reporting date once the event occurred.

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Accounting Policies

1.35 Events after reporting date (continued)

The municipality will disclose the nature of the event and an estimate of its financial effect or a statement that such estimate cannot be made in respect of all material non-adjusting events, where non-disclosure could influence the economic decisions of users taken on the basis of the financial statements.

1.36 Presentation currency

These audited annual financial statements are presented in South African Rand, which is the functional currency of the municipality and all values are rounded to the nearest hundred.

1.37 Construction contracts and receivables

Construction contract is a contract, or a similar binding arrangement, specifically negotiated for the construction of an asset or a combination of assets that are closely interrelated or interdependent in terms of their design, technology and function or their ultimate purpose or use.

Contractor is an entity that performs construction work pursuant to a construction contract.

A contractor is an entity that enters into a contract to build structures, construct facilities, produce goods, or render services to the specifications of another entity either itself or through the use of subcontractors. The term "contractor" thus includes a general or prime contractor, a subcontractor to a general contractor, or a construction manager.

1.38 Segment information

A segment is an activity of an entity:

- that generates economic benefits or service potential (including economic benefits or service potential relating to transactions between activities of the same entity);
- whose results are regularly reviewed by management to make decisions about resources to be allocated to that activity and in assessing its performance; and
- for which separate financial information is available.

Reportable segments are the actual segments which are reported on in the segment report. They are the segments identified above or alternatively an aggregation of two or more of those segments where the aggregation criteria are met.

Segmental information was based and identified on the MFMA S71 monthly budget statement/reports that are reviewed by senior management and council to make strategic decisions and in monitoring segment performance. The disclosure of information about segments in these reports is organised around the type of service delivered, in a standardised format, namely the C2 schedule.

The municipality manages its assets and liability as a whole and is not reviewed on a segregated basis for each town. Segment reporting per geographical area is not deemed relevant.

Measurement

The amount of each segment item reported is the measure reported to management for the purposes of making decisions about allocating resources to the segment and assessing its performance. Adjustments and eliminations made in preparing the entity's financial statements and allocations of revenues and expenses are included in determining reported segment surplus or deficit only if they are included in the measure of the segment's surplus or deficit that is used by management. Similarly, only those assets and liabilities that are included in the measures of the segment's assets and segment's liabilities that are used by management are reported for that segment. If amounts are allocated to reported segment surplus or deficit, assets or liabilities, those amounts are allocated on a reasonable basis.

If management uses only one measure of a segment's surplus or deficit, the segment's assets or the segment's liabilities in assessing segment performance and deciding how to allocate resources, segment surplus or deficit, assets and liabilities are reported in terms of that measure. If management uses more than one measure of a segment's surplus or deficit, the segment's assets or the segment's liabilities, the reported measures are those that management believes are determined in accordance with the measurement principles most consistent with those used in measuring the corresponding amounts in the entity's financial statements.

Stellenbosch Municipality

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Accounting Policies

1.39 Offsetting

Financial assets and liabilities are offset and the net amount reported on the Statement of financial position only when there is a legally enforceable right to set off the recognised amount, and there is an intention to settle on a net basis, or to realise the asset and settle the liability simultaneously.

1.40 Current year comparatives

When the presentation or classification of items in the audited annual financial statements is amended, prior period comparative amounts are also reclassified and restated, unless such comparative reclassification and / or restatement is not required by a Standard of GRAP. The nature and reason for such reclassifications and restatements are also disclosed.

Where material accounting errors, which relate to prior periods, have been identified in the current year, the correction is made retrospectively as far as is practicable and the prior year comparatives are restated accordingly. Where there has been a change in accounting policy in the current year, the adjustment is made retrospectively as far as is practicable and the prior year comparatives are restated accordingly.

The presentation and classification of items in the current year is consistent with prior periods.

1.41 Cash and cash equivalents

Cash includes cash on hand (including petty cash) and cash with banks (including call deposits). Cash equivalents are short-term highly liquid investments, readily convertible into known amounts of cash and are subject to an insignificant risk of change in value. Cash and cash equivalents are carried at amortised cost. Bank overdrafts are recorded based on the facility utilised. Finance charges on bank overdraft are expensed as incurred. Amounts owing in respect of bank overdrafts are carried at amortised cost.

For the purposes of the cash flow statement, cash and cash equivalents comprise cash on hand, deposits held on call with banks, net of bank overdrafts.

1.42 Housing arrangements

The Accounting Standards Board issued the guideline on Accounting for Arrangements Undertaken in terms of the National Housing Programme.

Where the municipality acts as a project manager in a housing arrangement, it is regarded as an agent in terms of the principles of GRAP 109 - Accounting by Principals and Agents.

Where the municipality is regarded as an agent, costs related to the construction of top structures and the related recovery thereof (revenue) is not be recognised in the Statement of financial performance of the municipality.

Where the municipality is identified as a project developer, the construction of the houses is performed by the municipality or by the appointment of a sub-contractor to undertake the construction on the municipality's behalf. The municipality applies the GRAP 11, Construction Contracts to account for these construction activities.

Where the municipality is regarded as the project developer and if the outcome of the construction contract can be estimated reliably, then contract revenue is recognised in profit or loss in proportion to the stage of completion of the contract. The stage of completion is assessed with reference to surveys of work performed. Otherwise, contract revenue is recognised only to the extent of contract costs incurred that are likely to be recoverable. Contract revenue will be in the form of a grant from the Department of Human settlements and presented and disclosed under transfers and subsidies in the Statement of financial performance.

Contract costs are recognised as an expense in the period in which they are incurred. When it is probable that total contract costs will exceed total contract revenue, the expected loss is recognised as an expense immediately.

Contract revenue shall comprise: (a) the initial amount of revenue agreed in the contract; and (b) variations in contract work, claims and incentive payments to the extent that: (i) it is probable that they will result in revenue; and (ii) they are capable of being reliably measured.

Contract costs shall comprise: (a) costs that relate directly to the specific contract; (b) costs that are attributable to contract activity in general and can be allocated to the contract on a systematic and rational basis; and (c) such other costs as are specifically chargeable to the customer under the terms of the contract.

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Accounting Policies

1.42 Housing arrangements (continued)

An expected deficit on a construction contract to which paragraph .49 applies shall be recognised as an expense immediately in accordance with paragraph .49.

1.43 Grants-in-aid

The municipality transfers money to individuals, organizations and other sectors of government from time to time. When making these transfers, the municipality does not:

- Receive any goods or services directly in return, as would be expected in a purchase or sale transaction;
- Expect to be repaid in future; or
- Expect a financial return, as would be expected from an investment.

These transfers are recognised in the audited annual financial statements as expenses in the period that the events giving rise to the transfer occurred.

1.44 Consumer deposits

The municipality recognises consumer deposits as a current liability when the municipality becomes a party to the contract i.e. when the deposit is made. The consumer deposit is recognised as a liability as the municipality has an obligation to pay the money back to the consumer once the consumer account is closed. As the timing of when a consumer will close their account is unknown, the consumer deposits are classified as a current liability.

1.45 Unspent conditional grants

Revenue received from conditional grants, donations and funding are recognised as revenue to the extent that the municipality has complied with any of the criteria, conditions or obligations embodied in the agreement. To the extent where the obligations have not been met, a liability is recognised.

1.46 New standards and interpretations

1.46.1 Standards, amendments to standards and interpretations effective and adopted in the current year

In the current year, the municipality has adopted the following standards and interpretations that are effective for the current financial year and that are relevant to its operations:

Standard/ Interpretation:

	Effective date: Years beginning on or after	Expected impact:
• iGRAP 21: The Effect of Past Decisions on Materiality	01 April 2023	The impact of the interpretation is not material. The impact of the amendment is not material. The impact of the interpretation is not material. The impact of the improvements are not material. The impact of the standard is not material. The impact of the amendments are not material.
• GRAP 25 (as revised): Employee Benefits	01 April 2023	
• iGRAP 7 (as revised): Limit on defined benefit asset, minimum funding requirements and their interaction	01 April 2023	
• GRAP 2020: Improvements to the Standards of GRAP 2020	01 April 2023	
• Guideline: Guideline on Accounting for Landfill Sites	01 April 2023	
• GRAP 1 (amended): Presentation of Financial Statements (Materiality)	01 April 2023	

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Audited Annual Financial Statements for the year ended 30 June 2024

Notes to the Audited Annual Financial Statements

	2024	2023
2. Cash and cash equivalents		
2.1 Cash and cash equivalents		
Cash and cash equivalents consist of the following:		
Call deposits and investments		
Deposit taking institutions (Call account)	56 294 377	97 732 060
Cash at bank		
Bank account	94 369 773	149 198 634
Cash on hand	14 719	14 719
Total cash and cash equivalents	150 678 869	246 945 413
The municipality had the following bank statement account balances		
FNB - Primary (62869253684)	85 135 796	140 578 930
FNB - Lamotte Trust (62869255169)	3 868 587	3 291 277
FNB - Charitable Trust (62869253733)	189 850	74 216
FNB - Longlands Trust (63010520062)	2 203 995	2 056 639
	91 398 228	146 001 062
Cash book reconciliation		
Grand cash book total	94 369 773	149 198 634
Less Lamotte trust cash book	(3 048 030)	(2 890 140)
Less Charitable trust cash book	(166 225)	(64 216)
Less Longlands cash book	(2 040 770)	(2 056 639)
	89 114 748	144 187 639
Reconciling the bank accounts to the cash book		
Primary Bank statement balance at the end of the year	85 135 796	140 578 930
Net movement/reconciling items	3 978 952	3 608 709
Cash book balance at the end of the year	89 114 748	144 187 639

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Notes to the Audited Annual Financial Statements

	2024	2023
3. Short term investments		
Short term investments	455 716 603	331 767 247
FNB Investments		
Opening Balance	-	-
Deposits	120 000 000	-
Interest accrued	2 663 014	-
Withdrawals	(122 663 014)	-
	-	-
Nedbank Investments		
Opening balance	209 268 026	183 783 985
Deposits	175 481 647	200 000 000
Interest accrued	21 847 389	13 160 966
Withdrawals	(218 590 000)	(187 676 925)
	188 007 062	209 268 026
Standard Bank Investments		
Opening balance	-	81 126 949
Deposits	200 000 000	210 000 000
Interest accrued	1 967 671	9 194 172
Withdrawals	(101 541 507)	(300 321 121)
	100 426 164	-
ABSA Investments		
Opening balance	122 499 219	40 611 507
Deposits	354 518 353	270 000 000
Interest accrued	15 383 731	8 511 548
Withdrawals	(325 117 928)	(196 623 836)
	167 283 375	122 499 219

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Notes to the Audited Annual Financial Statements

2024 2023

4. Receivables from exchange transactions

	4.1		
Consumer receivables from exchange transactions			
Electricity		181 083 506	154 999 597
Waste management		8 849 764	8 386 476
Waste water management		12 164 769	9 518 712
Water		48 080 590	42 050 232
Service charges		1 063 430	1 381 361
		251 242 059	216 336 378
	4.2		
Other consumer receivables from exchange transactions			
Property rental debtors		745 435	784 315
Total receivables from exchange transactions		251 987 494	217 120 693

The amount disclosed in this note is net of impairment. Refer to note 4.1 & 4.2 for the amount before the provision (gross) and the actual value of the provision.

4.1 Consumer receivables

The average credit period for consumer receivables is 30 days. No interest is charged on trade receivables for the first 30 days from the date of the invoice. Thereafter interest is charged at the prime rate per annum on the outstanding balance. The municipality strictly enforces its approved credit control policy to ensure the recovery of consumer receivables.

The management of the municipality is of the opinion that the carrying value of consumer receivables approximate their fair values.

The fair value of consumer receivables was determined after considering the standard terms and conditions of agreements entered into between the municipality and consumer receivables as well as the current payment ratio's of the municipality's consumer receivables.

	2024			2023		
	Gross	Impairment	Total	Gross	Impairment	Total
Consumer receivables from exchange transactions						
Electricity	193 853 518	(12 770 012)	181 083 506	168 668 326	(13 668 729)	154 999 597
Waste management	59 730 963	(50 881 199)	8 849 764	47 653 550	(39 267 074)	8 386 476
Waste water management	50 818 824	(38 654 055)	12 164 769	40 323 455	(30 804 743)	9 518 712
Water	201 196 856	(153 116 266)	48 080 590	153 960 820	(111 910 588)	42 050 232
Service charges	14 333 531	(13 270 101)	1 063 430	13 769 316	(12 387 955)	1 381 361
Total consumer receivables from exchange transactions	519 933 692	(268 691 633)	251 242 059	424 375 467	(208 039 089)	216 336 378



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4. Receivables from exchange transactions (continued)

4.1.1 Ageing of consumer receivables

2024

Consumer receivables from exchange transactions

Total by debt type

	Not due			Past due			
	Total	Current (0-30 days)	31 - 60 days	61 - 90 days	91 - 120 days	121 - 365 days	365+ days
Electricity	193 853 518	134 687 886	3 441 006	3 105 393	3 228 342	29 343 905	20 046 986
Waste management	59 730 963	7 187 615	943 191	844 837	859 804	7 979 630	41 915 886
Waste water management	50 818 824	11 184 061	756 999	641 734	689 836	5 345 409	32 200 785
Water	201 196 856	45 399 921	3 350 002	3 798 016	5 102 933	20 818 138	122 727 846
Service charges	14 333 531	919 970	65 931	49 620	32 793	491 660	12 773 557
Total by debt type	519 933 692	199 379 453	8 557 129	8 439 600	9 913 708	63 978 742	229 665 060



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4. Receivables from exchange transactions (continued)

2023

	Not due				Past due		
	Total	Current (0-30 days)	31 - 60 days	61 - 90 days	91 - 120 days	121 - 365 days	365+ days
Consumer receivables from exchange transactions							
Total by debt type							
Electricity	168 668 326	114 529 574	402 841	322 645	276 106	42 950 590	10 186 570
Waste management	47 653 550	6 565 621	909 712	829 378	842 814	7 545 965	30 960 060
Waste water management	40 323 455	8 450 127	634 612	591 810	581 043	4 878 344	25 187 519
Water	153 960 820	31 466 117	2 685 373	2 899 798	3 297 217	15 548 336	98 063 979
Service charges	13 769 316	1 117 784	293 812	161 997	169 090	1 651 860	10 374 773
Total by debt type	424 375 467	162 129 223	4 926 350	4 805 628	5 166 270	72 575 095	174 772 901



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Notes to the Audited Annual Financial Statements

4. Receivables from exchange transactions (continued)

4.1.2 Impairment reconciliation of consumer receivables

	2024				2023			
	Opening balance	Impairment raised	Impairment reversed	Closing balance	Opening balance	Impairment raised	Impairment reversed	Closing balance
Consumer receivables from exchange transactions								
Electricity	13 668 729	-	(898 717)	12 770 012	14 737 421	-	(1 068 692)	13 668 729
Waste management	39 267 074	11 614 125	-	50 881 199	29 359 118	9 907 956	-	39 267 074
Waste water management	30 804 743	7 849 312	-	38 654 055	24 146 043	6 658 700	-	30 804 743
Water	111 910 588	41 205 678	-	153 116 266	96 374 437	15 536 151	-	111 910 588
Service charges	12 387 955	882 146	-	13 270 101	11 211 915	1 176 040	-	12 387 955
Total consumer receivables	208 039 089	61 551 261	(898 717)	268 691 633	175 828 934	33 278 847	(1 068 692)	208 039 089



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Notes to the Audited Annual Financial Statements

2024 2023

4. Receivables from exchange transactions (continued)

4.1.3 Consumer debt past due not impaired

2024

	Total	31 - 60 days	61 - 90 days	91 - 120 days	121 - 365 days	365+ days
Consumer receivables from exchange transactions						
Electricity	41 986 563	3 028 791	2 786 197	3 018 528	26 753 214	6 399 833
Waste management	768 667	102 162	69 752	51 212	253 488	292 053
Waste water management	702 334	96 321	73 851	86 332	175 210	270 620
Water	2 136 338	348 266	378 724	301 836	459 261	648 251
Service charges	159 359	9 943	11 728	9 448	63 438	64 802
Total consumer receivables	45 753 261	3 585 483	3 320 252	3 467 356	27 704 611	7 675 559

2023

	Total	31 - 60 days	61 - 90 days	91 - 120 days	121 - 365 days	365+ days
Consumer receivables from exchange transactions						
Electricity	42 596 126	167 806	114 382	100 460	41 614 869	598 609
Waste management	2 305 092	138 864	100 678	85 806	497 097	1 482 647
Waste water management	1 751 004	96 168	71 042	55 132	334 974	1 193 688
Water	11 748 805	436 972	404 096	332 473	1 220 927	9 354 337
Service charges	396 004	47 391	15 686	12 824	89 775	230 328
Total consumer receivables	58 797 031	887 201	705 884	586 695	43 757 642	12 859 609

The Council regards receivables from exchange transactions to be due for outstanding amounts more than 30 days to be past due.

The water and electricity accrual is in respect of consumption between the last meter reading date and the reporting date, an accrual is made based on the average monthly consumption of consumers. The estimate of the consumption are being recorded as revenue without being invoiced.

4.2 Other receivables from exchange transactions

	2024			2023		
	Gross	Impairment	Total	Gross	Impairment	Total
Property rental debtors	33 113 953	(32 368 518)	745 435	31 500 615	(30 716 300)	784 315

Stellenbosch Municipality

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Notes to the Audited Annual Financial Statements

4. Receivables from exchange transactions (continued)

4.2.1 Ageing of other receivables from exchange transactions

2024

	Not due			Past due		
	Total	Current (0 - 30 days)	31 - 60 days	61 - 90 days	91 - 120 days	120 - 365 days 365+ days
Property rental debtors	33 113 953	587 568	179 982	398 518	183 873	1 584 409 30 179 603

2023

	Not due			Past due		
	Total	Current (0 - 30 days)	31 - 60 days	61 - 90 days	91 - 120 days	121 - 365 days 365+ days
Property rental debtors	31 500 615	537 829	200 891	620 592	342 711	1 538 555 28 260 037

4.2.2 Impairment reconciliation of other receivables from exchange transactions

	2024			2023		
	Opening balance	Impairment raised	Closing balance	Opening balance	Impairment raised	Closing balance
Property rental debtors	30 716 300	1 652 218	32 368 518	28 463 410	2 252 890	30 716 300



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4. Receivables from exchange transactions (continued)

4.2.3 Other receivables from exchange transactions past due not impaired

2024

	Past due					
	Total	31 - 60 days	61 - 90 days	91 - 120 days	121 - 365 days	365+ days
Property rental debtors	158 724	7 671	55 029	4 324	29 259	62 441

2023

	Past due					
	Total	31 - 60 days	61 - 90 days	91 - 120 days	121 - 365 days	365+ days
Property rental debtors	308 358	12 717	117 523	13 791	79 166	85 161

The impairment provision calculation is calculated by assessing each individual debtor and assessing the probability of future payment using a formula considering historical trends in relation to the individual debtors payment history.

	Rates	Services	Interest	Sundry	Total
Government debt as at 30 June 2023					
Nat. dept of Public Works	135 040	919 892	6 145	15 418	1 076 495
Prov. dept of Transport and Public Works	117 379	25 485	8 757	11 250	162 871
Western Cape Education department	906	1 619 815	1 281	128	1 622 130
Department of Health	-	532 340	242	204	532 786
Dept of local government and housing	8 163	21 836	2 932	3 277	36 208
Other government departments	236	168 359	84	1 016	169 695
	261 724	3 287 727	19 441	31 293	3 600 185

	Rates	Services	Interest	Sundry	Total
Government debt as at 30 June 2024					
Nat. dept of Public Works	807 082	6 647 761	1 064 193	13 123	8 532 159
Prov. dept of Transport and Public Works	152 865	109 226	23 166	-	285 257
Western Cape Education department	1 024	2 414 221	16 529	52	2 431 826
Department of Health	-	669 869	-	-	669 869
Dept of local government and housing	157 950	453 161	61 248	3 662	676 021
Other government departments	832	170	147	1 007	2 156
	1 119 753	10 294 408	1 165 283	17 844	12 597 288

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	2024	2023
5. Receivables from non-exchange transactions		
	5.1	
Consumer receivables		
Property rates	29 072 921	28 204 232
Other receivables		
Accrued income	5 298 358	10 648 502
Fines	52 296 165	31 239 755
	57 594 523	41 888 257
Total receivables	86 667 444	70 092 489

5.1 Receivables from non-exchange transactions

	2024			2023		
	Gross	Impairment	Total	Gross	Impairment	Total
Consumer receivables						
Property rates	66 235 109	(37 162 188)	29 072 921	57 925 803	(29 721 571)	28 204 232
Other receivables						
Accrued income	5 298 358	-	5 298 358	10 648 850	-	10 648 850
Fines	233 078 454	(180 782 289)	52 296 165	227 276 286	(196 036 531)	31 239 755
	238 376 812	(180 782 289)	57 594 523	237 925 136	(196 036 531)	41 888 605
Total	304 611 921	(217 944 477)	86 667 444	295 850 939	(225 758 102)	70 092 837

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Notes to the Audited Annual Financial Statements

5. Receivables from non-exchange transactions (continued)

5.1.1 Ageing of receivables from non-exchange transactions

2024

	Not due			Past due			
	Total	Current (0-30 days)	31 - 60 days	61 - 90 days	91 - 120 days	121 - 365 days	365+ days
Consumer receivables							
Property rates	66 235 109	24 692 898	1 118 891	1 233 366	844 862	9 234 885	29 110 207
Other receivables							
Accrued income	5 298 358	912 284	-	-	-	-	4 386 074
Fines	233 078 454	10 082 954	10 345 650	10 445 974	12 562 199	67 658 106	121 983 571
	238 376 812	10 995 238	10 345 650	10 445 974	12 562 199	67 658 106	126 369 645
	304 611 921	35 688 136	11 464 541	11 679 340	13 407 061	76 892 991	155 479 852

2023

	Not due			Past due			
	Total	Current (0-30 days)	31 - 60 days	61 - 90 days	91 - 120 days	121 - 365 days	365+ days
Consumer receivables							
Property rates	57 925 803	24 203 822	990 992	1 056 224	767 734	7 219 197	23 687 834
Other receivables							
Accrued income	10 648 850	3 552 665	-	-	-	-	7 096 185
Fines	227 276 286	9 831 956	10 088 110	10 185 936	12 249 480	65 973 850	118 946 954
	237 925 136	13 384 621	10 088 110	10 185 936	12 249 480	65 973 850	126 043 139
	295 850 939	37 588 443	11 079 102	11 242 160	13 017 214	73 193 047	149 730 973

No debtors were pledged as security.

Stellenbosch Municipality

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Notes to the Audited Annual Financial Statements

	2024	2023
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5. Receivables from non-exchange transactions (continued)**Statutory receivables included in receivables from non-exchange transactions above are as follows:**

Property rates	29 072 921	28 204 232
Fines	52 296 165	31 239 755
	81 369 086	59 443 987

Financial asset receivables included in receivables from non-exchange transactions above

Accrued Income	5 298 358	10 648 502
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5. Receivables from non-exchange transactions (continued)

5.1.2 Impairment reconciliation of receivables from non-exchange transactions

	2024			2023		
	Opening balance	Impairment movement	Closing balance	Opening balance	Impairment movement	Closing balance
Consumer receivables						
Property rates	29 697 191	7 464 997	37 162 188	32 151 675	(2 430 104)	29 721 571
Other receivables						
Fines	196 036 531	(15 254 242)	180 782 289	155 516 346	40 520 185	196 036 531
Total	225 733 722	(7 789 245)	217 944 477	187 668 021	38 090 081	225 758 102



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5. Receivables from non-exchange transactions (continued)

5.1.3 Ageing of impaired receivables from non-exchange transactions past due not impaired

2024

	Past due					
	Total	31-60 days	61 - 90 days	91 - 120 days	121 - 365 days	365+ days
Consumer receivables						
Property rates	3 121 467	399 541	281 084	210 465	1 732 941	497 436
Other receivables						
Fines	42 213 208	1 873 717	1 891 887	2 275 159	12 253 667	23 918 778
	45 334 675	2 273 258	2 172 971	2 485 624	13 986 608	24 416 214

2023

	Past due					
	Total	31 - 60 days	61 - 90 days	91 - 120 days	121- 365 days	365+ days
Consumer receivables						
Property rates	3 240 103	340 214	282 168	203 168	1 250 253	1 164 300
Other receivables						
Fines	21 407 799	950 227	959 442	1 153 813	6 214 265	12 130 052
	24 647 902	1 290 441	1 241 610	1 356 981	7 464 518	13 294 352

Statutory receivables general information

Transaction(s) arising from statute

Property rates related transactions arise in terms of the Municipal Property Rates Act, 6 of 2004, Municipal Finance Management Act, 56 of 2003, as well as the Property Rates Policy of the municipality approved by Council as part of the Budget Process.

Traffic fines arise from the National Road Traffic Act 93 of 1996, National Road Traffic Regulations 2000, National Land Transport Act 5 of 2009 and Criminal Procedure Act 51 of 1971. Prosecutor performs prosecutorial functions in terms of a general delegation awarded by the National Prosecuting Authority and is subject to the control of the Control Prosecutor at the Magistrate's Court in Stellenbosch.

VAT transactions arise from the Value Added Tax Act 89 of 1991. VAT is an indirect tax on the consumption of goods and services in the economy. VAT is levied on all goods and services subject to certain exemptions, exceptions, deductions and adjustments provided for in the Value Added Tax Act 89 of 1991.

Determination of transaction amount

Property rates transaction amounts are determined in line with the Annual Tariff List of the municipality approved by Council as part of the Budget Process in terms of the Municipal Finance Management Act, 56 of 2003.

The municipality makes use of estimates to determine the amount of revenue that it is entitled to collect. Where settlement discounts or reductions in the amount payable are offered, the municipality considers past history in assessing the likelihood of these discounts or reductions being taken up by receivables.

VAT transactions amounts are determined in line with the Value Added Tax Act 89 of 1991. VAT increased from 14% to 15% from 1 April 2018.

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Notes to the Audited Annual Financial Statements

2024

2023

5. Receivables from non-exchange transactions (continued)

Interest or other charges levied/charged

Interest or other charges levied on Property rates balances are in line with the Annual Tariff List of the municipality approved by council as part of the Budget Process in terms of the Municipal Finance Management Act, 56 of 2003. "Interest" means a charge levied, on all arear accounts calculated at an interest rate which is one percent higher than the prime interest rate.

Traffic fines: Additional charges includes contempt of court fees / warrant of arrest fee determined in terms of the Criminal Procedure Act.

The rates and interest charges are determined by the Value Added Tax Act 89 of 1991.

Basis used to assess and test whether a statutory receivable is impaired

The basis used to assess Property Rates receivables is to look at the extent to which debtors on an individual basis defaulted on payments already due and an assessment of their ability to make payments based on their historical collection trend.

The basis used to assess Traffic fine receivables is to look at the extent to which debtors per group of fines (Municipal fines, Provincial fines) defaulted on payments already due and an assessment of their ability to make payments based on their historical collection trend.

No impairment on VAT Receivable, balance expected to be fully recoverable

Discount rate applied to the estimated future cash flows

Interest is calculated using the nominal interest rate as stipulated in the municipal by-laws (Prime plus 1%). This rate is also considered an appropriate discount rate.

Main events and circumstances that led to the recognition or reversal of impairment losses on statutory receivables

Significant impairment losses recognised or reversed

Traffic Fines: Impairment Recognised: Annually the outstanding receivables are assessed in terms of the value of fines issued in comparison to the receipts generated from such fines. The remaining balance is considered recoverable based on this payment percentage.

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Notes to the Audited Annual Financial Statements

	2024	2023
6. Inventories		
Consumables	2 241 649	551 893
Materials and supplies	10 110 877	9 937 091
Water	2 865 719	2 562 783
Housing stock	8 050 000	9 100 000
Total Inventories	23 268 245	22 151 767

R66 371 383 (2023: R64 172 062) of total inventory was recognised as an expense in the current year.

The amount of write-down of inventories recognised as an expense and a reduction in inventory carrying value is R(290 008) (2023: R389 807).

No inventories were pledged as securities.

7. Other receivables from exchange transactions

Deposits	13 882 018	1 895 810
Goods received/Invoice received	-	113 356
Other receivable	6 039 523	2 769 459
Licensing and registration	3 673 272	3 290 273
Prepayments and advances	30 794 294	30 583 331
Total	54 389 107	38 652 229

8. Value-added-tax

VAT Receivable / (Payable)	30 829 208	11 979 052
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The municipality is registered for VAT on the payment/ cash basis.

VAT meets the definition of a statutory receivable as per the accounting policy. For statutory receivable information regarding VAT refer to note 5. The statutory receivable amounts are as follows R8 270 605 (2023:R8 315 239)

VAT Breakdown

Net VAT control (As per VAT 201)	8 270 605	8 315 239
VAT Accrual (Payable)	(22 962 600)	(17 210 862)
VAT Accrual Receivable	45 521 203	20 874 675
	30 829 208	11 979 052

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Notes to the Audited Annual Financial Statements

	2024	2023
9. Investment property		
9.1 Reconciliation of carrying value		
Opening carrying value		
Cost	438 586 232	438 586 232
Accumulated depreciation and impairment losses	(13 509 744)	(13 086 177)
	425 076 488	425 500 055
Depreciation	38 (420 818)	(423 567)
Impairment loss / reversal of impairment loss	38 (1 725 000)	-
Closing carrying value	422 930 670	425 076 488
 Cost	 438 586 232	 438 586 232
Accumulated depreciation and impairment losses	(15 655 562)	(13 509 744)
A register containing the information required by section 63 of the Municipal Finance Management Act is available for inspection at the registered office of the municipality.		
There were no restrictions placed on any investment properties.		
Maintenance of investment property		
There were no repairs and maintenance expensed on rental properties. This is mainly due to the fact that rental agreements as entered into with the lessee states maintenance of these properties will be for the lessee's expense.		
Amounts recognised in surplus or deficit		
Rental revenue from Investment Property	11 055 806	12 373 336

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Notes to the Audited Annual Financial Statements

10. Property, plant and equipment

10.1 Summary

	2024			2023		
	Cost / Valuation	Accumulated depreciation and accumulated impairment	Carrying value	Cost / Valuation	Accumulated depreciation and accumulated impairment	Carrying value
Land	492 959 498	(27 052 477)	465 907 021	488 646 498	(27 052 477)	461 594 021
Transport Assets	199 932 779	(90 295 252)	109 637 527	177 457 548	(84 644 016)	92 813 532
Electrical Infrastructure	1 598 481 834	(539 261 554)	1 059 220 280	1 491 911 258	(498 647 037)	993 264 221
Water Supply Infrastructure	2 022 399 746	(574 086 113)	1 448 313 633	1 933 229 910	(525 367 418)	1 407 862 492
Sanitation Infrastructure	1 331 799 109	(296 860 182)	1 034 938 927	1 315 767 046	(268 037 759)	1 047 729 287
Solid Waste Infrastructure	141 404 397	(18 255 242)	123 149 155	70 897 949	(16 268 130)	54 629 819
Other Infrastructure	33 785 570	-	33 785 570	33 785 570	-	33 785 570
Machinery and Equipment	84 580 317	(64 613 352)	19 966 965	82 863 210	(61 025 913)	21 837 297
Furniture and Office Equipment	56 384 977	(43 195 187)	13 189 790	55 196 043	(39 674 267)	15 521 776
Computer Equipment	79 849 067	(55 175 873)	24 673 194	78 382 896	(49 748 173)	28 634 723
Information and Communication Infrastructure	18 791 151	(3 860 402)	14 930 749	4 710 223	(3 581 375)	1 128 848
Roads Infrastructure	1 440 095 335	(573 118 428)	866 976 907	1 383 148 215	(527 228 051)	855 920 164
Storm water Infrastructure	87 559 967	(49 644 575)	37 915 392	83 709 964	(48 596 116)	35 113 848
Community Assets	201 143 486	(36 968 466)	164 175 020	171 532 955	(31 326 030)	140 206 925
Other assets	559 180 959	(122 176 454)	437 004 505	546 051 098	(111 541 688)	434 509 410
- Operational Buildings	359 450 388	(81 983 885)	277 466 503	357 952 843	(74 653 091)	283 299 752
- Housing Selling Schemes	199 730 571	(40 192 569)	159 538 002	188 098 255	(36 888 597)	151 209 658
Total	8 348 348 192	(2 494 563 557)	5 853 784 635	7 917 290 383	(2 292 738 450)	5 624 551 933

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Notes to the Audited Annual Financial Statements

10. Property, plant and equipment (continued)

Reconciliation of property, plant and equipment – 2024

	Opening balance	Additions	Disposals	Transfers received	Transfers made	Depreciation	Impairment loss/ reversal	Total
Land	461 594 021	5 063 000	(750 000)	-	-	-	-	465 907 021
Transport Assets	92 813 533	23 290 517	(344 380)	-	-	(6 122 142)	-	109 637 527
Electrical Infrastructure	993 264 216	97 726 158	-	-	8 844 419	(40 614 513)	-	1 059 220 280
Water Supply Infrastructure	1 407 862 484	89 431 389	-	(261 552)	-	(48 718 688)	-	1 448 313 633
Sanitation Infrastructure	1 047 729 289	16 032 063	-	-	-	(28 822 425)	-	1 034 938 927
Solid Waste Infrastructure	54 629 820	70 506 448	-	-	-	(1 987 113)	-	123 149 155
Other Infrastructure	33 785 570	-	-	-	-	-	-	33 785 570
Machinery and Equipment	21 837 301	2 506 158	(128 404)	-	-	(4 248 090)	-	19 966 965
Furniture and Office Equipment	15 521 781	1 650 402	(87 203)	-	-	(3 895 191)	-	13 189 790
Computer Equipment	28 634 713	2 475 540	(207 429)	-	-	(6 229 630)	-	24 673 194
Information and Communication Infrastructure	1 128 844	14 080 929	-	-	-	(279 024)	-	14 930 749
Roads Infrastructure	855 920 166	56 947 121	-	-	-	(45 890 380)	-	866 976 907
Storm water Infrastructure	35 113 847	3 850 003	-	-	-	(1 048 458)	-	37 915 392
Community Assets	140 206 920	29 610 536	-	-	-	(5 642 435)	-	164 175 020
Other assets	434 509 406	13 987 714	(468 753)	-	-	(9 992 426)	(1 031 436)	437 004 505
- Operational Buildings	279 135 576	7 660 930	-	-	-	(8 298 567)	(1 031 436)	277 466 503
- Housing Selling Schemes	155 373 830	6 326 784	(468 753)	-	-	(1 693 859)	-	159 538 002
Total	5 624 551 911	427 157 978	(1 986 169)	(261 552)	8 844 419	(203 490 515)	(1 031 436)	5 853 784 635

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Notes to the Audited Annual Financial Statements

10. Property, plant and equipment (continued)

Reconciliation of property, plant and equipment – 2023

	Opening balance	Additions	Disposals	Transfers made	Depreciation	Impairment loss/ reversal	Total
Land	461 617 521	-	(23 500)	-	-	-	461 594 021
Transport Assets	100 800 738	1 785 330	(800 349)	-	(7 399 519)	(1 572 668)	92 813 532
Electrical Infrastructure	992 044 730	65 825 855	-	(19 658 509)	(44 947 855)	-	993 264 221
Water Supply Infrastructure	1 388 821 188	72 409 987	(315 773)	(399 106)	(52 653 804)	-	1 407 862 492
Sanitation Infrastructure	1 049 114 057	35 586 649	(44 321)	-	(36 927 098)	-	1 047 729 287
Solid Waste Infrastructure	58 802 151	5 459 983	(7 504 068)	-	(2 128 247)	-	54 629 819
Other Infrastructure	27 534 497	6 251 073	-	-	-	-	33 785 570
Machinery and Equipment	26 696 562	2 685 751	(14 282)	-	(7 530 735)	-	21 837 297
Furniture and Office Equipment	18 734 827	2 125 114	(6 624)	-	(5 331 541)	-	15 521 776
Computer Equipment	29 095 628	6 955 475	(4 429)	-	(7 411 951)	-	28 634 723
Information and Communication Infrastructure	1 413 468	211 635	(151)	-	(496 104)	-	1 128 848
Roads Infrastructure	834 247 304	70 470 099	(640 602)	-	(48 156 636)	-	855 920 164
Storm water Infrastructure	35 910 480	290 596	(3 170)	-	(1 084 058)	-	35 113 848
Community Assets	131 667 701	14 409 056	(509 732)	-	(5 360 100)	-	140 206 925
Other assets	411 726 217	33 598 392	(163 400)	-	(10 651 799)	-	434 509 410
- Operational Buildings	272 112 571	20 185 053	-	-	(8 997 872)	-	283 299 752
- Housing Selling Schemes	139 613 646	13 413 339	(163 400)	-	(1 653 927)	-	151 209 658
Total	5 568 227 069	318 064 995	(10 030 401)	(20 057 615)	(230 079 447)	(1 572 668)	5 624 551 933

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Notes to the Audited Annual Financial Statements

	2024	2023
10. Property, plant and equipment (continued)		
10.2 Construction work-in-progress		
Work in Progress		
The following assets were still in the process of being constructed at year end:		
Community Assets	23 568 298	8 711 629
Electrical Infrastructure	255 721 590	157 995 431
Other infrastructure	33 578 152	33 578 152
Information and Communication Infrastructure	12 780 606	-
Roads Infrastructure	114 504 564	68 286 049
Sanitation infrastructure	182 498 512	259 668 367
Solid waste infrastructure	81 437 349	11 304 522
Storm Water Infrastructure	7 217 748	3 367 743
Water Supply Infrastructure	169 366 173	159 325 356
Internally Generated Intangible Assets	1 742 452	1 526 451
Other Assets	34 300 233	20 381 396
Total	916 715 677	724 145 096

There were no projects that were significantly delayed or halted during the current financial year. Significant delays are regarded as projects which has not seen any progress for a period exceeding 12 months.

10.3 Property, plant and equipment pledged as security

No assets have been pledged as security during the current financial year.

10.4 Maintenance of property, plant and equipment

10.4.1 Maintenance of property, plant and equipment by nature and type of expenditure

Expenditure incurred to repair and maintain property, plant and equipment included in the Statement of Financial Performance

Property, plant and equipment	92 712 588	55 115 009
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Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Notes to the Audited Annual Financial Statements

2024 2023

11. Intangible assets

11.1 Reconciliation of carrying value

2024

		Computer software	Total
Opening carrying value as at 01 July 2023			
Cost		16 033 795	16 033 795
Accumulated depreciation and impairment		(11 773 018)	(11 773 018)
		4 260 777	4 260 777
Additions from acquisitions		216 001	216 001
Amortisation	38	(379 053)	(379 053)
		(163 052)	(163 052)
Closing carrying value as at 30 June 2024		4 097 725	4 097 725
Cost		16 249 796	16 249 796
Accumulated amortisation and impairment		(12 152 071)	(12 152 071)
		4 097 725	4 097 725

2023

		Computer software	Total
Opening carrying value as at 01 July 2022			
Cost		20 500 151	20 500 151
Accumulated depreciation and impairment		(15 271 026)	(15 271 026)
		5 229 125	5 229 125
Additions		207 100	207 100
Amortisation	38	(1 175 449)	(1 175 449)
		(968 349)	(968 349)
Carrying value of disposals / transfers			
Cost		(4 673 456)	(4 673 456)
Accumulated depreciation and impairment		4 673 456	4 673 456
		-	-
Closing carrying value as at 30 June 2023		4 260 776	4 260 776
Cost		16 033 795	16 033 795
Accumulated amortisation and impairment		(11 773 019)	(11 773 019)
		4 260 776	4 260 776

Pledged as security

There were no items of intangible assets that were pledged as security in the current financial year.

Restricted title

There were no items of intangible assets that that a restricted title in the current financial year.

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Notes to the Audited Annual Financial Statements

2024 2023

12. Biological assets

12.1 Reconciliation of carrying value

	2024		2023	
	Biological assets measured at fair value	Total	Biological assets measured at fair value	Total
Opening carrying value	5 142 777	5 142 777	5 142 777	5 142 777
Additions from acquisitions	-	-	-	-
Disposals through sales	-	-	-	-
Gains / Losses on disposals	-	-	-	-
Harvests	(723 740)	(723 740)	-	-
	4 419 037	4 419 037	5 142 777	5 142 777
Fair value less costs to sell adjustments				
Consumable assets	(1 493 983)	(1 493 983)	-	-
Closing carrying value	2 925 054	2 925 054	5 142 777	5 142 777



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2024 2023

12. Biological assets (continued)

2024 - Nature and quantities of each biological asset	Opening Balance	Decrease due to harvest	Fair value movement	Total
Botmanskop Plantation	293 463	(109 324)	(56 159)	127 980
Paradyskloof Plantation	4 849 313	(614 416)	(1 437 823)	2 797 074
	5 142 776	(723 740)	(1 493 982)	2 925 054

2023 - Nature and quantities of each biological asset	Opening Balance	Decrease due to harvest	Fair value movement	Total
Botmanskop plantation	293 463	-	-	293 463
Paradyskloof Plantation	4 849 313	-	-	4 849 313
	5 142 776	-	-	5 142 776

The determination of fair value was as follows:

Principle:

Price determination was done on the basis of current sale value of the tender for the current year i.e. R602.10/m³ excluding 15% VAT. This value was given to all trees as the estimated yield takes into consideration the age of the trees. The harvestable age starts from 20 years old where the minimum estimated yield would be 100m³/ha.

It must also be noted that this yield is based on optimum growing conditions and the existing microclimates, and thus the yield might vary per compartment. Refer to the Forestry Handbook p204 which can be obtained at the municipal offices.

Description of the Biological Assets

Botmanskop plantation (Block E)

Some compartments remain which can be harvested at a later stage due to the age of the trees.

Paradyskloof plantation (Block G)

Some compartments remain which can be harvested at a later stage due to the age of the trees.

Strategy to mitigate risks

The strategy to mitigate risks attached to this category of assets is to prevent the spread of runaway veld fires by maintaining fire breaks.

Pledged as security

There were no items of biological assets pledged as security in the current financial year.

Non-Financial Information

Quantities of each biological asset (In hectars)

Botmanskop Plantation	4	10
Paradyskloof Plantation	16	32
	20	42

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Notes to the Audited Annual Financial Statements

2024 2023

13. Heritage assets**13.1 Reconciliation of carrying value****2024**

	Land and buildings	Monuments and parks	Other assets	Total
Opening carrying value as at 01 July 2023				
Cost	275 982	892 883	143 945	1 312 810
Cost	275 982	892 883	143 945	1 312 810

2023

	Land and buildings	Monuments and parks	Other assets	Total
Opening carrying value as at 01 July 2022				
Cost	-	892 883	143 945	1 036 828
Additions from acquisitions	275 982	-	-	275 982
	275 982	892 883	143 945	1 312 810
Cost	-	892 883	143 945	1 036 828
Additions from acquisitions	275 982	-	-	275 982
	275 982	892 883	143 945	1 312 810

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Notes to the Audited Annual Financial Statements

2024 2023

13. Heritage assets (continued)

13.2 Heritage assets pledged as security

There were no heritage assets pledged as security during the current financial year.

Heritage assets used for more than one purpose

A significant portion of the following heritage assets are used for office accommodation and is therefore included in the balance of property, plant and equipment:

The following heritage assets are used by the municipality for more than one purpose

Neethlingshuis and De Withuis	61 981 836	62 337 914
58 - 60 Andringa Street	1 848 421	1 858 476
35B Mark Street	3 112 063	3 121 213
127 Dorp Street, Transvalia, Alma & Bosmanshuis flats	12 587 685	12 618 351
116 - 118 Dorp Street, Voorgelegen - offices	5 496 842	5 516 951
4 Reservoir West, Mooiwater	2 048 737	2 056 781
34 Mark Street, Rynse Komplex; Toy Museum, Tourism	8 087 685	8 118 351
PMU Building, Alexander Street, Burger Huis	1 551 474	1 558 009
Merriman, Bergzicht Training Centre, Oude Libertas Theatre & Restaurant	61 460 908	61 652 545
Die Laan, Landbou Saal	4 322 684	4 329 471
	162 498 335	163 168 062

Expenditure incurred to repair and maintain heritage assets

The expenditure relating to repairs and maintenance of these buildings is included in the statement of financial performance and disclosed under note 10 to the financial statements.

There was no repairs and maintenance expenditure incurred on other remaining heritage assets.

14. Non-current receivables

Trading services debtors

4.1

Electricity	493 864	554 827
Waste management	847 721	534 875
Waste water management	685 293	417 415
Water	3 344 996	2 139 941
Property rental debtors	503 839	369 630
Service charges	615 723	564 882
Total	6 491 436	4 581 570

Other receivables

Public organisation	17 161	71 703
Transferred to current receivables	-	(54 542)
Total non-current other receivables	17 161	17 161

15. Consumer deposits

Electricity	13 509 055	12 362 360
Sundry	171 511	204 420
Rental properties	752 824	769 496
Water	9 198 636	8 452 937
Wayleave	558 413	558 413
Total	24 190 439	22 347 626

Deposits are released on termination of the contract or when the contractual services are delivered.

Stellenbosch Municipality

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Notes to the Audited Annual Financial Statements

		2024	2023
16. Employee benefits			
Non-current employee benefits			
Post employment health care benefits	16.1	180 536 001	166 384 001
Long-service awards benefits	16.4	26 134 000	24 816 000
		206 670 001	191 200 001
Current employee benefits			
Post employment health care benefits	16.1	11 259 000	9 772 000
Bonus	16.2	15 545 103	14 629 565
Staff leave	16.3	34 417 842	30 740 330
Long-service awards benefits	16.4	3 974 021	3 142 020
		65 195 966	58 283 915
Total		271 865 967	249 483 916

16.1 Post employment health care benefits

The municipality provides certain post-retirement health care benefits by funding the medical aid contributions of qualifying retired members of the municipality. According to the rules of the Medical Aid Funds, with which the municipality is associated, a member (who is on the current Conditions of Service) is entitled to remain a continued member of such medical aid fund on retirement, in which case the municipality is liable for a certain portion of the medical aid membership fee. The municipality operates an unfunded defined benefit plan for these qualifying employees. The plan is treated as a defined benefit plan under GRAP 25. No other post-retirement benefits are provided to these employees.

The most recent actuarial valuations of plan assets and the present value of the defined benefit obligation were carried out at 30 June 2023 by C Weiss of the Actuarial Society of South Africa. The present value of the defined benefit obligation, and the related current service cost and past service cost, were measured using the Projected Unit Credit Method.

The members of the Post-employment Health Care Benefit Plan are made up as follows:

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Audited Annual Financial Statements for the year ended 30 June 2024

Notes to the Audited Annual Financial Statements

2024 2023

16. Employee benefits (continued)

	Number	Number
In-service members (eligible employees on medical aid)	723	673
In-service non-members (eligible employees w/o medical aid)	427	454
Continuation members (retirees and surviving dependants)	174	175
Total members	1 324	1 302

Characteristics and risks of defined benefit plans [GRAP 25.143(a)]

The Municipality administers a defined benefit pension plan that provides retirement, disability, and death benefits to eligible employees. The plan is funded by both the entity and the employees through mandatory contributions based on a percentage of the employees' salaries.

Eligible employees appointed before 1 July 2003 will receive a post-employment subsidy of 70% of the contribution payable should they be a member of a medical scheme at retirement, and provided that they have not been promoted since then and do not receive a promotion in future. Promotions result in new employment contracts, and new contracts contain a 60% post-employment subsidy benefit. Hence, all other eligible employees will receive a 60% post-employment subsidy, should they be a member of a medical scheme at retirement.

The eligible employees' post-employment subsidy rates were provided, and it was assumed that all employees appointed before 1 July 2003 and who have not been promoted since then, will not receive a promotion in future.

Continuation members and their eligible dependants receive either a 60% or 70% subsidy, as described above. However, there are three members with special arrangements, whereby they are in receipt of a 50% subsidy.

Risks associated with the defined benefit plan [GRAP 25.143(a)]

Longevity Risk: There is a risk that eligible individuals live longer than expected, potentially increasing the liability of the plan as their benefits are payable for longer than expected.

Inflation Risk: There is a risk that future CPI inflation and medical aid contribution inflation are higher than assumed and present in an uncontrolled manner.

Volatility of open ended Defined Benefit Obligation:

The risk that the DBO may be volatile which is exacerbated by its long-term nature.

Regulatory Risk

The risk that changes in post-employment medical aid benefit may increase the defined benefit obligation for Stellenbosch Municipality.

Plan amendments, curtailments, and settlements [GRAP 25.147(c)]

During the reporting period, there were no amendments, curtailments, or settlements that had a significant effect on the plan's obligations Stellenbosch municipality.

The liability in respect of past service has been estimated as follows:

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Notes to the Audited Annual Financial Statements

	2024	2023
16. Employee benefits (continued)		
In-service members (eligible employees on medical aid)	71 149 001	67 805 000
In-service non-members (eligible employees w/o medical aid)	8 034 000	7 341 000
Continuation members (retirees and surviving dependants)	112 612 000	101 010 001
Total liability	191 795 001	176 156 001

Maturity Profile

The defined benefit obligation of the municipality's health care plan has a weighted average duration of approximately 14 years. This duration reflects the estimated time period over which the accrued benefits are expected to be settled.

Maturity profile of the defined benefit obligation [GRAP 25.154(c)]

The following table provides a maturity analysis of the present value of the defined benefit obligations, showing the undiscounted cash flows to be paid in respect of benefits to be provided under the plan:

Future year intervals	Projected Benefit Payments
Within 1 year	11 259 000
Between 1 - 2 years	12 469 000
Between 2 - 3 years	13 486 000
Between 3 - 4 years	14 837 000
Between 4 - 5 years	16 315 000
6 to 10 years	107 361 000
11 to 15 years	165 322 000
16 to 20 years	240 230 000
21 to 25 years	333 471 000
26 to 30 years	432 527 000
31 to 40 years	1 112 025 000
41 to 50 years	1 184 921 000
51 to 60 years	915 484 000
61 to 70 years	464 345 000
71 to 80 years	126 925 000
	5 150 977 000

The benefits payments are scheduled based on the expected retirement ages of current employees and the provisions of the plan that determine the timing of benefits payments. The distribution of these payments is subject to changes in demographic factors such as retirements, mortality rates, and changes in employment within the Municipality.

The estimated current service cost for the upcoming year has been determined to be R 5 603 000, while the interest cost for the same period is projected to be R 22 676 000. For comparison, in 2023/2024, the current service cost and interest cost were R 5 165 000 and R 21 118 000, respectively.

Non-current	180 536 001	166 384 001
Current	11 259 000	9 772 000
Total liability	191 795 001	176 156 001

The municipality contributes to the following medical aids:

- Bonitas
- Key Health
- LA Health
- Samwumed
- Sizwe-Hosmed

The principal assumptions used for the purposes of the actuarial valuations were as follow:

Stellenbosch Municipality

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Notes to the Audited Annual Financial Statements

2024 2023

16. Employee benefits (continued)

Rates of interest

Discount rate	12.17%	11.74%
CPI inflation rate	6.17%	8.37%
Medical aid contribution inflation rate	7.67%	3.11%

General:

It is assumed that the municipality's health care arrangements and subsidy policy would remain as outlined in the accounting policy, and that the level of benefits receivable and the contributions payable would remain unchanged, with the exception of allowing for inflationary adjustments. Implicit in this approach is the assumption that current levels of cross-subsidy from in-service members to continuation members within the medical scheme are sustainable, and will continue.

Basis for determining the discount rate [GRAP 25.147(d)]

The discount rate used to calculate the defined benefit obligation was determined based on the yield curve of current market rates of appropriate term that are denominated in the currency in which the benefits will be paid and that have maturities approximating the terms of the plan's obligations. The corresponding index-linked yield at this term is 5.18%. These rates do not reflect any adjustment for taxation. These rates were deduced from the interest rate data obtained from the Johannesburg Stock Exchange after the market close on 28 June 2024.

Actuarial assumptions of defined benefit obligation [GRAP 25.151]

The following are the significant actuarial assumptions used to calculate the present value of the defined benefit obligations for the Municipality's pension plan as of 31 June 2024. The assumptions are expressed in absolute terms to provide clarity on their impact:

Mortality rate

Assumption: SA 85 - 90

This mortality table is used to estimate the life expectancy of plan participants, based on current trends and historical data within the sector.

Discount rate:

Assumption: 12.17%

The discount rate is based on the yield curve of current market rates available and expected to be available during the estimated period of the obligations.

Medical aid contribution inflation rate

Assumption: 7.67%

This assumption is required to reflect estimated future changes in the cost of medical services, resulting from both inflation and specific changes in medical costs

CPI Inflation rate:

Assumption: 6.17%

Inflation is considered in the projection of salary increases and the adjustment of retirement benefits.

Proportion of Eligible In-Service Non-Members Joining a Scheme by Retirement

It has been assumed that 15% of eligible in-service non-members will be on a medical scheme by retirement (should they not exit employment before then) and continue with the subsidy at and after retirement.

Family Profile

It has been assumed that female spouses will be five years younger than their male counterparts. Furthermore, we've assumed that 60% of eligible employees on a health care arrangement at retirement will have a subsidised spouse dependant. For current retiree members, actual subsidised spouse dependants were used and the potential for remarriage was ignored.

Stellenbosch Municipality

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16. Employee benefits (continued)

Continuation of Membership:

It has been assumed that 75% of in-service members will remain on the Municipality's health care arrangement should they stay until retirement.

Normal retirement age

The average retirement age for all active employees was assumed to be 62 years.

Amounts recognised in the statement of financial position

The amounts recognised in the statement of financial position is as follows:

Present value of unfunded obligations	191 795 001	176 156 001
---------------------------------------	-------------	-------------

Amounts recognised in the statement of financial performance

The amounts recognised in the statement of financial performance is as follows:

Service cost: Current service cost	5 165 000	5 820 000
Net interest expense: Interest cost	21 118 000	21 656 000
Remeasurements: Actuarial (gains)/ losses	(660 010)	(30 656 325)
Total post-retirement benefit included in employee related costs	33 25 622 990	(3 180 325)

Movements in the present value of the defined benefit obligation

Opening balance	176 156 001	189 158 001
Current service cost	5 165 000	5 820 000
Interest cost	21 118 000	21 656 000
Actual employer benefit payments	(9 983 990)	(9 821 675)
Actuarial loss/ (gain) recognised in the year	(660 010)	(30 656 325)
Present value of fund obligation at the end of the year	191 795 001	176 156 001

Sensitivity analysis on the Accrued Liability (R Millions)

Assumption	Change	In-service	Continuation	Total	% change
Central assumptions		79.183	112.612	191.795	
Health care inflation	1%	94.299	122.556	216.855	13%
	-1%	67.047	103.909	170.956	-11%
Discount rate	1%	67.579	104.306	171.885	-10%
	-1%	93.772	122.221	215.993	13%
Post-employment mortality	1 yr	77.311	108.973	176.284	-3%
	(1)	81	106	181	3
Average retirement age	- 1 year	86.652	112.612	199.264	4%
Continuation of membership at retirement	-10%	69.304	112.612	181.916	-5%

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

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16. Employee benefits (continued)

Sensitivity analysis on Current-service and Interest Costs

Assumption	Change	Current-service cost	Interest cost	Total	% Change
Central assumptions		5 165 000	21 118 000	26 283 000	
Health care inflation	1%	6 309 000	23 970 000	30 279 000	15%
	-1%	4 268 000	18 750 000	23 018 000	-12%
Discount rate	1%	4 346 000	20 382 000	24 728 000	-6%
	-1%	6 214 000	21 938 000	28 152 000	7%
Post-retirement mortality	+1 yr	5 046 000	20 487 000	25 533 000	-3%
	-1 yr	5 290 000	21 746 000	27 036 000	3%
Average retirement age	-1 yr	5 586 000	21 947 000	27 533 000	5%
Membership continuation	-10%	4 539 000	19 986 000	24 525 000	-7%

Methods and assumptions used in sensitivity analysis [GRAP 25.152(b)]

The sensitivity analyses were prepared using the projected unit credit method, which is consistent with the method used to value the DBO in the financial statements. The analyses assume a parallel shift in the respective actuarial assumptions while holding all other assumptions constant. It is important to recognize that the use of this method does not imply that the impact of changes in actuarial assumptions is linear or follows any predictable pattern.

Expected contributions for the next reporting period [GRAP 25.154(b)]

For the financial year ended 30 June 2024, Stellenbosch Municipality expects to contribute approximately R 5 603 000 (2023: R 5 165 000) to the defined benefit plan. This estimated contribution takes into account current salary levels, the number of participating employees, and actuarial assumptions regarding demographic and financial factors. These contributions are designed to secure sufficient assets to meet the plan's future benefits obligations as they become due.

16.2 Bonus

Provision for bonus	16.2.1	15 545 103	14 629 565
Less: Transfer to current portion		(15 545 103)	(14 629 565)
Total non-current benefit		-	-
Current		15 545 103	14 629 565

Amounts recognised in the statement of financial position

The amounts recognised in the statement of financial position are as follow:

Present value of unfunded obligations	15 545 103	14 629 565
---------------------------------------	------------	------------

Amounts recognised in the statement of financial performance

The amounts recognised in the statement of financial performance are as follow:

16.2.1 Provision for bonus

Movements in the present value of the defined benefit obligation

Opening Balance	14 629 565	13 928 763
Increases	915 538	700 802
Closing balance	15 545 103	14 629 565

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Notes to the Audited Annual Financial Statements

	2024	2023
16. Employee benefits (continued)		
16.3 Staff leave		
Provision for staff leave	16.3.1 34 417 842	30 740 330
Less: Transfer to current portion	(34 417 842)	(30 740 330)
Total non-current benefit	-	-
Current	34 417 842	30 740 330
Amounts recognised in the statement of financial position		
The amounts recognised in the statement of financial position are as follow:		
Present value of unfunded obligations	34 417 842	30 740 330
16.3.1 Provision for staff leave		
Movements in the present value of the defined benefit obligation		
Opening Balance	30 740 330	32 871 279
Increases/(Decreases)	5 751 360	(42 432)
Reductions (Payments, remeasurement etc.)	(2 073 848)	(2 088 517)
Closing balance	34 417 842	30 740 330
16.4 Long-service awards benefits		
Provision for long-service awards	16.4.1 30 108 021	27 958 020
Less: Transfer to current portion	(3 974 021)	(3 142 020)
Total non-current benefit	26 134 000	24 816 000
Non-current	26 134 000	24 816 000
Current	3 974 021	3 142 020
Total liability	30 108 021	27 958 020



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16. Employee benefits (continued)

Long-service awards

The municipality operates a funded defined benefit plan for all its employees. Under the plan, a Long Service Award is payable after 10 years of continuous service and every 5 years thereafter to employees. The provision is an estimate of the long-service based on historical staff turnover. No other long-service benefits are provided to employees.

The most recent actuarial valuations of plan assets and the present value of the defined benefit obligation were carried out at 30 June 2024 by Arch consulting. The present value of the defined benefit obligation, and the related current service cost and past service cost, were measured using the Projected Unit Credit Method.

At year end 1142 (2023: 1145) employees were eligible for Long Services Awards.

The principal assumptions used for the purposes of the actuarial valuations were as follows:

Discount rate	11.38%	11.12%
General Salary inflation	6.62%	7.3%
Net effective discount rate	4.47%	3.56%

Characteristics and risks of defined benefit plans

The Municipality offers employees LSA for every five years of service completed, from ten years of service to 45 years of service, inclusive. In the month that each "completed service" milestone is reached, the employee is granted an LSA. Working days are valued at 1/249th of annual earnings per day.

Risks associated with the defined benefit plan

Termination of service risk: There is a risk that fewer eligible employees terminate their service at the Municipality i.e. more long service awards vest than expected

Inflation Risk: There is a risk that future CPI inflation and earnings inflation are higher than assumed and present in an uncontrolled manner.

Regulatory Risk

There is a risk that changes to legislation with respect to long service awards may increase the defined benefit obligation for Stellenbosch Municipality.

Enforcement of eligibility criteria and rules

The risk that eligibility criteria and rules are not strictly or consistently enforced, to the detriment of the Municipality.

GRAP 25 defines the determination of the Discount Rate Assumption to be used as follows:

The discount rate that reflects the time value of money is best approximated by reference to market yields at the reporting date on government bonds. Where there is no deep market in government bonds with a sufficiently long maturity to match the estimated maturity of all the benefit payments, an entity uses current market rates of the appropriate term to discount shorter term payments, and estimates the discount rate for longer maturities by extrapolating current market rates along the yield curve.

Volatility of open ended Defined Benefit Obligation:

The risk that the long service award DBO may be volatile which is exacerbated by its long-term nature.

Amounts recognised in the statement of financial position

The amounts recognised in the statement of financial position are as follow:

Present value of unfunded obligations	30 108 021	27 958 020
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Notes to the Audited Annual Financial Statements

2024 2023

16. Employee benefits (continued)

Amounts recognised in the statement of financial performance

The amounts recognised in the statement of financial performance are as follow:

Current service cost		2 185 000	2 224 000
Interest cost		3 008 000	2 926 000
Actuarial losses / (gains) recognised		182 442	(2 139 584)
Total expense included in employee related costs	33	5 375 442	3 010 416

16.4.1 Provision for long service awards

Movements in the present value of the defined benefit obligation

Opening Balance	27 958 020	27 729 020
Increases	5 375 443	5 150 000
Reductions (Payments, remeasurement etc.)	(3 225 442)	(4 921 000)
Closing balance	30 108 021	27 958 020

The following table provides a maturity analysis of the present value of the defined benefit obligations, showing the undiscounted cash flows to be paid in respect of benefits to be provided under the plan:

Future year intervals	Projected Benefit Payments
Within 1 year	3 974 000
Between 1 - 2 years	4 616 000
Between 2 - 3 years	4 777 000
Between 3 - 4 years	3 734 000
Between 4 - 5 years	4 467 000
6 to 10 years	28 508 000
11 to 15 years	33 429 000
16 to 20 years	30 676 000
21 to 30 years	43 911 000
31 to 40 years	5 912 000
	164 004 000

The benefits payments are scheduled based on the expected long service terms of current employees and the provisions of the plan that determine the timing of benefits payments. The distribution of these payments is subject to changes in demographic factors such as normal salary cost inflation and withdrawal rates.

The estimated current service cost for the upcoming year has been determined to be R 2 304 000, while the interest cost for the same period is projected to be R 3 158 000. For comparison, in 2023/2024, the current service cost and interest cost are R 2 185 000 and R 3 008 000, respectively.

Sensitivity Analysis

Methods and assumptions used in sensitivity analysis

The sensitivity analyses were prepared using the projected unit credit method, which is consistent with the method used to value the DBO in the financial statements. The analyses assume a parallel shift in the respective actuarial assumptions while holding all other assumptions constant. It is important to recognize that the use of this method does not imply that the impact of changes in actuarial assumptions is linear or follows any predictable pattern.



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2024 2023

16. Employee benefits (continued)

Expected contributions for the next reporting period

For the financial year ended 30 June 2024, Stellenbosch Municipality expects to contribute approximately R 2 304 000 (2023: R 2 185 000) to the defined benefit plan. This estimated contribution takes into account current salary levels, the number of participating employees, and actuarial assumptions regarding demographic and financial factors. These contributions are designed to secure sufficient assets to meet the plan's future benefits obligations as they become due.

Sensitivity analysis on Current-service and Interest Costs

Assumption	Change	Current service cost	Interest cost	Total	% change
Central assumptions		2185000	3008000	5193000	
General earnings inflation rate	1%	2357000	3199000	5556000	7%
	-1%	2032000	2834000	4866000	-6%
Discount rate	1%	2049000	3391000	5129000	-1%
	-1%	2340000	2469000	5264000	1%
Average retirement age	2 yr	2406000	3391000	5797000	12%
	(2)	1 888 000	2 469 000	4 357 000	(16)
Rates of termination of service	x2	1643000	2462000	4105000	-21%
	x0.5	2581000	3373000	5954000	15%

Sensitivity analysis on the defined benefit obligation

Assumption	Change	DBO	% Change
Central assumptions		30 108 000	
General earnings inflation	1%	31 852 000	6%
	-1%	28 518 000	-5%
Discount rate	1%	28 485 000	-5%
	-1%	31 915 000	6%
Average retirement age	+2 yr	33 623 000	12%
	-2 yr	24 931 000	-17%
Rates of termination of service	x2	25 145 000	-16%
	-x0.5	33 418 000	11%

Basis for determining the discount rate

The discount rate used to calculate the Long service award defined benefit obligation was determined based on the yield curve of current market rates of appropriate term that are denominated in the currency in which the benefits will be paid and that have maturities approximating the terms of the plan's obligations. The corresponding index-linked yield at this term is 5.09%. These rates do not reflect any adjustment for taxation. These rates were deduced from the interest rate data obtained from the Johannesburg Stock Exchange after the market close on 28 June 2024.

Actuarial assumptions of defined benefit obligation

The following are the significant actuarial assumptions used to calculate the present value of the long service award for the Municipality as of 31 June 2024. The assumptions are expressed in absolute terms to provide clarity on their impact:

Discount rate:

Assumption: 11.21%

The discount rate is based on the yield curve of current market rates available and expected to be available during the estimated period of the obligations.



Stellenbosch Municipality

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Notes to the Audited Annual Financial Statements

2024

2023

16. Employee benefits (continued)**General earnings inflation rate**

Assumption: 11.21%

The discount rate is based on the yield curve of current market rates available and expected to be available during the estimated period of the obligations.

Promotional earnings scale

As per the Valuation report for LSA, an additional promotional earnings scale is taken into account in the escalation in addition to the above General earnings inflation rate based on the age band of qualifying employees.

Mortality rate

Assumption: SA 85 - 90

This mortality table is used to estimate the life expectancy of long service award participants, based on current trends and historical data within the sector and adjusted for female lives.

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Notes to the Audited Annual Financial Statements

	2024	2023
17. Lease liabilities		
Operating lease liabilities	-	694 514
Less: Transferred to current liabilities	-	(694 514)
Total non-current liabilities	-	-
18. Borrowings		
Annuity loans from the Development Bank of South Africa have settlement periods of 14 to 15 years with fixed interest varying from 9.25% to 11.10% per annum.		
Annuity loans from Nedbank Limited have settlement periods of 10 years with fixed interest rates varying from 10.71% to 8.8% per annum.		
Annuity loan from Standard Bank has a settlement period of 10 years with fixed interest rate of 11% per annum.		
Total borrowings		
Annuity and bullet loans	584 349 242	501 949 960
Less: Current portion transferred to current liabilities	(69 853 210)	(55 046 811)
Total non-current borrowings	514 496 032	446 903 149

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Notes to the Audited Annual Financial Statements

		2024	2023
19. Trade and other payables from exchange transactions			
Bulk purchases	19.1	91 950 423	73 788 181
Contractors	19.2	34 900 579	35 605 791
Control and clearing accounts	19.3	10 768 550	6 080 751
Other payables	19.4	183 064 027	209 319 046
Total		320 683 579	324 793 769
Current		320 683 582	324 793 769
19.1 Bulk purchases			
Bulk water		8 742 225	308 973
Bulk electricity		83 208 198	73 479 208
Total		91 950 423	73 788 181
19.2 Contractors			
Retentions		34 900 579	35 605 791
19.3 Control and clearing accounts			
Cash and bank		2 471 629	2 018 791
Goods received/invoice received		108 488	-
Group life control		807 652	899 695
Salary Control - Employee Related Costs		7 380 781	3 162 265
Total		10 768 550	6 080 751
19.4 Other payables			
Payables and accruals		140 056 109	149 092 498
Unallocated deposits		14 326 424	34 786 092
Advance payments		28 681 494	25 440 456
Total		183 064 027	209 319 046

Payables are being paid within 30 days as prescribed by the MFMA. This credit period granted is considered to be consistent with the terms used in the public sector, through established practices and legislation. Discounting of trade and other payables on initial recognition is not deemed necessary.

Stellenbosch Municipality

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Notes to the Audited Annual Financial Statements

20. Payables from non-exchange transactions

		2024					2023				
		Opening balance	Funds received	Transfer to revenue	Repayment unspent grants	Closing balance	Opening balance	Funds received	Transfer to revenue	Repayment unspent grants	Closing balance
Capital											
Monetary Allocations	20.1	21 186 045	120 455 201	(106 296 778)	(8 030 315)	27 314 153	18 529 953	101 704 298	(98 811 831)	(771 499)	20 650 921
Operational											
Monetary Allocations	20.2	11 874 620	22 942 167	(20 156 336)	(4 147 169)	10 513 282	11 252 018	36 125 199	(31 044 532)	(4 522 941)	11 809 744
Total		33 060 665	143 397 368	(126 453 114)	(12 177 484)	37 827 435	29 781 971	137 829 497	(129 856 363)	(5 294 440)	32 460 665

For **2024** the Department of Cultural Affairs and Sport approved a roll-over of unspent operational funds for the Library Community Library Services Grant to be transferred and be utilised for Capital purposes. This resulted in a reclassification of the opening balance from operating conditional grants to the amount of R535 124.

For **2023** The Department of Cultural Affairs and Sport approved a roll-over of unspent operational funds for the Library Community Library Services Grant to be transferred and be utilised for Capital purposes. This resulted in a reclassification of the opening balance from operating conditional grants to the amount of R1 808 460. The Department of Human Settlements (now Department of Infrastructure, due to completion of projects allowed the municipality to shift unspent operational funds from the Idas Valley project to Capital funds for the same project. This resulted in a reclassification of the opening balance from operating conditional grants to the amount of R2 319 792

Stellenbosch Municipality

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Notes to the Audited Annual Financial Statements

20. Payables from non-exchange transactions (continued)

20.1 Unspent capital monetary allocations

	2024					2023				
	Opening balance	Funds received	Transfer to revenue	Repayment unspent grants	Closing balance	Opening balance	Funds received	Transfer to revenue	Repayment unspent grants	Closing balance
District Municipalities										
Western Cape	146 959	-	-	-	146 959	146 959	-	-	-	146 959
National Government										
Integrated National Electrification Programme Grant	8 030 315	20 000 000	(20 000 000)	(8 030 315)	-	8 382 170	28 350 000	(28 701 855)	-	8 030 315
Integrated Urban Development Grant	-	56 439 500	(56 439 500)	-	-	-	62 459 650	(62 459 650)	-	-
Municipal Disaster Relief Grant	-	30 132 000	(10 718 878)	-	19 413 122	-	-	-	-	-
Total	8 030 315	106 571 500	(87 158 378)	(8 030 315)	19 413 122	8 382 170	90 809 650	(91 161 505)	-	8 030 315
Private Enterprises										
Other transfers private enterprises	440 392	-	-	-	440 392	440 392	-	-	-	440 392
Provincial Government										
Western Cape	12 568 379	13 883 701	(19 138 400)	-	7 313 680	9 560 432	10 894 648	(7 650 326)	(771 499)	12 033 255
Total unspent capital monetary allocations	21 186 045	120 455 201	(106 296 778)	(8 030 315)	27 314 153	18 529 953	101 704 298	(98 811 831)	(771 499)	20 650 921

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Notes to the Audited Annual Financial Statements

20. Payables from non-exchange transactions (continued)

20.2 Unspent operational monetary allocations

	2024					2023				
	Opening balance	Funds received	Transfer to revenue	Repayment unspent grants	Closing balance	Opening balance	Funds received	Transfer to revenue	Repayment unspent grants	Closing balance
District Municipalities										
Western Cape	500 000	378 000	(119 700)	-	758 300	484 000	615 000	(599 000)	-	500 000
Households										
Other transfers (cash)	340 000	-	-	-	340 000	-	340 000	-	-	340 000
National Government										
Expanded Public Works Programme Integrated Grant	1 180 159	4 519 000	(4 518 999)	(1 180 158)	2	-	4 928 000	(3 747 841)	-	1 180 159
Integrated Urban Development Grant	-	2 970 500	(2 970 500)	-	-	-	3 287 350	(3 287 350)	-	-
Local Government Financial Management Grant	-	1 550 000	(1 448 412)	-	101 588	-	1 550 000	(1 550 000)	-	-
Total	1 180 159	9 039 500	(8 937 911)	(1 180 158)	101 590	-	9 765 350	(8 585 191)	-	1 180 159
Non-profit Institutions										
National Research Foundation	102 000	258 000	-	-	360 000	102 000	-	-	-	102 000
Private Enterprises										
Other transfers private enterprises	6 264 108	990 604	(96 991)	-	7 157 721	5 334 735	2 365 413	(1 436 040)	-	6 264 108

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Audited Annual Financial Statements for the year ended 30 June 2024

Notes to the Audited Annual Financial Statements

20. Payables from non-exchange transactions (continued)

Provincial Government

Western Cape

3 249 778	12 276 063	(11 001 734)	(2 967 011)	1 557 096	5 092 708	23 039 436	(20 424 301)	(4 522 941)	3 184 902
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Public Corporations

Other transfers public corporations

238 575	-	-	-	238 575	238 575	-	-	-	238 575
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Total unspent operational monetary allocations

11 874 620	22 942 167	(20 156 336)	(4 147 169)	10 513 282	11 252 018	36 125 199	(31 044 532)	(4 522 941)	11 809 744
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The nature and extent of government grants recognised in the annual financial statements and an indication of other forms of government assistance from which the municipality has directly benefited and unfulfilled conditions and other contingencies attaching to government assistance that has been recognised.

These amounts are invested in a ring-fenced investment until utilised.

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Notes to the Audited Annual Financial Statements

		2024	2023
21. Provision			
Landfill Sites	21.1	106 740 477	95 421 976
Non-current		106 740 477	95 421 976
21.1 Landfill Sites			
Opening Balance		95 421 976	160 533 093
Additional provisions raised/(Reversed)		583 529	(77 151 099)
Increases (Passage of Time/Discounted Rate)		10 734 972	12 039 982
Closing balance		106 740 477	95 421 976
Non-current		106 740 477	95 421 976

Landfill site provision

The municipality has a present obligation to rehabilitate the landfill site which stems from licensing agreements 19/2/5/1/B4/45/WL0182/22 issued in terms of the Environmental Conservation Act, 1989 (Act 73 of 1989)

In terms of the licensing of the landfill refuse sites, the municipality will incur licensing and rehabilitation costs of R106 740 477 (2023: R95 421 976) to restore the site at the end of its useful life.

The unwinding of the provision for landfill site for the current year was R10 734 972 (2023: R12 039 982) was included in the finance cost in the statement of financial performance.

Cells 1 and 2 have reached full capacity and must be rehabilitated. The expected future cash outflows for cells 1 and 2 should commence in the 2025/2026 financial year. Cell 3 has come into use at the end of 30 June 2013 financial year and is the current landfill site in use. The expected future cash outflows is between July 2044 and July 2048 for cell 3.

The provision has been determined based on an independent valuation performed by a firm of consulting engineers as at 30 June 2024

Key cost parameters:

- Inflation rate 5.4% (2023: 5.6%)
- Discount rate 11.75% (2023: 11.25%)

Refer to note 44 for contribution to the provision.

Stellenbosch Municipality

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Notes to the Audited Annual Financial Statements

	2024	2023
22. Services charges		
Electricity		
Exchange – Consumption	874 585 643	779 983 813
Waste management		
Exchange – Consumption	96 326 521	89 836 854
Waste water management		
Exchange – Consumption	114 951 742	106 739 375
Water		
Exchange – Consumption	203 270 709	162 138 204
Total	1 289 134 615	1 138 698 246

The amounts disclosed above for service charges are in respect of services rendered which are billed to the consumers on a monthly basis according to approved tariffs.

23. Rental from fixed assets

Market related	6 359 726	7 590 891
Non-market related	4 696 080	4 782 445
Total	11 055 806	12 373 336

24. Interest earned from receivables

Exchange receivables	24.1	23 504 654	16 467 413
Non-exchange receivables	24.2	4 239 407	3 418 263
Total		27 744 061	19 885 676

24.1 Interest earned from exchange receivables

Consumer receivables		
Electricity	3 776 833	1 870 939
Water	11 555 709	8 514 053
Waste water management	3 027 593	2 231 528
Waste management	3 992 025	2 806 309
Service charges	1 152 494	1 044 584
	23 504 654	16 467 413

24.2 Interest earned from non-exchange receivables

Consumer receivables		
Property rates	4 239 407	3 418 263

25. Interests earned from current and non-current assets

Bank accounts	8 848 063	5 423 264
Short-term investments and call accounts	48 463 744	36 826 894
Total	57 311 807	42 250 158

26. Licences or permits

Exchange revenue	26.1	8 149 482	8 407 621
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Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Notes to the Audited Annual Financial Statements

	2024	2023
26. Licences or permits (continued)		
26.1 Licenses and permits - Exchange revenue		
Market porters	206 910	164 642
Road and transport	7 942 115	8 240 238
Trading	457	2 741
Total	8 149 482	8 407 621
27. Agency services		
Provincial	3 697 082	3 438 321
The municipality collects license fees on behalf of the Provincial Government Western Cape and receives a 12% agency fee.		
The municipality, as an agent, recognises only the portion of the revenue and expenses it receives or incurs in executing the transactions on behalf of the principal in accordance with the requirements of the relevant Standards of GRAP.		
No resources are held by the municipality on behalf of the principle.		
28. Operational revenue		
Administrative Handling Fees	256 661	284 601
Breakages and Losses Recovered	3 011	2 691
Collection Charges	55 573	2 727 349
Incidental Cash Surpluses	1 982	5 657
Inspection fees	8 309	29 644
Insurance Refund	2 818 339	1 065 491
Merchandising, Jobbing and Contracts	4 917 486	4 860 840
Recovery Maintenance	534 756	614 166
Request for information	60 470	58 649
Sale of Property	1 618 109	-
Skills Development Levy Refund	931 782	864 945
Staff and Councillors Recoveries	420 158	629 244
Development Charges	37 192 548	33 465 025
Total	48 819 184	44 608 302
29. Sales of goods and rendering of services		
Application Fees for Land Usage	1 188 087	1 138 591
Building Plan Approval	8 719 636	6 783 438
Cemetery and Burial	1 270 896	1 106 042
Clearance Certificates	589 505	464 612
Computer Services	-	13 800
Encroachment Fees	6 487 688	5 533 562
Entrance Fees	261 922	1 037 941
Fire Services	246 318	182 325
Housing (Boarding Services)	-	351 907
Library Fees	678	917
Parking Fees	5 722 596	4 422 045
Photo copies, Faxes and Telephone charges	79 116	65 744
Removal of Restrictions	58 391	131 196
Sale of Goods	604 146	460 209
Scrap, Waste & Other Goods	29 970	-
Re-allocation Fees	1 100	5 298
Total	25 260 049	21 697 627

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Notes to the Audited Annual Financial Statements

	2024	2023
30. Property rates		
Agricultural property	20 789 622	19 435 922
Business and commercial properties	169 353 450	160 005 178
Public benefit organisations	41 684	38 949
Public service purposes properties	10 225 108	9 564 881
Residential properties	267 044 169	248 858 631
Vacant land	17 000 408	14 115 461
Total	484 454 441	452 019 022

Assessment Rates are levied on the value of land and improvements, which valuation is performed every four years. Interim valuations are processed on an annual basis to consider any changes in individual property values, due to amendments. The current Valuation Roll came into effect on 01 July 2021. With reference to Section 78 of the Local Government: Municipal Property Rates Act, No. 6,2004, five reviews have been finalised and one supplementary valuation has been performed during the financial year and implemented accordingly.

The following assessment rates were charged for the period ending June 2024:

Residential Property – R 0.005068

Business and Commercial Property – R 0.010643

Agricultural Property – R 0.001267

Public Service Purposes – R 0.010643

Public Service Infrastructure – R 0.001267

Public Benefit Organization – R 0.001267

Vacant Residential – R 0.010136

Vacant other – R 0.020273

Property Rates are levied monthly on property owners' accounts and are payable the 7th of each month. Property owners may request to pay their Rates annually, which amount will be levied in July and must be paid by the 7th of October annually. Interest on outstanding accounts for Property Rates is levied as per Council's Credit Control and Debt Collection Policy.

Relief Measures

The relief measures on property rates are generally described in paragraph 8 of the approved Property Rates Policy of the Municipality. This includes the specific under mentioned relief measures:

Rebate and gross monthly household income for Qualifying senior citizens and Disabled persons:

Gross monthly household income %

Up to R8 000 - 100%

From R8 001 to R 11 000 - 75%

From R11 001 to R13 000 - 50%

From R13 001 to R17 000 - 25%

Municipal valuation threshold value

On qualifying residential properties, property owners will receive a rebate up to a maximum value of R250 000, which amount includes a value of R15 000 as per Section 17(1)(h) of the Local Government: Municipal Property Rates Act, No. 6, 2004, and an additional value of R235 000 reduction granted as per paragraph 8.2.1(ii) of the approved Property Rates Policy.

Paragraph 8.2.1 (ii) is only applicable on properties with valuations up to R5 000 000.

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Notes to the Audited Annual Financial Statements

2024 2023

30. Property rates (continued)

Stellenbosch special rebate

A rebate of 20% may be granted as per paragraph 8.6 of the approved Rates policy of the municipality.

Other rebates

Rebates have also been granted to qualifying non-profit organizations and to organizations who qualified for any other rebate as defined in the Property Rates Policy. Any other exclusions or exemptions have been granted in accordance with the Local Government: Municipal Property Rates Act, No. 6, 2004.

31. Fines, penalties and forfeits

Fines	31.1	143 331 671	146 657 768
Forfeits		23 536 224	-
Total		166 867 895	146 657 768

31.1 Fines

Traffic fines

Municipal fines	143 096 788	146 459 602
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Other fines

Building fines	79 652	11 044
Law enforcement	22 720	126 077
Overdue books	26 028	20 021
Pound fees	106 483	41 024
	234 883	198 166

Total	143 331 671	146 657 768
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Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Notes to the Audited Annual Financial Statements

		2024	2023
32. Transfers and subsidies - Revenue			
Operational			
Allocations in-kind	32.1	9 338 292	-
Monetary allocations	32.2	220 892 818	211 295 154
Total transfers and subsidies: Operational		230 231 110	211 295 154
Capital			
Allocations in-kind	32.3	5 136 813	22 920
Monetary allocations	32.4	106 864 062	100 311 831
Total transfers and subsidies: Capital		112 000 875	100 334 751
Total		342 231 985	311 629 905
32.1 Allocations in-kind: Operational			
Provincial government		9 338 292	-
The municipality received services in the form of consultancy fees to the value of R9 338 292 from the western cape provincial government.			
32.2 Monetary allocations: Operational			
District municipalities		119 700	599 000
National governments		8 937 911	8 585 191
National revenue fund		200 488 473	179 633 999
Provincial government		11 346 734	22 476 964
Total		220 892 818	211 295 154
32.3 Allocations in-kind: Capital			
District municipalities		5 055 000	-
Private enterprises		81 813	-
Public corporations		-	22 920
Total		5 136 813	22 920
32.4 Monetary allocations: Capital			
National government		87 158 378	91 161 505
Provincial governments		19 705 684	9 150 326
Total		106 864 062	100 311 831
Included in above are the following transfers and subsidies received:			
Conditional grants received		143 397 369	137 829 497
Unconditional grants received		200 488 473	179 634 000
		343 885 842	317 463 497

Grant revenue is recognised when all the conditions of the grant has been met.

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Notes to the Audited Annual Financial Statements

33. Employee related cost

Senior management	33.1	11 246 668	10 969 702
Municipal staff	33.2	620 555 021	531 809 789
Total		631 801 689	542 779 491

33.1 Senior management costs

2024

	G Mettler (MM)	K Carolus (CFO)	G Boshoff	A De Beer	S Chandaka	A Barnes	Total
Basic salary	1 428 140	1 078 401	1 499 662	1 559 662	1 586 329	1 267 310	8 419 504
Bonuses	248 608	208 927	134 310	164 157	123 118	208 927	1 088 047
Allowances	225 904	301 543	101 925	40 800	41 485	40 800	752 457
Bargaining council	137	137	137	137	137	137	822
Group life insurance	24 471	20 471	20 471	20 471	20 471	20 471	126 826
Medical	43 973	32 810	-	-	-	54 068	130 851
Pension	272 953	197 081	-	-	-	245 377	715 411
Unemployment insurance	2 125	2 125	2 125	2 125	2 125	2 125	12 750
	2 246 311	1 841 495	1 758 630	1 787 352	1 773 665	1 839 215	11 246 668

2023

	G Mettler (MM)	K Carolus (CFO)	G Boshoff	A De Beer	S Chandaka	A Barnes	Total
Basic salary	1 358 591	1 076 049	1 495 051	1 552 174	1 312 093	1 269 894	8 063 852
Bonuses	258 074	210 323	210 732	210 453	175 215	165 211	1 230 008
Allowances	220 800	302 778	100 800	41 233	53 920	40 800	760 331
Bargaining council	130	130	130	130	119	130	769
Group life insurance	23 469	19 723	19 723	19 723	18 096	19 723	120 457
Medical	42 802	30 834	-	-	-	49 221	122 857
Pension	249 844	180 661	-	-	-	228 350	658 855
Unemployment insurance	2 125	2 125	2 125	2 125	1 948	2 125	12 573
	2 155 835	1 822 623	1 828 561	1 825 838	1 561 391	1 775 454	10 969 702

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Notes to the Audited Annual Financial Statements

	2024	2023
33. Employee related cost (continued)		
33.2 Municipal staff costs		
Basic salary	360 808 704	339 618 066
Bonuses	-	19 026
Service-related benefits	108 015 875	85 681 154
Allowances	15 108 668	14 123 027
Bargaining council	249 820	233 077
Group life insurance	7 511 641	7 034 390
Medical	29 722 149	26 984 782
Pension	59 651 027	55 643 449
Post-retirement benefit: Medical	25 622 990	(3 180 325)
Long service awards	5 375 442	3 010 416
Leave Gratuity Increases/(Reversals)	5 751 360	(42 432)
Unemployment insurance	2 737 345	2 685 159
Total	620 555 021	531 809 789

Please refer to note 16 for detailed breakdown of the employee benefit items contained with the employee related costs note as disclosed above in note 33.2. These include: Post retirement benefit: medical, long service awards, leave gratuity and bonus provision.

34. Remuneration of councillors

Executive Mayor/Mayor	34.1	1 040 254	1 069 085
Chief whip	34.2	792 276	774 160
Speaker	34.3	842 114	862 911
Deputy executive mayor	34.4	846 402	880 812
Executive committee	34.5	7 846 941	7 456 851
All other councillors	34.6	11 251 932	11 720 936
Total		22 619 919	22 764 755

34.1 Executive Mayor/Mayor

Allowances and service related benefits

Basic salary	810 646	844 285
Cell phone allowance	49 608	44 800
Travelling allowance	180 000	180 000
	1 040 254	1 069 085

34.2 Chief whip

Allowances and service related benefits

Travelling allowance	167 957	167 957
Basic salary	534 615	526 585
Cell phone allowance	49 608	42 000
	752 180	736 542

Social contributions

Pension fund contributions	40 096	37 618
Total	792 276	774 160

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Notes to the Audited Annual Financial Statements

	2024	2023
34. Remuneration of councillors (continued)		
34.3 Speaker		
Allowances and service related benefits		
Basic salary	612 506	638 111
Cell phone allowance	49 608	44 800
Travelling allowance	180 000	180 000
	842 114	862 911
34.4 Deputy executive mayor		
Allowances and service related benefits		
Basic salary	792 506	833 434
Cell phone allowance	49 608	44 800
Travelling allowance	4 288	2 578
	846 402	880 812
34.5 Executive committee		
Allowances and service related benefits		
Basic salary	6 959 809	6 473 839
Cell phone allowance	493 730	422 100
Travelling allowance	151 830	296 549
	7 605 369	7 192 488
Social contributions		
Medial aid benefits	34 560	34 560
Pension fund contributions	207 012	229 803
	241 572	264 363
Total	7 846 941	7 456 851

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Notes to the Audited Annual Financial Statements

		2024	2023
34. Remuneration of councillors (continued)			
34.6 All other councillors			
Allowances and service related benefits			
Basic salary		9 104 592	9 835 721
Cell phone allowance		1 532 079	1 404 050
Travelling allowance		276 660	157 456
		10 913 331	11 397 227
Social contributions			
Medial aid benefits		67 680	83 520
Pension fund contributions		270 921	240 189
		338 601	323 709
Total		11 251 932	11 720 936
35. Bulk purchases			
Electricity: Eskom		626 175 769	521 011 668
Water		32 051 727	22 990 433
Total		658 227 496	544 002 101
36. Inventory consumed			
Consumables		35 032 652	39 239 118
Housing stock		1 060 000	150 000
Materials and supplies		30 278 731	24 782 944
Total		66 371 383	64 172 062
37. Debt impairment			
Trade and other receivables from exchange transactions contribution/(reversal)	4	56 912 905	31 475 278
Property Rates contribution/(reversal)	5	7 464 997	(1 273 382)
Fines impairment contribution/(reversal)		(15 254 242)	40 520 185
Total		49 123 660	70 722 081
38. Depreciation and amortisation			
Amortisation			
Intangible assets	11.1	379 052	1 175 448
Depreciation			
Investment property	9.1	420 819	423 567
Property, plant and equipment	10	203 490 522	230 077 925
		203 911 341	230 501 492
Total		204 290 393	231 676 940

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Notes to the Audited Annual Financial Statements

		2024	2023
39. Impairment loss /(reversal) of impairment			
Investment property	9.1	1 725 000	-
Property, plant and equipment		1 031 436	1 572 668
Total		2 756 436	1 572 668
40. Interest, dividends and rent on land			
Interest	40.1	63 411 228	59 928 458
40.1 Interest cost			
Financial liabilities			
• Annuity loans		49 186 011	46 712 396
Discounting of financial instruments	19	3 490 245	1 176 080
Interest costs non-current provisions	21	10 734 972	12 039 982
Total		63 411 228	59 928 458
41. Contracted services			
Consultants and professional services	41.1	23 809 802	26 705 395
Contractors	41.2	124 084 673	83 230 276
Outsourced services	41.3	130 354 930	119 420 456
Total		278 249 405	229 356 127
41.1 Consultants and professional services			
Business advisory services			
Audit committee		507 191	296 411
Business and financial management		2 864 992	3 793 067
Forensic investigators		228 993	279 541
Human resources		10 250	54 110
Organisational		33 150	-
Project management		704 822	10 472 838
Research and advisory		11 315 735	3 684 757
Valuer and assessors		2 153 994	936 051
Total business advisory services		17 819 127	19 516 775
Laboratory services			
Water		822 851	1 707 535
Legal services			
Issue of summons		73 082	78 970
Legal advice and litigation		5 094 742	5 402 115
Total legal services		5 167 824	5 481 085
Total consultants and professional services		23 809 802	26 705 395

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Notes to the Audited Annual Financial Statements

	2024	2023
41.2 Contractors		
General services		
Artists and performers	373	-
Bore waterhole drilling	7 614	7 614
Catering services	1 954 395	940 929
Employee wellness	5 706	92 875
Event promoters	1 920 000	1 638 094
Forestry	4 164 442	1 858 713
Gardening services	216 658	147 486
Gas	1 304	1 337
Graphic designers	-	146 789
Interior decorator	79 364	199 849
Management of informal settlements	6 749 988	6 899 621
Medical services	84 624	55 716
Pest control and fumigation	85 311	80 396
Plants, flowers and other decorations	824 264	708 526
Preservation/Restoration/Dismantling/Cleaning services	121 589	266 900
Sewerage services	6 789 331	6 414 822
Stage and sound crew	240 185	145 195
Tracing agents and debt collectors	2 460 755	2 206 910
Transportation	2 067 693	1 721 769
Total general services	27 773 596	23 533 541
Maintenance services		
Maintenance of buildings and facilities	7 952 663	7 106 472
Maintenance of equipment	12 015 858	3 443 803
Maintenance of unspecified assets	70 797 741	43 686 063
Total maintenance service	90 766 262	54 236 338
Trading services		
Prepaid electricity vendors	5 544 815	5 460 397
Total contractor	124 084 673	83 230 276
41.3 Outsourced services		
Business and advisory services		
Accounting and Auditing	274 828	128 530
Project Management	3 035 986	1 958 390
Total business and advisory services	3 310 814	2 086 920

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Notes to the Audited Annual Financial Statements

	2024	2023
General services		
Animal Care	700	11 650
Catering Services	-	17 884
Cleaning Services	2 060 890	1 513 186
Clearing and Grass Cutting Services	1 238 332	1 705 461
Drivers Licence Cards	929 040	721 725
Internal Auditors	1 800	172 328
Litter Picking and Street Cleaning	3 319 619	3 106 885
Medical Services	-	636
Personnel and Labour	29 400	-
Professional Staff	331 308	303 600
Refuse Removal	54 625 143	53 682 787
Traffic Fines Management	13 065 594	9 646 176
Transport Services	252 584	313 299
Total general services	75 854 410	71 195 617
Trading services		
Security Services	51 189 706	46 137 919
Total outsourced services	130 354 930	119 420 456
42. Transfers and subsidies - Expenditure		
Operational		
Allocations in-kind	42.1 5 757 678	4 264 641
Monetary allocations	42.2 15 566 458	13 493 614
Total transfers and subsidies: Operational	21 324 136	17 758 255
42.1 Allocations in-kind: Operational		
Households - Social Relief	5 757 678	4 264 641
42.2 Monetary allocations: Operational		
Households	7 146 603	962 361
Non-profit institutions	8 419 855	12 531 253
Total	15 566 458	13 493 614

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Notes to the Audited Annual Financial Statements

	2024	2023
43. Irrecoverable debts written off		
Electricity	17 146	154 306
Refuse	6 074	904 123
Sewerage	6 198	781 479
Water	54 046	4 536 770
Housing rental	9 357	582 310
Rates	272 573	2 007 210
Traffic fines	101 264 460	82 979 503
	101 629 854	91 945 701
44. Contribution to/(from) Landfill provision		
Landfill site	583 529	(69 693 846)
45. Operating leases		
Furniture and Office Equipment	1 363 775	2 033 762
Investment Properties	4 267 101	6 068 633
Machinery and Equipment	514 866	1 190 102
Total	6 145 742	9 292 497

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Notes to the Audited Annual Financial Statements

	2024	2023
46. Operational cost		
Achievements and Awards	24 559	17 754
Advertising, Publicity and Marketing	2 216 581	2 110 817
Assets less than the Capitalisation Threshold	-	163 991
Bank Charges, Facility and Card Fees	1 727 211	1 803 393
Bargaining Council	6 071 063	6 845 910
Bursaries (Employees)	546 312	527 015
Cleaning Services	4 407	2 583
Commission	2 100 418	1 832 347
Communication	10 538 542	10 328 853
Deeds	-	2 348
Drivers Licences and Permits	32 764	12 660
Entertainment	34 435	7 380
External Audit Fees	8 318 351	8 104 988
External Computer Service	21 633 340	23 831 956
Fines and Penalties	220 513	-
Full Time Union Representative	141 602	154 242
Hire Charges	9 584 861	11 816 150
Honoraria (Voluntarily Workers)	48 000	48 165
Indigent Relief	3 466 400	4 519 318
Insurance Underwriting	6 570 415	8 060 606
Learnerships and Internships	292 118	348 216
Licences	1 563 688	1 734 225
Management Fee	9 226 281	8 969 582
Municipal Services	19 736 269	15 209 418
Office Decorations	4 188	19 374
Printing, Publications and Books	408 542	324 046
Professional Bodies, Membership and Subscription	182 973	195 226
Registration Fees	5 183 881	4 373 990
Remuneration to Ward Committees	701 019	806 560
Resettlement Cost	25 877	36 945
Samples and Specimens	1 324 381	1 024 635
Search Fees	95 813	56 260
Skills Development Fund Levy	5 186 870	4 805 444
Storage of Files (Archiving)	76 657	81 361
Supplier Development Programme	-	28 125
System Access and Information Fees	44 984	55 193
Travel Agency and Visa's	6 395	23 217
Travel and Subsistence	896 822	729 760
Uniform and Protective Clothing	9 445 734	8 575 384
Vehicle Tracking	638 116	639 319
Workmen's Compensation Fund	3 741 646	4 065 666
Total	132 062 028	132 292 422

The following principle agent arrangements were in place in relation to the expenditure as contained in note 46 to the annual financial statements:

EasyPay (Agent) is a payment platform used to collect municipal service payments from third parties. These payments are accepted by EasyPay on behalf of the Municipality (Principal), from third parties. A service charge is levied by EasyPay for collection of the payments. This fee is recognised as commissions paid.

Ontec (Agent) sells and collects money from the sale of prepaid electricity on behalf of the Municipality. Ontec pays over the monies collected to the Municipality, minus the collection fee levied, determined at a rate specific in the Service Level Agreement. The municipality recognises 100% of the money's collected as revenue from exchange transactions and the collection fee paid to Ontec (which includes costs incurred on debit or credit card electricity sales and cash handling fees incurred), is recognized as an expense.

TMT (Agent) manages the collection of traffic fines (both legacy fines issue before 1 July 2017 and fines issued after this date), on behalf of the Municipality. TMT pays over the monies collected to the Municipality. The municipality recognises 100% of the money's collected as revenue from non - exchange transactions and the fee incurred to TMT is recognized as an expense.

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Notes to the Audited Annual Financial Statements

	2024	2023
46. Operational cost (continued)		
These arrangements are subject to standard terms and conditions upon termination.		
None of the municipalities assets are under the custodianship of the agents.		
47. Gain/(Loss) on disposals and fair value adjustments		
Gains/(losses) on disposals	47.1 (1 986 164)	(834 920)
Fair value adjustment	47.2 (1 493 983)	-
Total	(3 480 147)	(834 920)
47.1 Gains/(losses) on disposals		
Property, plant and equipment	(1 986 164)	(834 920)
47.2 Fair value adjustment		
Biological assets	(1 493 983)	-
48. Inventory adjustments to net realisable value		
Inventory	(290 008)	389 307
49. Net cash from/(used) operating activities		
Surplus for the year	222 939 370	251 872 043
Adjustments for:		
Depreciation and amortisation	204 290 392	231 676 940
Bad debts written off	101 629 854	91 945 701
Impairment Losses	2 756 436	1 572 668
(Gains) / Losses on disposal of assets	1 986 169	834 920
Fair value adjustment	4 984 228	1 176 080
Finance Cost	10 734 972	12 039 982
Increase / (Decrease) in provisions	583 529	(77 151 099)
Increase / (Decrease) employee benefit	22 382 051	(14 203 147)
Increase / (Decrease) operating Lease - Straight Lining	(694 514)	(1 423 508)
Inventory losses	769 992	539 307
Other changes, movements in PPE	(6 570 703)	(565 178)
Other changes, movements in surplus	-	(36 069)
Debtors impairment	49 123 660	70 722 081
Rehabilitation provision capitalised	-	7 457 254
Allocations in kind	(3 580 614)	-
Non-exchange assets received	(5 136 813)	-
Movement in working capital		
(Increase) / Decrease in receivables from non-exchange transactions	(110 322 734)	(126 330 983)
(Increase) / Decrease in inventory	(1 886 470)	(7 540 104)
(Increase) / Decrease in receivables from exchange transactions	(91 872 527)	(86 170 423)
(Increase) / Decrease in other receivables from exchange	(15 736 878)	(13 688 476)
(Increase) / Decrease in VAT Receivable	(18 850 156)	6 672 381
Increase / (Decrease) in trade and other payables from exchange	(529 573)	55 256 803
Increase / (Decrease) in payables from non-exchange	5 366 770	2 764 392
Increase / (Decrease) in consumer deposits	1 842 813	1 533 990
Increase / (Decrease) in long term receivables	(5 400 111)	945 820
Net cash flows from operating activities	368 809 143	409 901 375

Stellenbosch Municipality

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50. Financial instruments disclosure

Categories of financial instruments

2024

Financial assets

	At amortised cost	Total
Cash and cash equivalents	153 702 171	153 702 171
Receivables from exchange	251 987 494	251 987 494
Other receivables from exchange	23 594 813	23 594 813
Receivables from non-exchange	5 298 358	5 298 358
Short term investments	455 716 603	455 716 603
Trade and other receivables from exchange transactions (Non-current)	6 508 597	6 508 597
	896 808 036	896 808 036

Financial liabilities

	At amortised cost	Total
Consumer deposits	24 190 439	24 190 439
Borrowings	584 349 242	584 349 242
Payables from exchange transactions	283 813 652	283 813 652
	892 353 333	892 353 333

2023

Financial assets

	At amortised cost	Total
Cash and cash equivalents	249 968 715	249 968 715
Receivables from exchange	217 120 693	217 120 693
Other receivables from exchange	8 068 898	8 068 898
Receivables from non-exchange	10 648 502	10 648 502
Short term investments	331 767 247	331 767 247
Trade and other receivables from exchange transactions (Non-current)	4 598 731	4 598 731
	822 172 786	822 172 786

Financial liabilities

	At amortised cost	Total
Consumer deposits	22 347 626	22 347 626
Borrowings	501 949 960	501 949 960
Payables from exchange transactions	295 291 353	295 291 353
	819 588 939	819 588 939



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51. Risk management

Liquidity risk

Ultimate responsibility for liquidity risk management rests with the Council, which has built an appropriate liquidity risk management framework for the management of the municipality's short, medium and long-term funding and liquidity management requirements. The municipality manages liquidity risk by maintaining adequate reserves, banking facilities and reserve borrowing facilities, by continuously monitoring forecast and actual cash flows and matching the maturity profiles of financial assets and liabilities.

The table below analyses the municipality's financial liabilities into relevant maturity groupings based on the remaining period at the statement of financial position to the contractual maturity date. The amount disclosed in the table are the contractual undiscounted cash flows. Balances due within 12 months equal their carrying balances as the impact of discounting is not significant.

At 30 June 2024	Less than 1 year	Between 1 and 2 years	Between 2 and 5 years	Over 5 years
Consumer deposits	24 190 439	-	-	-
Borrowings	127 802 183	122 490 834	330 048 262	286 195 664
Payables from exchange transactions	320 683 582	-	-	-
At 30 June 2023	Less than 1 year	Between 1 and 2 years	Between 2 and 5 years	Over 5 years
Consumer deposits	22 347 626	-	-	-
Borrowings	104 080 467	104 080 467	278 469 805	244 345 506
Payables from exchange transactions	324 793 769	-	-	-

Risk from biological assets

The municipality is exposed to financial risks arising from changes in wood prices. The municipality does not anticipate that wood prices will decline significantly in the foreseeable future. The municipality has not entered into derivative contracts to manage the risk of a decline in wood prices. The municipality reviews its outlook for wood prices regularly in considering the need for active financial risk management.

Interest rate risk management

Interest Rate Risk is defined as the risk that the fair value or future cash flows associated with a financial instrument will fluctuate in amount as a result of market interest changes.

Potential concentrations of interest rate risk consist mainly of variable rate deposit investments, long-term receivables, consumer debtors, other debtors, bank and cash balances.

The municipality limits its counterparty exposures from its money market investment operations by only dealing with well established financial institutions of high credit standing. No investment with a tenure exceeding twelve months shall be made without consultation with the councillor responsible for financial matters.

In the case of receivables whose accounts become in arrears, it is endeavoured to collect such accounts by "levying of penalty charges", "demand for payment", "restriction of services" and, as a last resort, "handed over for collection", whichever procedure is applicable in terms of Council's Credit Control and Debt Collection Policy.

Long-term receivables and other debtors are individually evaluated annually at the reporting date for impairment or discounting. A report on the various categories of receivables are drafted to substantiate such evaluation and subsequent impairment / discounting, where applicable.

The municipality is not exposed to interest rate risk as the municipality borrows funds at fixed interest rates.

The municipality's exposures to interest rates on Financial Assets and Financial Liabilities are detailed in the Credit Risk Management section of this note.

Interest Rate Sensitivity Analysis

The municipality had no variable rate long-term financial instruments at year-end requiring an Interest Rate Sensitivity Analysis.

Stellenbosch Municipality

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51. Risk management (continued)

Credit risk

Credit risk refers to the risk that a counterparty will default on its contractual obligations resulting in financial loss to the municipality. The municipality has a sound credit control and debt collection policy and obtains sufficient collateral, where appropriate, as a means of mitigating the risk of financial loss from defaults. The municipality uses other publicly available financial information and its own trading records to assess its major customers. The municipality's exposure of its counterparties are monitored regularly.

Potential concentrations of credit rate risk consist mainly of long-term receivables, consumer debtors, other debtors, bank and cash balances.

The municipality limits its counterparty exposures from its investment operations (financial assets that are neither past due nor impaired) by only dealing with well-established financial institutions of high credit standing. The credit exposure to any single counterparty is managed by setting transaction / exposure limits, which are included in the municipality's Investment Policy. These limits are reviewed annually by the Chief Financial Officer and authorised by the Council.

Receivables from exchange transactions comprise of a large number of ratepayers, dispersed across different industries and

geographical areas within the jurisdiction of the municipality. Ongoing credit evaluations are performed on the financial condition of these receivables. Receivables from exchange transactions are presented net of the allowance for impairment.

Receivables from non-exchange transactions comprise of a large number of ratepayers, dispersed across different industries and geographical areas within the jurisdiction of the municipality. Ongoing credit evaluations are performed on the financial condition of these receivables. Receivables from non - exchange transactions are presented net of the allowance for impairment.

The municipality establishes an allowance for impairment that represents its estimate of anticipated losses in respect of receivables. Receivables are provided for based on estimated irrecoverable amounts, determined by reference to a non payment rate.

In the case of debtors whose accounts become in arrears, it is endeavoured to collect such accounts by "levying of penalty charges", "demand for payment", "restriction of services" and, as a last resort, "handed over for collection", whichever procedure is applicable in terms of Council's Credit Control and Debt Collection Policy.

Long-term Receivables and Other Debtors are individually evaluated annually at reporting date for impairment or discounting. A report on the various categories of debtors is drafted to substantiate such evaluation and subsequent impairment / discounting, where applicable.

Payment to accounts of consumer debtors who are unable to pay, are renegotiated as an ongoing customer relationship in response to an adverse change in the circumstances of the customer.

The municipality does not have any significant credit risk exposure to any single counterparty or any group of counterparties having similar characteristics. The municipality defines counterparties as having similar characteristics if they are related entities. The credit risk on liquid funds is limited because the counterparties are banks with high credit-ratings.

There is no collateral held for security in respect of consumer debtors.

The maximum credit and interest risk exposure in respect of the relevant financial instruments is as follows:

	2024	2023
Cash and cash equivalents	153 702 171	249 968 715
Short term investments	455 716 603	331 767 247
Receivables from exchange transactions	251 987 494	217 120 693
Other receivables from exchange transactions	23 594 813	8 068 898
Receivables from non-exchange transactions	5 298 358	10 648 502
Trade and other receivables from exchange transactions (Non-current)	6 508 597	4 598 731

Foreign currency risk management

The municipality's activities do not expose it to the financial risks of foreign currency and therefore has no formal policy to hedge volatilities in the interest rate market.

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Notes to the Audited Annual Financial Statements

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51. Risk management (continued)

Other price risks

The municipality is not exposed to equity price risks arising from equity investments as the municipality does not trade these investments.

52. Commitments

Authorised capital expenditure

Already contracted for but not provided for

• Property, plant and equipment - Infrastructure Assets	307 576 396	279 991 372
• Property, plant and equipment - Community Assets	4 593 068	3 483 552
• Property, plant and equipment - Computer Equipment	268 380	2 346 805
• Property, plant and equipment - Furniture and Equipment	9 635	185 519
• Property, plant and equipment - Machinery and Equipment	-	69 539
• Property, plant and equipment - Other assets	5 803 929	10 275 564
• Property, plant and equipment - Transport Assets	3 656 443	2 952 099
• Heritage Assets	40 017	272 329
	321 947 868	299 576 779

Total capital commitments

Already contracted for but not provided for	321 947 868	299 576 779
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Total commitments

Total commitments

Authorised capital expenditure	321 947 868	299 576 779
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This committed expenditure relates to property, plant and equipment and will be financed by available bank facilities, retained surpluses, existing cash resources, funds internally generated.

The amounts as disclosed are VAT inclusive.

The asset classes as stipulated is depicted as per the classes of Property, plant and equipment in note 10. The infrastructure items have been grouped together due to the fact that these items will only be unbundled once the projects are completed.

53. Related party disclosures

Loans granted to related parties

In terms of the MFMA, the municipality may not grant loans to its councillors, management, staff and public with effect from 01 July 2004. Loans, together with conditions thereof granted prior to this date are disclosed in note 18 in the annual financial statements.

Remuneration of management

Compensation of key management and personnel is set out in notes 33 and 34 respectively in the annual financial statements.

All Councillors and Employees have disclosed their interest in related parties and no one has the ability to control or exercise significant influence over Council in making financial and operating decisions.

Stellenbosch Municipality

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Notes to the Audited Annual Financial Statements

					2024	2023
54. Awards to close family members - SCM Regulation 45						
Awards to close family members of persons in the service of Stellenbosch Municipality						
Supplier name - Award Number	Employee name	Relationship	State Institution	Expenditure		
AECOM - B/SM 50/23	FA Lubbe	Spouse	NECSA	Rates award, no actual expenditure	-	-
	R De Kock	Spouse	City of Cape Town		-	-
	E Bekker	Spouse	Gauteng department of Education		-	-
	L Burger	Spouse	Education Department		-	-
	A Peinke	Spouse	Ethenkwini municipality		-	-
	MB Wessels	Parent	Western cape education		-	-
	R van der Walt	Spouse	Western cape education		-	-
Bergstan South Africa - B/SM 50/23	C Christians	Child	Western cape education	Rates award, no actual expenditure	-	-
Bigen Africa B/SM 50/23	R Aartsma	Child	DWS Pretoria	Rates award, no actual expenditure	-	-
JPCE - B/SM 50/23 & SWM 1	JA Minnie	Spouse	City of Cape Town	Amount approved	103 318	-
NCC Environmental service - B/SM 50/23	C Rhoda	Spouse	City of Cape Town	Rates award, no actual expenditure	-	-
Neil Lyners and associates - B/SM 50/23 & ESH 2	A Potgieter	Child	City of Cape Town	Approved amount	3 459 930	-
Royal Mndawe Holdings (Pty) Ltd - B/SM 50/23	A Xuwuka	Spouse	Coega Development Corporation	Rates award, no actual expenditure	-	-
Zutari - B/SM 50/23 & B/SM 93/23	HC Ahlschlager	Spouse	Special Investigating Unit	Rates award, no actual expenditure	-	1 498 896
	K Nadasen	Spouse	National Department of Public Works		-	-
	MR Marques	Spouse	Department of Internal Affairs		-	-
	TJ Ndaka	Spouse	Western cape education		-	-
Zana Manzi Services (Pty) Ltd - B/SM 101/23	Gloria Luthuli	Child	Desmond Tutu Child & Youth Care Centre.	Award value	7 719 007	-

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Notes to the Audited Annual Financial Statements

					2024	2023
54. Awards to close family members - SCM Regulation 45 (continued)						
Alprene Plastic Products (Pty) Ltd - B/SM 61/23 & B/SM 62/23	Christopher Glazer	Spouse	Department of Forestry, Fisheries, and the Environment	Rates award, no actual expenditure	-	-
Red Ant Security Relocation and Eviction services (Pty) Ltd - B/SM 27/23 & B/SM 84/23	Noxolo Lesiela	Spouse	Mogale City Local Municipality	Rates, actual order amount	8 564 998	-
Tridentchem (Pty) Ltd - B/SM 69/23 & B/SM 71/24	George February	Spouse	Western Cape Education Department	Rates award, actual expenditure	825 298	-
Jvz construction (Pty) Ltd - B/SM 92/23	RE Matthee	Spouse	Correctional Services - Security	Approved amount	11 138 326	-
Ducharme asset management B/SM 108/23 & FQ 21/24	Lamahlubi Mbekeni	Spouse	Department of rural development and land reform	Rates, actual order amount	187 335	-
Resource innovations africa (Pty) Ltd - B/SM 64/23	MR Ramdeo	Spouse	Ethekweni municipality.	Rates, actual order amount	1 619 358	-
Kemanzi (Pty) Ltd - B/SM 11/24	JN Du Toit	Spouse	City of Cape Town	Rates, actual order amount	2 031 400	-
Growie property group B/SM 07/23	Amanda Growie	Spouse	Department of roads & transport	Rates, no actual spending	-	-
FG Transport CC B/SM 38/23 & FQ 07/24	H Pool	Spouse	WCED educator	Rates, actual order amount	933 807	-
Immex (Pty) Ltd - B/SM 38/23	Kaylyn Flagg	Child	Western cape education department		-	-
	A Dorfling	Spouse	Department Of Education	rates, no actual spending	-	-
Ian Dickie and Company (Pty) Ltd - FQ/69/24 & FQ 17/23	Deon Samuels	Spouse	SA police service	Rates, actual order amount	11 213	44 040
Rhode Security and fire cc - FQ 111/24	Patricia Barbara Rhode	Spouse	Western Cape Education Department	Rates, actual order amount	247 595	-
Akhile Management and Consulting - B/SM 64/24	M Hadebe	Spouse	Ekhuruleni Municipality	Approved amount	527 598	-
Cigicell (Pty) Ltd - B/SM 52/24	Modise Nyawane	Spouse	Department of education	Estimate	5 100 000	-
Nedbank B/SM 78/24 & B/SM 81/23	Venisha Subramoney	Spouse	Department of Education	Total loan amount	267 180 084	104 882 421
Kemp & Associates - B/SM 61/24 & B/SM 54/22	M Williams	Spouse	Stellenbosch Municipality	rates, no actual spending	-	-
	D October	Spouse	Cape Agulhas Municipality		-	-

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Notes to the Audited Annual Financial Statements

					2024	2023
54. Awards to close family members - SCM Regulation 45 (continued)						
Actom - D/SM 2/24	Sybrand Nel	Child	City of Cape Town	Actual deviation amount	204 028	-
TMT - D/SM 19/24	Daniel Lubbe Monique du Toit	Spouse Spouse	Department of Education City of Cape Town	Actual deviation amount	- 7 032 203	- -
Kemanzi (Pty) Ltd - B/SM 71/22 & FQ 22/23	JN Du Toit	Spouse	Department of Local Government	Approved amount	-	796 241
Conlog (Pty) Ltd - B/SM 03/23	N Moodley	Spouse	Department of Health	Approved amount	-	-
Redhills Electronics - FQ18/23	L Hartley	Spouse	Education Department	Approved amount	-	200 000
Ikapa Reticulation - B/SM 10/23	Cindy SchuylerDavids	Child	Education Department	Rates, actual order amount	-	20 472 196
Rhode Security & Fire CC T/A Rhotech FQ 59/23	RE Matthee	Spouse	Correctional Services	Rates, actual order amount	-	200 000
Cape Petroleum FQ 95/23	Lydia B. Mdyogolo	Spouse	Department of Education	Approved amount	-	151 510
Van Zyl Kruger Inc B/SM 54/22	Peter Marais	Parent	Member Of Parliament	Actual expenditure	-	48 832
Van Der Spuy (Wp) Inc BSM 54/22	Mariaan Van Zyl	Spouse	Department of Education	Rates award, no actual expenditure	-	-
Etienne Walter Vermaak B/SM 54/22	JMC Vermaak	Spouse	Phamacist @ Department of Health	Rates award, no actual expenditure	-	-
Empa structures B/SM 05/23	Gaylon Petersen	Spouse	Driver City of Cape Town	Actual award value	-	414 102
Adapt IT Holding Limited D/SM 13/23	Dudley Muziwanadoda	Spouse	Sanral	Actual award value	-	335 942
Resource Innovation Africa D/SM 14/23	Siyothozoza Mbmabo	Spouse	Ethekweni Municipality	Actual award value	-	1 187 049
Red Ant Security D/SM 17/23	Kaveesh Ramdoe	Spouse	Mogale City Local Municipality	Rates, actual order amount	-	1 670 153
Herold Gie Attorneys B/SM 54/22	Noxolo Lesiela	Spouse	Senior Clerk @ City of Cape Town	Rates award, no actual expenditure	-	-
	K Meyer	Parent				

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					2024	2023
54. Awards to close family members - SCM Regulation 45 (continued)						
Webber & Wentzel B/SM 54/22	Jennifer Abraham	Parent	Department of Education	Rates award, no actual expenditure	-	-
	Clive Truter	Parent	Department of Education		-	-
	Anlerie Marelese	Parent	West Coast Education District		-	-
	Truter					
	Esther Watson	Parent	Department of public service		-	-
	Johannes Cornelius	Parent	Beaufort West Municipality		-	-
	Louw Smit					
	Busisiwe Thembekile	Parent	Department Of Education		-	-
	Mahlangu					
	Nicoas Dias	Spouse	City of Cape Town		-	-
	Khomotso Nonyane	Spouse	Petro SA		-	-
	Alison Smith	Parent	South African Airways		-	-
	Sizi Qolohle	Parent	National Treasury		-	-
	Hein Prinsloo	Parent	Development Bank of Southern Africa		-	-
	Jolande Botha	Parent	Department of Education		-	-
	Paul van den Brink	Spouse	Wesgro		-	-
	Barbara Watson	Parent	Independent Non-executive Director of the PIC		-	-
	Pieter Coetzee	Parent	Tshwane metro Police Department		-	-
	Sizi Solohle	Parent	National Treasury		-	-
					316 885 498	131 901 382



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Notes to the Audited Annual Financial Statements

	2024	2023
55. Unauthorised, irregular, fruitless and wasteful expenditure		
55.1 Unauthorised expenditure		
The municipality incurred no unauthorised expenditure in both the current and previous financial year.		
55.2 Irregular expenditure		
Opening balance as previously reported	30 129 574	26 402 075
Correction of prior period error	(2 869 426)	-
Opening balance as restated	27 260 148	26 402 075
Add: Irregular expenditure - current	12 420 386	30 992 707
Add: Irregular expenditure – prior period	-	4 796 449
Less: Amounts written-off – current	(27 248 674)	(34 931 082)
Closing balance	12 431 860	27 260 149

Incidents/cases identified in the current year include those listed below:

Irregular expenditure was identified as it breached the procurement process in terms of the Supply Chain Management Policy	12 420 386	10 113 039
	-	25 676 116

The Auditor-General, in its findings during the 2019/2020 financial year, identified that the Municipality awarded that does not comply with Preferential Procurement Regulations 2017. The Auditor-General, in its findings during the 2017/2018 financial year, identified that the Municipality did not include a specific condition that local production and content is applicable when inviting bidders to tender (advertisement). Furthermore the Municipality also did not include the local production and content in the bid documents (MBD 6.2) and the suppliers declared accordingly. The Auditor-General concluded that the tender award does not comply with Preferential Procurement Regulations 2017.

Total	12 420 386	35 789 155
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55.3 Fruitless and wasteful expenditure

The municipality incurred no fruitless and wasteful expenditure in both the current and previous financial year.

Stellenbosch Municipality

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56. Additional disclosure in terms of Municipal Finance Management Act

Contributions to SALGA

Opening balance	-	7 205
Current year subscription / fee	6 612 659	6 316 571
Early settlement discount	(330 633)	(315 829)
Current year expenditure	(1 570 507)	(1 500 186)
Prepaid expenditure	(4 711 519)	(4 500 556)
Amount paid - previous years	-	(7 205)
	-	-

Audit fees

Opening balance	-	16 509
Current year subscription / fee	9 542 703	9 323 542
Amount paid - current year	(9 536 439)	(9 323 542)
Amount paid - previous years	-	(16 509)
	6 264	-

PAYE, UIF and SDL

Current year subscription / fee	102 010 888	92 036 184
Amount paid - current year	(102 010 888)	(92 036 184)
	-	-

Pension and Medical Aid Deductions

Current year subscription / fee	139 092 944	129 984 910
Amount paid - current year	(139 092 944)	(129 984 910)
	-	-

Stellenbosch Municipality

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Notes to the Audited Annual Financial Statements

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56. Awards to close family members - SCM Regulation 45 (continued)

Councillors' arrear consumer accounts

There were no councillor arrear accounts more than 90 days as at 30 June 2024.

Distribution Losses

In terms of section 125(2)(d)(i) of the Municipal Finance Management Act, the municipality experienced the following distribution losses for the year under review.

Electrical distribution losses (KW)

System Input	357 647 395	344 236 600
Sales	(337 518 453)	(329 632 095)
	20 128 942	14 604 505

Electricity losses are calculated as 5.63% (2023: 4.24%). Electricity losses are within the industry norm.

Water distribution losses (KL)

System Input	12 563 518	10 807 188
Sales	(8 631 963)	(7 859 839)
	3 931 555	2 947 349

Water losses are calculated as 31.3% (2023: 27.27%). Water losses are above the industry norm. The increase in water losses is due to various bulk water mains damaged by the excessive rain and subsequent flood events. The repairs could only be performed once the flood water subsided.

Stellenbosch Municipality

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57. Retirement benefit information

The municipality makes provision for post-retirement benefits to eligible Councillors and employees who belong to different pension schemes. These funds are governed by the Pension Funds Act and include both defined benefit and defined contribution schemes.

The only obligation of the municipality with respect to the retirement benefit plans is to make the specified contributions. Where councillors / employees leave the plans prior to full vesting of the contributions, the contributions payable by the municipality are reduced by the amount of forfeited contributions.

These schemes are subject to a tri-annual, bi-annual or annual actuarial valuation as set out hereunder.

SALA Pension fund

The SALA Pension Fund operates both as a defined benefit and defined contribution scheme.

The statutory valuation performed as at 1 July 2021 stated that the net assets of the fund amounted to R12 238 000 000 (30 June 2018: R14 298 600 000), with funding levels of 85.5% (30 June 2018: 96%). The actuary recommended that employers continue to contribute at the current rate of 19.18% of pensionable salary.

The actuaries are satisfied with the investment strategy of the fund. The nature of the assets is, in their opinion, suitable for the nature of the liabilities of the Fund as defined in the rules of the fund. The matching of assets with the liabilities of the Fund is adequate; and the insurance arrangements are appropriate compared to the cover provided can be regarded as financially sound at the valuation date.

LA retirement Fund (Previously Cape Joint Pension Fund)

The LA RETIREMENT FUND operates both as a defined benefit and defined contribution scheme.

Defined benefit scheme

The contribution rate of the defined benefit scheme is 27%; 9% by the members and 18% by their councils. The actuarial valuation report at 30 June 2023 disclosed an actuarial valuation amounting to R1 338 791 000 (30 June 2022: R1 391 841 000), with a surplus of R226 285 000 (2022: R144 158 000), with a funding level of 120.3% (30 June 2022: 111.6%).

Defined contribution scheme

The actuarial valuation report at 30 June 2023 indicated that the defined contribution scheme of the fund is in a sound financial position, with net assets amounting to R2 163 627 000 (30 June 2022: R1 976 184 000), net investment reserve of Rnil (30 June 2022: Rnil) and with a funding level of 100% (2022: 100%).

Cape Joint Retirement Fund (CRF)

The most recent statutory valuation performed as at 30 June 2023 revealed that the assets of the fund amounted to R42 710 035 000 (30 June 2022: R36 502 914 000), with funding levels of 120.1% and 100.2% (30 June 2022: 131.6% and 100.4%) for the Pensions Account and the Share Account respectively. The contribution rate paid by the members (7,50%/9%) and the municipalities (19,50%/18%) is sufficient to fund the benefits accruing from the fund in the future. The actuary certified that the structure of the assets is appropriate relative to the nature of the liabilities, given normal circumstances and that the Fund is in a sound financial condition as at the valuation date.

Municipal Councillors Pension Fund

The Municipal Councillors Pension Fund operates as a defined contribution scheme. The statutory valuation performed as at 30 June 2018 stated that the net assets of the fund amounted to R1 798 030 000 (30 June 2017: R1 480 549 000), with funding levels of 103.26% (30 June 2017: 101.31%). The contribution rate paid by the members (13,75 %) and council (15 %) is sufficient to fund the benefits accruing from the fund in the future. The Actuary certified that the Fund was in a sound financial condition as at 30 June 2018, in that the assets of the fund were sufficient to cover the accrued service liabilities including the recommended Contingency Reserves in full.

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57. Retirement benefit information (continued)

The Municipal Workers Retirement Fund (Previously South African Municipal Workers Union National Provident Fund)

The Municipal Workers Retirement Fund is a defined contribution scheme. Members contribute at a rate of not less than 7.5% of salaries, as required by the Rules. The employers contribute at a total rate of not less than 18%. From 1 July 2017, members and employers that fall under other bargaining councils or forums are not bound by the above minimum contribution rates. The statutory valuation performed as at 30 June 2021 stated that the assets of the fund amounted to R10 866 257 000 (30 June 2017: R7 720 948 000), with funding levels of 100.0% (30 June 2017: 102.0%). The Fund's assets exceeded the member liabilities as at 30 June 2021, by a margin of R 130.4 million or 1.2%. In the valuation report the actuaries have chosen to allocate R 100.3 million to the Risk Reserve, to allow for projected excess salary-multiple death and disability claims in the year following the valuation date (in excess of the contributions allocated toward these risk benefits over this period), while also leaving a reasonable margin against future claims variability. Accordingly there is a small positive balance in the Investment Reserve. The value of the assets is more than sufficient to cover the accrued liabilities (Members' Shares), and the required level of risk reserve in respect of the self-insured risk benefits, and the Fund is therefore financially sound.

National Fund for Municipal Workers

The fund operates as a defined contribution fund and in terms of the rules of the fund category A and category C members contribute at a rate as agreed upon by the Local Authority and the member, subject to an absolute minimum contribution of 2% and 5% of their remuneration respectively. Category C-Members, appointed after 1 July 2012, who are not part of the Schedule shall make monthly contributions to the Fund equal to 7.5% of their pensionable salary.

The most recent statutory valuation performed as at 30 June 2019 stated that the net assets of the fund amounted to R17 107 067 000 (30 June 2018: R15 393 671 000), with funding levels of 100.40% (30 June 2018: 100.46%). The actuary certified that the assets of the fund are sufficient to cover 100.40% of the members' liabilities, also that it can be expected that the funding level of a fund of this nature will fluctuate around 100%, for example due to timing differences in investment and receipt of monies, slight mismatching of assets and liabilities and processing errors.

The Local Authority must contribute in respect of category A and category C members such an amount as agreed between the Local Authority and the fund, subject to a minimum contribution rate of 2% and 5% of their remuneration respectively. Category B members are members who belong to both category A and C and the Local Authority must, on behalf of such members, not contribute less than 7% of their remuneration. The contribution rates stipulated above include the amount payable towards the insured risk benefits policy.

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Notes to the Audited Annual Financial Statements

2024 2023

58. Going concern

We draw attention to the fact that at 30 June 2024, the municipality had total community wealth of R6 004 739 613.

The annual financial statements have been prepared on the basis of accounting policies applicable to a going concern. This basis presumes that funds will be available to finance future operations and that the realisation of assets and settlement of liabilities, contingent obligations and commitments will occur in the ordinary course of business.

59. Deviations from SCM regulations - SCM Regulation 36

In terms of section 36 of the municipality SCM regulations, any deviations from SCM policy needs to be approved by the accounting officer and noted by Council. The awards listed below have been approved by the accounting officer and noted by Council.

All deviations considered by the accounting officer are processed in terms of the SCM regulations and the municipality's SCM policy. This process entails being assessed by the SCM Bid Adjudication Committee in terms of the stipulated criteria for emergency procurements and circumstances where it is impractical or not possible to follow the official procedure.

Deviation from, and ratification of minor breaches of, the procurement processes

In terms of section 36(2) of the Supply Chain Management Policy approved by Council it is stipulated that bids where the formal procurement processes could not be followed, must be noted in the audited annual financial statements.

SCM paragraph

reference

36 (1)(a) i	Dispense with the official procurement processes in an emergency	24 771 246	6 298 623
36 (1)(a) ii	Dispense with official procurement processes if such goods or services are produced or available from a single source or sole provider.	15 680 919	335 943
36 (1)(a) v	Dispense with official procurement processes in any other exceptional case where it is impractical or impossible to follow the official procurement processes.	18 275 924	26 804 533

Total deviations

58 728 089 33 439 099

The deviations and value disclosed is representative of the award value. In the event of a rates based award, an estimate is utilised based on certain projected provisions. In the event that an award value is not present, nor an estimate due to certain conditions, the actual expenditure incurred will be disclosed.

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Notes to the Audited Annual Financial Statements

	2024	2023
60. Contingent liabilities		
Contingency arising out of litigation	18 869 071	42 656 699
Litigation is the process of taking a civil law suit (legal dispute) to Court. A civil case refers to a legal dispute between two or more parties seeking resolution through the civil court system. Civil litigation refers to the legal process of resolving disputes between parties seeking monetary damages, specific performance, or other remedies instead of criminal sanctions. These cases arise from a wide range of issues, including contract disputes, personal injury claims, property disputes, employment grievances, and more.		
Contingency arising out of mediation	250 000	250 000
Mediation is a process by which a mediator assists the parties in a legal dispute by facilitating discussions between the parties, assisting them in identifying issues and exploring areas of compromise.		
Contingency arising out of arbitration	1 000 000	-
Arbitration is a procedure in which a dispute is submitted, by agreement of the parties, to one or more arbitrators who make a binding decision on the dispute. In choosing arbitration, the parties opt for a private dispute resolution procedure instead of going to court.		
Municipal landfill site	-	-
The municipality has a present obligation to rehabilitate the landfill site which stems from licensing agreements 19/2/5/1/B4/45/WL0182/22 issued in terms of the Environmental Conservation Act, 1989 (Act 73 of 1989). The obligation is immediately enforceable upon closure of the landfill site. As part of these licensing obligations, the municipality is responsible for post-closure obligations namely, ground water monitoring, decommissioning, monitoring committee and gas monitoring. The duration of the time for the cost to be incurred is contingent on the decision making of the regional director as stipulated in the licence conditions. At 30 June 2024, a decision has not been made by the regional director on the post-closure obligations for the municipality as per the licence agreements, as a result thereof, a reliable estimate of the costs to be incurred cannot be reliably estimated due to the uncertainty of the key events contained within the licencing conditions.		
VAT on library grants	11 808 695	9 868 979
The municipality has approached SARS to provide a VAT ruling in relation to library grants received by the transferring department. The current contingency relates to the question as to the services rendered by the municipality in relation to libraries in the municipal area are not part of the municipalities mandate and consequently, the grant received is therefore potentially not exempt of VAT due to the benefit being for the transferring department. The contingency relates to the outcome of SARS ruling in relation to this item. The amount disclosed is an estimate of the VAT amount, potential interest and penalties which the municipality may be exposed to.		
	31 927 766	52 775 678
Prior period error		
Contingent liabilities previously reported	-	42 906 699
VAT on library grant	-	9 868 979
The municipality has sought guidance on the treatment of VAT on the library grants and has concluded that a contingency does exist and therefore gives rise to a contingent liability in the prior year as well. The amount in relation to this error is R9 868 979	-	-
	-	52 775 678

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Notes to the Audited Annual Financial Statements

2024

2023

61. Segment information

General information

Identification of segments

The municipality is organised and reports to management on the basis of four major functional areas. These four functional segments are governance and administration, community and public safety, economic and environmental services as well as trading services. The segments were organised around the type of service delivered and the target market.

Information reported about these segments is used by management as a basis for evaluating the segments' performances and for making decisions about the allocation of resources. The disclosure of information about these segments is also considered appropriate for external reporting purposes.

Reportable segments are identified based on activities performed of the municipality that generates economic benefits or service potential including internal services that contribute to achieving the municipality's objectives without necessarily generating net cash inflows.

Management has only identified segment information for which data is reported on and reviewed during the decision making process of the municipality. Aspects relating to GRAP 18 paragraph 21 (a) - (j) which does not form part of the review process of the management reports will not form part of the segment information.

Segmental reporting was based and identified on the MFMA S71 monthly budget statements/reports that are reviewed by senior management and council to make strategic decisions and in monitoring segment performance. The disclosure of information about segments in these reports are organised around the type of service delivered, in a standardised format namely the C2 schedule. This is considered appropriate for external reporting purposes to achieve the objectives of GRAP 18.

Types of goods and/or services by segment

These reportable segments as well as the goods and/or services for each segment are set out below:

Reportable segment

Community and public safety

Governance and administration

Economic and environmental services

Trading services

Goods and/or services

Primary services providing community safety, crime prevention and law enforcement.

Primary services in relation to financial management, financial and governance decision making.

Urban and developmental planning in accordance with the relevant laws and regulations. Environmental planning and protection for long term sustainability.

Primary basic service provision including water, electricity, sanitation and refuse.

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Notes to the Audited Annual Financial Statements

2024 2023

61. Segment information (continued)

2023

	Community and public safety	Economic and environmental services	Trading services	Governance and administration	Total
Segment revenue					
External revenue from non-exchange transactions	15 720 658	230 422 659	142 183 424	521 979 955	910 306 696
External revenue from exchange transactions	20 373 230	35 755 279	1 156 596 625	16 498 315	1 229 223 449
Interest revenue	-	-	15 422 829	46 713 004	62 135 833
Total	36 093 888	266 177 938	1 314 202 878	585 191 274	2 201 665 978
Segment expenses					
Total segment expenses	(242 236 969)	(269 790 035)	(879 658 134)	(263 363 198)	(1 655 048 336)
Depreciation and amortisation	(17 231 499)	(54 739 290)	(145 591 708)	(14 114 453)	(231 676 950)
Interest expense	-	-	(58 752 378)	(1 176 080)	(59 928 458)
Impairment losses	(1 572 667)	-	-	-	(1 572 667)
Contribution to/from provisions	-	-	69 693 846	-	69 693 846
Debt impairment	(3 256 569)	(40 520 184)	(28 218 707)	1 273 381	(70 722 079)
Inventory losses/write downs	(25 000)	-	-	(364 308)	(389 308)
Cost of housing sold	(150 000)	-	-	-	(150 000)
Total	(264 472 704)	(365 049 509)	(1 042 527 081)	(277 744 658)	(1 949 793 952)
Surplus for the year	(228 378 816)	(98 871 571)	271 675 797	307 446 616	251 872 026
Other information					
Total capital expenditure	20 352 978	73 678 259	192 921 927	31 111 831	318 064 995



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30 November 2024

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Notes to the Audited Annual Financial Statements

2024 2023

61. Segment information (continued)

2024

	Community and public safety	Economic and environmental services	Trading services	Governance and admin	Total
Segment revenue					
External revenue from non-exchange transactions	15 534 706	223 396 995	170 366 231	584 256 389	993 554 321
External revenue from exchange transactions	17 804 445	42 352 126	1 308 677 280	17 282 367	1 386 116 218
Interest revenue	-	-	22 352 159	62 703 708	85 055 867
Total	33 339 151	265 749 121	1 501 395 670	664 242 464	2 464 726 406
Segment expenses					
Total segment expenses	(268 621 923)	(289 952 401)	(1 073 838 402)	(288 438 701)	(1 920 851 427)
Depreciation and amortisation	(10 153 511)	(55 986 974)	(128 805 049)	(9 344 855)	(204 290 389)
Interest expense	-	-	(59 920 983)	(3 490 244)	(63 411 227)
Impairment losses	-	-	(1 031 435)	(1 725 000)	(2 756 435)
Contribution to/from provisions	-	-	(583 528)	-	(583 528)
Debt impairment	(2 571 325)	15 254 242	(54 341 579)	(7 464 997)	(49 123 659)
Inventory losses/write downs	10 000	-	302 936	(22 928)	290 008
Cost of housing sold	(1 060 000)	-	-	-	(1 060 000)
Total	(282 396 759)	(330 685 133)	(1 318 218 040)	(310 486 725)	(2 241 786 657)
Surplus for the year	(249 057 608)	(64 936 012)	183 177 630	353 755 739	222 939 749
Other information					
Total capital expenditure	30 590 468	90 290 352	268 754 904	37 522 252	427 157 976

Measurement of segment surplus or deficit, assets and liabilities

Basis of accounting for transactions between reportable segments

The accounting policies of the segments are the same as those described in the summary of significant accounting policies..

Information about geographical areas

All the municipality's operations are located in the Republic of South Africa in the Cape Winelands area. Information to report on different geographical areas is not available would be expensive and impractical to develop.:

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Notes to the Audited Annual Financial Statements

62. Prior period error and reclassification

62.1 Adjustments of Statement of financial position items

2024

	Note	As previously reported	Correction of error	Re-classification	Restated
Assets					
Current assets					
Cash and cash equivalents	2	248 533 953	1 434 762	-	249 968 715
Short term investments	3	331 767 247	-	-	331 767 247
Receivables from exchange transactions	4	217 629 743	(509 050)	-	217 120 693
Other receivables from exchange transactions	7	40 746 627	(1 623 860)	(470 538)	38 652 229
Inventories	6	36 030 865	(13 879 098)	-	22 151 767
Receivables from non-exchange transactions	5	68 615 257	1 006 694	470 538	70 092 489
VAT Control		12 014 194	(35 142)	-	11 979 052
		955 337 886	(13 605 694)	-	941 732 192
Non-current assets					
Investment property	9	425 076 488	-	-	425 076 488
Property, plant and equipment	10	5 634 083 486	(9 531 553)	-	5 624 551 933
Intangible assets	11	6 098 776	(1 838 000)	-	4 260 776
Biological assets	12	5 142 777	-	-	5 142 777
Heritage assets	13	1 312 802	-	-	1 312 802
Trade and other receivables from exchange transactions	14	4 598 731	-	-	4 598 731
		6 076 313 060	(11 369 553)	-	6 064 943 507
Total assets		7 031 650 946	(24 975 247)	-	7 006 675 699
Net assets and liabilities					
Current liabilities					
Consumer deposits	15	23 688 825	(1 341 199)	-	22 347 626
Employee benefits	16	58 283 915	-	-	58 283 915
Payables from exchange transactions	19	327 287 591	(2 493 822)	-	324 793 769
Borrowings	18	55 046 811	-	-	55 046 811
Lease liabilities		694 514	-	-	694 514
Payables from non-exchange transactions	20	33 793 304	(1 332 639)	-	32 460 665
		498 794 960	(5 167 660)	-	493 627 300
Non-current liabilities					
Employee benefits	16	191 200 001	-	-	191 200 001
Borrowings		446 903 149	-	-	446 903 149
Provisions	21	95 421 976	-	-	95 421 976
		733 525 126	-	-	733 525 126
Total net assets		162 490 627	24 221 144	-	186 711 771
Reserves and funds		5 636 840 233	(44 028 708)	-	5 592 811 525
Accumulated surplus		5 799 330 860	(19 807 564)	-	5 779 523 296
Total net assets and liabilities		7 031 650 946	(24 975 224)	-	7 006 675 722

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Notes to the Audited Annual Financial Statements

62. Prior period error and reclassification (continued)

62.2 Adjustments of Statement of financial performance items

2024

	Note	As previously reported	Correction of error	Re-classification	Restated
Revenue					
Non-exchange revenue					
Property rates	30	444 035 356	-	7 983 666	452 019 022
Transfers and subsidies	32	311 441 843	188 062	-	311 629 905
Fines, penalties and forfeits	31	146 657 768	-	-	146 657 768
Interest on receivables	24	3 418 263	-	-	3 418 263
		905 553 230	188 062	7 983 666	913 724 958
Exchange revenue					
Services charges - Electricity	22	779 983 813	-	-	779 983 813
Services charges - Water	22	162 138 204	-	-	162 138 204
Services charges - Waste water management	22	106 739 375	-	-	106 739 375
Services charges - Waste management	22	89 836 854	-	-	89 836 854
Rental	23	12 373 336	-	-	12 373 336
Interest on investments	25	42 250 158	-	-	42 250 158
Interest on receivables	24	16 467 413	-	-	16 467 413
Licences or permits	26	8 407 621	-	-	8 407 621
Agency services	27	3 438 321	-	-	3 438 321
Operational revenue	28	44 253 512	354 790	-	44 608 302
Sales of goods and rendering of services	29	29 681 293	-	(7 983 666)	21 697 627
		1 295 569 900	354 790	(7 983 666)	1 287 941 024
Total revenue		2 201 123 130	542 852	-	2 201 665 982
Expenditure					
Employee related cost	33	542 779 491	-	-	542 779 491
Remuneration of councillors	34	22 764 757	-	-	22 764 757
Depreciation & amortisation	38	231 679 002	(2 062)	-	231 676 940
Contribution to allowance for doubtful debt		70 722 081	-	-	70 722 081
Finance costs	40	59 928 458	-	-	59 928 458
Bulk purchases	35	544 002 101	-	-	544 002 101
Inventory consumed	36	64 172 062	-	-	64 172 062
Contracted services	41	228 438 291	917 836	-	229 356 127
Transfers and subsidies	42	17 758 255	-	-	17 758 255
Operational cost	46	131 489 785	802 637	-	132 292 422
Operating leases	45	9 292 497	-	-	9 292 497
Contribution to/from provision		(69 693 846)	-	-	(69 693 846)
Irrecoverable debt written off		91 945 701	-	-	91 945 701
Gain/(Loss) on disposals and fair value adjustments		389 307	-	-	389 307
Impairment losses		1 572 668	-	-	1 572 668
Loss on disposal of assets	47	639 332	195 588	-	834 920
Total expenditure		1 947 879 942	1 913 999	-	1 949 793 941

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Notes to the Audited Annual Financial Statements

62. Prior period error and reclassification (continued)

62.3 Correction of errors

The following prior period errors adjustments occurred:

Inventory

In the prior financial year the land inventory population was reinspected as items pertaining to land inventory had already been transferred. Consequently a derecognition had occurred and corrected in the financial statements. The financial effect of this transaction is depicted below:

Nature of error

Land inventory amount previously disclosed	- 14 146 828
Correction journal processed	- (14 146 828)
	- -

Property plant and equipment

An in depth review was done on the entire Fixed Asset Register to identify food to waste project that was no longer deemed feasible by the municipality. The municipality also received donated assets of R106 147. The financial effect of removing these items from the Fixed Asset Register is shown below.

Nature of error

Property, plant and equipment previously reported	- 5 634 083 486
Correction processed	- (9 531 553)
	- 5 624 551 933

Accumulated surplus

The accumulated surplus was restated due to multiple reasons. In the prior year the municipality omitted to disclose the effect of the transfer to and from the capital replacement reserve and the accumulated surplus. The municipality also corrected multiple errors. The financial affect of these errors are displayed below. The financial affect of the transfer in relation to the capital replacement reserve of R24 221 144 is also depicted below.

Nature of error

Amount previously reported	- 5 636 840 233
Capital replacement reserve transfer correction	- (24 221 144)
Correction of error: property, plant and equipment	- (5 943 793)
Correction of error: Cash and cash equivalents	- 1 434 761
Correction of error: Receivables	- (2 131 984)
Correction of error: Inventory	- (13 879 097)
Correction of error: Liabilities: Payables	- 1 387 566
Correction of error: Liabilities: Consumer deposits	- 1 341 197
Correction of error: Intangibles	- (1 837 998)
Correction of error: Suplus adjustment	- (178 215)
	- 5 592 811 526

Stellenbosch Municipality

Audited Annual Financial Statements for the year ended 30 June 2024

Notes to the Audited Annual Financial Statements

62. Prior period error and reclassification (continued)

62.4 Reclassification

Special rating area reclassification

Special ratings area was previous classified as an exchange transaction under sales of goods and rendering of services. After investigation and analysing the relevant underlying evidence, it was concluded that special ratings area is in fact a non-exchange transaction and has been reclassified accordingly to property rates. This change is also in line with National Treasury's Municipal Standard Chart of Accounts (mSCOA).

Nature of reclassification

Special ratings area previously disclosed on the financial statements.

Amount reclassified to Property Rates

-	7 983 666
-	(7 983 666)
-	-

63. Additional disclosure in terms of the Broad-Based Black Economic Empowerment Act

Information on compliance with the Broad-Based Black Economic Empowerment Act (B-BBEE) is included in the Annual Report under the section titled Employment Equity.

64. Change in estimate

The useful lives of all asset classes were adjusted during the 2023/2024 financial year to more accurately reflect the period of economic benefits or service potential derived from these assets. Refer to note 10. The effect of changing the remaining useful life of assets for the municipality during 2023/2024 has decreased the depreciation charge for the current year by R 2 060 848. It is impracticable to estimate the effect of these changes on future periods.



ANNEXURE B: ANNUAL PERFORMANCE REPORT 2023/24



STELLENBOSCH

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Annual Performance Report

2023/24

(01 July 2023 – 30 June 2024)

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1. PURPOSE

The Annual Performance Report 2023/24 is hereby submitted to the Stellenbosch Municipal Council in terms of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) (MSA), Sections 46(1) and (2). The report covers the municipality's performance information from 01 July 2023 to 30 June 2024 and focuses on the implementation of the Top Layer (TL) Service Delivery and Budget Implementation Plan (SDBIP) 2023/24, concerning the objectives as encapsulated in the municipality's Integrated Development Plan (IDP) for the year under review.

The format of the report will reflect the Stellenbosch Municipality's Key Performance Indicators (KPIs) per Strategic Focus Area (SFA).

This report will also endeavour to report to the Council on the municipality's performance in terms of the five (5) National Government's Key Performance Areas for local government, which are (1) Basic Service Delivery; (2) Local Economic Development; (3) Municipal Institutional Transformation and Development; (4) Municipal Financial Viability and Management; and (5) Good Governance and Public Participation.

2. LEGISLATIVE REQUIREMENTS

This Annual Performance Report has been compiled in compliance with the requirements of Section 46(1) of the MSA, which stipulates that:

- (1) A municipality must prepare for each financial year a performance report reflecting—
 - (a) the performance of the municipality and each external service provider during that financial year;
 - (b) a comparison of the performance referred to in paragraph (a) with targets set for performance in the previous financial year; and
 - (c) measures taken to improve performance.

In addition, regulation 7(1) of the Local Government: Municipal Planning and Performance Management Regulations, 2001 states that "a municipality's performance management system entails a framework that describes and represents how the municipality's cycle and processes of performance planning, monitoring, measurement, review, reporting, and improvement will be conducted, organised, and managed, including determining the roles of the different role players." Performance management is not only relevant to the organisation as a whole but is also applicable to the individuals employed in the organisation as well as the external service providers.

3. MUNICIPAL OVERVIEW

Stellenbosch is the second-oldest town in South Africa, dating back to 1679 when an island in the Eerste River was named Stellenbosch by the then Governor of the Cape, Simon van der Stel. The first farming activities in the area started that year. Today, the area has become primarily known for its extraordinary wines, fruit, world-renowned cultural landscapes, and exceptional scenic quality. The towns of Stellenbosch and Franschhoek are renowned for various architectural styles such as Dutch, Georgian, and Victorian, which reflect their rich heritage and traditions but also the divisions of the past.

The area houses excellent educational institutions, including the University of Stellenbosch, Boland College, sports and culinary institutions, and several prestigious schools. It has a strong business sector, ranging from major South African businesses and corporations to smaller enterprises and home industries. The tourism industry alone is responsible for the creation of about 18 000 jobs in the area. The area's numerous wine farms and cellars are very popular, and the area is the home of the very first wine route in South Africa.

The town boasts a variety of sports facilities. Coetzenburg, with its athletics and rugby stadiums, has hosted star performances over many generations, while the Danie Craven Stadium is the home of Maties Rugby, the largest rugby club in the world. The municipal area has several theatres, which include the University's HB Thom Theatre, Spier Amphitheatre, Dorpsstraat Theatre, Aan de Braak Theatre, and Oude Libertas Amphitheatre, all well-known for their summer seasons of music, theatre, and dance.

Limited municipal resources require an increase in multi-sectoral partnerships to address the broad spectrum of needs in the community. The municipality cannot address the challenges of Stellenbosch on its own, not only because of limited resources but also because it does not control all the variables impacting the growth and development of the town. Welfare and community organisations play a leading role in helping to meet the needs of previously neglected communities. The business sector also plays a key role in shaping the economic development of the municipal area.

Figure 3:1 Location of the Stellenbosch Municipality



3.1 Vision

“An Integrated Valley of Opportunity and Innovation”

3.2 Socio-economic status

Table 1: Key Socio-economic Statistics¹

Name	2011	2022
Total population	155 728	175 411
Young children (0-14 years)	22,8%	20,6%
Working age population (15-64 years)	72,3%	73,1%
Elderly (65+ years)	4,9%	6,3%
Dependency ratio	38,4	36,8
Sex ratio	95,7	94,2
No schooling (20+ years)	3,1%	2,3%
Higher education (20+ years)	17,1%	24,7%
Number of households	43 417	59 626
Average household size	3,6	2,9
Formal dwellings	75,1%	87,3%
Flush toilets connected to sewerage	91,0%	96,8%
Weekly refuse disposal service	87,0%	87,3%
Access to piped water in the dwelling	72,4%	86,4%
Electricity for lighting	92,9%	96,9%

¹ Statistics South Africa. Census 2022.

4. PERFORMANCE MANAGEMENT OVERVIEW

To improve planning, implementation, measurement, and reporting, the municipality implemented the following actions:

- Departmental operational plans were developed for monitoring and reporting operational programmes;
- An electronic performance management system is operational within the municipality. The same system forms the basis of the performance evaluations of the Directors and the Municipal Manager; and
- The municipality endeavoured during the development of the TL SDBIP as well as with the development of the Departmental SDBIP that the "SMART" principle be adhered to in the setting of indicators and targets. Emphasis was placed on ensuring that indicators and targets were specific and time-bound, thus making them measurable.

Table 2: Performance Management System Checklist

	Performance Management Policy	All MSA s57/56 Performance contracts signed	Audit Committee	Municipal Public Accounts Committee (MPAC)	Quarterly Performance Reporting to Council	Annual Performance Reporting to Council
In place?	√	√	√	√	√	√

4.1 Top Layer Service Delivery and Budget Implementation Plan

The organisational performance is evaluated using a Municipal Scorecard (the TL SDBIP) at the organisational level and through the Service Delivery and Budget Implementation Plan (SDBIP) at the directorate and departmental levels.

The SDBIP is a plan that converts the IDP and Budget into measurable indicators of how, where, and when the municipality's strategies, objectives, and normal business processes are implemented. It also allocates responsibilities to directorates to deliver the services in terms of the IDP and Budget.

The MFMA Circular No. 13 prescribes that:

- The IDP and budget must be aligned;
- The budget must address the strategic priorities;
- The SDBIP should indicate what the municipality is going to do during the next 12 months; and
- The SDBIP should form the basis for measuring performance against goals set during the budget / IDP processes.

The TL SDBIP 2023/24 was prepared as described in the paragraphs below and approved by the Executive Mayor on 20 June 2023.

The approved TL SDBIP 2023/24 was revised in February 2024. These revisions were made in line with the adjustment budget, internal audit findings, and (if any) recommendations made by the Auditor General of South Africa (AGSA).

The overall assessment of actual performance against targets set for the Key Performance Indicators as documented in the SDBIP is illustrated in terms of the following assessment methodology:

Table 3: Performance Assessment Criteria

Colour	Category	Explanation
N/A	KPI Not Yet Measured	KPIs with no targets or actual results for the selected period
R	KPI Not Met	Actual vs. target less than 75%
O	KPI Almost Met	Actual vs. target between 75% and 100%
G	KPI Met	Actual vs. target 100% achieved
G2	KPI Well Met	Actual vs. target more than 100% and less than 150% achieved
B	KPI Extremely Well Met	Actual vs. target of more than 150% achieved

The TL SDBIP (the Municipal Scorecard) consolidates service delivery targets set by Council / Senior Management and provides an overall picture of performance for the municipality as a whole, reflecting performance on its strategic priorities. The TL SDBIP is a detailed one-year plan, and the necessary components should include:

- Monthly projections of revenue to be collected for each source;
- Expected revenue to be collected, not billed;
- Monthly projections of expenditure (operating and capital) and revenue for each vote;
- Quarterly projections of service delivery targets and performance indicators for each vote;
- Non-financial, measurable performance objectives in the form of targets and indicators; and
- A detailed capital project plan broken down by ward over three years.

4.2 Departmental Service Delivery and Budget Implementation Plan

The Departmental Service Delivery and Budget Implementation Plan (the detailed SDBIP) captures each Directorate's performance. Unlike the TL SDBIP, which reflects on the strategic performance of the municipality, the Departmental SDBIP 2023/24 provides a comprehensive picture of the performance per directorate, department, and section. It was compiled by the directors and senior managers for their respective departments and sections and consists of objectives, indicators, and targets derived from the approved TL SDBIP 2023/24.

5. PLANNED TARGETS VS ACTUAL RESULTS FOR THE 2023/24 FINANCIAL YEAR

This section of the Annual Performance Report 2023/24 will report on the municipality's actual performance against the planned targets as derived from the municipality's IDP. Because the municipality has developed five (5) Strategic Focus Areas (SFAs), the performance reporting will follow these themes.

5.1 Municipal Performance per National Key Performance Indicator

5.1.1 Municipal Transformation and Institutional Development

Table 4: NKPA- Municipal Transformation and Institutional Development

INDICATOR	MUNICIPAL ACHIEVEMENT 2022/23	MUNICIPAL ACHIEVEMENT 2023/24
The number of people from employment equity target groups employed in the three highest levels of management in compliance with a municipality's approved employment equity plan	3	4
The percentage of a municipality's budget actually spent on implementing its workplace skills plan	R 5 491 014 / R 611 731 735 = 0.89%	(R6 263 077 / R645 932 311) = 0.97%

5.1.2 Basic Service Delivery

Table 5: NKPA- Basic Service Delivery

INDICATOR	MUNICIPAL ACHIEVEMENT 2022/23*	MUNICIPAL ACHIEVEMENT 2023/24*
The percentage of households earning less than R7 000 per month with access to free basic services (In the case of Stellenbosch Municipality- the percentage of registered Indigent households is being reported)	100%	100%
The percentage of households with access to basic level of water	100%	100%
The percentage of households with access to basic level of sanitation	100%	100%
The percentage of households with access to basic level of electricity	100%	100%
The percentage of households with access to basic level of solid waste removal	100%	100%

* The percentage of households with access to a basic level of water, sanitation, electricity, and solid waste services is based on formal households only. The information on informal households and backyard dwellings was not taken into account.

5.1.3 Local Economic Development

Table 6: NKPA- Local Economic Development

INDICATOR	MUNICIPAL ACHIEVEMENT 2022/23	MUNICIPAL ACHIEVEMENT 2023/24
The number of jobs created through the municipality's local economic development initiatives including capital projects	1 449	1 695

5.1.4 Municipal Financial Viability and Management

Table 7: NKPA- Municipal Financial Viability and Management

INDICATOR	MUNICIPAL ACHIEVEMENT 2022/23	MUNICIPAL ACHIEVEMENT 2023/24
Debt coverage ((Total operating revenue - operating grants received) / Debt service payments due within the year)	33.22%	32.26%
Service debtors to revenue (Total outstanding service debtors / Annual revenue received for services)	30%	30.55%
Cost coverage ((Available cash + investments) / Monthly fixed operating expenditure)	4.04	3.66

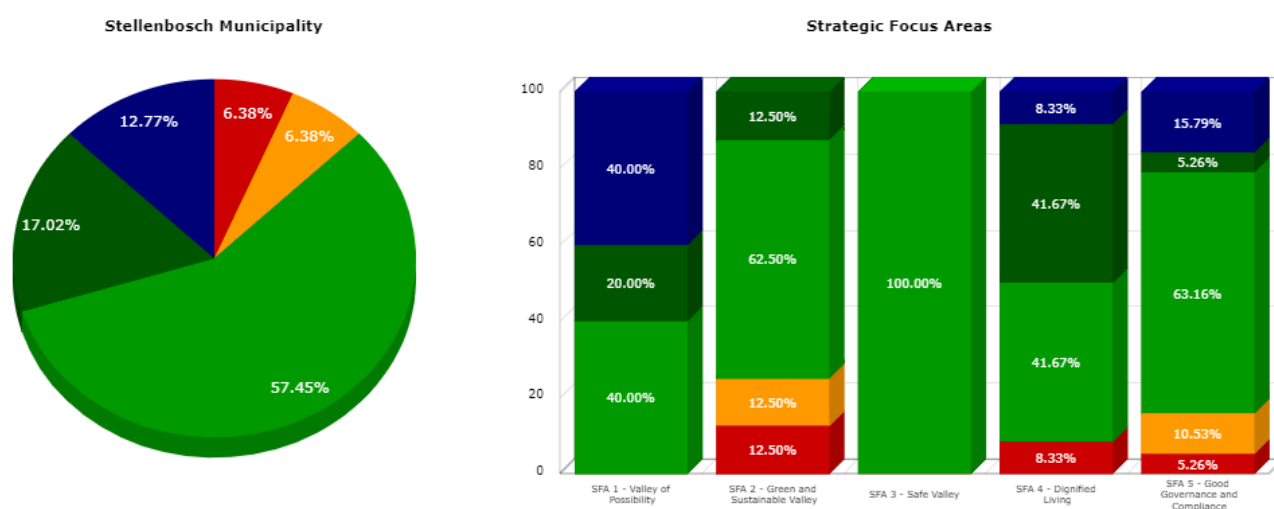
5.1.5 Good Governance and Public Participation

Table 8: NKPA- Good Governance and Public Participation

INDICATOR	MUNICIPAL ACHIEVEMENT 2022/23	MUNICIPAL ACHIEVEMENT 2023/24
The percentage of a municipality's capital budget actually spent on capital projects identified for a particular financial year in terms of the municipality's integrated development plan	84.79%	85.88%

5.2 Overall Performance per Municipal Strategic Focus Area

The following graph and table illustrate the Municipality's overall performance per Municipal Strategic Focus Area (SFA).



Stellenbosch Municipality		Municipal Strategic Focus Areas (SFAs)				
		SFA 1 - Valley of Possibility	SFA 2 - Green and Sustainable Valley	SFA 3 - Safe Valley	SFA 4 - Dignified Living	SFA 5 - Good Governance and Compliance
KPI Not Yet Measured	-	-	-	-	-	-
KPI Not Met	3 (6.38%)	-	1 (12.50%)	-	1 (8.33%)	1 (5.26%)
KPI Almost Met	3 (6.38%)	-	1 (12.50%)	-	-	2 (10.53%)
KPI Met	27 (57.45%)	2 (40%)	5 (62.50%)	3 (100%)	5 (41.67%)	12 (63.16%)
KPI Well Met	8 (17.02%)	1 (20%)	1 (12.50%)	-	5 (41.67%)	1 (5.26%)
KPI Extremely Well Met	6 (12.77%)	2 (40%)	-	-	1 (8.33%)	3 (15.79%)
Total:	47	5	8	3	12	19
	100%	10.64%	17.02%	6.38%	25.53%	40.43%

Table and Graph 9: Overall performance per SFA- 01 July 2023 – 30 June 2024

5.2.1 SFA 1 - Valley of Possibility

SFA 1 - VALLEY OF POSSIBILITY														
Ref	IDP Ref	KPI Name	Description of Unit of Measurement	Past Year Performance	Original Annual Target	Revised Annual Target	Overall Performance 01 July 2023 to 30 June 2024			Performance comments / Reason(s) for deviation from target (under and over-performance)	Improvement Plan(s) to correct deviation from target (underperformance)			
							Target	Actual	R					
TL53	KPI003	The number of jobs created through the municipality's local economic development initiatives including capital projects (NKPI Proxy - MSA, Reg. S10(d))	Number of job opportunities created through the municipality's local economic development initiatives including capital projects by 30 June	1 449	1 100	1 100	1 100	1 695	B					
TL54	KPI004	Submission of Land-use applications to the Municipal Planning Tribunal (MPT) within 120 days from the conclusion of the administrative processing of the application	Percentage of Land-use applications submitted to the MPT within 120 days from the conclusion of the administrative processing of the application		75%	75%			75%			90.90%	G2	10 / 11 x 100 = 90.90%
TL55	KPI005	Provide training opportunities to entrepreneurs and Small, Medium and Micro Enterprises (SMMEs)	Number of quarterly training opportunities provided to entrepreneurs and SMMEs		22	4			4			4	27	B
TL56	KPI006	Submission of the revised Spatial Development Framework (SDF) to the Council	Number of revised SDFs submitted to the Council by 30 June	1	1	1	1	1	G					
TL57	KPI007	Submission of the revised Housing Pipeline (document) to the MayCo	Number of revised Housing Pipelines (document) submitted to the MayCo by 31 May	1	1	1	1	1	G					

Summary of Results: SFA 1 - Valley of Possibility

N/A	KPIs with no targets or actuals in the selected period	0
R	KPI Not Met	0
O	KPI Almost Met	0
G	KPI Met	2
G2	KPI Well Met	1
B	KPI Extremely Well Met	2
Total KPIs		5

5.2.2 SFA 2 - Green and Sustainable Valley

SFA 2 - GREEN AND SUSTAINABLE VALLEY											
Ref	IDP Ref	KPI Name	Description of Unit of Measurement	Past Year Performance	Original Annual Target	Revised Annual Target	Overall Performance 01 July 2023 to 30 June 2024			Performance comments / Reason(s) for deviation from target (under and over-performance)	Improvement Plan(s) to correct deviation from target (underperformance)
							Target	Actual	R		
TL60	KPI020	Conduct an external audit of the Stellenbosch Municipal Waste Disposal Facilities	Number of external audits of the Stellenbosch Municipal Waste Disposal Facilities conducted by 30 June	1	1	1	1	1	G		
TL61	KPI021	Implementation of identified waste minimisation projects	Number of identified waste minimisation projects implemented by 30 June	2	2	2	2	2	G		
TL62	KPI014	Process building plan applications of <500sqm within 30 days after the date of receipt	Percentage of building plan applications of <500sqm processed within 30 days after the date of receipt	42.91%	60%	60%	60%	62.92%	G2	1 261 / 2 004 x 100 = 62.92%	
TL63	KP022	Wastewater quality measured ito the Department of Water and Sanitation's License Conditions for physical and micro parameters	Percentage of wastewater quality compliance as per the analysis certificate, measured quarterly	46.04%	70%	70%	70%	48.65%	R	(46.30% + 43.30% + 40% + 65% = 194.60% / 4 = 48.65%) Amendments to the WWTW license are necessary because some Special Limit requirements are incorrect.	Capital upgrade of Wemmerhoek WWTW: Phase 2 (construction starting in July 2024). Capital upgrade of Klapmuts WWTW: Phase 1 is currently being designed. Raithby WWTW Capital upgrade: Consultant to be appointed for Design. Operational Improvements on Stellenbosch and Wemmershoek WWTW: A service provider is appointed until 30 June 2026.

SFA 2 - GREEN AND SUSTAINABLE VALLEY

Ref	IDP Ref	KPI Name	Description of Unit of Measurement	Past Year Performance	Original Annual Target	Revised Annual Target	Overall Performance 01 July 2023 to 30 June 2024			Performance comments / Reason(s) for deviation from target (under and over-performance)	Improvement Plan(s) to correct deviation from target (underperformance)
							Target	Actual	R		
											The Stellenbosch WWTW license amendment application has already been submitted to the Department of Water and Sanitation. Limiting stormwater ingress into the sewer system programme started. This is a long-term programme.
TL65	KPI016	Reduce organic waste	Percentage of organic waste reduced by 30 June	51.30%	20%	20%	20%	19.88%	○	9 703t / 48 814t x 100 = 19.88%	The municipality has appointed new staff to assist with processing incoming green waste.
TL94	KPI011	Construction of a new landfill cell at the Stellenbosch Landfill Facility	Number of new landfill cells constructed at the Stellenbosch Landfill Facility by 30 June	New KPI	1	1	1	1	G		
TL95	KPI019	Submission of a Service Level Charter to the Municipal Manager	Number of Service Level Charters submitted to the Municipal Manager by 30 June	New KPI	1	1	1	1	G		
TL96	KPI010	Installation of the SCADA Master Station	Number of the SCADA Master Stations installed by 30 June	New KPI	1	1	1	1	G		

Summary of Results: SFA 2 - Green and Sustainable Valley

N/A	KPIs with no targets or actuals in the selected period	0
R	KPI Not Met	1
O	KPI Almost Met	1
G	KPI Met	5
G2	KPI Well Met	1
B	KPI Extremely Well Met	0
Total KPIs		8

5.2.3 SFA 3 - Safe Valley

SFA 3 - SAFE VALLEY											
Ref	IDP Ref	KPI Name	Description of Unit of Measurement	Past Year Performance	Original Annual Target	Revised Annual Target	Overall Performance 01 July 2023 to 30 June 2024			Performance comments / Reason(s) for deviation from target (under and over-performance)	Improvement Plan(s) to correct deviation from target (underperformance)
							Target	Actual	R		
TL66	KPI024	Submission of the revised Disaster Management Plan to the Municipal Manager	Number of revised Disaster Management Plans submitted to the Municipal Manager by 31 March	1	1	1	1	1	G		
TL67	KPI025	Submission of the revised Safety and Security Strategy to the Municipal Manager	Number of revised Safety and Security Strategies submitted to the Municipal Manager by 30 April		1	1	1	1	1	G	
TL68	KPI026	Submission of the revised Traffic Management Plan to the Municipal Manager	Number of revised Traffic Management Plans submitted to the Municipal Manager by 31 March	1	1	1	1	1	G		

Summary of Results: SFA 3 - Safe Valley

N/A	KPIs with no targets or actuals in the selected period	0
R	KPI Not Met	0
O	KPI Almost Met	0
G	KPI Met	3
G2	KPI Well Met	0
B	KPI Extremely Well Met	0
Total KPIs		3

5.2.4 SFA 4 - Dignified Living

SFA 4 - DIGNIFIED LIVING											
Ref	IDP Ref	KPI Name	Description of Unit of Measurement	Past Year Performance	Original Annual Target	Revised Annual Target	Overall Performance 01 July 2023 to 30 June 2024			Performance comments / Reason(s) for deviation from target (under and over-performance)	Improvement Plan(s) to correct deviation from target (underperformance)
							Target	Actual	R		
TL70	KPI028	Provision of waterborne toilet facilities in informal settlements as identified by the Department: Integrated Human Settlements	Number of waterborne toilet facilities provided in Informal settlements as identified by the Department: Integrated Human Settlements by 30 June	56	20	20	20	20	G		
TL71	KPI032	Registered indigent formal households with access to free basic water (NKPI Proxy - MSA, Reg. S10(a), (b))	Percentage of registered indigent formal households with access to free basic water, measured quarterly		100%	100%	100%	100%	100%	G	5 584 / 5 584 x 100 = 100%
TL72	KPI029	Limit unaccounted electricity to less than 9% annually {(Number of Electricity Units Purchased and / or Generated - Number of Electricity Units Sold (incl. Free basic electricity)) / Number of Electricity Units Purchased and/or Generated} x 100}	Percentage of average electricity losses, measured by 30 June	4.24%	<9%	<9%	9%	5.65%	B	(357 647 395 kWh - 337 447 812 kWh) / 357 647 395 kWh x 100 = 5.65%	
TL73	KPI030	Water quality measured quarterly into the SANS 241 physical and micro parameters	Percentage of water quality level as per the analysis certificate, measured quarterly	94.81%	90%	90%	90%	95.26%	G2	= (Q1 + Q2 + Q3 + Q4) / 4 = (97.40% + 95.82% + 94.61% + 93.20%) / 4 = (381.03 / 4) % = 95.26%	
TL74	KPI031	Limit unaccounted water to less than 25%	Percentage of average unaccounted water, measured by 30 June	27.42%	<25%	<25%	25%	31.29%	R	((12 563 518kL – 8 631 963kL / 12 563 518kL) x 100 = 31.29% The increase in water losses is a	The municipality has successfully awarded the pipe replacement consultant and the pipe replacement tender, which

SFA 4 - DIGNIFIED LIVING											
Ref	IDP Ref	KPI Name	Description of Unit of Measurement	Past Year Performance	Original Annual Target	Revised Annual Target	Overall Performance 01 July 2023 to 30 June 2024			Performance comments / Reason(s) for deviation from target (under and over- performance)	Improvement Plan(s) to correct deviation from target (underperformance)
							Target	Actual	R		
										result of the damage to various bulk water mains caused by the excessive rain and subsequent flood events. The municipality could only complete the restorations after the floodwater receded.	<div>involves designing and earmarking sections of high-risk pipelines for replacement in the 2024/25 financial year.</div> <div>The following additional corrective measures will also be implemented as part of the municipality's ongoing water losses minimisation programme:<ul style="list-style-type: none">• Waterpipe replacement;• Domestic leak detection and repair;• Water demand and pressure management• Upgrades to water meters.</div> <div>The municipality continually implements these measures, specifically ramping up the Waterpipe Replacement programme.</div>
TL75	KPI033	Registered indigent formal households with access to free basic electricity provided by	Percentage of registered indigent formal households with access to free basic	100%	100%	100%	100%	100%	G	5 584 / 5 584 x 100 = 100%	

SFA 4 - DIGNIFIED LIVING											
Ref	IDP Ref	KPI Name	Description of Unit of Measurement	Past Year Performance	Original Annual Target	Revised Annual Target	Overall Performance 01 July 2023 to 30 June 2024			Performance comments / Reason(s) for deviation from target (under and over-performance)	Improvement Plan(s) to correct deviation from target (underperformance)
							Target	Actual	R		
		the municipality (NKPI Proxy - MSA, Reg. S10(a), (b))	electricity provided by the municipality, measured quarterly								
TL76	KPI034	Registered indigent formal households with access to free basic refuse removal (NKPI Proxy - MSA, Reg. S10(a), (b))	Percentage of registered indigent formal households with access to free basic refuse removal, measured quarterly	100%	100%	100%	100%	100%	G	5 584 / 5 584 x 100 = 100%	
TL77	KPI035	Registered indigent formal households with access to free basic sanitation (NKPI Proxy - MSA, Reg. S10(a), (b))	Percentage of registered indigent formal households with access to free basic sanitation, measured quarterly		100%	100%	100%	100%	100%	G	5 584 / 5 584 x 100 = 100%
TL78	KPI036	Formal households with access to water (NKPI Proxy - MSA, Reg. S10(a))	Number of formal households with access to water, measured quarterly	26 895	27 000	27 000	27 000	27 310	G2		
TL79	KPI037	Formal households with access to electricity (NKPI Proxy - MSA, Reg. S10(a))	Number of formal households with access to electricity, measured quarterly	26 895	27 000	27 000	27 000	27 310	G2		
TL80	KPI038	Formal households with access to refuse removal (NKPI Proxy - MSA, Reg. S10(a))	Number of formal households with access to refuse removal, measured quarterly	26 895	27 000	27 000	27 000	27 310	G2		
TL81	KPI039	Formal households with access to sanitation (NKPI Proxy - MSA, Reg. S10(a))	Number of formal households with access to sanitation, measured quarterly	26 895	27 000	27 000	27 000	27 310	G2		

Summary of Results: SFA 4 - Dignified Living

N/A	KPIs with no targets or actuals in the selected period	0
R	KPI Not Met	1
O	KPI Almost Met	0
G	KPI Met	5
G2	KPI Well Met	5
B	KPI Extremely Well Met	1
Total KPIs		12

5.2.5 SFA 5 - Good Governance and Compliance

SFA 5 - GOOD GOVERNANCE AND COMPLIANCE											
Ref	IDP Ref	KPI Name	Description of Unit of Measurement	Past Year Performance	Original Annual Target	Revised Annual Target	Overall Performance 01 July 2023 to 30 June 2024			Performance comments / Reason(s) for deviation from the target (under over-performance)	Improvement Plan(s) to correct deviation from target (underperformance)
							Target	Actual	R		
TL47	KPI059	Submission of the revised Communication Policy to the MayCo	Number of revised Communication Policies submitted to the MayCo by 31 May	1	1	1	1	1	G		
TL48	KPI044	Employment equity appointments made within the financial year in the three highest levels of management	Percentage of employment equity appointments made within the financial year in the three highest levels of management, measured by 30 June	37.50%	50%	50%	50%	66%	G2	4 / 6 x 100 = 66.66%	
TL49	KPI049	Submission of the Auditor General of South Africa (AGSA) Audit Action Plan (AAP) to the APAC	Number of AGSA Audit Action Plans submitted to the APAC by 31 March		1	1					
TL50	KPI053	Submission of the draft Integrated Development Plan (IDP) to the Council	Number of draft IDPs submitted to the Council by 31 March	1	1	1	1	1	G		
TL51	KPI062	Submission of the draft revised Integrated Zoning Scheme to the MayCo	Number of draft revised Integrated Zoning Schemes submitted to the MayCo by 30 June	New KPI	1	1	1	1	G		
TL58	KPI055	Submission of the revised Wastewater Master Plan to the Municipal Manager	Number of revised Wastewater Master Plans submitted to the Municipal Manager by 30 June	0	1	1	1	1	G		
TL59	KPI060	Submission of the revised Comprehensive Integrated Transport Plan (CITP) 2023 - 2028 to the MayCo	Number of revised CITPs 2023 - 2028 submitted to the MayCo by 30 June	1	1	1	1	1	G		

SFA 5 - GOOD GOVERNANCE AND COMPLIANCE

Ref	IDP Ref	KPI Name	Description of Unit of Measurement	Past Year Performance	Original Annual Target	Revised Annual Target	Overall Performance 01 July 2023 to 30 June 2024			Performance comments / Reason(s) for deviation from the target (under over-performance)	Improvement Plan(s) to correct deviation from target (underperformance)
							Target	Actual	R		
TL82	KPI042	Financial viability measured in terms of the available cash to cover fixed operating expenditure (NKPI Proxy - MSA, Reg. S10(g)(iii))	Cost coverage as at 30 June annually [(Cash and Cash Equivalents - Unspent Conditional Grants - Overdraft) + Short Term Investment] / Monthly Fixed Operational Expenditure excluding (Depreciation)	4.04	2	2	2	3.66	B	(R609 418 774 - R37 827 438) / (R1 875 297 387 / 12)	
TL83	KPI043	Achieve an average payment percentage of 96% by 30 June (Gross Debtors Opening Balance + Billed Revenue - Gross Debtors Closing Balance - Bad Debts Written Off) / Billed Revenue x 100	(Gross Debtors Opening Balance + Billed Revenue - Gross Debtors Closing Balance - Bad Debts Written Off) / Billed Revenue x 100	95.06%	96%	96%	96%	94.53%	○	<p>((R416 752 462 + R1 778 020 014 - R513 579 475 - R388 452) / R1 778 020 014)) x 100</p> <p>There was a dispute with a debtor that significantly increased the outstanding debt. After 30 June 2024, the municipality reached an agreement with the debtor. If there was no dispute, the payment percentage would have been 96.33%.</p>	The municipality has reached an agreement with the pertinent customer, who will satisfy the outstanding debt in accordance with the terms of the agreement. The Finance Department will supervise the agreement and ensure its compliance.
TL84	KPI040	Actual expenditure of the approved Capital Budget for the municipality by 30 June (NKPI - MSA, Reg. S10(c))	Percentage of the approved Capital Budget for the municipality actually spent by 30 June	84.79%	90%	90%	90%	85.88%	○	<p>(R422 288 828 / R491 726 021) x 100 = 85.88%</p> <p>The municipality received the Municipal Disaster Response Grant from the National Treasury, but the grant conditions</p>	The Demand Management Plan will be strictly monitored and aligned with the approved capital project.

SFA 5 - GOOD GOVERNANCE AND COMPLIANCE

Ref	IDP Ref	KPI Name	Description of Unit of Measurement	Past Year Performance	Original Annual Target	Revised Annual Target	Overall Performance 01 July 2023 to 30 June 2024			Performance comments / Reason(s) for deviation from the target (under over-performance)	Improvement Plan(s) to correct deviation from target (underperformance)
							Target	Actual	R		
										did not allow it to apply the funds to expenditures already incurred. This negatively impacted the performance of the actual expenditure against the approved budget.	
TL85	KPI045	The percentage of the payroll budget spent on implementing the Municipal Workplace Skills Plan (NKPI Proxy- MSA, Reg. S10(f))	Percentage of the municipality's payroll budget actually spent on implementing its Workplace Skills Plan ((Total Actual Training Expenditure / Total Annual payroll Budget) x 100), measured by 30 June	0.89%	0.20%	0.20%	0.20%	0.97%	B	(R6 263 077 / R645 932 311) = 0.97%	
TL86	KPI046	Financial viability measured in terms of the municipality's ability to meet its service debt obligations (NKPI Proxy - MSA, Reg. S10(g)(i))	Debt coverage ratio ((Total operating revenue - operating grants received) / (Debt service payments due within the year)) measured by 30 June	33.22%	15%	15%	15%	32.26%	B	(R2 484 489 180 - R230 892 818) / 69 853 210 = 32.26%	
TL87	KPI047	Financial viability measured in terms of the outstanding service debtors (NKPI Proxy - MSA, Reg. S10(g)(ii))	Service debtors to revenue ratio - (Total outstanding service debtors / revenue received for services) measured by 30 June	30%	27%	27%	27%	30.55%	R	R513 579 475 / R1 681 046 362 = 30.55%	The municipality will write off outstanding debt as per the processes followed in the Credit and Debt Collection Policy.
TL88	KPI054	Submission of the IDP / Budget / SDF time schedule (process plan) to the Council	Number of IDP / Budget / SDF time schedules (process plan) submitted to the Council by 31 August	1	1	1	1	1	G		
TL89	KPI051	Submission of the revised Information and	Number of revised ICT Backup Disaster Recovery Plans	1	1	1	1	1	G		

SFA 5 - GOOD GOVERNANCE AND COMPLIANCE

Ref	IDP Ref	KPI Name	Description of Unit of Measurement	Past Year Performance	Original Annual Target	Revised Annual Target	Overall Performance 01 July 2023 to 30 June 2024			Performance comments / Reason(s) for deviation from the target (under over-performance)	Improvement Plan(s) to correct deviation from target (underperformance)
							Target	Actual	R		
		Communication Technology (ICT) Backup Disaster Recovery Plan to the ICT Steering Committee	submitted to the ICT Steering Committee by 31 March								
TL90	KPI052	Submission of the revised Strategic ICT Plan to the ICT Steering Committee	Number of revised Strategic ICT Plans submitted to the ICT Steering Committee by 31 March	1	1	1	1	1	G		
TL91	KPI048	Submission of the revised Risk-Based Audit Plan (RBAP) to the Audit and Performance Audit Committee (APAC)	Number of revised RBAPs submitted to the APAC by 30 June	1	1	1	1	1	G		
TL92	KPI050	Submission of the revised Strategic Risk Register (SRR) to the Risk Management Committee	Number of revised SRRs submitted to the Risk Management Committee by 30 June	1	1	1	1	1	G		
TL93	KPI056	Submission of the revised Electrical Master Plan to the Council	Number of revised Electrical Master Plans submitted to the Council by 30 June	1	1	1	1	1	G		

Summary of Results: SFA 5 - Good Governance and Compliance

N/A	KPIs with no targets or actuals in the selected period	0
R	KPI Not Met	1
O	KPI Almost Met	2
G	KPI Met	12
G2	KPI Well Met	1
B	KPI Extremely Well Met	3
Total KPIs		19


MR GARY BOSHOFF
ACTING MUNICIPAL MANAGER
 DATE: 30/08/2024



ANNEXURE C: AUDIT AND PERFORMANCE AUDIT COMMITTEE ANNUAL REPORT 2023/24



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Report of the Audit and Performance Audit Committee

This report of the Audit and Performance Audit Committee of Stellenbosch Municipality is in respect of the 2023/2024 financial year. The Audit and Performance Audit Committee has complied with its responsibilities in terms of Section 166 of the MFMA and applicable National Treasury Regulations. The Committee has also regulated its affairs and discharged its responsibilities concordant to the approved Audit and Performance Audit Committee Charter. The Committee's operation is guided by the MFMA, the King IV report on Corporate Governance and Global Internal Audit Standards.

The Committee consisted of four independent members, elected by the Council: Linda Nene (Chairperson), Tsepo Lesihla, Vincent Botto and June Williams. Members Lesihla and Botto's term came to an end on 31 August 2023. Council appointed Ruth Strydom and Reyhana Gani on 27 September 2023 to fill these vacancies. June Williams resigned on 28 March 2024 and Dr Len Mortimer was appointed on 1 May 2024. The Municipal Manager, Chief Financial Officer, Directors, Chief Audit Executive, Senior Manager Governance, Chief Risk Officer, MPAC Chairperson, and External Auditors are permanent invitees to the Committee meetings.

Execution of Functions

The Audit and Performance Audit Committee has executed its duties and responsibilities during the financial year in accordance with its terms of reference as they relate to the Council's accounting, external and internal auditing processes, internal control, governance, predetermined objectives and performance monitoring, compliance with laws and regulations, risk management, combined assurance and information technology governance and financial reporting practices.

During the year under review, the Committee, amongst other matters,

1.1 In respect of the External Auditors and the External Audit

- i. Approved the External Auditors' (Auditor-General of RSA) terms of engagement and strategy, the audit plan and budgeted audit fees payable.
- ii. Engaged and interrogated extensively the Audit report and management report of the Auditor General at the Audit and Performance Audit Committee meeting dated 28th November 2024.
- iii. Considered the audit outcome of the Municipality extensively and communicated the Audit and Performance Audit Committee's satisfaction and congratulated the Accounting Officer and Management on the Clean Audit Outcome.
- iv. Based on the audit outcome recommendations were made by the Audit and Performance Audit Committee on the other important matters as well as control deficiencies identified in the Auditor-Generals' management report.

- v. Management have been requested by the Audit and Performance Audit Committee to improve business processes impacting the annual financial statements compilation and reconciliations of transactions, more specially to limit repeat findings relating to errors on the AFS.
- vi. Management is urged to strengthen controls to adequately monitor non-compliance with laws and regulations on a timely basis.
- vii. Management was requested to concentrate on accurate presentation and review of the annual financial statements submitted to the Auditor General for audit.
- viii. Management held a workshop with end-user departments to address the root causes of previous reported findings.
- ix. The supervision and review process needs to be interrogated to prevent, detect and correct misstatements on a timely basis and the controls designed to monitor compliance with regulations that are not always able to prevent or report the instances of non-compliance in a timely manner to allow for corrective action.
- x. The quality of submitted financial statements can still be improved on; thus, management is encouraged to develop action plans early to allow for the improvement in the next reporting cycle.

1.2 In respect of the Annual Financial Statements (AFS)

- i. Confirmed the going concern as the basis of preparation of the annual financial statements.
- ii. Examined, reviewed and interrogated the annual financial statements, performance report as well as financial information disclosed to the public prior to submission and approval by Council.
- iii. Reviewed reports on the adequacy of the portfolio and specific impairments and impairment of other assets.
- iv. Ensured that the annual financial statements fairly represented the financial position of the Stellenbosch Municipality as at the end of the financial year in accordance with South African Standards of GRAP and in the manner required by the MFMA and DORA.
- v. Considered the appropriateness of accounting treatments, significant unusual transactions and management accounting judgements.
- vi. Considered the appropriateness of the accounting policies adopted by Management and changes thereto.
- vii. Through the Chairperson, met separately over the course of the year with the Chief Audit Executive and the Municipal Manager.
- viii. Reviewed any significant legal and tax matters that could have a material impact on the financial statements.
- ix. Noted that there were no material reports or complaints received concerning accounting practices, internal financial controls, content of annual financial statements, internal controls and related matters.

1.3 In respect of Internal Control and Internal Audit

- i. Reviewed and approved the internal audit mandate, annual and three-year rolling audit plans and evaluated the independence, effectiveness and performance of the Internal Audit Department and compliance with its mandate.
- ii. Considered reports of the Internal and external auditors on Council's system of internal control, including internal financial controls and maintenance of effective internal control systems.
- iii. Reviewed significant issues raised by the internal audit process and the adequacy of corrective action in response to such findings.
- iv. Reviewed significant differences of opinion between the internal audit function and Management and noted that there was no material issues of difference raised, and all matters were addressed and resolved.

- v. Assessed the adequacy of the performance of the internal audit function and found it to be effective in providing assurance.
- vi. Reviewed and monitored the quality assurance and improvement plan submitted by internal audit as required by the Global Internal Audit Standards.
- vii. Reviewed the standard operating procedure of Asset Management which was a consulting engagement conducted by the Internal Audit department.
- viii. Assessed the adequacy and sufficiency of available internal audit resources and found these to be limited, as more resources would be required to evaluate the control weaknesses and high-risk areas identified in both the corporate strategic risk, external audit and the audit universe.
- ix. Based on the above, the Committee's opinion at the date of this report is that there were some breakdowns in internal control, including internal financial controls, for the year under review in the following areas (it is noted that management are in the process of addressing these concerns):
 - Housing administration
 - Pre-determined objectives
 - Disaster and climate change readiness assessment
 - Monthly or regular reconciliations of assets, debtors, and creditors

1.4 In respect of Legal and Compliance with Laws and Regulations

- i. Reviewed with management matters that could have a material impact on Council.
- ii. Monitored compliance with the MFMA and other key legislation applicable to the Municipality, requirements of National and Provincial Treasury, Council's policies, and all other applicable legislation and codes of good governance.
- iii. Reviewed reports from the internal and external auditors detailing the extent of compliance.

1.5 In respect of Risk Management, Combined Assurance and Information Technology

During the period under review, Management presented Strategic and Operational Risk profiles for the Municipality to the Audit and Performance Audit Committee who:

- i. Considered and reviewed reports from Management on risk management, including fraud risks and information technology risks as they pertain to financial reporting and the going concern assessment.
- ii. In respect of the coordination of assurance activities, the Committee reviewed the plans and work outcomes of the external and internal auditors and concluded that these were adequate to address all significant financial, operational and compliance risks facing the Municipality.
- iii. Noted the progress made in terms of Combined Assurance and the co-ordination between assurance providers to mitigate the top 10 strategic risks facing the Municipality as well as the emerging risks.
- iv. The Audit and Performance Audit Committee took cognisance that Information and Communication Technology (ICT) and ICT system controls improved in the Auditor General's Management report.

1.6 In respect of Pre-Determined Objectives (PDO's)

The Audit and Performance Audit Committee:

- i. The quality of submitted performance information in the Management report is indicated as satisfactory. There was no material findings reported on performance information by the Auditor General and Internal Audit, respectively.
- ii. Internal audit has also provided the Audit and Performance Audit Committee with reports on performance on a quarterly basis and no critical findings have been raised.

1.7 In respect of the Finance Function

The Audit and Performance Audit Committee:

- i. Considered the existing expertise, resources and experience of the organisation-wide finance functional capacity and has noted that the improvement year on year on the quality of the annual financial statements submitted to the Committee and the AGSA. The number of misstatements corrected on the annual financial statements are noted and impact of external factors recognised. Management intends to report on an action plan in this respect.
- ii. The Chief Financial Officer should continue to ensure appropriate measures are in place for the accurate and timeous submission of information to the Office of the Auditor-General.

1.8 Independence of the External Auditors

The Audit and Performance Audit Committee is satisfied that the Auditor General of RSA (AGSA) were independent of the Council. This conclusion was arrived at, inter alia, after taking into account the following factors:

- i. The presentations made by the Auditor-General to the Audit and Performance Audit Committee.
- ii. The Auditors' independence was not impaired by any consultancy, advisory or other work undertaken by the auditors.

1.9 General

- i. The Audit and Performance Audit Committee has monitored quarterly the Municipality's implementation plan for audit issues raised in the prior year and are satisfied that the matters have been adequately addressed and resolved. Of all the matters raised in the 2023/2024 audit outcome, there were no repeat findings.
- ii. The Audit and Performance Audit Committee concurs and accepts the conclusions of the External Auditor on the annual financial statements and is of the opinion that the audited annual financial statements be accepted and read together with the report of the Auditor-General.

Stellenbosch Municipality has increasingly been stable in the areas of second and third levels of assurance and governance over a three-year period. There has also been stability in the leadership over the past five financial years. The areas for concern, and where attention is required are highlighted above. The Audit and Performance Committee has made recommendations in these areas which management have committed to.

1.10 Conclusion

On behalf of the Audit and Performance Audit Committee I am extremely indebted to the members of the Committee for their dedication and high levels of professionalism and diligence in their duties, as well as their flexibility in accommodating last-minute calls to duty. To the members that served their term and those who have retired, I am grateful for the time and dedication you have offered to the strengthening of Stellenbosch Municipality governance. We are fortunate to have the diversity of skills and expertise available to the Municipality. It would be amiss not to convey on behalf of the Committee our appreciation to the Mayor, the entire Council and its Committees for the leadership, support and oversight they have provided during the year.

Finally, the Audit and Performance Audit Committee would like to express its appreciation to Management of the Municipality led by the Municipal Manager, Internal Audit, Risk Management and the Auditor General of South Africa for the support and co-operation extended during the financial year and for providing the relevant information to enable the Audit and Performance Audit Committee to compile this report. This past year was again challenging, however Stellenbosch Municipality should be proud of its elected and appointed leaders for taking control and driving an agenda of sustainability and service delivery and improving its audit results in the process, during a time of great fluidity.

On behalf of the Audit and Performance Audit Committee.



Mr Linda C. Nene FIIA (SA), CPrac (SA), CCSA, CRMA
Chairperson Audit and Performance Audit Committee
11 January 2025



ANNEXURE D: REPORT OF THE AUDITOR GENERAL OF SOUTH AFRICA 2023/24

Report of the auditor-general to the Western Cape Provincial Parliament and council on the Stellenbosch Municipality

Report on the audit of the financial statements

Opinion

1. I have audited the financial statements of the Stellenbosch Municipality set out on pages 7 to 135, which comprise the statement of financial position as at 30 June 2024, statement of financial performance, statement of changes in net assets, cash flow statement and comparison of budget and actual amounts for the year then ended, as well as notes to the financial statements, including a summary of significant accounting policies.
2. In my opinion, the financial statements present fairly, in all material respects, the financial position of the Stellenbosch Municipality as at 30 June 2024 and its financial performance and cash flows for the year then ended in accordance with the Standards of Generally Recognised Accounting Practice (GRAP) and the requirements of the Municipal Finance Management Act 56 of 2003 (MFMA) and the Division of Revenue Act 5 of 2023 (Dora).

Basis for opinion

3. I conducted my audit in accordance with the International Standards on Auditing (ISAs). My responsibilities under those standards are further described in the responsibilities of the auditor-general for the audit of the financial statements section of my report.
4. I am independent of the municipality in accordance with the International Ethics Standards Board for Accountants' *International code of ethics for professional accountants (including International Independence Standards)* (IESBA code) as well as other ethical requirements that are relevant to my audit in South Africa. I have fulfilled my other ethical responsibilities in accordance with these requirements and the IESBA code.
5. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Emphasis of matters

6. I draw attention to the matters below. My opinion is not modified in respect of these matters.

Restatement of corresponding figures

7. As disclosed in note 62 to the financial statements, the corresponding figures for 30 June 2023 were restated as a result of errors in the financial statements of the municipality at, and for the year ended, 30 June 2024.

Material impairments

8. As disclosed in note 4 to the financial statements, the municipality provided for the impairment of receivables from exchange transactions of R268,7 million (2022-23: R208 million).
9. As disclosed in note 5 to the financial statements, the municipality provided for the impairment of receivables from non-exchange transactions of R217,9 million (2022-23: R225,8 million).

Other matter

10. I draw attention to the matter below. My opinion is not modified in respect of this matter.

Unaudited disclosure notes

11. In terms of section 125(2)(e) of the MFMA, the particulars of non-compliance with the MFMA should be disclosed in the financial statements. This disclosure requirement did not form part of the audit of the financial statements and, accordingly, I do not express an opinion on it.

Responsibilities of the accounting officer for the financial statements

12. The accounting officer is responsible for the preparation and fair presentation of the financial statements in accordance with GRAP and the requirements of the MFMA and Dora; and for such internal control as the accounting officer determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.
13. In preparing the financial statements, the accounting officer is responsible for assessing the municipality's ability to continue as a going concern; disclosing, as applicable, matters relating to going concern; and using the going concern basis of accounting unless the appropriate governance structure either intends to liquidate the municipality or to cease operations or has no realistic alternative but to do so.

Responsibilities of the auditor-general for the audit of the financial statements

14. My objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error; and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance but is not a guarantee that an audit conducted in accordance with the ISAs will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.
15. A further description of my responsibilities for the audit of the financial statements is included in the annexure to this auditor's report. This description, which is located at page 6, forms part of our auditor's report.

Report on the audit of the annual performance report

16. In accordance with the Public Audit Act 25 of 2004 (PAA) and the general notice issued in terms thereof, I must audit and report on the usefulness and reliability of the reported performance against predetermined objectives for the selected strategic focus area presented in the annual performance report. The accounting officer is responsible for the preparation of the annual performance report.
17. I selected the following strategic focus area presented in the annual performance report for the year ended 30 June 2024 for auditing. I selected an objective that measures the municipality's performance on its primary mandated functions and that is of significant national, community or public interest.

Strategic focus area	Page numbers	Purpose
Dignified living	15 to 17	To provide basic services to all citizens in the greater Stellenbosch area to ensure that everyone has access to a dignified life and sustainable human settlements and to develop and implement social infrastructure.

18. I evaluated the reported performance information for the selected strategic focus area against the criteria developed from the performance management and reporting framework, as defined in the general notice. When an annual performance report is prepared using these criteria, it provides useful and reliable information and insights to users on the municipality's planning and delivery on its mandate and objectives.
19. I performed procedures to test whether:
- the indicators used for planning and reporting on performance can be linked directly to the municipality's mandate and the achievement of its planned objectives
 - all the indicators relevant for measuring the municipality's performance against its primary mandated and prioritised functions and planned objectives are included
 - the indicators are well defined to ensure that they are easy to understand and can be applied consistently, as well as verifiable so that I can confirm the methods and processes to be used for measuring achievements
 - the targets can be linked directly to the achievement of the indicators and are specific, time bound and measurable to ensure that it is easy to understand what should be delivered and by when, the required level of performance as well as how performance will be evaluated
 - the indicators and targets reported on in the annual performance report are the same as those committed to in the approved initial or revised planning documents
 - the reported performance information is presented in the annual performance report in the prescribed manner and is comparable and understandable
 - there is adequate supporting evidence for the achievements reported and for the measures taken to improve performance
20. I performed the procedures for the purpose of reporting material findings only; and not to express an assurance opinion or conclusion.
21. I did not identify any material findings on the reported performance information for the selected strategic focus area.

Other matter

22. I draw attention to the matter below.

Achievement of planned targets

23. The annual performance report includes information on reported achievements against planned targets and provides measures taken to improve performance.
24. The table that follows provides information on the achievement of planned targets and lists the key service delivery indicators that were not achieved as reported in the annual performance report. The measures taken to improve performance are included in the annual performance report on pages 15 to 17.

Dignified living

Targets achieved: 92%		
Budget spent: 87%		
Key service delivery indicator not achieved	Planned target	Reported achievement
Limit unaccounted water to less than 25%	<25%	31,29%

Report on compliance with legislation

25. In accordance with the PAA and the general notice issued in terms thereof, I must audit and report on compliance with applicable legislation relating to financial matters, financial management and other related matters. The accounting officer is responsible for the municipality's compliance with legislation.
26. I performed procedures to test compliance with selected requirements in key legislation in accordance with the findings engagement methodology of the Auditor-General of South Africa (AGSA). This engagement is not an assurance engagement. Accordingly, I do not express an assurance opinion or conclusion.
27. Through an established AGSA process, I selected requirements in key legislation for compliance testing that are relevant to the financial and performance management of the municipality, clear to allow consistent measurement and evaluation, while also sufficiently detailed and readily available to report in an understandable manner. The selected legislative requirements are included in the annexure to this auditor's report.
28. I did not identify any material non-compliance with the selected legislative requirements.

Other information in the annual report

29. The accounting officer is responsible for the other information included in the annual report. The other information referred to does not include the financial statements, the auditor's report and the selected strategic focus area presented in the annual performance report that have been specifically reported on in this auditor's report.
30. My opinion on the financial statements, the report on the audit of the annual performance report and the report on compliance with legislation do not cover the other information included in the annual report and I do not express an audit opinion or any form of assurance conclusion on it.
31. My responsibility is to read this other information and, in doing so, consider whether it is materially inconsistent with the financial statements and the selected strategic focus area presented in the annual performance report or my knowledge obtained in the audit, or otherwise appears to be materially misstated.
32. If, based on the work I have performed, I conclude that there is a material misstatement in this other information, I am required to report that fact.
33. I have nothing to report in this regard.

Internal control deficiencies

34. I considered internal control relevant to my audit of the financial statements, annual performance report and compliance with applicable legislation; however, my objective was not to express any form of assurance on it.
35. I did not identify any significant deficiencies in internal control.

Auditor - General

Cape Town

30 November 2024



AUDITOR - GENERAL
SOUTH AFRICA

Auditing to build public confidence

Annexure to the auditor's report

The annexure includes the following:

- The auditor-general's responsibility for the audit
- The selected legislative requirements for compliance testing

Auditor-general's responsibility for the audit

Professional judgement and professional scepticism

As part of an audit in accordance with the ISAs, I exercise professional judgement and maintain professional scepticism throughout my audit of the financial statements and the procedures performed on reported performance information for the selected strategic focus area and on the municipality's compliance with selected requirements in key legislation.

Financial statements

In addition to my responsibility for the audit of the financial statements as described in this auditor's report, I also:

- identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error; design and perform audit procedures responsive to those risks; and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations or the override of internal control
- obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the municipality's internal control
- evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made
- conclude on the appropriateness of the use of the going concern basis of accounting in the preparation of the financial statements. I also conclude, based on the audit evidence obtained, whether a material uncertainty exists relating to events or conditions that may cast significant doubt on the ability of the municipality to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the financial statements about the material uncertainty or, if such disclosures are inadequate, to modify my opinion on the financial statements. My conclusions are based on the information available to me at the date of this auditor's report. However, future events or conditions may cause a municipality to cease operating as a going concern
- evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and determine whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

Communication with those charged with governance

I communicate with the accounting officer regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

I also provide the accounting officer with a statement that I have complied with relevant ethical requirements regarding independence and communicate with them all relationships and other matters that may reasonably be thought to bear on my independence and, where applicable, actions taken to eliminate threats or safeguards applied.

Compliance with legislation – selected legislative requirements

The selected legislative requirements are as follows:

Legislation	Sections or regulations
Municipal Finance Management Act 56 of 2003 (MFMA)	<p>Section 1</p> <p>Sections 11(1), 13(2), 14(1), 14(2)(a), 14(2)(b), 15, 24(2)(c)(iv), 28(1), 29(1)</p> <p>Sections 29(2)(b), 32(2), 32(2)(a), 32(2)(a)(i), 32(2)(a)(ii), 32(2)(b)</p> <p>Sections 32(6)(a), 32(7), 53(1)(c)(ii), 54(1)(c), 62(1)(d)</p> <p>Sections 63(2)(a), 63(2)(c), 64(2)(b)</p> <p>Sections 64(2)(c), 64(2)(e), 64(2)(f), 64(2)(g), 65(2)(a), 65(2)(b), 65(2)(e)</p> <p>Sections 72(1)(a)(iii), 112(1)(j), 116(2)(b), 116(2)(c)(ii), 117, 122(1), 122(2)</p> <p>Sections 126(1)(a), 126(1)(b), 127(2), 127(5)(a)(i), 127(5)(a)(ii)</p> <p>Sections 129(1), 129(3), 133(1)(a), 133(1)(c)(i), 133(1)(c)(ii), 170</p> <p>Sections 171(4)(a), 171(4)(b)</p>
MFMA: Municipal Budget and Reporting Regulations, 2009	Regulations 71(1)(a), 71(1)(b), 71(2)(a), 71(2)(b), 71(2)(d), 72(a), 72(b), 72(c)
MFMA: Municipal Investment Regulations, 2005	Regulations 3(1)(a), 3(3), 6, 7, 12(2), 12(3)
MFMA: Municipal Regulations on Financial Misconduct Procedures and Criminal Proceedings, 2014	Regulations 5(4), 6(8)(a), 6(8)(b), 10(1)
MFMA: Municipal Supply Chain Management Regulations, 2017	<p>Regulations 5, 12(1)(c), 12(3), 13(b), 13(c), 16(a), 17(1)(a)</p> <p>Regulations 17(1)(b), 17(1)(c), 19(a), 21(b), 22(1)(b)(i), 22(2), 27(2)(a)</p> <p>Regulations 27(2)(e), 28(1)(a)(i), 29(1)(a), 29(1)(b)</p> <p>Regulations 29(5)(a)(iii), 29(5)(b)(ii), 32, 36(1), 36(1)(a), 38(1)(c)</p> <p>Regulations 38(1)(d)(iii), 38(1)(e), 38(1)(g)(i), 38(1)(g)(ii), 38(1)(g)(iii), 43</p> <p>Regulations 44, 46(2)(e), 46(2)(f)</p>
Municipal Systems Act 32 of 2000 (MSA)	<p>Sections 25(1), 26(a), 26(c), 26(h), 26(i), 29(1)(b)(ii), 34(a), 34(b)</p> <p>Sections 38(a), 41(1)(a), 41(1)(b), 41(1)(c)(ii), 42, 43(2), 54A(1)(a), 56(1)(a), 57(2)(a)</p> <p>Sections 57(6)(a), 66(1)(a), 66(1)(b), 67(1)(d), 74(1), 96(b)</p>
MSA: Municipal Planning and Performance Management Regulations, 2001	<p>Regulations 2(1)(e), 2(3)(a), 3(3), 3(4)(b), 7(1), 8, 9(1)(a), 10(a)</p> <p>Regulations 12(1), 15(1)(a)(i), 15(1)(a)(ii)</p>
MSA: Municipal Performance Regulations for Municipal Managers and Managers Directly Accountable to Municipal Managers, 2006	Regulations 2(3)(a), 4(4)(b), 8(1), 8(2), 8(3)

Legislation	Sections or regulations
MSA: Regulations on Appointment and Conditions of Employment of Senior Managers, 2014	Regulations 17(2), 36(1)(a)
MSA: Disciplinary Regulations for Senior Managers, 2011	Regulations 5(2), 5(3), 5(6), 8(4)
MSA: Municipal Staff Regulations, 2021	Regulations: 7(1),31
Division of Revenue Act 5 of 2023	Section 11(6)(b), 12(5), 16(1); 16(3)
Construction Industry Development Board Act 38 of 2000	Section 18(1)
Construction Industry Development Board Regulations	Regulations 17, 25(7A)
Municipal Property Rates Act 6 of 2004	Section 3(1)
Preferential Procurement Policy Framework Act 5 of 2000	Sections 2(1)(a), 2(1)(f)
Preferential Procurement Regulations, 2017	Regulations 4(1), 4(2), 5(1), 5(3), 5(6), 5(7), 6(1), 6(2), 6(3), 6(6), 6(8) Regulations 7(1), 7(2), 7(3), 7(6), 7(8), 8(2), 8(5) 9(1), 10(1), 10(2) Regulations 11(1), 11(2)
Preferential Procurement Regulations, 2022	Regulations 4(1), 4(2), 4(3), 4(4), 5(1), 5(2), 5(3), 5(4)
Prevention and Combating of Corrupt Activities Act 12 of 2004	Section 34(1)

ANNEXURE B

Reference: PTR 13/5/2

The Municipal Manager
Stellenbosch Municipality
PO Box 17, Stellenbosch
7600

For attention: The Municipal Manager, Mrs G. Mettler

PROVINCIAL TREASURY COMMENTS ON THE TABLED 2023/24 ANNUAL REPORT**1. INTRODUCTION**

- a. MFMA section 121(1) states that every municipality and every municipal entity must for each financial year prepare an annual report. The council of a municipality must within nine months after the end of the financial year deal with the annual report of the municipality and of any municipal entity under the municipality's sole or shared control in accordance with section 129.
- b. MFMA sections 121(3) and (4) sets out the framework relating to the content of the annual reports for both municipalities and municipal entities.
- c. National Treasury has further introduced the annual report template and MFMA Circular No. 63. Circular 63 aims to provide guidance to municipalities and municipal entities on the Annual Report format and its contents.
- d. The municipal council is then obliged to consider any views of the local community; the National Treasury, the relevant provincial treasury and any provincial or national organs of state or municipalities which made submissions on the Annual Report.

2. LEGISLATIVE COMPLIANCE**2.1 Conformance**

The conformance assessment highlights compliance by Stellenbosch Municipality with the Municipal Finance Management Act No. 56 of 2003 is as follows:

- a. The Municipality submitted the draft 2023/24 Annual Performance Report together with AFS to the Auditor General by the 31st of August 2024 which is within the legislative deadline.
- b. The Annual report was tabled to Council on 30 January 2025 which is within 7 months after the end of the financial year in accordance to MFMA section 127(2).
- c. The Annual report was made public on 30 January 2025, and the public was invited to comment with a deadline of 23 February 2025.

2.2 Format and content of the Annual Report as per MFMA Circular 63

- a. The Annual Report complies with the Annual Report Template as described by MFMA Circular 63 as the relevant chapters are included. The relevant annexures have been included in the Annual Report.
- b. The Mayor's Foreword is included in the annual report.
- c. The Municipal Managers Foreword includes information on internal management changes in relation to Section 56/57 managers, a statement on the previous financial year's audit opinion, and information related to the revenue trend by source including borrowings undertaken by the Municipality.
- d. The Annual Report provides a comprehensive overview of the demographics, population, growth, highlights, and challenges faced in the Municipality during the 2023/24 financial year.

3. Chapter 3: Service Delivery Information and Performance

High Level Summary – Key Performance Areas

Strategic Focus Area	No. of targets in SDBIP/ adjusted SDBIP	Number of targets Achieved	Number of targets not achieved	Percentage achieved
1. Valley of possibility	5	5	0	100%
2. Green & Sustainable Valley	8	6	2	75%
3. Safe Valley	3	3	0	100%
4. Dignified Living	12	11	1	92%
5. Governance & Compliance	19	16	3	84%
Total	47	41	6	87%

Comment on overall performance by Municipality in terms of Strategic Objectives

- **Valley of Possibility:** Stellenbosch Municipality achieved 100 per cent of its targets under this strategic focus area, reflecting its commitment to innovation, economic development, and creating opportunities. This success supports economic growth and enhances the Municipality's reputation as a hub for progress and investment.
- **Green & Sustainable Valley:** With a 75 per cent achievement rate, the Municipality made significant progress in environmental sustainability but fell short on two targets. These gaps may indicate challenges in wastewater quality and waste management.
- **Safe Valley:** The Municipality achieved 100 per cent of its targets for ensuring safety, demonstrating effective crime prevention and community safety initiatives. This fosters a secure environment conducive to economic activity and improves residents' quality of life.
- **Dignified Living:** Achieving 92 per cent of its targets, the Municipality performed well in providing dignified living conditions, including services provision and indigents.
- **Governance & Compliance:** With an 84 per cent achievement rate, the Municipality showed strong governance and compliance but missed three targets. These gaps include underperformance on capital budget.

- **Overall Performance:** The Municipality achieved 87 per cent of its total targets, indicating strong overall performance. However, the unachieved targets highlight areas needing improvement to ensure consistent and equitable service delivery.
- **Implications for Service Delivery:** The high performance in safety, dignified living, and governance supports effective service delivery.
- **Implications for Economic Growth:** Success in creating a "Valley of Possibility" and ensuring safety fosters a conducive environment for investment and economic activity.

Black Economic Empowerment

- The Municipality did disclose information (page 100) on "B-BBEE COMPLIANCE PERFORMANCE INFORMATION".
- The Annual Report disclosed Information on compliance with the Broad-Based Black Economic Empowerment Act (B-BBEE).
- PT notes that a consultant has been appointed and is currently in process to do an in-depth rating of the BBEE compliance in terms of supply chain and socio-economic activities.

Auditor General findings and other findings

- The Audit findings for 2023/24 were included in the Annual report.
- Stellenbosch Municipality for the 2023/24 annual financial statements received an unqualified audit opinion. No material non-compliance issues on the annual financial statements were received.
- Stellenbosch Municipality received no material findings on the audit of pre-determined objectives as reported in the Annual Performance Report attached as per Chapter 6, Pg 270 of the Annual Report.

4. CONCLUSION AND RECOMMENDATIONS

The Municipality is fully compliant with the legislative requirements as per MFMA Section 75,121 and 127.

The Municipality has indicated reasons for underperformance and the corrective measures for the KPI targets that were not achieved. These are noted and should serve to improve performance in the 2024/25 financial year. It is recommended that the Municipality incorporate the above-mentioned aspects (see section 2.2 and 3), including its own stated corrective measures and commitments hereto, in order to improve on performance in the future.

Kind regards



KIM ENGEL DAVIDS

DIRECTOR: LOCAL GOVERNMENT BUDGET OFFICE (ACTING)

DATE: 20 March 2025

8.2	DRAFT 3RD REVIEW OF THE 5TH GENERATION INTEGRATED DEVELOPMENT PLAN (IDP) 2022 – 2027
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Collaborator No: 282287
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 24 March 2025 and 31 March 2025

1. SUBJECT: DRAFT 3rd REVIEW OF THE 5th GENERATION INTEGRATED DEVELOPMENT PLAN (IDP) 2022 – 2027

2. PURPOSE

To table to the Council for consideration the draft 3rd review of the 5th Generation IDP 2022–2027, attached as **ANNEXURE A**, to be released for public comment.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

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

The draft 3rd review of the 5th Generation IDP 2022 – 2027 informs the budget of the municipality and specifies the municipality's plans to address the vision, mission, strategic objectives, and needs of the community.

The municipal IDP must be reviewed annually to:

- assess the progress made towards achieving the goals, objectives and implementation of development projects outlined in the IDP;
- for the municipality to identify any gaps or areas for improvement, allowing for revisions to be made to enhance service delivery and ensure effective and sustainable development; and
- communities are provided with an opportunity to review their community needs and to recommend changes to the ward priorities outlined in the municipality's IDP.

At the time of this item submission to the MayCo meeting, the IDP and Budget Open Days schedule has not been tabled at the all-wards councillors meeting which is scheduled for 13 March 2025. As a result, the draft schedule of meetings could not be finalised prior to the submission of this item. However, when the all-wards councillors meeting convenes and the IDP and Open Days schedule is tabled and approved at the All-Wards Meeting, it will be published in the local media, the municipal website and on the municipality's social media platforms.

The proposed public participation period will be from 07 to 29 April 2025 to allow members of the community and stakeholders sufficient time to submit written inputs and / or comments on the draft 3rd review of the 5th Generation IDP 2022 – 2027. The

physical area-based public participation open days are provisionally scheduled from 08 to 14 April 2025 in the respective areas.

The public participation platforms listed below will be made available for the community and stakeholders to submit their input and comments on the draft 3rd review of the 5th Generation IDP 2022 – 2027:

- A link to an electronic submission form will be active from 07 – 29 April 2025 on the municipal website: www.stellenbosch.gov.za;
- The link to the electronic form will be broadcast via the municipal WhatsApp Channel, IDP WhatsApp line, and published on Facebook and X;
- ‘Have your Say’ boxes and hard copy forms will be placed at ward offices and libraries; and
- Electronic written submissions may also be made via:
 - Email: idp@stellenbosch.gov.za; and
 - WhatsApp: 067 427 1556.

5. RECOMMENDATIONS

- (a) that the draft 3rd review of the 5th Generation IDP 2022 – 2027 of Stellenbosch Municipality be approved in terms of Section 34 (a)(i)(ii) of the MSA for the purpose of obtaining public input and comments, attached as **ANNEXURE A**;
- (b) that an advertisement be placed on the official website of the municipality and the local newspaper notifying the public that the draft 3rd review of the 5th Generation IDP 2022 – 2027 is open for public input and comments for a period of not less than 21 days;
- (c) that the draft 3rd review of the 5th Generation IDP 2022 – 2027 be submitted to the MEC for Local Government, Environmental Affairs and Development Planning, Western Cape: Department of Local Government, Western Cape: Provincial Treasury, the Cape Winelands District Municipality, and the Office of the Provincial Speaker for their comments.

6. DISCUSSION

6.1 Background

In terms of the provisions of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) (MSA), each council must review its Integrated Development Plan in accordance with an assessment of its performance measurements in terms of Section 41 of MSA and to the extent the changing circumstances so demand.

The key dates and activities for the IDP review process form part of the integrated SDF / IDP / Budget Time Schedule adopted by the Council in August 2024 to guide the planning, drafting and review of the 3rd review of the 5th Generation IDP 2022 – 2027.

The key activities stipulated in the table below were followed in accordance with the adopted SDF / IDP / Budget Time Schedule:

Date	Action(s)
August 2024	<ul style="list-style-type: none"> The Executive Mayor and Mayoral Committee recommend that SDF/IDP/Budget Time Schedule / Process Plan (at least 10 months before the start of the budget year) be approved by the Council. The SDF / IDP / Budget Time Schedule were adopted by the Council on 23 August 2024.
September 2024 – December 2024	<ul style="list-style-type: none"> The IDP public participation period was open from 09 - 30 September 2024. The area-based IDP public participation open days were held from 10 – 16 September 2024. The IDP stakeholder engagement was held on 25 September 2024, attended by various stakeholders and role-players. On the municipal website, an electronic submission form has been created for the community and stakeholders to submit feedback and input on community needs. This website link (URL) was shared on Facebook, X, WhatsApp, and through the Stellenbosch Citizen App. Hard copies of the “Have Your Say” submission forms were also made available at all libraries and ward offices. On 22 November and 02 December 2024, all-ward councillor sessions were held to reprioritise the ward priorities for 2022 - 2027, with the community input as baseline information.
January 2025 - February 2025	<ul style="list-style-type: none"> Departmental sessions were held to review the IDP deliverables and targets for the 3rd review of the 5th Generation IDP 2022 – 2027. MayCo and Management had a strategic session on 17 January 2025 to consider the external and internal analysis and strategies around the 5-year development priorities and operational strategies (programmes / projects / activities and actions).
March 2025 - May 2025	<ul style="list-style-type: none"> MayCo and Council to consider the draft 3rd review of the 5th Generation IDP 2022 – 2027 to obtain public input and comments. The IDP and Budget public participation period to be conducted in April 2025. Consultation and refinement of the IDP and Budget documents. Adoption of the final IDP, Budget, Tariffs, and budget-related policies by Council in May 2025. Submit the adopted IDP to the Provincial Government and other role-players.

6.2 Financial Implications

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

6.3 Legal Implications

The recommendations in this report comply with all applicable legislation.

Section 25(1):

The municipal council must, within a prescribed period after the start of its elected term, adopt a single, inclusive, and strategic plan for the development of the municipality which—

- links, integrates and co-ordinates plans and takes into account proposals for the development of the municipality;
- aligns the resources and capacity of the municipality with the implementation of the plan;
- forms the policy framework and general basis on which annual budgets must be based;
- complies with the provisions of this Chapter; and
- is compatible with national and provincial development plans and planning requirements binding on the municipality in terms of legislation.

Section 26:

An integrated development plan must reflect—

- (a) the municipal council's vision for the long-term development of the municipality with special emphasis on the municipality's most critical development and internal transformation needs;
- (b) an assessment of the existing level of development in the municipality, which must include an identification of communities which do not have access to basic municipal services;
- (c) the council's development priorities and objectives for its elected term, including its local economic development aims and its internal transformation needs;
- (d) the council's development strategies which must be aligned with any national or provincial sectoral plans and planning requirements binding on the municipality in terms of legislation;
- (e) a spatial development framework which must include the provision of basic guidelines for a land use management system for the municipality;
- (f) the council's operational strategies;
- (g) applicable disaster management plans;
- (h) a financial plan, which must include a budget projection for at least the next three years; and
- (i) the key performance indicators and performance targets determined in terms of section 41.

Section 34:**"Annual review and amendment of the integrated development plan**

A municipal council-

(a) must review its integrated development plan-

- (i) annually in accordance with an assessment of its performance measurements in terms of Section 41; and
- (ii) to the extent that changing circumstances so demand; and

(a) may amend its integrated development plan in accordance with a prescribed process."

Section 35(1):

An integrated development plan adopted by the council of a municipality—

- (a) is the principal strategic planning instrument which guides and informs all planning and development, and all decisions with regard to planning, management and development, in the municipality;
- (b) binds the municipality in the exercise of its executive authority, except to the extent of any inconsistency between a municipality's integrated development plan and national or provincial legislation, in which case such legislation prevails; and

- (c) binds all other persons to the extent that those parts of the integrated development plan that impose duties or affect the rights of those persons have been passed as a by-law.

Section 36:

A municipality must give effect to its integrated development plan and conduct its affairs in a manner that is consistent with its integrated development plan.

The 4th review of the 5th Generation IDP 2022 – 2027 will be consulted and drafted during the 2025/26 financial year.

6.4 Staff Implications

This report has no additional staff implications for the municipality.

6.5 Risk Implication

This report has no direct risk implications for the municipality.

6.6 Previous / Relevant Council Resolutions

None.

6.7 Comments from Senior Management**6.7.1 Director: Community and Protection Services**

Supported

6.7.2 Chief Financial Officer

Supported

6.7.3 Director: Infrastructure Services

Supported

6.7.4 Director: Corporate Services

Supported

6.7.5 Director: Planning and Economic Development

Supported

6.7.6 Comments from the Municipal Manager

Supported

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2025-03-24: ITEM 6.1

- (a) that the draft 3rd review of the 5th Generation IDP 2022 – 2027 of Stellenbosch Municipality be approved in terms of Section 34 (a)(i)(ii) of the MSA for the purpose of obtaining public input and comments, attached as **ANNEXURE A**;
- (b) that an advertisement be placed on the official website of the municipality and the local newspaper notifying the public that the draft 3rd review of the 5th Generation IDP 2022 – 2027 is open for public input and comments for a period of not less than 21 days;

-
- (c) that the draft 3rd review of the 5th Generation IDP 2022 – 2027 be submitted to the MEC for Local Government, Environmental Affairs and Development Planning, Western Cape: Department of Local Government, Western Cape: Provincial Treasury, the Cape Winelands District Municipality, and the Office of the Provincial Speaker for their comments.

ANNEXURES

Annexure A: The draft 3rd review of the 5th Generation IDP 2022 – 2027. **(distributed under separate cover)**

NAME	Geraldine Mettler
POSITION	Municipal Manager
DIRECTORATE	Office of the Municipal Manager
CONTACT NUMBERS	021 – 808 8025
E-MAIL ADDRESS	geraldine.mettler@ Stellenbosch.gov.za
REPORT DATE	03 March 2025

8.3	MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR FEBRUARY 2025
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Collaborator No: 782051

IDP KPA Ref No: Good Governance and Compliance

Meeting Date: 24 March 2025 and 31 March 2025

1. SUBJECT:MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR FEBRUARY 2025

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 the Council the SCM deviations that occurred during February 2025.

5. RECOMMENDATION

that Council notes that there were no deviations approved for the month of February 2025.

6. DISCUSSION / CONTENTS

6.1. Background/Legislative Framework

The regulation applicable is as follows:

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

Deviation from and ratification of minor breaches of, procurement processes

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

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

(i) in an emergency.

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

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

(iv) acquisition of animals for zoos; or

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

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

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

6.2. Discussion

Reporting the deviations as approved by the Accounting Officer for February 2025.

No deviations were approved as indicated below:

6.3 Legal Implications

The regulation applicable is:

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

6.4 Staff Implications:

No staff implications.

6.5 Previous / Relevant Council Resolutions:

None.

6.6 Risk Implications

That the market may not be tested.

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

6.7 Comments from Senior Management:

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

6.7.1 Municipal Manager

Supports the recommendations.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2025-03-24: ITEM 6.1

that Council notes that there were no deviations approved for the month of February 2025.

NAME	Dalleel Jacobs
POSITION	Senior Manager SCM
DIRECTORATE	Finance
CONTACT NUMBERS	021 808 8137
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REPORT DATE	03 March 2025

8.4	MEDIUM TERM REVENUE AND EXPENDITURE FRAMEWORK 2025/2026-2027/2028
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Collaborator No:

IDP KPA Ref No: Good Governance and Compliance

Meeting Date: 24 March 2025 and 31 March 2025

**1. SUBJECT: MEDIUM TERM REVENUE AND EXPENDITURE FRAMEWORK
2025/2026-2027/2028**

2. PURPOSE

The purpose of this report is as follows:

- a) The Executive Mayor to table the Medium-Term Revenue and Expenditure Framework (inclusive of property rates charges and taxes, tariffs and service charges), annexures and proposed amendments to the budget related policies and other policies to Council for approval in terms of Section 16(2) of the Municipal Finance Management Act, (Act 56 of 2003).
- b) That Council specifically note and consider the need to take up external loans to fund critically needed refurbishment of infrastructure to the amount of R475 million of which over the MTREF R198 million will be required in year one, R199 million in year two and R78 million in year three (refer to Section G: High Level Budget Overview and Table A1 Budget Summary) and confirms draft approval of same in order for the Chief Financial Officer to attend to the necessary legislative requirements.

**3. DELEGATED AUTHORITY
FOR APPROVAL BY MUNICIPAL COUNCIL
EXECUTIVE SUMMARY
BUDGET**

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

4. RECOMMENDATIONS

- (a) that the Draft High Level Budget Summary, as set out in **APPENDIX 1 – PART 1 – SECTION C**; be approved for public release;
- (b) that the Draft Annual Budget Tables as prescribed by the Budgeting and Reporting Regulations, as set out in **APPENDIX 1 – PART 1 – SECTION D**, be approved for public release;
- (c) that the three-year Capital Budget for 2025/2026, 2026/2027 and 2027/2028, as set out in **APPENDIX 1 – PART 2 – SECTION N**, be approved for public release;
- (d) that the proposed draft rates on properties in WCO24, tariffs, tariff structures and service charges for water, electricity, refuse, sewage and other municipal services, as set out in **APPENDIX 3**, be approved for public release;
- (e) that the proposed amendments to existing budget related policies, other policies and by-laws as set out in **APPENDICES 4 - 36**, be approved for public release;
- (f) that Council specifically note and consider the need to take up an external loan, needed for investment in income generating infrastructure to the amount of R475 million of which R198 million will be required in year one, R199 million in year two and R78 million in year three (refer to Section G: High Level Budget Overview and Table A1 Budget Summary) and confirm approval of same;

- (g) that Council specifically take note of the fact that the proposed electricity charges and tariff structure is subject to NERSA approval that could change materially; and
- (h) that Council takes note of MFMA circulars 129 that was published to guide the MTREF for 2025/2026 to 2027/2028 as set out in APPENDICES 37.

5. DISCUSSION / CONTENTS

5.1 Background/ Legislative Framework

Section 16 of the MFMA states that:

- (1) The council of a municipality must for each financial year approve an annual budget for the municipality before the start of that financial year.
- (2) In order for a municipality to comply with subsection (1), the mayor of the municipality must table the annual budget at a council meeting at least 90 days before the start of the budget year.

Furthermore, section 17 of the MFMA states that:

- (1) An annual budget of a municipality must be a schedule in the prescribed format-
 - a) setting out realistically anticipated revenue for the budget year from each revenue source;
 - b) appropriating expenditure for the budget year under the different votes of the municipality;
 - c) setting out indicative revenue per revenue source and projected expenditure by vote for the two financial years following the budget year;
 - d) setting out-
 - i. estimated revenue and expenditure by vote for the current year;
 - ii. actual revenue and expenditure by vote for the financial year preceding the current year.

5.2 Discussion

The South African economy has been somewhat stagnant for over a decade with GDP growth averaging less than 2 per cent, far below the level required to meet the country's needs. During 2024 the economy grew by only 0.6 per cent and for the medium-term period it is projected to average 1.8 per cent. National Treasury has lowered its 2024 economic growth forecasts to 1.1 per cent, from 1.3 per cent projected in the 2024 Budget Review. This was due to the stop-start economic growth and stubborn inflation in the first half of the year.

Domestically, loadshedding has reduced and there is major progress due to establishment of various initiatives to address the energy crisis and create alternative energy sources. However, the resurgence of loadshedding still remains an issue for service delivery and threaten the survival of many businesses. Households are under pressure from the rising cost of living, and unemployment remains stubbornly high.

The government's outlook is cautiously optimistic. The economy has improved and strengthened in response to the suspension of loadshedding since March 2024, improved confidence following the formation of the government of national unity in June, better-than-expected inflation outcomes and reduced borrowing costs. All the above-mentioned factors are expected to continue to support the economy over the MTREF period ahead.

The government of national unity (GNU) outlines three priorities of government, namely, to drive inclusive growth and job creation; to reduce poverty and tackle high cost of living; and to build a capable, ethical and developmental state.

The Finance Minister, in the 2024 *Medium Term Budget Policy Statement* (MTBPS), indicated in the context of persistently low economic growth and the need to foster fast inclusive growth, government is working to position the economy for sustained inclusive growth through a stable macroeconomic framework, rapid implementation of economic and structural reforms, and improvement in the government's capability to remain central to achieving higher growth, employment, and competitiveness and supporting higher infrastructure investment.

Government will protect critical services, support and promote economic growth through reforms and public investment, and stabilise public debt. Although South Africa continues to confront difficult economic conditions, a moderate recovery is forecast in the economic outlook. In order to accelerate economic growth, spur job creation and promote a broad improvement in livelihoods, structural reforms are needed to reduce binding constraints to growth. Such reforms remain central to government's medium-term plans, with the focus on creating a competitive electricity market and efficient port and rail logistics systems.

The Policy statement enhances the government's resolve to:

- Stabilise public finances while maintaining support for the most vulnerable and protecting front line services;
- Fast track growth-enhancing reforms. This includes a new financing mechanism for large infrastructure projects; and
- Reconfiguring the structure and size of the state, while strengthening its capacity to deliver quality public services.

The 2024 Medium Term Budget Policy Statement (MTBPS) set out a pro-growth agenda to address South Africa's economic and fiscal challenges. As outlined in the 2024 MTBPS, government's medium-term strategy, to bolster growth and employment, is anchored by four priorities:

- ***Maintaining macroeconomic stability*** and reducing volatility to reduce the cost of living, encourages investment, which creates a conducive environment for businesses and households to save, spend, invest and grow. A sound macroeconomic framework promotes stable prices and low interest rates, enhancing the economy's resilience to external shocks that tend to disproportionately affect poor households. Prudent fiscal policy in combination with moderate and stable inflation reduces uncertainty, which in return lowers the sovereign risk premium. These factors bring down borrowing costs, anchor investment expectations and boost confidence, promoting economic growth.
- ***Implementing structural reforms*** to increase efficiency and promote a competitive economy, whilst addressing constraints to job creation and employment. These structural reforms will continue to strengthen the economy to be more productive and internationally competitive, accelerate inclusive economic growth and foster much-needed job creation. Various reforms are implemented within Operation Vulindlela. The first phase of Operation Vulindlela supported economic growth by alleviating power cuts, improving logistics performance, reducing data costs, enhancing water supply, attracting needed skills and supporting tourism. The first phase provides tangible evidence that structural reforms can reduce economic bottlenecks and demonstrates the collective good having effective collaborative partnerships between government and businesses.
- ***Building state capability*** by identifying and solving problems related to the delivery of core functions, supported by digital transformation. Building a state goes beyond capacity-building initiatives focused on individual skills, focus

instead are placed on accountability arrangements, strategic goals, government systems and state organisations. The 2nd phase of Operation Vulindlela will consider and introduce reforms to improve municipal accountability and capacity. Reforms designed to overcome spatial inequalities, turn cities into engines of economic activity and improve the ability of local government to deliver services, which in turn support higher growth and job creation. In addition, government is also driving digital transformation to support service delivery.

- ***Supporting growth-enhancing public infrastructure investment*** to increase productivity and long-term economic prospects. This is to boost economic activity and enable higher growth over the medium-term. Various reforms are being implemented in this regard. Government is tackling regulatory concerns to encourage private investment in public infrastructure, through amendments to the public-private partnership framework, which will simplify processes and reduce delays; mobilising significant private sector financing and technical expertise to augment the limited public sector capacity and capability; establishing dedicated capacity plan and prepare and design programmes to generate credible pipeline projects; improving capital budgeting process, amongst others. The Budget Facility for Infrastructure is being reconfigured into a centralised gateway for all large infrastructure projects that require fiscal support to advance.

The abovementioned four priorities are also outlined during the Budget Speech of the Finance Minister and the State of the National Address of the President.

South Africa has benefited tremendously from improved sentiment following the successful transition to a government of national unity (GNU) and the stabilisation of electricity supply. However, this optimism needs to be translated into a more determined action and measurable results, specifically in the form of higher economic growth and improved living standards for all. The 2025 Budget Review outlines the steps to achieve all these outcomes.

The 2025 Budget Review maintains government's focus on growing the economy, stabilising public finances, and supporting low-income and vulnerable households and it reaffirms government's commitment to raise living standards through implementation of economic reforms, expansion of infrastructure investment and stabilising debt. The review also maintains the government's stance of not providing bailouts for state-owned companies. The economic growth strategy of government aims to support higher living standards in the context of global uncertainty, trade disputes and financial market vulnerabilities.

The strategy focuses on maintaining macroeconomic stability to reduce cost of living and grow investment, executing reforms to promote a more dynamic economy, building a state capability in core functions and supporting growth-enhancing public infrastructure investment. This 2025 Budget proposes investments for faster economic growth, focusing on electricity, rail, water and transportation infrastructure projects. Over the next medium-term expenditure framework (MTEF) period ahead, no new spending reductions are proposed.

Fiscal Strategy

The fiscal strategy remains on track. Prudent and sustainable fiscal policy, in combination with economic strategy, is laying the foundation for faster economic growth and job creation. The strategy also supports critical social services and addresses the significant fiscal and economic risks. The medium-term fiscal strategy continues to strike

a balance between stabilizing public finances, reducing risks in the fiscal framework, encouraging supporting low-income and vulnerable households.

Over the medium-term the strategy prioritizes the following:

- Fiscal anchor to support responsible borrowing and spending. As announced in the 2025 Budget, a debt-stabilizing primary surplus will continue to anchor fiscal policy over the next three years. In 2025/2026, the debt stabilizing main budget primary surplus will serve as fiscal anchor, with larger primary surpluses planned for the remainder of the decade to reduce debt as a proportion of GDP.
- An additional R28 billion in revenue for 2025/2026 through an increase in VAT rate, no inflationary adjustments to personal income tax bracket and other measures.
- Growth -enhancing public investment by ensuring that payments for capital assets at a consolidated level grow faster than inflation.
- Continued support for frontline services and the vulnerable, allocating 61 per cent of consolidated non-interest spending to the social wage, that is spending on health, education, social protection, community development and employment programmes. This includes the above inflation increases to social grants to help offset the impact of VAT increase among vulnerable households.

The 2025 Budget Review remains committed to a balanced fiscal strategy and it outlines four elements of medium-term fiscal strategy and outlook with the main goal of delivering debt-stabilizing primary budget surplus by 2025/2026:

- Firstly, to **strengthening fiscal sustainability and accountability** through a balanced approach. While a debt stabilizing primary surplus will anchor fiscal policy over the rest of the decade, the government has initiated consultations on potential longer-term fiscal anchors. Government continues to explore ways to balance fiscal sustainability with developmental objectives, so that the public resources can be targeted effectively for social and economic impact. The 2025 Budget strikes a careful balance between fiscal consolidation and development.
- Secondly, **implement tax policy measures and other revenue revisions**, that corresponds to increases in spending pressures. Government has signalled that increases in spending need to be matched by corresponding revenue measures. To raise revenue needed to fund several key areas, government proposes to increase VAT rate by half-a-percentage point in 2025/2026, and by another half-a-percentage for 2026/2027, which will bring the VAT rate to 16%. This and other revenue increases will provide additional funding for several frontline functions.
- Thirdly, **pro-growth infrastructure and social spending allocations**. Government is undertaking reforms to improve efficiency of infrastructure financing and build the pipeline of blended finance projects.
- And lastly, a **sustainable public service wage agreement**. The 2025 Budget covers the costs of the first three-year public-service wage agreement since 2018. Although the outcome of the agreement requires additional allocation for compensation, it is notable that the government has secured certainty for the largest item in the budget without delaying debt stabilization. The early retirement incentive announcement in the 2024 Medium Term Budget Policy Statement (MTBPS) is being rolled out to reduce compensation costs while rejuvenating the public service.

Due to new and persistent spending pressures, in several key areas, a tax increase was necessary. Various other options were considered to raise the revenue required. However, increases in PIT (Personal Income Tax) and CIT (Consumer Income Tax) would have had a negative impact on employment, savings, investment and growth. CIT is imposed on businesses, but it ultimately paid by shareholders, workers and consumers. South Africa already has a high contribution of CIT towards tax revenue and VAT is relatively low compared to our peers. In terms of PIT, previous increases did not yield the desired revenue as taxpayers changed their behaviour to avoid the tax. It is far harder to avoid VAT increase, and the behavioural responses are lower, reducing the impact on the economy. The proposed VAT increase enables additional funding in several key areas including extending early childhood development coverage; hiring more educators/ teachers, doctors and other critical frontline personnel; and rebuilding the commuter rail system. To alleviate the impact on low-income households, government makes provision for above inflation increases in social grants, expands the list of foods that are zero rated for VAT and extends fuel levy relief. Therefore, it is important that municipalities ensure that new spending pressures be funded either through revenue increases or spending reductions or reprioritisations.

The 2025 Budget Review sets the course for a fiscal consolidation strategy consisting of the following measures:

- Lower the risk premium, bolster investor confidence and increase the appetite for domestic assets, which will also support the rand.
- Government's fiscal strategy is on track to deliver a debt-stabilising primary budget surplus by 2025/2026. A primary budget surplus of 0.5 per cent of GDP is expected this year, rising to 0.9 per cent in 2025/26. Achieving a primary fiscal surplus in the current financial year and maintaining it over the medium term.
- Considering a consolidated position, which includes debt-service costs.
- Consolidated spending to increase from R2.4 trillion in 2024/25 to R2.83 trillion in 2027/28.
- Government is consulting on potential longer-term fiscal anchors, focusing on procedural reforms for transparency and accountability.
- Government proposes R28 billion in additional tax revenue measures in 2025/26 and R14.5 billion in 2026/27.
- Non-tax revenue estimates are adjusted lower by R3.3 billion in the outer two years of the MTEF period mainly due to lower mineral and petroleum royalties' projections.
- R4 billion revenue expected from the sale of strategic oil reserves, will flow to the National Revenue Fund in 2025/26.
- Payments to the Southern African Customs Union have been revised up by R2.2 billion in 2026/27 and R5.4 billion on 2027/28, compared to the 2024 MTBPS estimates.
- 61 per cent of consolidated spending will support low-income vulnerable households over the MTREF period.
- Government is undertaking various reforms to improve the efficiency of infrastructure financing and build the pipeline of blended finance projects.
- Public servants set to receive a 5.5 per cent wage increase in 2025/26, exceeding the projected CPI Inflation.
- The wage agreement will cost the government an additional R7.3 billion in 2025/26, R7.8 billion in 2026/27 and R8.2 billion in 2027/28.
- The government is reactivating early retirement without any penalties.
- Infrastructure investment will continue to support growth through various reforms, such institutional reform for infrastructure delivery, public-private partnerships (PPP) reform, amongst others.
- The 2025 Budget is set to fund spending pressures of R232.6 billion over the MTREF period.

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- Main spending additions includes critical infrastructure investments, social protection, higher-than-anticipated public wage agreement and critical frontline services.
 - Provisional allocations were increased by R70.7 billion, after the approval of the 2024 Medium Term Budget Policy Statement (MTBPS). The aforementioned amounts are provisionally allocated mainly for goods and services and compensations of employees in critical frontline services. The funding will address amongst others, the significant pressures in provincial health and education; expand access to and improve the quality of early childhood development (ECD), support permanent employment of doctors after their community service ends, increase availability of medical supplies and strengthen the capacity within the Border Management Authority.
 - The 2025 Budget also directs resources to growth-enhancing activities, specifically infrastructure, and advances regulatory reforms to support investment spending. Additional R46.7 billion were allocated for critical infrastructure projects. Funding for disaster response will be supported by reforms to address inefficiencies in disaster management.
 - Gross tax revenue projections have been revised up by R137.8 billion over the 2025 MTREF period.
 - The estimated consolidated budget deficit for 2024/25 grew from 4.5 per cent to 5 per cent of GDP between the 2024 Budget and the 2025 Budget. The deficit is projected to decline to 3.5 per cent of GDP in 2027/28 as the main budget deficit narrows and social security funds, provinces and public entities move into a combined cash surplus in 2024/25 and over the medium-term.
 - Government will reduce the borrowing requirement over the 2025 MTREF. In 2025/26 the gross borrowing requirement is expected to be R3 billion higher than projected in the 2024 Budget Review. This is due to a higher budget deficit, partially offset by a reduction in Eskom debt relief.
 - The final R70 billion debt takeovers will now be replaced with two advances to the value of R50 billion, of which R40 billion is for 2025/26 to redeem debt maturing in April 2026 and R10 billion is for 2028/29 for debt maturing in May 2028.
 - Over the MTREF, net Treasury bill issuances will average R40.7 billion, with long-term borrowing averaging at R366.1 billion.
 - The gross loan debt will peak during 2025/26, stabilising at 76.2 per cent of the GDP. This is as a result of a growing primary surplus. This means that the revenue exceeds non-interest spending. Debt-service costs will peak in 2024/25, stabilising at 21.7 per cent of revenue, and decline thereafter.
 - In comparison to the 2024 MTBPS projections, higher main budget primary surpluses and lower budget deficits are projected for 2026/27 and 2027/28, as higher spending is more than offset by higher revenue.
 - Debt-service costs have been revised up by R12.1 billion over the MTREF period.
 - Government proposes to maintain a R12.6 billion contingency reserve over the MTEF period to manage major unanticipated risks.

Government maintains through the 2025 Budget Review: its stance of not providing bailouts to state-owned companies. The balanced approach to fiscal consolidation includes expenditure restraint and moderate revenue increases, while continuing to support the social wage and ensuring additional funding for critical services.

Risks (medium-to-longer-term) to the fiscal outlook includes:

- Lower economic growth, leading to weaker revenue growth.
- Poor financial conditions of subnational governments and state-owned companies.
- Macro-fiscal shocks due to heightened geopolitical tensions.

Government remains committed to a fiscal consolidation that balances the needs of the most vulnerable in society and protects the public finances for future generations. To turn the tide and raise economic growth sustainably, government is prioritising energy and logistics reforms, along with measures to arrest the decline in state capacity. Successful efforts to improve the fiscal position, complete structural reforms and bolster the capacity of the state will, in combination, reduce borrowing costs, raise confidence, increase investment and employment, and accelerate economic growth. The 2025 Budget will yield a primary budget surplus, leading to the stabilisation of debt by 2025/26. Over the medium term, a binding fiscal rule will be introduced to anchor sustainable public finances.

Economic Growth & Domestic Outlook

South Africa's economy is forecast to grow at an average of 1.8 per cent over the medium-term, as momentum starts to pick up after more than 10 years of stagnant growth. The economic outlook over the medium-term is slowly improving supported by higher investment and household consumption, supported by a stable inflation outlook, moderate employment gains and improving households balance sheets. Continued easing structural constraints will support the economy by fostering additional investment, including investment in infrastructure.

Despite lower-than -expected economic growth during 2024, regular electricity supply, slow inflation and declining interest rates, supported by government's fiscal strategy, has improved confidence and enhanced investment environment.

The economy has strengthened in response to the suspension of power cuts since March 2024, improved confidence following the formation of a government of national unity (GNU) in June, better than expected inflation outcomes and reduced borrowing costs. All the aforementioned factors are expected to continue to support the economy over the MTREF period ahead.

Real economic growth is forecast to increase to 1.9 per cent in 2025. Economic growth is expected to average 1.8 per cent from 2025 to 2027, up from 1.2 per cent in the preceding 3 years, with continued recovery supported by improved investor confidence, electricity supply that is stable, lower interest rates and a declining risk premium and fiscal strategy remains on course.

The consolidated budget deficit for 2024/2025, projected at 4.5 per cent of GDP in the 2024 Budget, is now estimated at 5 per cent. The debt-to-GDP ratio is set to stabilise at 76.2 per cent in 2025/2026, with a forecasted decline thereafter. The deficit is projected to decline to 3.5 per cent of the GDP over the medium-term.

The International Monetary Fund forecasts global growth will stabilise at 3.3 per cent in 2025 and 2026. However, geopolitical tensions, including the threat of sharpening trade disputes, alongside slow productivity gains and trade and supply chain adjustments, could limit growth across regions. Global headline inflation is projected to ease from 5.7 per cent in 2024 to 4.2 per cent in 2025 and 3.5 per cent in 2026, driven by the declining energy prices and cooling labour markets.

National Treasury forecasts a real GDP growth of 1.9 per cent in 2025, from a downwardly revised estimate of 0.8 per cent forecasted in 2024. The downward adjustments are due to a third-quarter GDP contraction driven by weak productivity for agriculture and transport. Fourth-quarter growth figures are set to show improvement, reflecting higher consumer spending, in response to easing inflation and the onset of the two-pot retirement reform.

GDP growth is expected to average 1.8 per cent, same as outlined in the 2024 Medium Term Budget Policy Statement (MTBPS). Household consumptions were revised lower, while gross fixed capital formation and government consumption is revised higher. Compared to the 2024 MTBPS, the net trade was revised down due to increased import volumes following stronger gross domestic demand.

Medium -term growth will be underpinned by household consumption on the back of increased purchasing power, moderate employment recovery and wealth gains. Continued investments in renewable energy and easing structural constraints are expected to support higher investments in renewable energy. Key factors to achieve faster economic growth and creation much needed jobs, includes the collaborative partnership with private sector in energy and transport, rapid implementation of structural reforms, easing of regulatory constraints and increased investment in infrastructure.

Risks to domestic economic outlook remain balanced while global economic outlook faces downside risks.

The domestic outlook faces a range of risks, and include primary risk such as:

- Logistical challenges remain a constraint on output, investment and economic growth.
- Unfunded spending pressures or the materialisation of contingent liabilities would undermine the fiscal strategy and weaken the domestic outlook.
- Domestic food prices could benefit from better grazing conditions with a recovery in livestock.
- A faster-than-expected easing in interest rates and inflation would boost consumer spending.
- Continued stable supply of electricity, and progress in reforms, could boost business and investor confidence.
- A rapid uptake of renewable energy investment by the private sector and municipalities could drive stronger growth outcomes over the medium-to-long-term.
- Greater-than-expected withdrawals from the Two-Pot retirement system would lead to higher-than-anticipated levels of consumption.
- Fiscal risks, adverse weather conditions, rising input costs and logistical issues could also have a negative impact on domestic growth.

Risks to the global outlook includes:

- Heightened concerns over escalating protectionist measures, geopolitical tensions, and trade disruptions could spike commodity prices and reignite inflation.
- Threat of escalating conflict in the Middle East remains a concern.
- Wars elsewhere, such as in the Sudan and the conflict between Ukraine and Russia threaten regional and international stability, as well as global trade.
- A stronger US dollar may cause capital outflows in emerging markets and higher risk premiums.
- Upside risks are limited but include potential growth from accelerated structural reforms and multilateral policies that reduce uncertainty.

The key focus areas outlined in the 2025 Budget Review to enhance economic growth and employment are as follows:

- Establishing a sound macroeconomic framework that promotes lower interest rates and more predictable exchange rates movements, whilst also proactively managing the risks of macroeconomic imbalances such as high budget deficits and it is resilient to external shocks. This stability and resilience support savings, investment decision-making and job creation.
- Stable macroeconomic framework, complemented by rapid implementation of economic reforms and improved state capability. Government aims to improve state capability with measures to strengthen education, health, defence; continue rebuilding the South African Revenue Service (SARS) and incentivise early

retirement to revitalise the public service. The early retirement programme was announced to encourage public servants to retire early and through that revitalise the public service.

- Numerous reforms under way through Operation Vulindlela and the economic recovery plan. The most noteworthy reforms include freight logistics, ports, energy sector reforms, generation capacity (electricity), water and telecommunications. Existing reforms implemented during phase 1 includes transformation of electricity sector to achieve energy security, creating a world class logistics system to support export growth, ensuring a secure and reliable supply of water and reforming the visa system to attract skills and investment.
- Boosting growth through a capable state who crafts and enforces regulations to improve the business climate. Partnerships with the private sector to improve procurement help to bolster state capability. The second phase of Operation Vulindlela is set out to focus on institutional, governance and financial reforms to address the root causes of deteriorating performance and create sustainable utilities, creating dynamic cities that support economic growth and generate employment and investing in digital public infrastructure to enhance service delivery and expand financial inclusion.
- Upscaling the infrastructure delivery programme significantly, to boost growth and employment. Major opportunities exist to reduce backlog in public infrastructure whilst creating jobs and boosting the economy at the same time. To achieve this the regulations for public-private partnerships have been simplified to attract greater private-sector participation; multiple windows of the Budget Facility for Infrastructure are being introduced; and reforms are being made to municipal-owned trading services to ensure they are financially sustainable and efficiently providing water, electricity and collecting refuse.
- Supporting growth-enhancing public infrastructure through tackling of regulatory concerns to encourage private investment in public infrastructure. Efforts focus on improving investment in transport, communication, water and energy to reduce costs, boost efficiency and raise productivity. Raising potential growth is necessary to ensure sustainable increase in growth, without increasing inflation or accumulating excessive debt.
- Government is committed to professionalising public administration, improving the governance of state-owned enterprises and fostering a more stable and attractive environment for investment.
- Embarking on a broad structural reform agenda aimed to address challenges that hinder economic growth in areas such as electricity, logistics, water, telecommunications and visa reforms.
- Anchoring fiscal policy for the long-term, through exploring the implementation of strong fiscal policy anchors, to help prevent a recurrence of the cycle of high spending, high deficits and high debt. Currently, a primary budget surplus, sufficient to stabilise debt, were adopted as the anchor.
- Implementation of social protection and employment support through social assistance grants, unemployment insurance and compensation for workplace disability.

The growth outlook underscores the opportunity to move to a significantly faster economic growth path supported through sustained progress in raising investments and productivity. The outlook will be supported by stable macroeconomic policies, improved efficiency and competitiveness driven by structural reforms, enhanced state capability to deliver services and improved infrastructure investments over the medium-term.

In summary, the 2025 Budget and Budget Review commits government to continue to support the economy, stabilise public finances and protect the social wage by

- Fast tracking the implementation of structural reforms, key being in the electricity and logistics sectors, to lift our growth prospects.

- Adopting a prudent fiscal stance that supports growth, promotes investment and prevents the build-up of systemic risks to the economy.
- Directing scarce fiscal resources towards key priority areas including frontline services and social protection while reducing inefficiencies and wastage.

The President of South Africa, during his State of the Nation Address (SONA), on the 6th February 2025, celebrated the Freedom Charter, adoption thereof 70 years ago and the achievements since its adoption. The President introduced the adopted Medium-Term Development Plan (MTDP). This plan sets out a clear and ambitious programme for the next five years. The actions contained in the MTDP aim to advance the following three strategic priorities:

- Firstly, to drive inclusive growth and job creation;
- Secondly, to reduce poverty and tackle the high cost of living; and
- Thirdly, to build a capable, ethical and developmental state.

The President focused on the following important issues that require attention in South Africa such as,

- Unemployment;
- Women and Youth empowerment;
- National Health Insurance
- Poverty and rising cost of living;
- Housing;
- Safety and Security;
- Structural reforms;
- Expansion of agriculture and mining
- Renewable energy initiatives, climate change and environmental health;
- Eliminating load-shedding;
- Resolving the water crisis/ shortages and
- State capture, crime and corruption prevention.

The following focus areas were also highlighted, amongst others, during the State of the Nation Address:

- Investing in digital public infrastructure to give South Africans access to government services anytime, anywhere through a relaunched gov.za platform.
- Investing and developing innovative ways to fund new infrastructure, while upgrading and maintaining existing infrastructure, to achieve high levels of economic growth. These include revised regulations for public-private partnerships, amongst others.
- Structural and economic reforms implemented through Operation Vulindlela.
- Immediate focus to enable Eskom, Transnet and other SOE's, who are vital to the economy to function optimally, so they can in return fulfill their social economic mandates through establishing a dedicated SOE Reform Unit, to coordinate work. These entities are being re-positioned to provide world class infrastructure, and also enabling competition in operations, such as electricity generation, freight rail or port terminals.
- Implementation of regulatory reforms to enable private investment in electricity generation.
- Implementation of the Electricity Regulation Amendment Act (came into on 1st January), various measures implemented through Energy Action Plan which in return reduced the severity and frequency of load shedding.
- Major investments and developments in renewable green energy which will create jobs and stimulate local economies.

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- Implementation of just energy transition, to reduce carbon emissions and fight climate change. Increased financing pledges for the Just Energy Transition Investment Plan are gaining momentum with over R13 billion US dollars invested by the international community and significant private capital is being invested locally.
 - Revitalisation of Port terminals and rail corridors through the Freight Logistics Roadmap, leveraging private capital to restore them to world-class standards.
 - Investing heavily in expanding water resources and to resolve the water crisis. The Infrastructure Fund had secured R23 billion for seven large water infrastructure projects and delays in other major water infrastructure projects have ended. The government aims to establish the National Water Resource Infrastructure Agency within the next year.
 - Enhancing visa systems through establishment and launching of the Electronic Travel Authorization System to enable a secure, fully digital visa application process. The system will use AI and automation to reduce the scope of corruption and enable rapid turnaround times for tourist visas and will inevitably increase tourism and growth in the tourism sector.
 - Building of an inclusive economy, focusing on women and black empowerment, advancement of workers' rights, and empowerment of people with disabilities through the establishment of various initiatives of which the National Skills Fund Disabilities Programme is one.
 - Implementation of the President Employment Stimulus with focus on the creation of sustainable employment. The Social Employment Fund has created 80 000 jobs this year. Implementation of initiatives such as the Job Boost Fund, Youth Employment Service, SA Youth Mobi Platform, etc, which promotes and creates jobs for all, including youths and is means to alleviate the worst effects of poverty.
 - Stabilizing energy supply and fixing the country's logistics system.
 - Modernization of the mining rights licensing system to support growth in the mining sector.
 - Alleviation of extreme poverty through launching various initiatives such as the social relief of distress grant.
 - Implement reforms in key areas such as energy, transport and logistics, water security, employment creation and skills development, investment, social protection, crime and corruption.
 - Improvement in access to education for all through various initiatives, with immediate focus on expanding access to early childhood development (ECD) for every child. This will be achieved through registering and formalizing existing ECD Centre's and ensuring that they have the facilities, training and material, they require to provide quality learning.
 - The government planned to incrementally implement the National Health Insurance (NHI) to improve both the quality of healthcare and the equality of access. This year they plan to proceed with the preparatory work to establish the NHI. Main aim of NHI is to reduce inequalities in healthcare by ensuring everyone fair treatment.
 - Provision of housing and access to basic services.
 - Expanding the agricultural sector through supporting farmers, improving logistics network and rural supply chains and opening new export markers for products.
 - Efficient transport and road infrastructure system.
 - Restoring of the remaining passenger rail corridors and stations to full service. More than 80% of passenger rail corridors have already been restored to service.
 - Promulgation of the National Council on Gender-based Violence and Femicide, to establish a national structure to oversee a coordinated response to this crisis.
 - Police and other law enforcement continued partnership to dismantle crime syndicates and combat financial and violent crimes.

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- Strengthening South African Police Services (SAPS), through intensifying Operation Shanela, which has been successful in arresting suspects, recovering firearms and seizing stolen vehicles, to target crime hotspot.
 - Modernization of law enforcement through adopting surveillance, analytics and smart policing solutions.
 - Establishment of the Investigating Directorate Against Corruption as a permanent entity within the National Prosecuting Authority, dedicated to investigating and prosecuting high level corruption cases.
 - Finalization of the Whistleblower Protection Framework and introduction of the Whistleblower Protection Bill in Parliament during this financial year.
 - To strengthen the key pillars of foreign policy which remains the promotion of human rights, peace and friendship and strengthening of fair trade and investment ties with other countries.

These are the principles that guide the presidency of the G20. The theme of “Solidarity, Equality and Sustainable Development” were chosen, to underscore the need for cooperation and partnership among the countries.

The President placed emphasis on the need for a government that must be capable, competent and underpinned by professional public service; who will treat people with dignity, humility and respect; leaders who are prepared to serve the people with complete dedication and public servants who are ethical, skilled and properly qualified. These objectives are to be achieved through strengthening the role of the Public Service Commission.

The President outlined the various accomplishments and improvements the democratic administration has achieved, including but not limited to, overcoming/ reducing the electricity crisis, tackling the water crisis, fighting crime and corruption, implementation of measures to improve economic growth and job creation, supporting small businesses, development and empowerment of women , people with disabilities and the youth, improvement in education and tackling crime and corruption. Notwithstanding all these achievements the President placed emphasis on the continued resolve of government to keep building, strengthening and improving on the process of renewal and reform.

Local government plays a very crucial role in service delivery, and in order to provide effective and efficient services to the people local government has to work. The President stated that too many of the municipalities are failing on good governance, financial and service delivery measures. These constraints affect the daily lives of normal citizens. He also highlighted the fact that many municipalities do not re-invest the revenue they earn from services into the maintenance of infrastructure and because of this government is set to work with municipalities to establish professionally managed, ring-fenced utilities for water and electrical services, to ensure there is adequate investment and maintenance. Government has started to implement a number of measures to address the aforementioned problems by providing support to local government, by professionalizing the civil service and by ensuring that the officials with the right skills are appointed in crucial and key positions. The Presidency, together with National Treasury and COGTA are working together to enhance the technical capacity of local government and to improve planning, coordination and fiscal oversight.

Guided by the wishes expressed by the people during last year’s elections, the government has formed a Government of National Unity (GNU). The President highlighted the fact that many challenges that municipalities face are due to the design of the local government system. Therefore, an extensive consultation process will be undertaken to develop an updated White Paper on Local Government, to outline a modern and fit-for-purpose local government system.

The Minister of Finance, in his Budget speech on 12th March 2025, highlighted the following areas of importance for the 2025 Budget:

- Fostering faster inclusive growth anchored on the following four pillars, namely, maintaining macroeconomic stability; implanting structural reforms; improving state capability and accelerating infrastructure investment. The same four pillars were outlined in the 2025 Budget Review and the State of the Nation Address as well.
- Investing in major infrastructure projects. Supporting public infrastructure investment, optimizing the infrastructure value chain to be effective and efficient.
- Budget remains committed to a balanced fiscal strategy.
- Fast track the implementation of various structural reforms through the Operation Vulindlela initiative, which is a joint initiative between Treasury and the Presidency.
- Supporting economic growth through electricity and logistics or transport system reforms.
- Investing in several large-scale dam projects, to improve regional water security while reliably supplying domestic, agricultural and industrial water users.
- Accelerate infrastructure delivery and effectiveness through continuing reforms to facilitate greater private sector participation, capital budgeting reform and alternative infrastructure financing.
- Allocation of additional funding to Early Childhood Development (ECD) and improvement of access to the ECD centers for all children.
- Launching of The Independent Transmission Programme later this year in the energy sector.
- An increase is proposed in Value- Added Tax (VAT), to raise the revenue needed. VAT will increase with half-a-percentage point in 2025/26, and by another half percentage point in 2026/2027, which brings us to VAT rate of 16% in 2026/27. Various other alternatives and options were considered before deciding on the increase.
- Taking concrete steps to protect the vulnerable from the impact due to the cost of living faced by households, including high food and fuel prices and rising electricity and transportation costs. Providing social grants increases above inflation, such as the Social Relief Distress Grant and expanding the basket of VAT zero-rated food items to include canned vegetables, dairy liquid blend, and organ meats from sheep, poultry and other animals. The fuel levy will remain the same, which will save consumers around R4 billion.
- Social Security: The COVID Social Relief of Distress Grant (SRD), in its current form, will be extended by a year until end March 2026. A budget of R35.2 billion is allocated for this purpose. As announced by the President in the State of the Nation Address, the SRD will be used as a basis for the introduction of a sustainable form of income support for unemployed people.
- Public-Private Partnerships to create opportunities to optimize the balance sheets of financially distressed state-owned companies.
- Safety and Security: R5 billion has been allocated to the Department of Defense to support South Africa's participation in the Southern African Development Community (SADC) mission in the Democratic Republic of the Congo and to supplement existing peace keeping activities.
- Combating financial crimes and corruption to protect the integrity of the economy and the institutions that foster stability and social wellbeing. Enhancement of financial forensic and accounting capability in law enforcement, to further strengthen the government's ability to detect and prosecute complex economic crimes.
- Delivering reliable and sustainable core services, with focus remaining on more effective and efficient service delivery, with a proper combination between

- personnel expenses, operating costs and maintenance of physical buildings and facilities, supported by professional and efficient administration.
- Establishment of various measures of control to determine whether allocated budgets are spent as intended, to improve the effectiveness and efficiency of spending. This will allow the government to assess whether public expenses is effectively aligned with the priorities of its government and whether it delivers the best possible value for money.
 - Focus placed on the review of conditional grants due to proliferation of the grants, to reduce duplication and improve the effectiveness of programmes.
 - Building disaster resilience by assessing the current disaster management system incentives, which are skewed towards relief and rehabilitation, to include mitigation and readiness to minimize damage in the most cost-effective manner. Priority is to reduce the administrative burden when accessing emergency funds. Continuous improvements are being made to ensure that municipalities have access to a variety of funding instruments for disasters.
 - Review of local government fiscal framework to examine how to appropriately finance local government, in relation to their function and form.
 - Reforms to revenue generating services, namely water, sanitation, electricity and refuse removal are underway.
 - A three-year wage agreement was reached, which exceeds the 2024 Budget and MTBPS projections.

The Minister also touched on Operation Vulindlela (OV), the same initiative through which various reforms are implemented. This initiative was also emphasized in the 2025 Budget Review and in the State of the Nation Address of the President. Operation Vulindlela was formed out of realization that economic growth and fiscal stability are mutually reinforcing. It was formed as a joint initiative between Treasury and the Presidency, to fast track the implementation of structural reforms. The main objectives were to stabilize the supply of electricity, create a competitive and efficient freight logistics system, reduce the cost and improve the quality of digital communication, ensure a stable, quality supply of water and reform the visa regime to facilitate skilled immigration and support tourism. Various achievements were highlighted by the Minister of Finance, made during phase 1 of OV and the real progress made in achieving the listed objectives. As outlined by the President in the State of the Nation Address, 2025 Budget Review and the 2025 Budget by the Finance Minister, phase 2 of Operation Vulindlela, the institutional structure of local government will be reviewed through the updating of the white paper of local government. Phase 2 of OV is set to focus on following through existing reforms in energy, water, logistics and visa systems; strengthening the local government and improving the delivery of basic services; harnessing digital public infrastructure as a driver of growth and inclusion; and creating efficient, productive and inclusive cities.

During his Budget speech, the Finance Minister wanted to remind the South African people that the government is making the most of its very limited resources and will continue to:

- Support economic growth;
- Reduce the growth of government debt and the cost of debt; and
- Allocate more funds for core services, provide for the social wage and preserve infrastructure budgets.

The 2025 Budget makes allocations towards infrastructure as well as crime and corruption, to ensure that public resources are used to lay the foundation for a more resilient economy. The budget presented by the Finance Minister reflects the collective efforts of the government to chart a path through difficult times to prosperity and represents a vision of the future and realistic assessment of the present.

The Western Cape Premier in his State of the Province address, on 26th February 2025,

highlighted/ looked back on the achievements and progress that were made over the past 5 years in the Western Cape, amidst having to confront, address and overcome major challenges such as funding shortfalls, water crisis, loadshedding & energy crisis, or a global pandemic. A year ago, the province battled some of the worst fires and worked together with Eskom to get the lights back on for over 40 000 residents in Central Karoo. Two years before this there was the COVID-19 pandemic and before that there was the water crisis. Each of these challenges forced the province to find suitable solutions, and because of that, today the following solutions and achievements can be celebrated namely, forging partnerships with municipalities and private sector to add 5 700 MW if affordable, reliable green energy to the grid by 2035; expanded the law enforcement efforts by deploying more officers and K-9 units to make the communities safer; and building new schools in less than 100 days.

The Premier also stated that the government's main focus is to ensure that regardless of whatever else is happening in the world, here in the Western Cape, the government will create space for diverse views to be shared and expressed and that the rule of law is adhered to. He encouraged citizens to speak up wherever there is injustice and to simultaneously focus on residents' critical needs such as safety, growing the economy, enabling jobs, and finding new and innovative ways for renewable energy.

The Premier, reiterated the following sentiments highlighted during the President's State of the Nation Address, including but not limited to, economic growth recovery initiatives, renewable energy initiatives, unemployment / job creation (especially youth interventions), sustainable infrastructure development, educational infrastructure, health infrastructure, provision of housing (dignified living), agriculture, crime and safety, as well as campaigns against gender-based violence and femicide. The Premier stated that even though we have achieved many milestones and have found suitable solutions for some of the challenges, many challenges, including jumpstarting the economy and improving economic growth, will further intensify before the situation improves.

The State of the Province address focused, amongst others, on the following areas:

- Through partnerships with the GNU and initiatives like Operation Vulindlela (OV), the Province is working to remove barriers to investment, cut red tape and unlock the economic potential that enables businesses to grow and lead to increase in employment opportunities. One of the critical parts of the OV is to dramatically improve the performance of the Port of Cape Town (PoCT) and developing other ports in Saldanha and Mossel Bay.
- Facilitating the establishment of a task team comprising of multiple stakeholders, amongst them Wesgro and Transnet National Ports Authority, to develop solutions to operational challenges in and around the PoCT.
- Currently working with PRASA to support the ongoing restoration of rail transport.
- Assisting businesses to grow and through that growth create jobs. The province is focused, to over the next 5 years, help businesses drive economic growth. This commitment is encapsulated in the Provincial Strategic Plan 2025-2030.
- Main goal is to make the people less dependent on social grants and to empower and equip more people to be able to find a suitable job. Various job creation initiatives are implemented, among which is the Expanded Public Works Programme (EPWP), which provides for temporary employment opportunities.
- Agriculture

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- Investing in the youth through various youth interventions and job creation initiatives such as the Experiential Learning Programme, MOD Programme, Pay Programme, Masakh'iSizwe Bursary Programme, Chrysalis Academy (Legacy of Empowerment), amongst others.
 - Job creation through increase in Tourism. The Cape Town Air Access initiative is one project that showcase how long-term work pays off. This is an initiative between the government, Wesgro and Cape Town International Airport. Continuous building on the province's tourism successes, through introduction of the G4J Tourism Challenge Fund, which invests in the development of new tourism infrastructure and experiences to stimulate private sector investment.
 - Educating the future workforce. The efforts of the government to further improve the quality of the future workforce are being acknowledged. The World Bank's Education Sector analysis report, published September 2024, has singled out initiatives such as the #BackOnTrack and Rapid School Build Programmes as examples of the Western Cape Education Department's ability to be agile and creative in overcoming problems in the educational sector. Keeping up with the ever-growing education population through the Rapid School Build Programme (Education Infrastructure).
 - Feeding those in need through establishment of various initiatives such community nutritional and development centres across the province and the School Nutrition Programme (at schools). The Cabinet-level Committee on Food Security and Nutrition were established, through which resources are pulled from multiple departments to lead a coordinated effort to reduce food insecurity, improve nutrition and support families.
 - Establishing a partnership with the Health Foundation to implement the Cape Care Fund, which is an initiative that strengthen support for organisations, especially NGO's that provide essential care and assistance.
 - Protection of most vulnerable citizens through various campaigns and programmes. The Gender-Based Violence Ambassador Programme (GBV) has trained over 170 residents to raise awareness in their communities about gender-based violence.
 - Expansion of service footprint by taking services on the road. Three DSD mobile offices, first of its kind for Western Cape and South Africa, are travelling across the province, to bring services and dignity closer to the people.
 - Development of health care infrastructure through various projects and initiatives have been making some major strides. Prioritising of modernisation and accessibility for underserved communities is a focal point. These projects not only enhance service delivery but also exemplify what can be achieved when government, private sector and civil society work together in a partnership.
 - Infrastructure- led economic growth.
 - Creating jobs through infrastructure investments. All infrastructure projects in the Western Cape are stipulated in the Western Cape Infrastructure Framework 2025.
 - Maintenance of all road and road infrastructure. Ensuring that the roads are well-maintained and safe for all road users is critical.
 - Safety and Security initiatives are implemented to ensure the safety and security of all citizens of the province. A Memorandum of Understanding (MOU) were signed between Western Cape Government, City of Cape Town and national government, which ensures closer collaboration, better use of resources and a shared focus on data and evidence in policing. The MoU reflects the urgency that is needed to tackle existing and rising crime and to fight criminal syndicates. Various groups are included in the execution of the

MoU such as the Community Policing Forums, Neighbourhood Watch Groups, etc. The Law Enforcement Advancement Plan (LEAP) managed in partnership with City of Cape Town, is just one example of what can be achieved through cooperative governance between different spheres of government.

- Creation of employment through various initiatives. For the first half of 2024 the Western Cape's official unemployment rate was below 20% at 19.6 %. The Western Cape now leads all four employment metrics that Statistics South Africa measures on a quarterly basis. The "Getting You to Work" initiative or the Jobseekers Travel Voucher programme, is working to unlock the barriers to job seekers to get to their job interviews.
- Creation of employment through the Growth for Jobs (G4) Strategy. The Western Cape's official unemployment rate stands at 19.6 per cent in the 3rd quarter. This is the lowest unemployment rate in the country and substantially lower than any other provinces.
- Responding to climate crisis through various partnerships with citizens and NGO's with support from the Provincial Disaster Management Centre, establishment of the 15-year Integrated Drought and Water Response Plan.
- Steady investment in disaster management network, to respond to disaster speedily and professionally. Provision for emergencies by being committed to topping up the Asset Finance Reserve and Budget Facility for Infrastructure.
- Building water and energy security through various initiatives. A thriving job-rich economy needs reliable, affordable and renewable water and energy. The Energy Council were repurposed into the Integrated Energy and Water Council, who is laser focused on both water security and energy resilience. Implementation of the 15-year Western Cape Drought and Water Response Plan ensures that science and collaboration guide the government's approach; residents and businesses remain water-wise, even in non-drought years and investments in infrastructure protect water supply.
- Expanding energy resilience due to rapidly increasing electricity demands. The Energy Resilience Programme, launched two years ago, has already produced 2,000 MW of new energy development and has shown what can be achieved when you collaborate and focus on critical foundation of the economy.
- Recent loadshedding has proven that Eskom is still experiencing some serious challenges, and that's why the Western Cape is forging ahead with the initiatives for energy generation and embracing renewable energy. Western Cape still aims to become the first loadshedding free province by making the Western Cape energy resilient by embarking on various initiatives and partnerships.
- Embarking on the digital age by taking digital services to far-flung areas. Example of this is the first mobile eCentre in George. This is a state of the art facility, that allows residents to engage directly with government officials and municipalities.
- Providing support to small businesses through the SMME Booster Fund where small businesses are able to grow and create new employment opportunities. This fund has enabled 1 185 small businesses, created over 1 000 jobs and sustaining 5 000 more.
- Investing vast sums of resources into providing dignified, safe places of teaching and learning for our children.
- The Mobility Department which drives the efforts of the province to make the roads and public transport nodes safe and efficient for the residents.
- Ensuring the citizens basic needs are protected.

- Promoting and encouraging good clean ethical governance which is a building block for economic growth and job creation.
- Coalitions of corruption.
- Improved service delivery capabilities through various innovative advancements, proving that a data-based, evidence-led approach taken by policing, healthcare, education (proof that reliance on data, evidence and technology) are working, streamlining services and better utilisation of resources to the benefit of the people.

The Premier reaffirmed the Western Cape government's aim to create certainty, build hope, bolster collective resilience and effect change for the residents. Provincial treasury reiterated most of the challenges and focus areas highlighted in the Premier's State of the Province address, the SONA and the 2025 Budget Review.

The weak economic growth continues to impact municipal finances, and this has strained consumers' ability to pay for services. Coupled with this is the marginal growth in national transfers compared to previous financial years. These two critical factors necessitate municipalities to function optimally, suggesting that municipal operations, processes and procedures must be efficient. Therefore, municipalities must maximize their revenue generating potential and collect what is due to them and at the same time eliminate wasteful and non-core spending.

National Treasury encourages municipalities to maintain tariff increases and adopt a tariff setting methodology at levels that reflects an appropriate balance between the affordability to poorer households and other customers, while ensuring the financial sustainability of the municipality. The Consumer Price Index (CPI) inflation is forecasted to be 4.4 per cent, thus municipalities are required to justify all increases more than the projected inflation target for 2025/2026. Municipalities must ensure that their budgets are funded from realistically anticipated revenues. This means that the municipality must refrain from assuming collection rates that are unrealistic and unattainable.

The setting of cost-reflective tariffs is a requirement of Section 74(2) of the Municipal Systems Act, which is meant to ensure that municipalities set tariffs that enable them to recover the full cost of rendering the service. This forms the basis of compiling a credible budget. The municipalities must therefore generate sufficient revenue to fully recover their costs, deliver services to customers sustainably and invest in the infrastructure that promises local economic development.

The municipality's revenue is determined by setting a package of tariffs that is not only considered to be affordable to its ratepayers and the users of its services but deemed to be at fair and realistic levels. It is important that municipalities periodically conduct cost of supply studies in the provision of each basic service.

Tariff increases by Eskom and Water Boards are above inflation and should be considered as such while determining cost reflective tariffs. In the instance of bulk tariff increases for electricity, municipalities are encouraged to apply for electricity tariff increases that reflect the total cost of providing the service, to ensure that they are working towards achieving fully cost-reflective tariffs that will assist them to achieve financial sustainability. Municipalities should consider the following facts during the tariff setting process, namely, the costs of bulk purchases and the fluctuation in the seasonal cost thereof; the consumption patterns to enable better demand planning and management; and in the event that municipalities have been under recovering costs, embark on a process to correct their tariff structures over a reasonable time period so that cost reflective tariffs are achieved, which in turn will result in financial sustainability.

Local government confronts tough fiscal choices in the face of financial and institutional problems that result in service-delivery breakdowns and unpaid bills. Municipalities can offset these trends by improving their own revenue collections, working more efficiently and implementing cost-containment measures. In order to maintain a funded budget, municipalities need to not only focus on tariff increases but also focus on how to eliminate expenditure that is unnecessary. The Cost Containment Regulations were issued on 07 June 2019, as well as the municipality's Cost Containment Policy is embedded in the municipality's operations that assists in driving down costs, ensuring that value for money is achieved, and resources of the municipality are used effectively, efficiently and economically.

Municipalities are required to consider the following during the compilation of the 2025/2026 MTREF budgets:

- Improving the effectiveness of revenue management processes and procedures;
- Cost containment measures to, amongst other things, control unnecessary spending on nice-to-have items and non-essential activities as highlighted in the Municipal Cost Containment Regulation read with MFMA Circular No.82;
- Ensuring value for money through the procurement process;
- The affordability of providing free basic services to all households;
- Not taking on unfunded mandates;
- Strictly control the use of costly water tankers and fix the water infrastructure to enable the sustainable provision of water;
- Prioritize the filling of critical vacant posts, especially linked to the delivery of basic services; and
- Curbing consumption of water and electricity by the indigents to ensure that they do not exceed their allocation.

The aforementioned were taken into account during the compilation of the municipality's budget.

The application of sound financial management principles for the compilation of the Stellenbosch municipality's long term financial plan is essential and critical to ensure that the municipality remains financially viable and that municipal services are provided sustainably, economically and equitably to all communities. The municipality's business and service delivery priorities were reviewed as part of this year's planning, through the Integrated Development Plan (IDP), and the annual budget process.

Funds were shifted from low to high priority programmes so as to maintain sound financial stewardship. A critical review was also undertaken on non-core and 'nice to have' items with regards to expenditure. The municipality has embarked on developing a revenue enhancement strategy to optimize revenue, including the collection of debt owed by consumers. Furthermore, the municipality has undertaken various customer care initiatives to ensure that the municipality truly involves all citizens in the process of ensuring a people lead government.

The main challenges experienced during the compilation of the 2025/2026 MTREF can be summarized as follows:

- The on-going difficulties in the national and local economy;
- Electricity crises / Load shedding;
- Aging infrastructure;
- The need to reprioritise projects and expenditure within the existing resource envelope;
- The increased cost of bulk electricity and procuring water inventory, which is placing upward pressure on service tariffs to residents. Continuous high tariff

increases are not sustainable - as there will be point where services will no-longer be affordable;

- Attracting economic investment;
- Water Conservation;
- Reductions in allocations of some of the National and Provincial grants due to the fiscal outlook;
- Limited resources to deal with all key priorities;
- Decline in reserves available to fund capital programmes.

The following budget principles and guidelines directly informed the compilation of the 2025/2026 MTREF:

- Integrated Development Plan was used to inform the measurable objectives, targets and backlog eradication goals;
- Tariff and property rate increases should be affordable. However, tariffs need to remain or move towards being cost reflective, and should take into account the need to address infrastructure backlogs;
- National, provincial and local priorities;
- Headline inflation forecasts; and
- Funding choices and modelling.

The Integrated Development Plan (IDP) was used as a guiding strategic document to inform the budget compilation. The challenge however is still to deliver services more efficiently and effectively with a tight financial envelope.

Stellenbosch municipality's revenue strategy was based on the following fundamentals, namely, tariff policies of the municipality, economic outlook and development for Stellenbosch and surrounding areas, National Treasury's guidelines and macroeconomic policy, National, Provincial and Regional fiscal growth rates and electricity tariffs as approved by National Electricity Regulator of South Africa (NERSA).

The financial resources to fund the Operational Budget will and must consist of realistically anticipated revenue generated from property taxes, service charges and other income.

The municipality were mindful of the estimated headline inflation for 2025/2026 of 4.40% forming the basis of the extensive income modelling exercise but also taking into account the principles of economic services that are cost reflective, trading services generating surpluses, the effect of escalating salary costs and bulk purchases. Inflation is forecast to fluctuate around 4.4% to 2.5% over the medium term in line with moderating inflation expectations.

The national budget focuses on fiscal consolidation. This means that we as municipalities must ensure that we do not borrow beyond our ability to repay and we do not spend money we do not have, until we ignite growth and generate revenue, we have to be tough on ourselves.

The total budget quantum for the 2025/2026 year is R3 367 060 129 of which R2 713 027 866 (81%), is allocated to the operating budget and R654 032 263 (19%) to capital investment.

Budget documentation in line with the budget and reporting regulations is attached as **APPENDIX 1 – PART 1**. The report serves as an overview of the budget as a whole, budget assumptions used to compile the budget, funding sources used to fund the capital budget, different income categories to fund priorities of the municipalities, as well as the different expenditure items, including non-cash items.

DRAFT CAPITAL BUDGET 2025/2026 – 2027/2028

The draft capital budget is infrastructure orientated and addresses the huge backlog and urgent need to upgrade/refurbish Council's infrastructure as addressed by the different master plans. It is directed by the IDP (Integrated Development Plan) and the needs of the community.

It's also aligned to the strategic priority in the State of the Nation Address of Infrastructure investment and the "back to basics" approach. Council's attention is however drawn to the fact that not all needs identified by the community can realistically be funded by the municipality. Critical and committed programmes/projects were the focal point for the capital budget.

The main capital projects that the municipality will be investing in, include:

• Adam Tas Corridor Precinct 10
• Electricity Network: Pniel
• Energy Efficiency and Demand Side Management
• Network Cable Replace 11 Kv
• System Control Centre & Upgrade Telemetry
• Bird Street Dualling - Adam Tas to Kayamandi
• Major Drop-Offs: Construction - Franschoek
• Refurbish Plant & Equipment - Raithby WWTW
• Erf 7001 Cloetesville (380) FLISP
• Jamestown: Housing
• La Motte Old Forest Station (±430 services & ±430 units)
• Rehabilitation of Langrug Dam and Engineering Services
• Bien don 66/11kV substation new
• Cable replacement 66kV
• Electrification
• Kayamandi new substation 11 kV switching station
• Third transformer and associated works 20MVA Cloetesville
• Upgrade transformers at Main substation 7.5MVA to 20MVA
• Switchgear Substation University
• Kayamandi: Zone O (±711 services)
• Adhoc Reconstruction Of Roads (WC024)
• Languedoc Access road and Bridge
• Reseal Roads - Stellenbosch & Surrounding
• Jamestown Transport Network - School Street
• Main Road Intersection Improvements: Strand / Adam Tas / Alexander
• Expansion of the landfill site (New cells)
• Extension Of WWTW: Stellenbosch
• Sewerpipe Replacement
• Upgrade of IdasValley WTP
• Upgrade of WWTW Wemmershoek
• Upgrade of WWTW: Klappmuts
• Bulk Water Supply Pipe and Reservoir: Stellenbosch
• Bulk Water Supply Pipe Line & Pumpstations: Franschoek
• Bulk Water Supply Pipe: Cloetesville/ Idas Valley
• New Reservoir & Pipeline: Vlottenburg
• Waterpipe Replacement

The detailed draft capital budgets for 2025/2026, 2026/2027 and 2027/2028 are attached as **APPENDIX 1**.

DRAFT OPERATING BUDGET 2025/2026 – 2027/2028

The basis of the operating budget is aligned to the principle of total potential income from all our services as well as a projection of total direct income. The extent, to which tariffs and levies are proposed to increase, is in the main influenced by:

- The increase in bulk purchases (electricity)
- Employee related costs, as per SALGBC wage agreement
- Councillor remuneration, as per SALGA upper limits
- Service delivery challenges
- Repairs and maintenance
- Operational projects impacting job creation and economic development
- Contractual commitments
- Day to day operational costs (fuel & oil, telephones, bank costs, etc)
- Finance costs, influenced by level of borrowing

Taking all of these issues into consideration and to ensure the sustainability of our operations from realistically anticipated income flows, the following tariff and property tax increases are proposed for 2025/2026:

Electricity	9.95%
Sanitation	6.00%
Refuse removal	6.90%
Water	6.00%
Rates	-18.36%

The proposed electricity tariffs are subject to change based on the final findings and recommendation of the cost of supply study. The proposed electricity charges and tariff structure is subject to National Electricity Regulator of South Africa (NERSA) approval.

The impact of the proposed tariff increases on the monthly services account for the various consumer categories is summarized in **APPENDIX 2**.

HIGH LEVEL CAPITAL AND OPERATING BUDGET FOR 2025/2026 – 2027/2028

The draft high level budget depicting the total budget is attached as **APPENDIX 1 – PART 1 – SECTION C**.

TARIFFS

Council's attention is further drawn to the fact that the Tariff List attached as **APPENDIX 3** includes Sundry Tariffs as a basket of services and charges, i.e. Land Use Management Fees, Development contributions, Technical Charges, etc. In this regard, the proposed tariff list must be consulted for the detail.

BUDGET RELATED POLICIES & BY-LAWS

A summary of changes to budget related policies is attached as **Appendix 4**

The following budget related policies is new:

Insurance Policy (**Appendix 5**)

The following budget related policies and by-laws were revised:

Rates Policy (**Appendix 6**)

Indigent Policy (**Appendix 7**)

Credit Control and Debt Collection Policy (**Appendix 8**)

Irrecoverable Debt Policy (**Appendix 9**)

Tariff Policy (**Appendix 10**)

Special Ratings Area Policy (**Appendix 11**)

Credit Control and Debt Collection By-law (**Appendix 12**)

Special Ratings Area By-law (**Appendix 13**)

Rates By-law (**Appendix 14**)

Development Charges Policy (**Appendix 15**)

Wayleave Policy (**Appendix 16**)

Cash Management and Investment Policy (**Appendix 17**)

Accounting Policy (**Appendix 18**)

Asset Management Policy (**Appendix 19**)

Pool Vehicle Policy (**Appendix 20**)

Supply Chain Management Policy (**Appendix 21**)

Travel and Subsistancy Policy (**Appendix 22**)

Grants-In-Aid Policy (**Appendix 23**)

Ward Allocation Policy (**Appendix 24**)

Ward Committee Policy (**Appendix 25**)

Cost Containment Policy (**Appendix 26**)

The following budget related policies and by-laws were unchanged:

Petty Cash Policy (**Appendix 27**)

Infrastructure Unbundling of Assets (**Appendix 28**)

Borrowing, Funds and Reserves Policy (**Appendix 29**)

Budget Implementation and Monitoring Policy (**Appendix 30**)

Virementation Policy (**Appendix 31**)

Liquidity Policy (**Appendix 32**)

Preferential Procurement Policy (**Appendix 33**)

Inventory Management Policy (**Appendix 34**)

Financing of External Bodies performing municipal functions Policy (**Appendix 35**)

Tariff By-law (**Appendix 36**)

OTHER SUPPORTING DOCUMENTATION

The additional information as prescribed by the budget and reporting regulations are attached as **APPENDIX 1 – PART 2 – SECTION P**.

5.3 Financial Implications

Financial impact already discussed above.

5.4 External Loan for 2025/2026

That Council specifically note and consider the need to take up external loans to fund critically needed refurbishment of infrastructure to the amount of R475 million of which over the MTREF R198 million will be required in year one, R199 million in year two and R78 million in year three (refer to Section G: High Level Budget Overview and Table A1 Budget Summary).

5.5 Legal Implications

The item at my disposal is compliant with the relevant legislative framework.

5.6 Staff Implications

None.

5.7 Previous / Relevant Council Resolutions:**5.8 Risk Implications**

None

6. Comments from Senior Management:**6.1 Director: Infrastructure Services**

Noted.

6.2 Director: Planning and Development Services

Noted.

6.3 Director: Community and Protection Services:

Noted.

6.4 Director: Corporate Services:

Noted.

6.5 Chief Financial Officer:

Noted.

6.6 Municipal Manager:

Noted.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2025-03-24: ITEM 6.4

- (a) that the Draft High Level Budget Summary, as set out in **APPENDIX 1 – PART 1 – SECTION C**; be approved for public release;
- (b) that the Draft Annual Budget Tables as prescribed by the Budgeting and Reporting Regulations, as set out in **APPENDIX 1 – PART 1 – SECTION D**, be approved for public release;
- (c) that the three-year Capital Budget for 2025/2026, 2026/2027 and 2027/2028, as set out in **APPENDIX 1 – PART 2 – SECTION N**, be approved for public release;
- (d) that the proposed draft rates on properties in WCO24, tariffs, tariff structures and service charges for water, electricity, refuse, sewage and other municipal services, as set out in **APPENDIX 3**, be approved for public release;
- (e) that the proposed amendments to existing budget related policies, other policies and by-laws as set out in **APPENDICES 4 - 36**, be approved for public release;
- (f) that Council specifically note and consider the need to take up an external loan, needed for investment in income generating infrastructure to the amount of R475 million of which R198 million will be required in year one, R199 million in year two and R78 million in year three (refer to Section G: High Level Budget Overview and Table A1 Budget Summary) and confirm approval of same;
- (g) that Council specifically take note of the fact that the proposed electricity charges and tariff structure is subject to NERSA approval that could change materially; and
- (h) that Council takes note of MFMA circulars 129 that was published to guide the MTREF for 2025/2026 to 2027/2028 as set out in APPENDICES 37.

KINDLY NOTE: THE APPENDICES WILL BE DISTRIBUTED UNDER SEPARATE COVER IN DUE COURSE

FOR FURTHER DETAILS CONTACT:

NAME	KEVIN CAROLUS
POSITION	DIRECTOR: FINANCIAL SERVICES
DIRECTORATE	FINANCIAL SERVICES
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REPORT DATE	18 March 2025

9.	ITEMS FOR NOTING
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9.1	REPORT/S BY THE EXECUTIVE MAYOR
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NONE

9.2	REPORT/S BY THE SPEAKER
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NONE

9.3	REPORT/S BY THE MUNICIPAL MANAGER [MS G METTLER]
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NONE

10.	CONSIDERATION OF ITEMS BY THE EXECUTIVE MAYOR: [ALD J FASSER]
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10.1	PROTECTION SERVICES: [PC: CLLR J WILLIAMS]
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NONE

10.2	SPORTS, YOUTH AND CULTURE: [PC: CLLR TO KUMM]
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NONE

10.3	CORPORATE SERVICES: (PC: CLLR L NKAMISA)
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10.3.1	REVIEW OF STELLENBOSCH MUNICIPAL HONOURS BY-LAW
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Collaborator No:

IDP KPA Ref No: Good Governance

Meeting Date: 24 March 2025 and 31 March 2025

1. SUBJECT: REVIEW OF STELLENBOSCH MUNICIPAL HONOURS BY-LAW

2. PURPOSE

To review the Stellenbosch Municipal Honours By-Law of 2002 and make a recommendation to Council.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

The Stellenbosch Municipal Council in 2002 promulgated The Municipal Honours and Medals By-Law in terms of which Council can recognise and consider persons for exceptional achievements or rendering of exceptional; meritorious service on the interest of the municipality attached as **APPENDIX 1**. The by-law is twenty years old and needs to be revised. A draft By-law was placed on the agenda of the Corporate Services Section 80 Committee on 1 August 2023 on request of the Executive Mayor. The Draft Revised By-law was discussed by the Committee and the Speaker who was invited to the meeting. The committee requested the Chairperson and the Director: Corporate Services to discuss some aspects with the Speaker. The discussion took place and the final draft served before the Mayoral committee in September 2023. It was referred back for more inputs. The item served before Mayco in November 2024 and referred to Council. The item was removed by the Speaker and referred back for consultation with the Speaker and the Council Whip. A meeting took place in February 2024 between Cllr Lwando Nkamisa, Speaker, Cllr Quintin Smit and the Council Whip, Cllr Patricia Crawley. The Personal Assistant of the Speaker and the Director: Corporate Services was also present to deal with the administration.

Further changes were made to the revised draft. The new draft is attached as **APPENDIX 2** for consideration.

5. RECOMMENDATIONS

- (a) that the amendments marked in red be noted;
- (b) that Council approves the revised Stellenbosch Municipal Honours By-law for public participation; and
- (c) that the item be returned to Council to consider any inputs received during the public participation process.

6. DISCUSSION / CONTENTS

6.1 Discussion

The Stellenbosch Municipal Council in 2002 promulgated The Municipal Honours and Medals By-Law in terms of which Council can recognise and consider persons for exceptional achievements or rendering of exceptional, meritorious service on the interest of the municipality. The By-law is twenty years old and needs to be revised.

Attached is a Draft By-law that on request of the Executive Mayor was placed before the Section 80 Committee. The Draft Revised By-law was discussed by the Committee and the Speaker who was invited to the meeting. The committee requested the Chairperson and the Director: Corporate Services to discuss some aspects with the Speaker. The discussion took place, and a draft served before Mayco in November 2024. The Speaker ruled that the item again be referred back for discussions. A meeting took place in February 2024 between Cllr Lwando Nkamisa, Speaker, Cllr Quintin Smit and the Council Whip, Cllr Patricia Crawley. The Personal Assistant of the Speaker and the Director: Corporate Services was also present to deal with the administration. Further changes were made to the Revised Draft. It is now brought back for consideration.

6.2 Financial Implications

The manufacturing of medals and hosting of ceremonial events must be funded through the approved budget annually.

6.3 Legal Implications

The content and recommendations comply with Council policies and legislation.

6.4 Staff Implications

No additional staff implications.

6.5 Previous / Relevant Council Resolutions.

Approval of the By-law in 2002

Recommendations by the Section 80 Corporate Services Committee to the Executive Mayor:

CORPORATE SERVICES COMMITTEE: 2023-08-01: ITEM 6.2**RESOLVED**

- (a) That 4) iv – vi to be removed.
- (b) That 4 iv) be replaced to read that a Councillor who served 3 full consecutive terms as a normal Councillor without appearing in front of a disciplinary hearing, be awarded 5 additional points.
- (c) That the word “Executive Mayor be removed from 4 iii) as the Executive Mayor is comprehensively covered in other provisions.

6.6 Risk Implications

The risks have been addressed in the item.

Recommendations by the Section 80 Corporate Services Committee to the Executive Mayor:

CORPORATE SERVICES COMMITTEE: 2023-08-01: ITEM 6.2**RESOLVED**

- (a) that 4) iv – vi to be removed.
- (b) that 4 iv) be replaced to read that a Councillor who served 3 full consecutive terms as a normal Councillor without appearing in front of a disciplinary hearing, be awarded 5 additional points.
- (c) that the words “Executive Mayor” be removed from 4 (iii) as the Executive Mayor is comprehensively covered in other provisions.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2025-03-24: ITEM 7.3.6

- (a) that 6 (4)(iv) – (vi) to be removed;
- (b) that 6 (4) (iv) be replaced to read that a Councillor who served 3 full consecutive terms as a normal Councillor without appearing in front of a disciplinary hearing, be awarded 5 additional points; and
- (c) that the words “Executive Mayor” be removed from 6 (4)(iii) as the Executive Mayor is comprehensively covered in other provisions.

ANNEXURES:

Appendix 1 : Honours By-law 2002

Appendix 2 : Final Draft Reviewed Honours By-law 2024

NAME	<i>Annalene de Beer</i>
POSITION	<i>Director</i>
DIRECTORATE	<i>Corporate Services</i>
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REPORT DATE	<i>17 March 2025</i>

APPENDIX 1

STELLENBOSCH MUNICIPAL HONOURS BY-LAW**BY-LAW**

To provide for Municipal honours, the conferral thereof, the amendment of conferral, of Municipal honours, and to provide for matters incidental thereto.

PREAMBLE

WHEREAS section 156(5) of the Constitution of the Republic of South Africa, Act No 108 of 1996, in general authorise a municipality to exercise any power concerning a matter reasonably necessary for, or incidental to, the effective performance of its functions;

WHEREAS section 186(9) and (10) of the Municipal Ordinance 1974 (No 20 of 1974), in particular, authorise a municipality to confer the freedom of the municipality on a person or to present a medal, memento, address or other commemorative token to persons;

WHEREAS section 156(2) of the Constitution of the Republic of South Africa authorise a municipality to make by-laws for the effective administration of the matters which it has the right to administer;

WHEREAS it is desirable to take into consideration and recognise persons for exceptional achievements or the rendering of exceptionally meritorious service in the interest of the municipality; and

WHEREAS this needs to be done in an orderly manner;

Be it, therefore, enacted by the Council of the Stellenbosch Municipality.

TABLE OF CONTENTS

1. Definitions
2. Municipal Honours
3. Conferral of Municipal Honours
4. Annulment of Conferral of Municipal Honours
5. Municipal Honours Advisory Panel
6. Criteria for the bestowing of Municipal Honours
7. Warrants
8. Short Title and Date of Commencement

1. DEFINITIONS

1. "*The Council*" means the political structure of Stellenbosch Municipality in terms of section (4) of the Establishment Notice (P.N. 489/2000) as contemplated in section 18 of the Municipal Structures Act.
2. "*Stellenbosch Municipality*" means the municipality established in terms of section (4) of the Establishment Notice (P.N. 489/2000).
3. "*Municipal Manager*" means the person that is the head of administration and also accounting officer for the municipality, appointed in terms of section 82 of the Municipal Structures Act, Act 117 of 1998.
4. "*Councilor*" means a member of the Municipal Council of Stellenbosch Municipality.
5. "*Municipality*" for the purposes of section 7 means:
 - (a) the Municipality of Stellenbosch established by Provincial Notice 489 of 2000 dated 22 September 2000;
 - (b) any municipality established under the provision of the Local Government Transition Act, 1993;
 - (c) any municipality established under the provisions of the Municipal Ordinance, 1974 or any previous ordinance providing for the establishment of a municipality;
 - (d) any council or committee established under the provisions of the Black Local Authorities Act, 1982;
 - (e) any management committee established under the provisions of Provincial Ordinance No 6 of 1963.
6. "*Employee*" means an employee of Stellenbosch Municipality and shall for the purposes of section 6(8) include commencement service at one of the following established municipalities:

Stellenbosch Municipality
 Franschhoek Municipality
 Pniel Local Council
 Boland District Municipality
 Winelands District Council
 Western Cape Metropool Council
 Stellenbosch Divisional Council.

2. MUNICIPAL HONOURS

2. (1) There are the following Municipal honours for Stellenbosch Municipality:
 - (a) freedom of the Municipality or freedom of the town of Stellenbosch, Franschhoek or Pniel;
 - (b) honorary citizenship of the Municipality of Stellenbosch;
 - (c) illuminated address of the Municipality or illuminated address of the town of Stellenbosch, Franschhoek or Pniel;
 - (d) Aldermanship certificate;
 - (e) a Council's commendation certificate;
 - (f) a Mayor's commendation certificate; and
 - (g) certificate for long or outstanding service with the Council.
2. (2) There are the following medal for the Stellenbosch Municipality:
 - (a) the Simonsberg medal (gold) for exceptional achievement or for performing an act of bravery within the Municipal area of Stellenbosch;
2. (3) The Mayor is the patron of the Municipal honours as described in section (1) and (2).

3. CONFERRAL OF MUNICIPAL HONOURS

3. (1) The Mayor, after of approval of Council may confer municipal honours on any person and may make a posthumous conferral of a municipal honour.

4. ANNULMENT OF CONFERRAL OF MUNICIPAL HONOURS AND MEDALS

4. (1) The Mayor, after approval of Council may annul the conferral of a Municipal honour if the holder of the honour has performed any action or has behaved in a manner which harmed the interest of the Municipality of Stellenbosch, or otherwise has become unworthy of the Municipal honour concerned.
4. (2) The Mayor shall, in annulling the conferral of a Municipal honour in terms of subsection (1), do so in accordance with the advice of the panel referred to in section 5.

5. MUNICIPAL HONOURS ADVISORY PANEL

5. (1) The Mayor must obtain advise on the conferral, annulment or restoration of Municipal honours from an advisory panel, consisting of:
 - (a) a maximum of five (5) councillors, broadly representative of the council, appointed by council; and
 - (b) a maximum of five (5) people, highly respected by and who are broadly representative of the people of Stellenbosch Municipality, appointed by Council, if Council so wishes.
5. (2) The advisory panel shall meet at the request of the Mayor.

6. CRITERIA FOR THE BESTOWING OF MUNICIPAL HONOURS

6. (1) The freedom of the Municipality or the freedom of the town of Stellenbosch, Franschhoek or Pniel will be conferred:
 - (a) a non-resident person or organisation, when such a person or organisation is worthy of such an honour in the opinion of Council;
 - (b) if approved by Council by way of a broad consensus. The freedom of the Municipality or of a town shall not be conferred on an active politician.
6. (2) Honorary citizenship of the Municipality of Stellenbosch will be conferred:
 - (a) on a person of national and/or international stature residing in Stellenbosch Municipality for a period of at least 25 years, when such person is worthy of such an honour in the opinion of Council;
 - (b) on such a person if unanimously approved by Council at a Special Council Meeting. Alternatively when approved by Council by way of a broad consensus.
 - (c) Honorary citizenship will not be conferred on an active politician.
6. (3) An illuminated address of the municipality or an illuminated address of the town of Stellenbosch, Franschhoek or Pniel will be conferred:
 - (a) on a person when such person is worthy of such an honour in the opinion of Council;
 - (b) if approved by Council by a two-thirds majority vote;
6. (4) Aldermanship will be conferred on a serving Councillor of Stellenbosch Municipality:
 - (a) who has served on one or more municipalities within the Republic of South Africa for a total period of 20 years. Such terms of office need not be consecutive;

- (b) upon the assumption of the office of Mayor. This criterium does not apply to acting Mayors or acting chairperson of Council. Such title shall be removed if such Councillor does not serve the Council for a full term of office as Mayor;
- (c) who obtains the minimum of 20 points on the following scale:
 - (i) one point for each completed year served as a Councillor on any municipality; plus
 - (ii) one additional point for each completed year service as a member of the executive of any municipality or as chairperson of a standing committee or portfolio committee of such municipality; plus
 - (iii) one additional point for each completed year service as a deputy mayor of a municipality; plus
 - (iv) two additional points for each completed year served as a mayor or chairperson of any municipality; plus
 - (v) two additional points for each completed year served as a member of the executive committee or chairperson of a standing committee of the Stellenbosch Municipality subsequent to 5 December 2000; plus
 - (vi) three additional points for each completed year served as deputy mayor or speaker of the Stellenbosch Council.
- 6. (5) Any current serving Councillor who is of the view that he/she qualifies for Aldermanship, should notify the Municipal Manager in writing, together with the necessary details to the satisfaction of the Municipal Manager. The Municipal Manager shall make a recommendation to Council, after having considered all the relevant details. The Municipal Manager shall for the purpose of this by-law create an appropriate database of all current serving councillors of the Council of Stellenbosch as from 5 December 2000.
- 6. (6) The Council's recommendation certificate will be conferred;
 - (a) a resident of Stellenbosch Municipality when such person is worthy of such an honour in the opinion of Council;
 - (b) if approved by Council;
- 6. (7) The Mayor's recommendation certificate will be conferred on:
 - (a) a resident of Stellenbosch Municipality; and
 - (b) in the sole discretion of the Mayor.
- 6. (8) A certificate for long outstanding service with the Council will be conferred on an employee:
 - (a) who has served the municipality for a period of 25 years, on condition that such an employee has not been found guilty of misconduct for a period of 10 years prior to his/her 35th year of service.
- 6. (9) A medal will be conferred on a resident of Stellenbosch Municipality when:
 - (a) such person is worthy of such an honour in the opinion of Council; and
 - (b) if approved by Council by way of a broad consensus.

7. WARRANTS

The Mayor together with the other members of Council may, by special Council decision and after publication thereof in the Provincial Gazette, issue warrants for the better carrying out of the objects of this by-law and in particular, but without prejudice to the generality of the foregoing, relating to:

- (a) the keeping and administering of the Municipal honours referred to in section 1;
- (b) the keeping of a register of Municipal honours conferred;
- (c) the replacement of lost or stolen Municipal honours and the charges, therefor;
- (d) the publication of an annual Municipal honours list;
- (e) the wearing of Municipal medals;
- (f) benefits and privileges of Alderman;
- (g) rules regarding the annulment and restoration of provincial honours;
- (h) the issuing of accompanying certificates;
- (i) the lay-out/description of Municipal honours/medals; and
- (j) the protocol regarding the handing over of Municipal honours.

8. SHORT TITLE

This by-law is called the Stellenbosch Municipal Honours By-law and takes effect on date of publication thereof.

APPENDIX 2



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

**STELLENBOSCH MUNICIPALITY
MUNICIPAL HONOURS BY-LAW**

PREAMBLE

To provide for Municipal honours, the conferral thereof, the amendment of conferral, of Municipal honours, and to provide for matters incidental thereto

WHEREAS section 156(5) of the Constitution of the Republic of South Africa, Act No 108 of 1996, in general authorise a municipality to exercise any power concerning a matter reasonably necessary for, or incidental to, the effective performance of its functions;

AND WHEREAS section 156(2) of the Constitution of the Republic of South Africa authorise a municipality to make by-laws for the effective administration of the matters which it has the right to administer;

AND WHEREAS it is desirable to take into consideration and recognise persons for exceptional achievements or the rendering of exceptionally meritorious service in the interest of the municipality; and

AND WHEREAS this needs to be done in an orderly manner;

THEREFORE, enacted by the Council of the Stellenbosch Municipality.

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1. DEFINITIONS

1. *"The Council" means the political structure of Stellenbosch Municipality in terms of section (4) of the Establishment Notice (P.N. 489/2000) as contemplated in section 18 of the Municipal Structures Act.*
2. *"Stellenbosch Municipality" means the municipality established in terms of section (4) of the Establishment Notice (P.N. 489/2000).*
3. *"Municipal Manager" means the person that is the head of administration and also accounting officer for the municipality, appointed in terms of section 82 of the Municipal Structures Act, Act 117 of 1998.*
4. *"Councilor" means a member of the Municipal Council of Stellenbosch Municipality.*
5. *"Municipality" for the purposes of section 7 means:*
 - (a) *the Municipality of Stellenbosch established by Provincial Notice 489 of 2000 dated 22 September 2000 and amended by Provincial notice 118/2021 dated 15 October 2021;*
 - (b) *any municipality established under the provision of the Local Government Transition Act, 1993;*
 - (c) *any municipality established under the provisions of the Municipal Ordinance, 1974 or any previous ordinance providing for the establishment of a municipality;*
 - (d) *any council or committee established under the provisions of the Black Local Authorities Act, 1982;*
 - (e) *any management committee established under the provisions of Provincial Ordinance No 6 of 1963.*
6. *"Employee" means an employee of Stellenbosch Municipality and shall for the purposes of section 6(8) include commencement service at one of the following established municipalities:*

*Stellenbosch Municipality
 Franschhoek Municipality
 Pniel Local Council
 Boland District Municipality
 Winelands District Council
 Western Cape Metropool Council
 Stellenbosch Divisional Council.*
7. ***"Full term"*** *A full term constitutes the period between Local government Elections.*
8. ***"Structures Act"*** *means the Local Government Municipal Structures Act, Act 117 of 1998 as amended*

2. MUNICIPAL HONOURS

- (1) There are the following Municipal honours for Stellenbosch Municipality:
 - (a) freedom of the Municipality or freedom of the town of Stellenbosch, Franschhoek or Pniel;
 - (b) honorary citizenship of the Municipality of Stellenbosch;
 - (c) illuminated address of the Municipality or illuminated address of the town of Stellenbosch, Franschhoek or Pniel;
 - (d) Aldermanship certificate;
 - (e) a Council's commendation certificate;
 - (f) a Mayor's commendation certificate; and
 - (g) certificate for long or outstanding service with the Council.
- (2) There are the following medal for the Stellenbosch Municipality:

the Simonsberg medal (gold) for exceptional achievement or for performing an act of bravery within the Municipal area of Stellenbosch;
- (3) The Mayor is the patron of the Municipal honours as described in section (1) and (2).

3. CONFERRAL OF MUNICIPAL HONOURS

The Mayor, after of approval of Council may confer municipal honours on any person and may make a posthumous conferral of a municipal honour.

4. ANNULMENT OF CONFERRAL OF MUNICIPAL HONOURS AND MEDALS

- (1) The Mayor, after approval of Council may annul the conferral of a Municipal honour if the holder of the honour has performed any action or has behaved in a manner which harmed the interest of the Municipality of Stellenbosch, or otherwise has become unworthy of the Municipal honour concerned.
- (2) The Mayor shall, in annulling the conferral of a Municipal honour in terms of subsection (1), do so in accordance with the advice of the panel referred to in section 5.

5. MUNICIPAL HONOURS ADVISORY PANEL

- (1) The Mayor must obtain advise on the conferral, annulment or restoration of Municipal honours from an advisory panel, consisting of:
 - (a) a maximum of five (5) councillors, broadly representative of the council, appointed by council; and

(b) a maximum of five (5) people, highly respected by and who are broadly

representative of the people of Stellenbosch Municipality, appointed by Council, if Council so wishes.

(2) The advisory panel shall meet at the request of the Mayor.

6. CRITERIA FOR THE BESTOWING OF MUNICIPAL HONOURS

(1) The freedom of the Municipality or the freedom of the town of Stellenbosch, Franschhoek or Pniel will be conferred:

(a) a non-resident person or organisation, when such a person or organisation is worthy of such an honour in the opinion of Council;

(b) if approved by Council by way of a broad consensus. The freedom of the Municipality or of a town shall not be conferred on an active politician.

(2) Honorary citizenship of the Municipality of Stellenbosch will be conferred:

(a) on a person of national and/or international stature residing in Stellenbosch Municipality for a period of at least 25 years, when such person is worthy of such an honour in the opinion of Council;

(b) on such a person if unanimously approved by Council at a Special Council Meeting. Alternatively when approved by Council by way of a broad consensus.

(c) Honorary citizenship will not be conferred on an active politician.

(3) An illuminated address of the municipality or an illuminated address of the town of Stellenbosch, Franschhoek or Pniel will be conferred:

(a) on a person when such person is worthy of such an honour in the opinion of Council;

(b) if approved by Council by a two-thirds majority vote;

(4) Aldermanship will be conferred on a serving Councillor of Stellenbosch Municipality:

(a) who has served on one or more municipalities within the Republic of South Africa for a total period of 20 years. Such terms of office need not be consecutive;

(b) upon the assumption of the office of Executive Mayor. This criterium does not apply to acting Mayors or acting chairperson of Council. Such title shall be removed if such Councillor does not serve the Council for a full term of office as Executive Mayor;

(c) who obtains the minimum of 20 points on the following scale:

(i) one point for each completed year served as a Councillor on any municipality; plus

- (ii) one additional point for each completed year service as a member of the executive of any municipality ~~or as chairperson of a standing committee or portfolio committee of such municipality~~; plus
 - (iii) one additional point for each completed year service as an Executive Mayor, Deputy Mayor, Speaker or Council Whip of a municipality; ~~plus~~
 - iv) ~~a Councillor who served 3 full consecutive terms as a normal Councillor without appearing in front of a disciplinary hearing, be awarded 5 additional points.~~
 - (IV) ~~two additional points for each completed year served as a mayor or chairperson of any municipality; plus~~
 - (V) ~~two additional points for each completed year served as a member of the executive committee or chairperson of a standing committee of the Stellenbosch Municipality subsequent to 5 December 2000; plus~~
 - (IV) ~~three additional points for each completed year served as deputy mayor or speaker of the Stellenbosch Council.~~
- (5) Any current serving Councillor who is of the view that he/she qualifies for Aldermanship, should notify the Municipal Manager in writing, together with the necessary details to the satisfaction of the Municipal Manager. The Municipal Manager shall make a recommendation to Council, after having considered all the relevant detail. The Municipal Manager shall for the purpose of this by-law create an appropriate database of all current serving councillors of the Council of Stellenbosch as from 5 December 2000.
- (6) The Council's recommendation certificate will be conferred;
- (a) resident of Stellenbosch Municipality when such person is worthy of such an honour in the opinion of Council;
 - (b) if approved by Council;
- (7) The Mayor's recommendation certificate will be conferred on:
- (a) a resident of Stellenbosch Municipality; and
 - (b) in the sole discretion of the Executive Mayor.
- (8) A certificate for long outstanding service with the Council will be conferred on an employee:
- (a) who has served the municipality for a period of 25 years, on condition that such an employee has not been found guilty of misconduct for a period of 10 years prior to his/her 35th year of service.
- (9) A medal will be conferred on a resident of Stellenbosch Municipality when:
- (a) such person is worthy of such an honour in the opinion of Council; and
 - (b) if approved by Council by way of a broad consensus ~~when recognised as an Alderman/Alderwoman.~~

7.PROCLAMATION

The Mayor together with the other members of Council may, by special Council decision and after publication thereof in the Provincial Gazette, issue a proclamation for the better carrying out of the objects of this by-law and in particular, but without prejudice to the generality of the foregoing, relating to:

- (a) the keeping and administering of the Municipal honours referred to in section 1 ;
- (b) the keeping of a register of Municipal honours conferred;
- (c) the replacement of lost or stolen Municipal honours and the charges, therefor;
- (d) the publication of an annual Municipal honours list;
- (e) the wearing of Municipal medals;
- (f) benefits and privileges of Alderman;
- (g) rules regarding the annulment and restoration of provincial honours;
- (h) the issuing of accompanying certificates;
- (i) the lay-out/description of Municipal honours/medals; and
- (j) the protocol regarding the handing over of Municipal honours.

8.SHORT TITLE

This by-law is called the Stellenbosch Municipal Honours By-law and takes effect on date of publication thereof.

10.3.2	APPLICATION TO CONSENT TO TRANSFER FROM TRUST TO COMPANY: ERF 15794 STELLENBOSCH (TECHNOPARK)
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Collaborator No: 782245
 IDP KPA Ref No: Good Governance
 Meeting Date: 24 March 2025 and 31 March 2025

1. SUBJECT: APPLICATION TO CONSENT TO TRANSFER FROM TRUST TO COMPANY: ERF 15794 STELLENBOSCH (TECHNOPARK)

2. PURPOSE

For Council to consider the application from the registered owner of Erf 15794 Stellenbosch to consent to the transfer of the property from a trust to a private company.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

An application has been received from the Jan Jooste Familie Trust for Council to consent to the transfer of the property from a trust to a private company as the Municipality has a pre-emptive right to the property as registered in the Title Deed for Erf 15794 Stellenbosch, which is situated in Technopark. Erf 15794 is a consolidated property comprising of three erven namely 13430, 13425 and 13421. All three erven were initially bought from the Stellenbosch Municipality. Two of the erven are already developed and the third erf, being the largest portion still needs to be developed.

The largest component of the consolidated property is subject to a pre-emptive right in favour of the Municipality. In terms of the pre-emptive right the owner has to give the Municipality the option to purchase the property at a market related price in the event that the owner wants to sell the property. Although the purchaser is not of the intention to sell the property, he has to transfer the property from the Jan Jooste Familie Trust to a company, of whom the trust is the only shareholder. This transfer will require consent from the Municipality as the Municipality has a pre-emptive right to purchase the property at market value should the seller elect to sell the property.

The reason provided by the applicant for wanting to transfer the property from the trust to a private company is due to the fact that the applicant will need to get investors to develop the property, and this can't be done in a family trust. If the property is registered in the name of the company, then the applicant can sell shares in the company to the investors to provide finances to develop the property. The request is therefore that the Municipality should consent to the transfer of the property to the company and that the transfer will be done in terms of an Asset-for-Shares Exchange Agreement subject to the same pre-emptive condition as contained in the Certificate of Consolidated Title.

5. RECOMMENDATIONS

For consideration:

- (a) that Council considers the request from Jan Jooste Familie Trust to 1 Technopark (Pty) Ltd.
- (b) that Council concede to the request the same pre-emptive condition as contained in the Certificate of Consolidated Title should be included the Assets-for-Shares Exchange Agreement between the Jan Jooste Familie Trust and Technopark (Pty) Ltd a signed copy of which is to be provided to the Property Management Department.

6. DISCUSSION / BACKGROUND**6.1 Background**

Erf 15794 is a consolidated property comprising of three erven namely 13430, 13425 and 13421. All three erven were initially bought from the Stellenbosch Municipality and the smaller two erven are already developed. The largest component of the consolidated property is subject to a pre-emptive right in favour of the Municipality. In terms of the pre-emptive right the owner has to give the Municipality the option to purchase the property at a market related price in the event that the owner wants to sell the property. A copy of the Certificate of Registered Title is attached hereto as **APPENDIX 2**. The relevant clause in the Certificate of Registered Title reads as follows:

“Die Koper of sy opvolger in regte is verplig om, indien hy van voornemens is om die vakante erf wat hierby verkoop word word of enige gedeelte daarvan te verkoop of van die hand te sit, die erf of sodanige gedeelte skriftelik aan die Munisipaliteit aan te bied en die Munisipaliteit sal daarop ‘n voorkoopsreg hê om sodanige erf of gedeelte teen die dan heersende markprys, met ‘n minimum van dieselfde prys as waarteen dit oorspronklik deur die Munisipaliteit verkoop is, terug te koop. Die markwaarde van die ers sal bepaal word deur twee onafhanklike waardeers op koste van die aansoeker. Hierdie aanbod sal vir ‘n tydperk van DRIE (3) maande vanaf ontvangs daarvan geldig bly en indien die Munisipaliteit sy voorkoopsreg uitoefen, moet die koper die grond sonder versuim aan die Munisipaliteit oordra, alle koste van sodanige oordrag van die grond aan die Munisipaliteit moet deur die eienaar betaal word.”

6.2 DISCUSSION

An application has been received from the Jan Jooste Familie Trust for Council to consent to the transfer of the property from a trust to a private company as the Municipality has a pre-emptive right to the property as registered in the Title Deed for Erf 15794 Stellenbosch, which is situated in Technopark. A copy of the letter received from Feenstra Inc, acting on behalf of the applicant is attached hereto as **APPENDIX 1**.

Although the purchaser is not of the intention to sell the property, he has to transfer the property from the Jan Jooste Familie Trust to a company, of whom the trust is the only shareholder. This transfer will require consent from the Municipality as the Municipality has a pre-emptive right to purchase the property at market value should the seller elect to sell the property.

The reason provided by the applicant for wanting to transfer the property from the trust to a private company is due to the fact that the applicant will need to get investors to develop the property and this can't be done in a family trust. If the property is registered in the name of the company, then the applicant can sell shares in the company to the investors to provide finances to develop the property. The request is therefore that the Municipality should consent to the transfer of the property to the company and that the transfer will be done in terms of an Asset-for-Shares Exchange Agreement subject to the same pre-emptive condition as contained in the Certificate of Consolidated Title.

6.2.1 Location and context

The property is located at the entrance of Technopark.



The ownership of the property vests with Jan Jooste Familie Trust as per the Certificate of Registered Title attached to the item.

There are no financial implications should Council decide to consent to the transfer from the trust to the company. Only if the pre-emptive right is exercised will Council need to consider the financial implications as the property will have to be purchased at a market related price and then a valuation will be needed.

6.4 Legal Implications

The legal implications are addressed in the item. It is important that the pre-emptive right is written into the agreement between the trust and the company and also registered in the new Title Deed.

6.5 Staff Implications

No additional staff implications.

6.6 Previous / Relevant Council Resolutions

None.

6.7 Risk Implications

Addressed by the content of the item.

6.8 Comments from Senior Management**6.8.1 Director: Infrastructure**

No objections to the application.

6.8.2 Director: Planning and Economic Development

Supports the recommendations. No further input.

6.8.3 Director: Community and Protection Services

No comments received.

6.8.4 CFO

No comments received.

6.8.5 Municipal Manager

Supports the recommendations.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2025-03-24: ITEM 7.3.1

- (a) that Council considers the request from Jan Jooste Familie Trust to 1 Technopark (Pty) Ltd; and
- (b) that Council concede to the request the same pre-emptive condition as contained in the Certificate of Consolidated Title should be included the Assets[1]for-Shares Exchange Agreement between the Jan Jooste Familie Trust and Technopark (Pty) Ltd a signed copy of which is to be provided to the Property Management Department.

- Appendix:**
- 1. Letter from Feenstra Inc
 - 2. Certificate of registered title

FOR FURTHER DETAILS CONTACT:

NAME	Annalene de Beer
POSITION	Director Corporate Services
DIRECTORATE	Corporate Services
CONTACT NUMBERS	021-8088073
E-MAIL ADDRESS	Annalene.debeer@ Stellenbosch.gov.za
REPORT DATE	2025-03-03

APPENDIX 1

The Director of Planning

Stellenbosch Municipality

Pleinstreet

Stellenbosch

Attention: Yolande van den Berg

E-pos: Yolande.vandenberg@stellenbosch.gov.za**FEENSTRA INC**

Prokureurs, Transportbesorgers, Notarisse en
Handelsmerk Prokureurs
Attorneys, Conveyancers, Notaries and Trademark
Attorneys

Tel: [REDACTED]
Email / Epos : [REDACTED]
VAT no / BTW Nr: [REDACTED]

Dear Ms van den Berg

26 February 2025

RE: JAN JOOSTE FAMILIE TRUST NO IT1086/94

1. We act for the Jan Jooste Familie Trust, the registered owner of Erf 15794 Stellenbosch measuring 1,8470 hectares in terms of Certificate of Consolidated Title T27511/2008. Attached hereto is a copy of the said Certificate together with the diagram LG. No 331/2008 of the consolidated property comprising of three erven namely Erven 13430, 13425 and 13421. All three erven were bought from the Municipality of Stellenbosch.
2. The largest component of the consolidated property [previously the remainder of Erf 13421 Stellenbosch (shown by the figures ABCDZYX on the said diagram)] is in terms of Condition III(c)(2) of the said Certificate of Consolidated Title T27511/2008 subject to a pre-emptive right in favour of the Municipality of Stellenbosch.
3. Although a portion of the consolidated property had been improved with an office building our client intends to expand the development on the remainder of the consolidated property. To enable my client to finance the development of the remainder of Erf 15794 Stellenbosch he needs investors to invest in the project.
4. The owner of the property being a trust is not suited for such investment. Our client had been advised that the property need to be transferred to a company in which the said trust owns all the issued shares. This will enable the Trust to sell the shares to potential investors to provide the finance to develop the remainder of the said property.



FEENSTRA INC

5. Consequently, the Stellenbosch Municipality is hereby requested to consent to the transfer of Erf 15794 Stellenbosch to a company namely 1 Technopark (Pty) Ltd registration number 2006/027547/07 in which the Jan Jooste Familie Trust holds all the issued shares. The company will take transfer of the property in terms of an Asset-for-Shares Exchange Agreement subject to the same condition III(c)(2) as contained in the said Certificate of Consolidated Title.

We look forward to hear from you as soon as possible.

Regards

RJ Feenstra

FEENSTRA INC



APPENDIX 2

SEËLREG DUTY	R.....
FOOI EEE	R. 95.00

12

Jan S de Villiers

Opgestel deur my

[Handwritten Signature]
AKTEBESORGER
FEENSTRA RJ

W.O.P

ARTIKEL 40 WET 47 VAN 1937 SECTION 45 ACT 47 OF 1937	
VERBIND MORTGAGED	
B 108063 / 2007	
VIR FOR R 10 500 000.00	
BC 030527/08	<i>[Handwritten Signature]</i> REGISTRATEUR/REGISTRAR
27 APR 2008	

T	000027511/2008
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SERTIFIKAAT VAN VERENIGDE TITEL

Uitgereik in terme van Artikel 40 van die Aktes Wet 1937, 1937

(No. 37/1937) soos gewysig

AANGESIEN

Die Trustees indertyd van
JAN JOOSTE FAMILIE TRUST
No. IT 1086/94

DATA / CAPTUR 24 APR 2008 MASIUT
--

aansoek gedoen het vir die uitreik van 'n Sertifikaat van Verenigde Titel
kragens Artikel 40 and die Aktes Wet, 1937 -

EN AANGESIEN

**Die Trustees indertyd van
JAN JOOSTE FAMILIE TRUST
No. IT 1086/94**

die geregistreerde eienaar is van

1. **RESTANT VAN ERF 13421 STELLENBOSCH**
in die Munisipaliteit en Afdeling van STELLENBOSCH
PROVINSIE WESKAAP
GEHOU KRAGTENS Transportakte Nr. T. 93403/2007
2. **ERF 13425 ('n gedeelte van Erf 13171) STELLENBOSCH**
in die Munisipaliteit en Afdeling van STELLENBOSCH
PROVINSIE WESKAAP
GEHOU KRAGTENS Transportakte Nr T 30663/1997
3. **ERF 13430 ('N GEDEELTE VAN Erf 13421) STELLENBOSCH**
in die Munisipaliteit en Afdeling van STELLENBOSCH
PROVINSIE WESKAAP
GEHOU KRAGTENS Transportakte Nr T 107979/1997

welke eiendomme gekonsolideer is en voortaan bekend sal wees soos
hieronder beskryf :

SO IS DIT dat ek, die Registrateur van Aktes, **KAAPSTAD** kragtens die
bepalings van voormelde Wet, hiermee sertifiseer dat die voornoemde :

**Die Trustees indertyd van
JAN JOOSTE FAMILIE TRUST
No. IT 1086/94**

en sy gemagtigdes en opvolgers in titel die geregistreerde eienaar is van:

ERF 15794 STELLENBOSCH
in die Munisipaliteit en Afdeling van STELLENBOSCH
PROVINSIE WESKAAP

GROOT: 1,8470 (EEN komma AGT VIER SEWE NUL)
Hektaar

SOOS MEER VOLLEDIG AANGETOON op Kaart LG No 331/2008

I. **WAT BETREF FIGUUR GEMERK xywFGH op Kaart LG No 4043/1997**

- A. **ONDERHEWIG** aan die voorwaardes waarna verwys word in Sertifikaat van Geregistreerde titel No. T.28901/1988.
- B. **ONDERHEWIG VERDER** soos genoem in die gemelde Grondbrief Stellenbosch Eiendomsbriewe Boekdeel 5 Nr 34 gedateer 20 September 1883, naamlik :-

"Subject to all such duties and regulations as are either already or shall in future be established with regard to such land."

II. **WAT BETREF DIE FIGUUR yzEw op Kaart LG No 8371/1996**

- A. **ONDERHEWIG** aan die voorwaardes waarna verwys word in Sertifikaat van Geregistreerde Titel No. T.28901/1988.
- B. **ONDERHEWIG VERDER** soos genoem in die gemelde Grondbrief Stellenbosch Eiendomsbriewe Boekdeel 5 Nr 34 gedateer 20 September 1883, naamlik .

"Subject to all such duties and regulations as are either already or shall in future be established with regard to such land"

III. **WAT BETREF DIE FIGUUR ABCDzyx op Kaart LG No 8728/1996**

- A. **ONDERHEWIG** aan die voorwaardes waarna verwys word in Sertifikaat van Geregistreerde Titel No. T.28901/1988.
- B. **VERDER ONDERHEWIG** soos genoem in die Grondbrief Stellenbosch Eiendomsbriewe Boekdeel 5 Nr 34 gedateer 20 September 1883, naamlik :-

"Subject to all such duties and regulations as are either already or shall in future be established with regard to such land."



C. **VERDER ONDERHEWIG** aan die voorwaardes soos opgelê in 'n koopkontrak aangegaan deur en tussen die MUNISIPALITEIT STELLENBOSCH en die JAN JOOSTE FAMILIE TRUST, No. IT1086/1994, op 23 Oktober 2006 en vervat in Transportakte Nr. T93403/2007 :-

1. Die Koper onderneem om die eiendom wat hiermee aangekoop word in terme van die huidige soneringsvoorwaardes en die konsep beplanning reeds voorgelê, aan te wend en dat die Koper en alle opvolgers in titel of huurders van geboue op die terrain aan die voorwaardes ten opsigte van hoëvlak tegnologiese ontwikkeling sal voldoen.
2. Die Koper of sy opvolgers in regte is verplig om, indien hy van voornemens is om die vakante erf wat hierby verkoop word of enige gedeelte daarvan te verkoop of van die hand te sê, die erf of sodanige gedeelte skriftelik aan die Munisipaliteit aan te bied en die Munisipaliteit sal daarop 'n voorkoopsreg hê om sodanige erf of gedeelte teen die dan heersende markprys, met 'n minimum van dieselfde prys as waarteen dit oorspronklik deur die Munisipaliteit verkoop is, terug te koop. Die markwaarde van die erf sal bepaal word deur twee onafhanklike waardeers op koste van die aansoeker. Hierdie aanbod sal vir 'n tydperk van DRIE (3) maande vanaf ontvangs daarvan geldig bly en indien die Munisipaliteit sy voorkoopsreg uitoefen, moet die Koper die grond sonder versuim aan die Munisipaliteit oordra, alle koste van sodanige oordrag van die grond aan die Munisipaliteit moet deur die eienaar betaal word.
3. Indien sodanige aanbod nie deur die Munisipaliteit aanvaar word nie, mag die eienaar die eiendom verkoop aan enige ander persoon op voorwaarde dat die Koper verplig is om die voorwaardes soos vervat in Klousules 5, 6, 7 en 8 van gemelde Koopkontrak hierbo na verwys *mutatis mutandis* van toepassing te maak op sy koper. Die partye hiertoe is dit eens dat die Munisipaliteit geregtig sal wees om die vereiste belastinguitlaring te weerhou indien die koopooreenkoms tussen die Verkoper en sy Koper nie die bostaande voorwaardes bevat nie en ook sal bepaal dat die eweneens van toepassing sal wees op enige en alle verdere herverkope.

EN DAT kragtens hierdie Sertifikaat genoemde

**Die Trustees indertyd van
JAN JOOSTE FAMILIE TRUST
No. IT 1086/94**

en diese gemagtigdes, nou en voortaan daartoe geregtig is ooreenkomstig
plaaslike gebruik, maar behoudens die regte van die Staat.

TEN BEWYSE waarvan ek, voornoemde Registrateur, hierdie akte
onderteken en met die ampseël bekragtig het.

ALDUS GEDOEN en **GETEKEN** op die Kantoor van die Registrateur van
Aktes te **KAAPSTAD** op hede die 22 April 2008.


REGISTRATEUR VAN AKTES



CERTIFIED COPY FOR REGISTRATION
FOR SURVEYOR-GENERAL
DATE 13 FEB 2008

12
JAN S DE VILLIERS

Komponente:

1. Die figuur xyWFGH stel voor Erf 13430 Stellenbosch.
Sien Diagram LG No. 4043/1997 T/A 1997- -107979
2. Die figuur yzEW stel voor Erf 13425 Stellenbosch.
Sien Diagram LG No. 8731/1996 T/A 1997- -30663
3. Die figuur ABCDzyx stel voor die Restant van Erf 13421 Stellenbosch.
Sien Diagram LG No. 8728/1996 T/A 1997- -107978

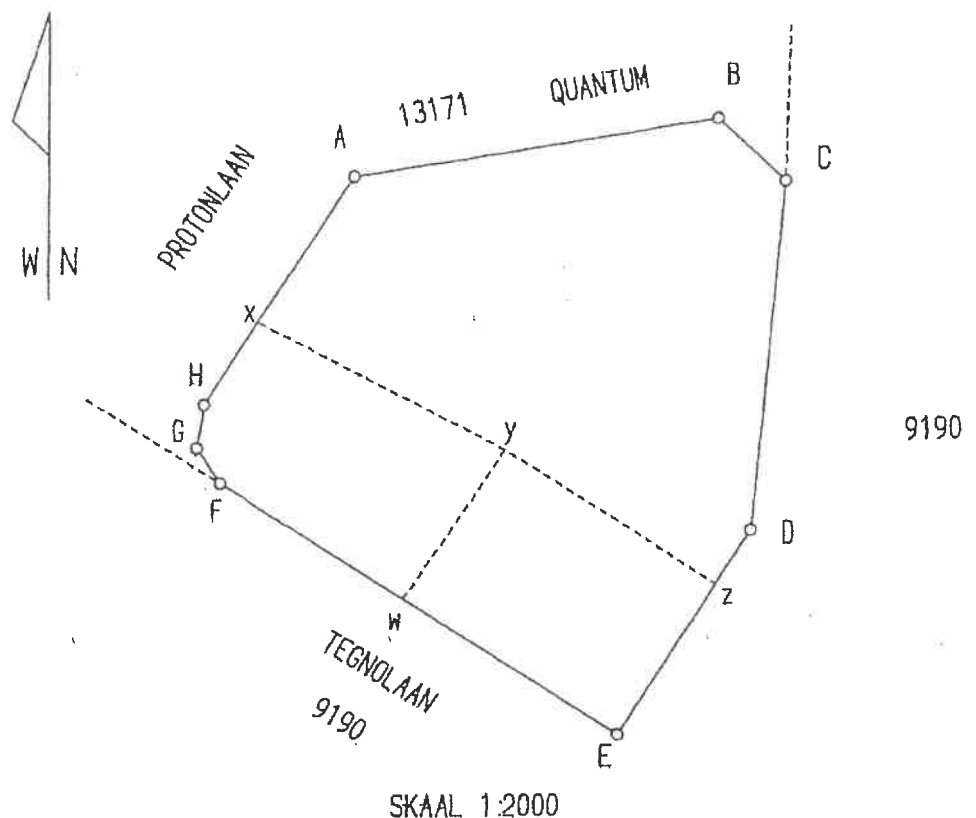
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Erf 15794 Stellenbosch en bevat 1., 2. en 3. soos hierbo aangehaal

Gelee in die Munisipaliteit en
Administratiewe Distrik Stellenbosch
Saamgestel in Jan. 2008

Provinsie Wes-Ka

deur my

N. Loubser
N. Loubser (PLS 0892) Pr. Landmeter

Hierdie kaart is geheg aan
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is soos hierbo aangehaal

Leer No. Stel. 377
MS No. Saamgestel
Komp. BHSZ- 31 (M3169)

LPI C0670022

Thage
Registrateur van Aktes

Erf 15794 Stellenbosch

10.3.3	PROPOSED RENEWAL OF EXISTING MEMORANDUM OF UNDERSTANDING FOR THE MUNICIPAL COURT OF STELLENBOSCH
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Collaborator No:

IDP KPA Ref No: Good Governance

Meeting Date: 24 March 2025 and 31 March 2025

1. SUBJECT: PROPOSED RENEWAL OF EXISTING MEMORANDUM OF UNDERSTANDING FOR THE MUNICIPAL COURT OF STELLENBOSCH**2. PURPOSE**

To obtain Council's approval for the proposed renewal of the Memorandum of Understanding for the Municipal Court (as *Additional* Court) in the jurisdictional area of Stellenbosch. (The Renewal of the Memorandum of Agreement with the Department of Justice).

3. DELEGATED AUTHORITY

For decision by Municipal Council.

4. EXECUTIVE SUMMARY

The priority setting for Local Government is to strive and achieve an acceptable quality of life for all the residents and visitors in its jurisdictional area. Local Government must monitor the role of law and sound order. In pursuing this primary goal, Local Government is also attempting to ensure safety, security and well-being of its residents. At the same time a climate for sustainable development and prosperity is created.

In terms of Section 152 of the Constitution, a Municipality has an obligation to promote a safe and healthy environment, and a Municipality must strive within its financial and administrative capacity to achieve this objective.

Based on this premise and the fact that the Stellenbosch courts could not deal with the case load Council, at its meeting on 2014-06-25 (Item 7.11), resolved that a Municipal Court for the Stellenbosch District be established, in order that through effective and efficient prosecuting of transgressors Municipal related offences like Traffic offences, By-Laws, national building regulations and others.

A 3-year contract was entered into with the Department of Justice. This agreement was renewed in 2019 and 2022. The agreement comes to an end on 30 June 2025 and the need still exists. Our Municipal Court has been doing sterling work.

The Department of Justice has not raised any issues with the performance of the additional court and we believe they will be willing to extending the memorandum of agreement (**attached as APPENDIX 1**) to continue the *Additional* (Municipal) Court dedicated to municipal transgressions in Stellenbosch area.

5. RECOMMENDATIONS

- (a) that the Memorandum of Agreement with the Department of Justice for the Municipal Court for the Stellenbosch District, be renewed for a 3-year term from 1 July 2025; and
- (b) that the Municipal Manager be delegated to sign all relevant documentation for the extension of the afore-said agreement.

6. DISCUSSION / CONTENTS**6.1 Background**

In terms of Section 165(3) of the Constitution of the Republic of South Africa, 1996 (The Constitution), judicial authority is vested in Courts. Organs of State, including the Municipality, must through legislative and other measures assist and protect Courts to ensure the independence, impartiality, dignity, accessibility and effectiveness of the Courts.

Traffic offences make up a huge number of cases on the court roles on a monthly basis. Construction of illegal buildings and other related offences in terms of the National Building regulations- and Building Standards Act, No. 103 of 1977, as well as the conflict with the Municipal Scheme Regulations and the Land Use Planning Ordinance, No. 15 of 1985 (Western Cape) can cause unsafe and unhealthy environments, if not effectively enforced and prosecuted.

Proper law enforcement pertaining to the contravention of all Municipal By-Laws is required on a daily basis to contribute to the safety to the community should such offences be effectively enforced and prosecuted.

National- and Provincial Government have an obligation in terms of the Constitution to support and strengthen the capacity of municipalities to manage their own affairs, to exercise their powers and to perform their functions.

Council, at its meeting on 2014-06-25 (Item 7.11), resolved that a Municipal Court for the Stellenbosch District be established, in order that through effective and efficient prosecuting of transgressors of Traffic offences, By-Laws, national building regulations and others, the Municipal Court can assist with the goal of empowering the greater Stellenbosch Community to prosper in a safe and healthy environment.

A further 3-year contract was entered into with the Department of Justice from 1 July 2019 and 2022. The agreement expires on 30 June 2025.

6.2 Discussion

The Court has been used over the past 6 years for municipal-related offences such as transgression of the National Road Traffic Act, No. 93 of 1996, National Building Regulations Standard Act, No. 103 of 1977, the Land Use Planning Ordinance and its Scheme Regulations, No. 15 of 1985, the Business Act, No 71. of 1991.

Due to the promulgation of new Municipal By-Laws there is more legislation to be enforced. This also increases the number of cases to appear in Court.

Where a traffic offender fails to appear in Court, an admin mark is put against the identification number of that person with the net result that, that person will not be able to renew his car or driver license, until the fine is paid. It must be noted this can only be done if a warrant of arrest was issued against that person. This places an even bigger demands on the current Court capacity.

BENEFITS OF A COURT DEDICATED TO MUNICIPAL MATTERS:

- Improved and effective action against offenders
- Legal costs saved as offenders are now criminally prosecuted
- Improved enforcement (of the code) of municipal By-Laws
- A more law-abiding society if they know that action is taken on offences

- More warrants of arrest, combined with the implementation of the NATIS BLOCK, will ensure more compliance on the roads with a change in driving behaviour, and therefore a safer road.
- The extension of the agreement for the operation of the Additional (Municipal) Court will be in the interest of the Stellenbosch Municipality.

OPERATIONAL MATTERS

The Stellenbosch Municipality is in a position to provide the necessary accommodation, equipment and infrastructure for an *Additional* Court dedicated to municipal affairs in Stellenbosch. The court operates from a Municipal Building. Court Cells have to be build there, but a rezoning process must be completed before it can be done.

The following personnel are currently employed at the court:

- 1 Magistrate (on Department of Justice payroll but funded by the Municipality)
- 1 Prosecutor (a four-year contract is offered to candidates in the process of appointment)
- 1 Court Manager (vacant)
- 3 Clerks of the Court
- 1 Clerk of Court/*Interpreter*

The staff is temporary employees linked to the term of the current agreement and those posts will be dealt with as soon as Council approves the extension of the MOU. The department has proposed that the post of the manager be scrapped, and the functions divided between the interpreter and the prosecutor.

COMMENTS FROM RELEVANT AUTHORITIES

The Department of Justice and Constitutional Development; the Director Public prosecutions; Senior Magistrate M.Pragg of Stellenbosch Magistrates' Court; Senior Prosecutor Juanita Williams of Stellenbosch Magistrates' Court as well as the Chief Magistrate Cape Town are all in support of the continuation of the Municipal Court.

6.3 Financial Implications

The operational costs for the court are budgeted on the operational budget.

6.4 Legal Implications

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

6.5 Staff Implications

Dealt with under 6.2 above.

6.6 Previous / Relevant Council Resolutions:

Council Resolution: 2014-06-25, Item 7.11

26TH COUNCIL MEETING: 2019-04-24: ITEM 8.2.7

RESOLVED (majority vote with abstentions)

- (b) that the Memorandum of Agreement with the Department of Justice for the Municipal Court for the Stellenbosch District, be renewed for a 3-year term from 1 July 2019; and

- (c) that the Municipal Manager be delegated to sign all relevant documentation for the extension of the afore-said agreement.

6.7 **Risk Implications**

If the MOU is not renewed Stellenbosch Municipality will go back to a situation where we have to compete with the other normal cases on the criminal court roll and prosecutors that are not dedicated to municipal cases.

6.8 **Comments from Senior Management:**

6.8.1 **Director: Community and Protection Services:**

Supports the continuation of a Municipal Court.

6.8.2 **Municipal Manager:**

Supports the recommendations

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2025-03-24: ITEM 7.3.4

- (a) that the Memorandum of Agreement with the Department of Justice for the Municipal Court for the Stellenbosch District, be renewed for a 3-year term from 1 July 2025; and
- (b) that the Municipal Manager be delegated to sign all relevant documentation for the extension of the afore-said agreement.

ANNEXURES

Appendix 1: Memorandum of Understanding between The Department Of Justice and Stellenbosch Municipality

FOR FURTHER DETAILS CONTACT:

NAME	Annalene de Beer
POSITION	<i>Director: Corporate Services</i>
DIRECTORATE	<i>Corporate Services</i>
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E-MAIL ADDRESS	<i>Annalene.deBeer@stellenbosch.org.za</i>
REPORT DATE	<i>17 March 2025</i>

APPENDIX 1

STELLENBOSCH MUNICIPAL COURT (ADDITIONAL COURT)

MEMORANDUM OF UNDERSTANDING

BETWEEN

THE DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT: WESTERN CAPE .

(Herein represented by the Regional Head, R. Isaacs)

&

THE STELLENBOSCH MUNICIPALITY

(Herein represented by the Municipal Manager, Ms G Mettler)

&

THE NATIONAL PROSECUTING AUTHORITY

(Herein represented by the Director of Public Prosecutions (DPP),)

&

THE LOWER COURT JUDICIARY

(Herein represented by the Chief Magistrate Cape Town, Magistrate, L.J Unuvar)

COLLECTIVELY REFERRED TO AS “STAKEHOLDERS”

PREAMBLE

WHEREAS the current infrastructure is either insufficient or overburdened to cope with all the matters on the Stellenbosch court roll, Additional Courts are established in order to improve access to Justice and compliance.

AND WHEREAS a Local Efficiency Enhancement Committee was established to oversee, manage and monitor the effective Implementation of case flow and where this Additional Court slots in;

AND WHEREAS the Chief Magistrate and the Stellenbosch Municipality have identified the need for the establishment of an Additional Court in their area of jurisdiction due to insufficient time allocation on the existing court roll for envisaged hearings from 30 June 2025 for a further period of 3 years.

AND WHEREAS the current agreement period of 3 years ends on 30 June 2025

AND WHEREAS the need still exists for the additional court

NOW THEREFORE the stakeholders involved wishes to extend the period of the Municipal Court as an additional court and wish to record the provisions of the Memorandum of Understanding as follows:

1. OBLIGATIONS OF STAKEHODLERS:**1.1 Department of Justice (DOJ) and Constitutional Development (CD)**

The Department of Justice and Constitutional Development (DOJ & CD) undertakes to:

- 1.1.1 Appoint a suitably qualified magistrate for the intended court as based on the prescribed legislative framework and regulations relating to accommodation and remuneration and benefits of magistrates;
- 1.1.2 Liaise with the Chief Magistrate, if necessary, to ensure that the appointment of an additional magistrate is routed to the delegated Executive Authority;
- 1.1.3 Participate in the appointment of suitably qualified administrative support staff for the intended court as prescribed by legislation relating to specific functions and duties if and when required;
- 1.1.4 Facilitate training and development of appointed court officials for the Additional Court;
- 1.1.5 Contribute towards the lay-out of the floor plan if and when required;
- 1.1.6 Liaise with the National Prosecuting Authority (NPA) and Municipality to ensure the availability and appointment of the prosecutor or additional prosecutor as and when required;
- 1.1.7 Provide a secretariat function for the Local Efficiency Enhancement Committee; and
- 1.1.8 Co-operate fully with the other stakeholders to attain the successful operation of the Additional Court at Stellenbosch.

1.2 National Prosecuting Authority (NPA)

The National Prosecuting Authority (NPA) undertakes to:

- 1.2.1 Participate in the appointment of a suitably qualified prosecutor or prosecutors for the intended Additional Court as prescribed by legislation relating to specific functions and duties as and when required;
- 1.2.2 Effectively prosecute matters on the additional court roll;
- 1.2.3 Ensure that the prosecutor is trained to prosecute matters on the court roll;
- 1.2.4 Ensure that the prosecutor is subjected to the directions and standards set by the Director of Public Prosecutions and answerable to the said Director or his/her representative;
- 1.2.5 Facilitate that the appointed prosecutors are issued with all the authorisations in terms of relevant legislation to perform the functions and execute their duties of a prosecutor;
- 1.2.6 Maintain accurate records (statistics) on the numbers of case prosecuted; and
- 1.2.7 Co-operate fully with the other stakeholders to attain the successful operation of the Additional Court at Stellenbosch.

1.3 Stellenbosch Municipality

The Stellenbosch Municipality undertakes to:

- 1.3.1 Appoint, manage and remunerate the prosecutors and support staff in consultation with the Director of Public Prosecutions or his delegate and the DOJ & CO if and when required;
- 1.3.2 Pay the transfer payment of Magistrate's salary to National Treasury on submission of an invoice to that effect;
- 1.3.3 Be responsible for costs relating to infrastructural, financial and human resources requirement based on the prescribed legislative frameworks and regulations relating to accommodation and remuneration of prosecutors, interpreters and other administrative court officials;
- 1.3.4 Arrange proper and fit Court Orderlies to render service at the additional court room;
- 1.3.5 Keep proper and separate record of fines collected on behalf of the Municipality and fines collected for failure to appear in court on behalf of the State. A detailed reconciliation of the payments made shall be send to the Clerk of Court at Stellenbosch Magistrates Court by the 10th of the month. This process will be subject to audit processes as prescribed legislative frameworks and regulations;
- 1.3.6 The Municipality shall provide all necessary support service to the court in the form of electronic and vocal communication, stationary, security infrastructure and resources, municipal levies (Rates and taxes, water and electricity supply);
- 1.3.7 Serve on the Local Efficiency Enhancement Committee and provide feedback with regard to the impact of this court on crime in the specific jurisdictional area; and
- 1.3.8 Co-operate fully with the other stakeholders to attain the successful operation of the Additional Court at Stellenbosch,

1.4 Lower Court Judiciary

The Lower Court Judiciary undertakes to:

- 1.4.1 Avail a presiding officer to preside over matters appearing on the Additional Court roll, provided that funding is made available for the appointment of an acting magistrate additional to the establishment of magistrates for the district and provided that such acting magistrate is appointed by the Deputy Minister of the Department of Justice and Constitutional Development;
- 1.4.2 Make an application to the Deputy Minister of the Department of Justice and Constitutional Development for the appointment of a suitable qualified, fit and proper person as acting magistrate to preside over matters appearing in the Additional Court;
- 1.4.3 Effectively manage the court roll of the Additional Court to ensure speedy resolution of cases;
- 1.4.4 Convene, if necessary, any meeting regarding the operations and or running of the Additional Court; and
- 1.4.5 Co-operate fully with the other stakeholders to attain the successful operation of the Additional Court at Stellenbosch.

2. LOCAL EFFICIENCY ENHANCEMENT COMMITTEE

The signatories agree that the Local Efficiency Enhancement Committee (Stellenbosch Magistrate Courts) will oversee and monitor the Additional Court once established.

3. SPECIAL CONDITIONS

- 3.1 Since the Stellenbosch Municipality with its main seat located in Stellenbosch currently also handle cases that previously felt in the Paarl magistrates district, which has in the meantime been incorporated into the seat in Stellenbosch it might necessitate that the Additional Court with its seat in Stellenbosch has to convene sittings on a circuit basis at the Court in Franschoek.
- 3.2 The Municipality consulted the heads of the judiciary, prosecution and administration of the Paarl Magistrate Court and it was agreed that the Franschoek area be incorporated into the Stellenbosch Municipal Court area.

4. STRATEGIC COMMITMENTS

If necessary, strategic platforms will be convened and be represented by all stakeholders. Monthly, quarterly and annual meeting will be facilitated to track the performance of the intervention as determined by stakeholders.

5. DURATION OF THE MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding shall be binding on the stakeholders from date of signature hereof and remain valid for a period of three (3) years and may be thereafter be renewed on a tri-annual basis subject to the acceptance of funding received from the Stellenbosch Municipality by the Accounting Officer of the Department of Justice and Constitutional Development.

All stakeholders to this Memorandum of Understanding will support the Task Team to give effect to this Memorandum of Understanding, Programs of Action and pursuant agreements that may be concluded between the stakeholders from time to time.

SIGNED AT ON THE DAY OF 2025

.....

Regional Head: R. Isaacs

.....

Ms G Mettler
Municipal Manager Stellenbosch

.....

DPP Western Cape

.....

Chief Magistrate Cape Town
L.J Unuvar

10.3.4	REVISED AND CONSULTED MICRO-STRUCTURES FOR THE INFRASTRUCTURE SERVICES (WATER AND WASTEWATER TREATMENT SERVICES), COMMUNITY AND PROTECTION SERVICES (COMMUNITY SERVICES AND PART OF LAW ENFORCEMENT SERVICES) AS WELL AS CORPORATE SERVICES (REGISTRY, AUXILARY AND COMMITTEE SERVICES)
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Collaborator No:

IDP KPA Ref No: Good Governance and Compliance

Meeting Date: 24 March 2025 and 31 March 2025

1. **SUBJECT: REVISED AND CONSULTED MICRO-STRUCTURES FOR THE INFRASTRUCTURE SERVICES (WATER AND WASTEWATER TREATMENT SERVICES), COMMUNITY AND PROTECTION SERVICES (COMMUNITY SERVICES AND PART OF LAW ENFORCEMENT SERVICES) AS WELL AS CORPORATE SERVICES (REGISTRY, AUXILARY AND COMMITTEE SERVICES)**

2. **PURPOSE**

To inform the Council of the revised and consulted micro-structures for the department Water and Wastewater Service (within the Infrastructure Service Directorate), the section Community Services and part of department Law Enforcement (within the Community and Protection Services Directorate) and the section Registry, Auxiliary and Committee Services (within the Corporate Services Directorate).

3. **DELEGATED AUTHORITY**

The delegated authority is Council.

4. **EXECUTIVE SUMMARY**

The review of the 2017/2019 micro-structures has been on the Local Labour Forum agenda under matters emanating since November 2020. Since that date various consultative meetings were held with the Directorates (sections and department) and structures presented and amended. During 2024 and 2025 the parties (the Employer, IMATU and SAMWU) after thorough discussions found agreement on the structures presented and where there remained disagreement it would be referred to the Local Labour Forum (LLF). These structures were submitted to the LLF on 10th March 2025 and the parties agreed that the structures may be submitted to the Council meeting scheduled for March 2025. A further resolution was that the Unions (IMATU and SAMWU) would submit their disagreement on the department Water and Wastewater Service (within the Infrastructure Service Directorate) in writing for Council to consider. In writing comments were received from SAMWU and is attached as **ANNEXURE 1**.

5. **RECOMMENDATIONS**

- (a) that the revised/amended and consulted structures for the **Infrastructure Services (Water and Wastewater services), Community and Protection Services (Community and of part Law Enforcement services) as well as Corporate Services (Registry, Auxiliary and Committee services)** be approved; and
- (b) SAMWU is the only Union that presented a written submission.

6. DISCUSSION / CONTENTS**6.1 Background**

The review of the 2017/2019 micro-structures has been on the Local Labour Forum agenda under matters emanating since November 2020. Since that date various consultative meetings were held with the Directorates (sections and department) and structures presented and amended. During 2024 and 2025 the parties (the Employer, IMATU and SAMWU) after thorough discussions found agreement on the structures presented and where there remained disagreement it would be referred to the Local Labour Forum (LLF).

6.1.1 DEPARTMENT WATER AND WASTEWATER SERVICE (WITHIN THE INFRASTRUCTURE SERVICE DIRECTORATE) – Annexure 2

The department submitted their proposals during June 2023 and after several meetings and discussions between the parties and agreeing on some and disagreeing on others the parties resolved in August 2024 to refer the agreed structure to the LLF and further agreed that the Unions can again submit their disagreements there.

6.1.2 COMMUNITY SERVICES and PART LAW ENFORCEMENT SERVICES (WITHIN THE COMMUNITY AND PROTECTION SERVICES DIRECTORATE)**6.1.2.1 Community Services - Annexure 3**

The department submitted their proposals on various sections (inclusive of the Community Services Department) in November 2020 and whilst some was dealt with, the one for Community Services was amended and resubmitted to the subcommittee on restructuring in August 2024 and after various meetings approved as amended by all parties on 20 January 2025 for submission to the LLF.

6.1.2.2 Law Enforcement - Annexure 4

The department submitted their proposals on various sections (inclusive of the Law Enforcement in November 2020 and whilst some was dealt with the one for Law Enforcement services was amended and resubmitted to the subcommittee on restructuring in August 2024 and after various meetings approved as amended by all parties on 20 January 2025 for submission to the LLF.

6.1.3 REGISTRY, AUXILIARY AND COMMITTEE SERVICES (WITHIN THE CORPORATES SERVICES DIRECTORATE) – Annexure 5

The department submitted their proposals on various sections (inclusive of the Registry, Auxiliary and Committee services in June 2024 and which was discussed and accepted by the parties for submission to the LLF on 20 January 2025.

The above revised structures were submitted to the LLF on 10th March 2025 where it was resolved that

- a) The agreed to structures of
 - i. Community Services
 - ii. Law Enforcement; and
 - iii. Registry, Auxiliary and Committee Services be recommended for adoption/ approval by Council.

- b) That the Water and Wastewater Services structure be submitted to Council and that the Unions (SAMWU responded) written submissions be added to the proposed structure agenda item for consideration and adoption/approval.

6.2 Financial Implications

There may be financial implications in terms of newly created positions, but this will be addressed through a costing exercise and in line with the currently available budget.

6.3 Legal Implications

There are no legal implications at this stage as the revision of the micro-structures were done in line with legislative prescripts and based on what is operationally more efficient and effective for the Municipality.

6.4 Staff Implications

There may be staff implications, but this will be addressed after final approval by Council and in terms of the placement process.

6.5 Previous / Relevant Council Approval

The 2017/2019 were respectively approved by Council on the 25th of October 2017 and 27th of February 2019.

6.6 Risk Implications

There may be risks in terms of placement, but this will be dealt with in terms of the Placement Process.

6.7 Comments from Senior Management

This item is supported by Senior Management.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2025-03-24: ITEM 7.3.10

- (a) that the revised/amended and consulted structures for the **Infrastructure Services (Water and Wastewater services), Community and Protection Services (Community and of part Law Enforcement services) as well as Corporate Services (Registry, Auxiliary and Committee services)** be approved; and
- (b) SAMWU is the only Union that presented a written submission.

APPENDICES 1 - 5:

- Annexure 1 SAMWU written submission
 Annexure 2 Revised structures - Water and Wastewater
 Annexure 3 Revised structures - Community Services
 Annexure 4 Revised structures – Law Enforcement
 Annexure 5 Revised structures - Registry, Auxiliary and Committee Services

FOR FURTHER DETAILS CONTACT:

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POSITION	Senior Manager Human Resource Management
DIRECTORATE	Corporate Services
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E-MAIL ADDRESS	Alexander.Kannemeyer@ Stellenbosch.gov.za
REPORT DATE	19 March 2025

ANNEXURE 1



SAMWU

SOUTH AFRICAN MUNICIPAL WORKERS UNION

ANNEXURE 1

INFRASTRUCTURE SERVICES PROPOSED MICROSTRUCTURE

The infrastructure services proposed structure has so many challenges and areas whereby it does not justify those changes.

Diesel Truck Diver/Digger Operator on Page 41

It is so unbelievable that a maintenance task can be forcefully combined with the process task without consultation with the Unions or the workers. The employer came to us with a decision at hand despite us advising the shortcomings of the decision. We even gave a history of what happened in the past when this was done, the filling of Diesel generators by process or general workers. Dealing with emergency power, the diesel generators, it is a most critical task that requires skilled or trained workers to attend to, not general workers with zero training.

Few years ago, these workers were doing this type of work, the filling of Diesel generators with Diesel, and because of lack of training, they filled the diesel into the oil compartment at the Jamestown Pump Station. This resulted in fruitless and wasteful expenditure in that the diesel had to be dumped and a new oil had to be filled in that generator.

This particular incident resulted in the flooding of the sump at the pump station due to the fact that the generator could not run during loadshedding, and no one accounted for that incident. The millwright had to do the work of emptying the diesel from the oil compartment and replace it with oil. This was another perfect time for a lesson to be learned, that you do not put people in charge of the areas which they are not qualified or trained to do.

In this new proposed structure, we can clearly see that the incident gave us no lesson as we see that this duty of filling diesel generators by general workers is being forcefully made into the structure that it must be for general workers.

1. The SAMWU advised that this task be the task of the maintenance team.
2. Maintenance team be the one who does the work of ensuring that there is diesel in all emergency power generators.
3. Maintenance team be the one who do diesel generator inspections



SAMWU

SOUTH AFRICAN MUNICIPAL WORKERS UNION

INFRASTRUCTURE SERVICES PROPOSED MICROSTRUCTURE

4. Maintenance be the one who makes sure about the readiness of the emergency power and this responsibility cannot be shared with process people as it will cause confusion and chaos.
5. This will prevent unnecessary spillages in the areas where there are diesel generators during power failures.
6. This will also prevent unnecessary fruitless and wasteful expenditure.

The reporting lines for maintenance superintendents.

The issue of the reporting lines was also a major challenge in that proposed structure. Currently we have one superintendent in the maintenance team who reports to a senior manager.

The department suggests that we should have 3 superintendents, these are on pages 39 (New page 43), 40 and new page 45.

The maintenance Superintendent on page 43 according to the decision from management, must report to the manager Bulk Water IS/WWS/WT/01. This is a process manager who has nothing to do with maintenance.

The Maintenance Superintendent on page 45 must report to a manager, Water and Wastewater Networks IS/WWS/WWN/01.

The Maintenance Superintendent on page 40 must report to the manager Wastewater Treatment IS/WWS/WWT/02

The one of the reasons to have maintenance team is to ensure that the plant equipment, electrical and mechanical, are well maintained.

Maintenance should exist as a sub-section just as Wastewater Treatment, Water Treatment and Bulk water & Sewer Networks exist as such. In the proposed structure, Maintenance team is integrated into the process structures/reporting lines.

As a standalone sub-section, Maintenance would have the capacity to manage all maintenance tenders instead of process managers. This would greatly reduce or eliminate the issue of service providers taking unfair advantage of the municipality. Skilled and properly resourced maintenance personnel would save our institution millions of rands and improve service delivery.



SAMWU

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INFRASTRUCTURE SERVICES PROPOSED MICROSTRUCTURE

Our municipality would therefore not be overcharged, charged for things that do not even exist or be lied to about serial numbers.

The above 3 issues happened, and this was exactly the result of the current maintenance team being sidelined when the people on tenders were doing work. Instead, this was being done by these process managers and the municipality happened to pay for returned jobs, incorrect serial numbers, overpriced work. This information is made clear in the Arbitration award; Case number WCP 032316, paragraph 62, on sentence number 8.

It reads as follows, "There was prima facie evidence to suggest that a further investigation was warranted. As an example, if one considers the issue around the quotes presented into evidence, which on the face of it suggest that there is an inflation of oil or cooling liquid prices then this presents as something that required further investigation"

As in the LLF we were reminded that when the issue of theft or irregularity takes place in our presence, we had a duty to report it, look at what it resulted to our fellow shop steward when he reported price inflations by tenders and this as a direct result of non-involvement of the maintenance team in the monitoring of these service providers.

SAMWU is of the view that we cannot make the maintenance team report to process managers, rather use the new suggested position on page 40 called Snr. Technician O&M Tenders & Procurement IS/WWS/WWT/03 to be the position where all 3 maintenance Superintendents reports to.

On the current structure, the maintenance Superintendent, reports direct to the Snr. Manager at the moment, now the New Position can just report directly to the Snr. Manager but all the 3 Maintenance Superintendents can report to that position.

In terms of qualifications, that Snr Technician can either have the Electrical, mechanical or both as a qualification. This is for the benefit of the organization, not for someone else's ego. This will make us monitor the tenders better and prevent any inflated prices or any irregularities in the future.

The purpose of appointing Millwrights was to supervise the contractors, because of the scarce skill the Millwrights possess. That was to be at the benefit of the organization. At this point, that skill is not in use. The rating of the service providers is not currently done by Millwrights, who know exactly what is happening in electrical or mechanical. Now the



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INFRASTRUCTURE SERVICES PROPOSED MICROSTRUCTURE

suggested structure seeks to have the process imbedded in the maintenance team in the form of managers, who will just merely say that they were just advised by maintenance as they would be saying they relied on their skills and expertise once a similar occurrence happened, the overpricing as mentioned in that Arbitration Award.

Strange enough, not a single manager was held accountable, or no investigation happened as a result of that Award which meant that the employee had to be reinstated with retrospective

SAMWU

ANNEXURE 2

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RECOMMENDED BY
MUNICIPAL MANAGER

Signature

/ /

STELLENBOSCH LOCAL MUNICIPALITY
MICRO STRUCTURE - with proposed modifications (October 2024)
Department: Water & Wastewater Services

Snr. Manager:
Water & Wastewater Services
IS/WWS/01

Admin Officer
IS/WWS/AS/01

Senior Clerk
IS/WWS/AS/02

Manager:
Wastewater Treatment
IS/WWS/WWT/01
James Beukes

See Page 40

Manager:
Water & Wastewater Networks
IS/WWS/WWN/01

See Page 45

Manager:
Bulk Water and Treatment / Network
IS/WWS/WT/01

See Page 43

Manager:
Planning, Design & Support
IS/WWS/WSP/01

Snr. Technician:
Regulatory Compliance
IS/WWS/WSP/02

Admin Officer
IS/WWS/WSP/03

Chief Engineering
Technician:
Water Demand, Loss Control,
Meter Management
IS/WWS/WSP/04

Snr. Technician
IS/WWS/WSP/05

Technician
IS/WWS/WSP/06

Chief Engineering Technician:
Planning, Design and Project
Management
IS/WWS/WSP/07

Chief Engineering Technician:
Project Management & Support
IS/WWS/WSP/08

ANNEXURE 2

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/ /

MAINTENANCE

moved to other sections its new
proposal - see p. 40, 43, 45

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RECOMMENDED BY
MUNICIPAL MANAGER

Signature

/ /

STELLENBOSCH LOCAL MUNICIPALITY
MICRO STRUCTURE - with proposed modifications (October 2024)
Section: Wastewater Treatment

Manager:
Wastewater Treatment
IS/WWWS/WWT/01

Snr. Clerk:
Operation & Maintenance
IS/WWWS/WWT/02

Snr. Technician:
O&M Tenders & Procurement
IS/WWWS/WWT/03
NEW

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/ /

Snr Professional Officer:
Pollution Control, Laboratory & Compliance
IS/WWWS/WWT/PL/01

Office Assistant:
Pollution Control, Laboratory & Compliance
IS/WWWS/WWT/PL/02

Senior Clerk:
Pollution Control/Compliance
IS/WWWS/WWT/PL/03

Laboratory Services

Pollution Control/Compliance

Snr Laboratory Technician:
Laboratory Services
IS/WWWS/WWT/PL/04

Lab Technician:
Laboratory Services
IS/WWWS/WWT/PL/05

Lab Technician:
Laboratory Services
IS/WWWS/WWT/PL/09

Lab Assistant:
Laboratory Services
IS/WWWS/WWT/PL/06

Lab Assistant:
Laboratory Services
IS/WWWS/WWT/PL/10

Sampler:
Laboratory Services
IS/WWWS/WWT/PL/07

Sampler:
Laboratory Services
IS/WWWS/WWT/PL/11

Sampler Assistant:
Laboratory Services
IS/WWWS/WWT/PL/08

Sampler Assistant:
Laboratory Services
IS/WWWS/WWT/PL/12

Moved from p.41

See Page 41

Stellenbosch WWTW
Snr Professional Officer (Pr. Class V):
Stellenbosch & Ralibby WWTWs
IS/WWWS/SWWT/01

See Page 42

Rural WWTWs
Snr Professional Officer (Pr. Class V):
Rural WWTWs
IS/WWWS/RWWT/01

WWTWs Equipment Maintenance
Superintendent:
WWTW Equipment Maintenance
IS/WWWS/WWM/01

Electrician
IS/WWWS/WWM/02

Millwright
IS/WWWS/WWM/03

Artisan Assistant
IS/WWWS/WWM/04

Electronics/Instrument
Technician
IS/WWWS/WWM/05
NEW

Fitter
IS/WWWS/WWM/06
NEW

Artisan Assistant
IS/WWWS/WWM/07

Leg moved from p.39

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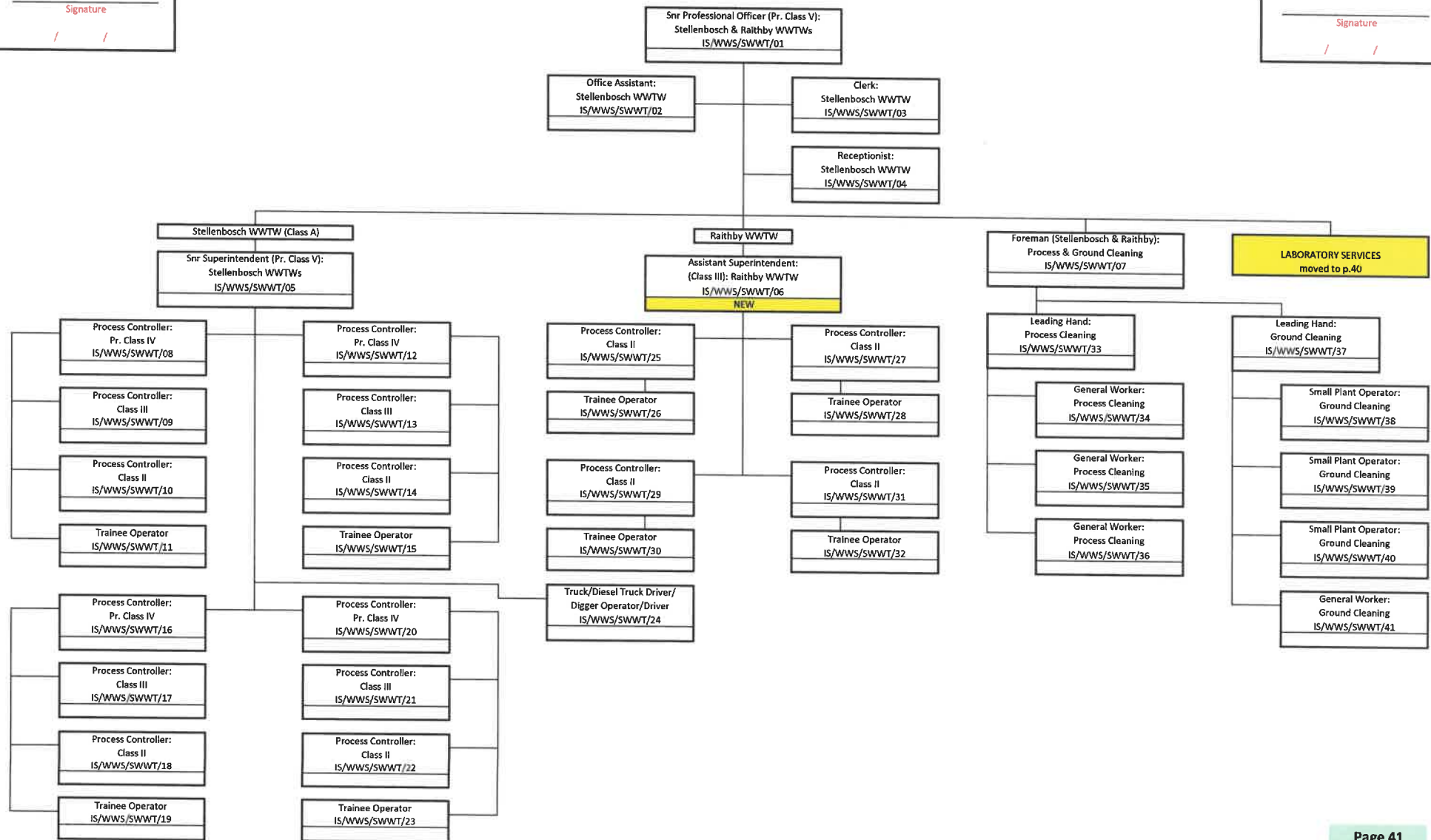
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STELLENBOSCH LOCAL MUNICIPALITY
MICRO STRUCTURE - with proposed modifications (October 2024)
Wastewater Treatment - Stellenbosch & Raithby

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STELLENBOSCH LOCAL MUNICIPALITY
MICRO STRUCTURE - with proposed modifications (October 2024)
Wastewater Treatment - Klipmuts, Pniel & Wemmershoek

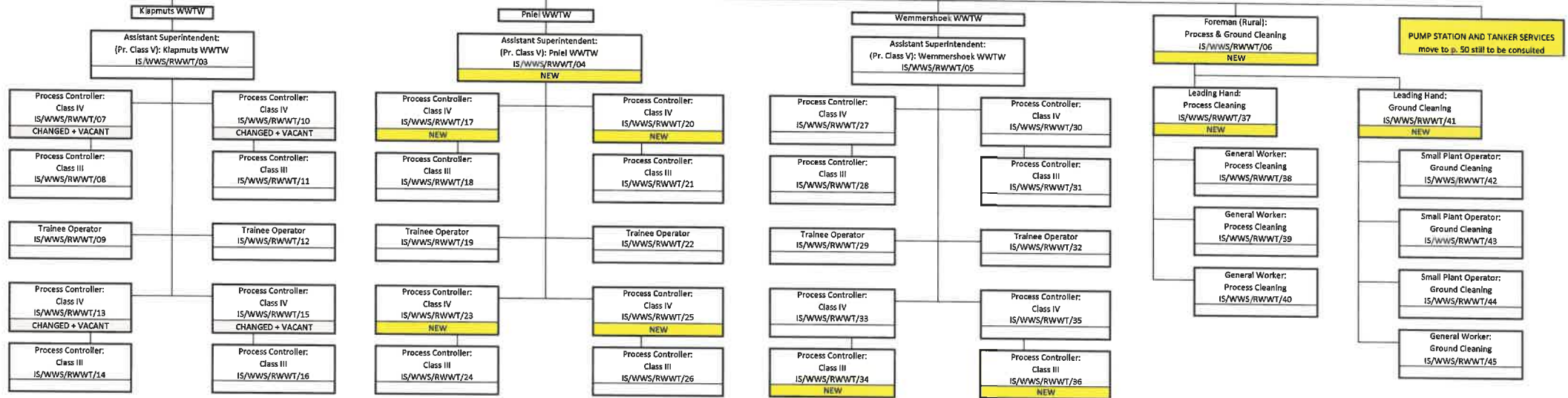
Snr Professional Officer (Pr. Class V):
 Rural WWTWs
 IS/WWS/RWWT/01

Clerk:
 IS/WWS/RWWT/02

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COUNCIL

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/ /



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Signature

/ /

STELLENBOSCH LOCAL MUNICIPALITY
MICRO STRUCTURE - with proposed modifications (October 2024)

Section: Bulk Water and Treatment

Manager:
Bulk Water and Treatment (Class V)
IS/WWS/WT/01

Clerk:
Bulk Water
IS/WWS/WT/02

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/ /

Bulk Water Storage & Conveyance

Superintendent:
WC024 Bulk Water Supply and
Pumpstations
IS/WWS/WBS/01

See Page 48

Snr Professional Officer
(Pr. Class V):
Water Treatment Works
IS/WWS/WTW/01

See Page 44

WC024 Water Quality

Assistant Superintendent: (Class IV):
Water Quality
IS/WWS/WTW/05

See Page 44

Superintendent:
Bulk Water and Treatment Maintenance
IS/WWS/WTM/01

NEW

Electrician
IS/WWS/WTM/02

NEW

Electronics/Instrument
Technician
IS/WWS/WTM/03

NEW

Millwright
IS/WWS/WTM/04

NEW

Artisan Assistant
IS/WWS/WTM/05

NEW

new section added - refer
p. 39

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/ /

STELLENBOSCH LOCAL MUNICIPALITY

MICRO STRUCTURE - with proposed modifications (October 2024)

Water Treatment Works - Paradyskloof, Idasvalley and Package Plants

Snr Professional Officer

(Pr. Class V):

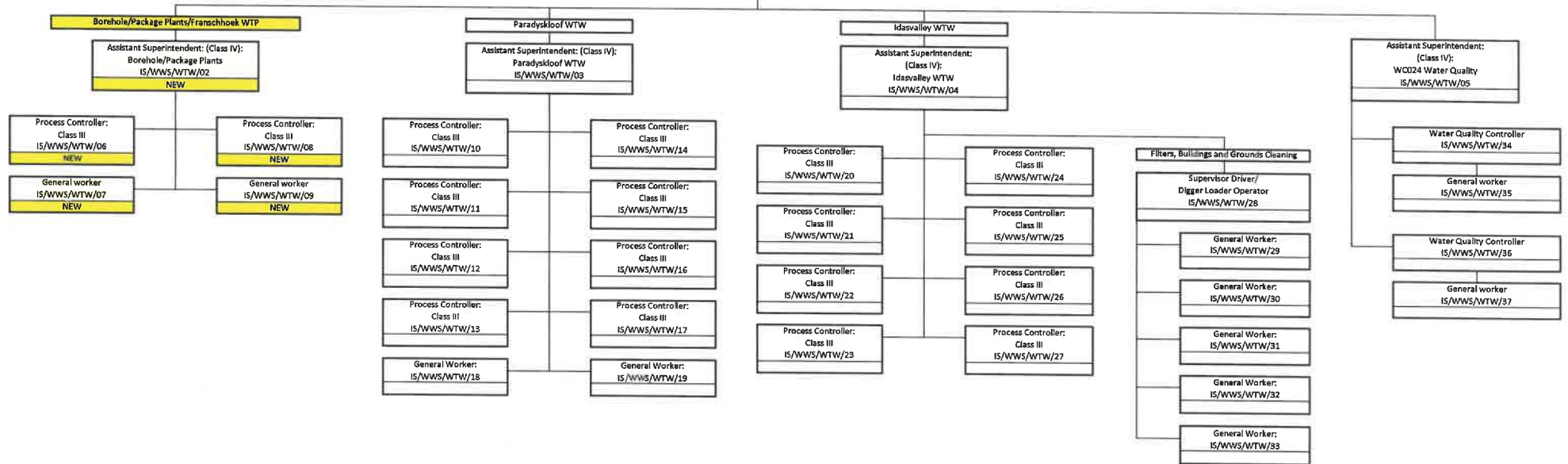
Water Treatment Works

IS/WWS/WTW/01

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/ /

STELLENBOSCH LOCAL MUNICIPALITY
MICRO STRUCTURE - with proposed modifications (October 2024)

Section: Water & Wastewater Network Operations

Manager:
Water & Wastewater Networks Operations
IS/WWWS/WWN/01

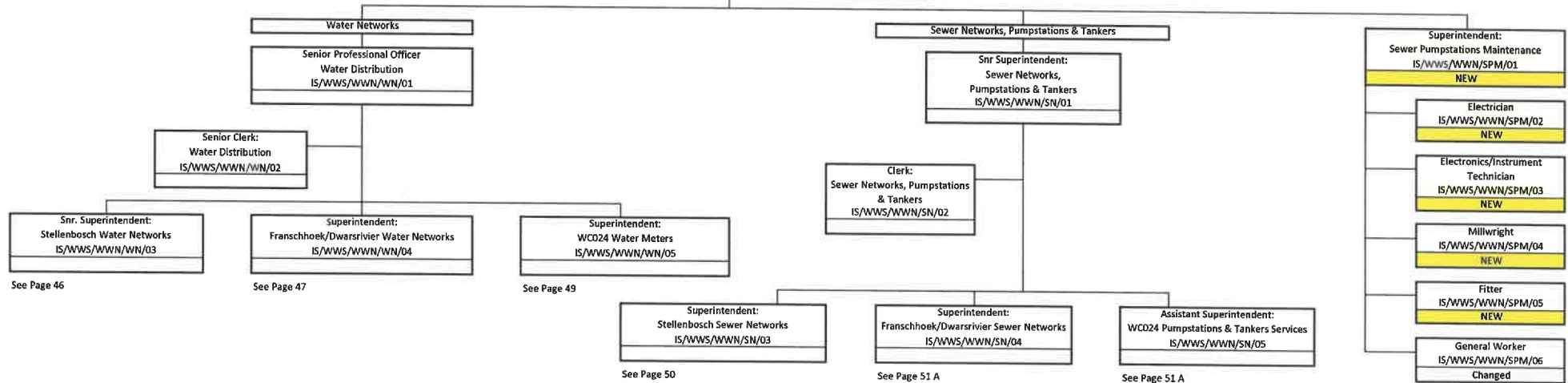
Principal Technician:
O&M Tenders & Procurement
IS/WWWS/WWN/02

Snr. Technician:
O&M Tenders & Procurement
IS/WWWS/WWN/03

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/ /



Section added - refer p.39

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STELLENBOSCH LOCAL MUNICIPALITY
MICRO STRUCTURE - with proposed modifications (October 2024)
Stellenbosch Water Network

RECOMMENDED BY
MUNICIPAL MANAGER

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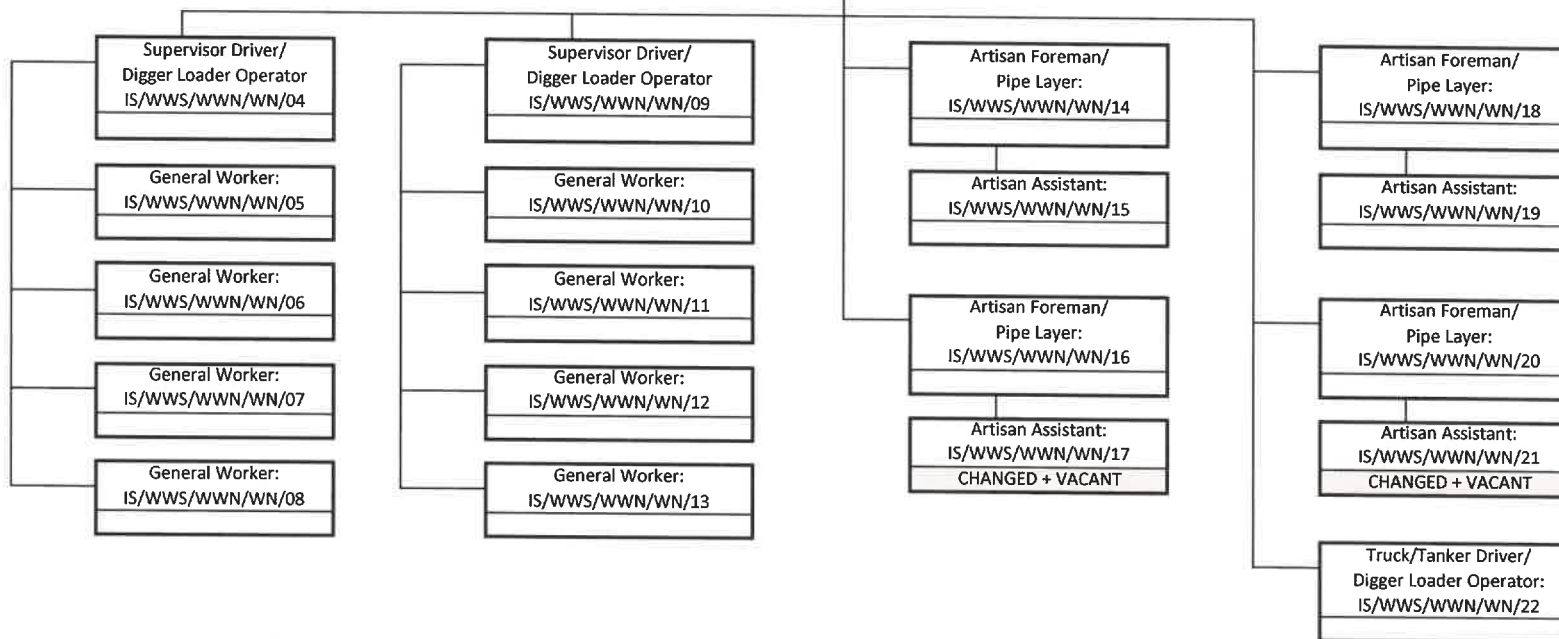
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COUNCIL

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Snr. Superintendent:
Stellenbosch Water Networks
IS/WWS/WWN/WN/03



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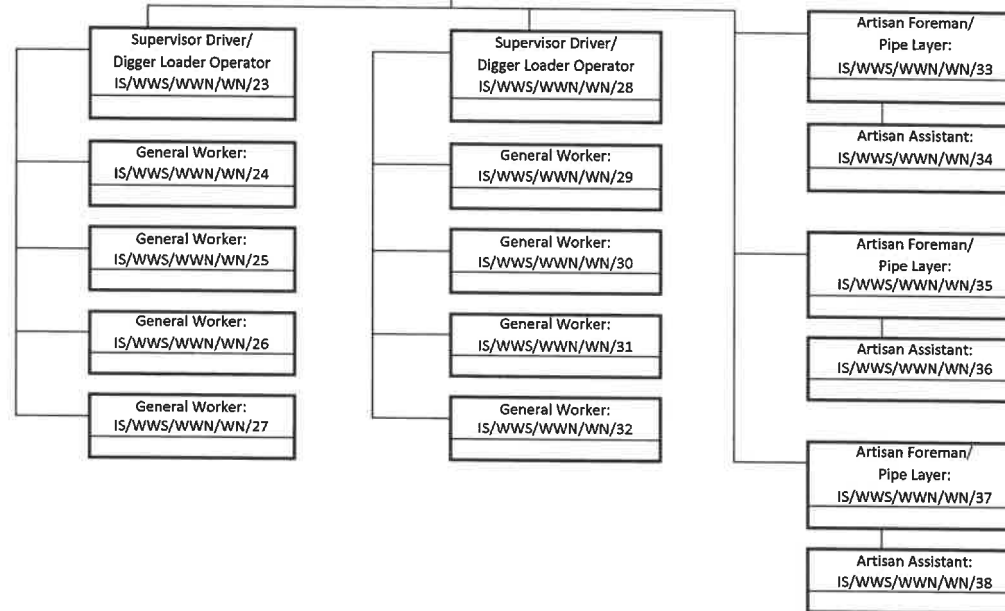
RECOMMENDED BY
MUNICIPAL MANAGER

Signature

/ /

STELLENBOSCH LOCAL MUNICIPALITY
MICRO STRUCTURE - with proposed modifications (October 2024)
Franschhoek/Dwarsrivier/
Klapmuts Water Networks

Superintendent:
Franschhoek/Dwarsrivier/
Klapmuts Water Networks
IS/WWS/WWN/WN/04



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MUNICIPAL MANAGER

Signature

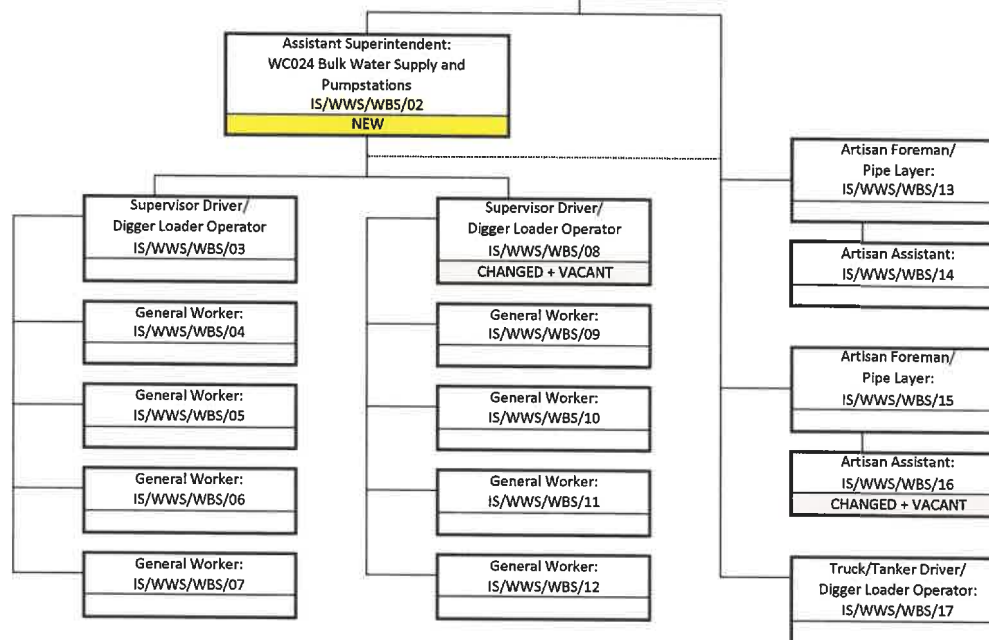
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STELLENBOSCH LOCAL MUNICIPALITY
MICRO STRUCTURE - with proposed modifications (October 2024)
WC024 Bulk Water Supply and Pumpstations

Bulk Water Storage & Conveyance

Superintendent:
WC024 Bulk Water Supply and
Pumpstations
IS/WWS/BW/01

Assistant Superintendent:
WC024 Bulk Water Supply and
Pumpstations
IS/WWS/WBS/02
NEW



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COUNCIL

Signature

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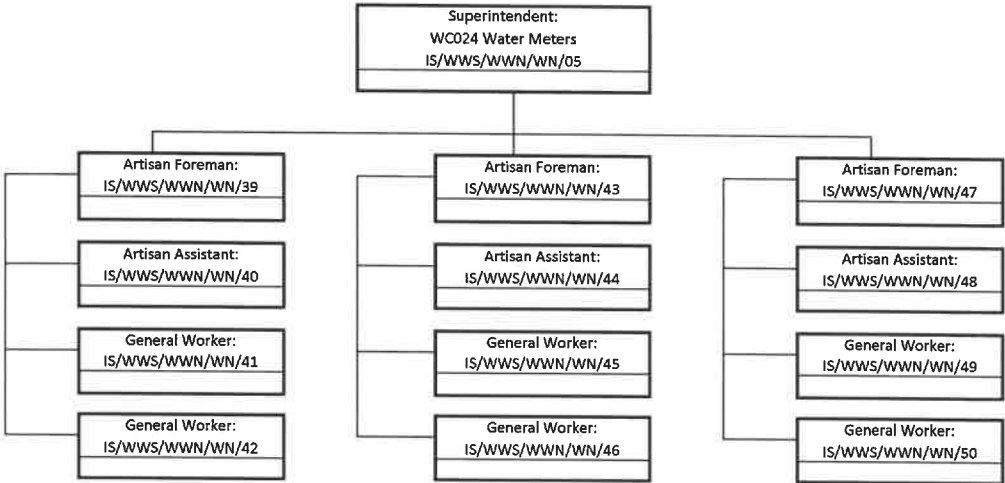
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STELLENBOSCH LOCAL MUNICIPALITY
MICRO STRUCTURE - with proposed modifications (October 2024)
WC024 Water Metering



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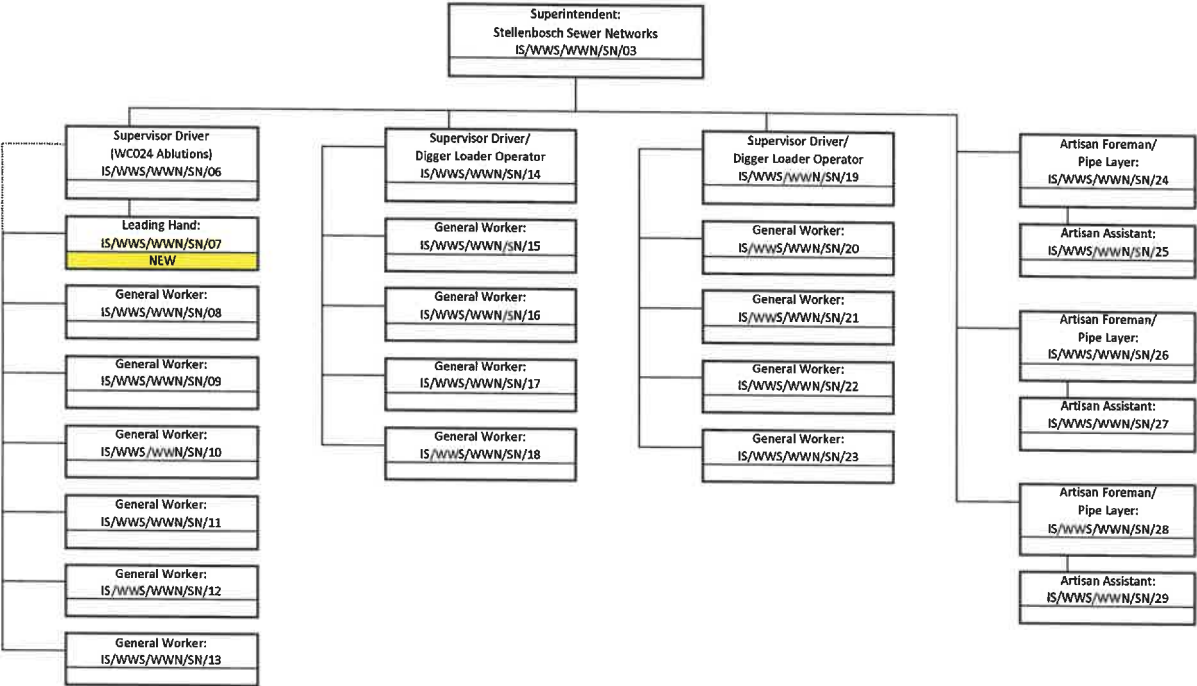
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STELLENBOSCH LOCAL MUNICIPALITY
MICRO STRUCTURE - with proposed modifications (October 2024)
Stellenbosch Sewer Networks



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Signature

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STELLENBOSCH LOCAL MUNICIPALITY
MICRO STRUCTURE - with proposed modifications (October 2024)
Franschhoek/Dwarsrivier Sewer NetworksSuperIntendent:
Franschhoek/Dwarsrivier Sewer Networks
IS/WWWS/WWN/SN/04APPROVED BY
COUNCIL

Signature

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CONFIDENTIAL

RECOMMENDED BY
MUNICIPAL MANAGER

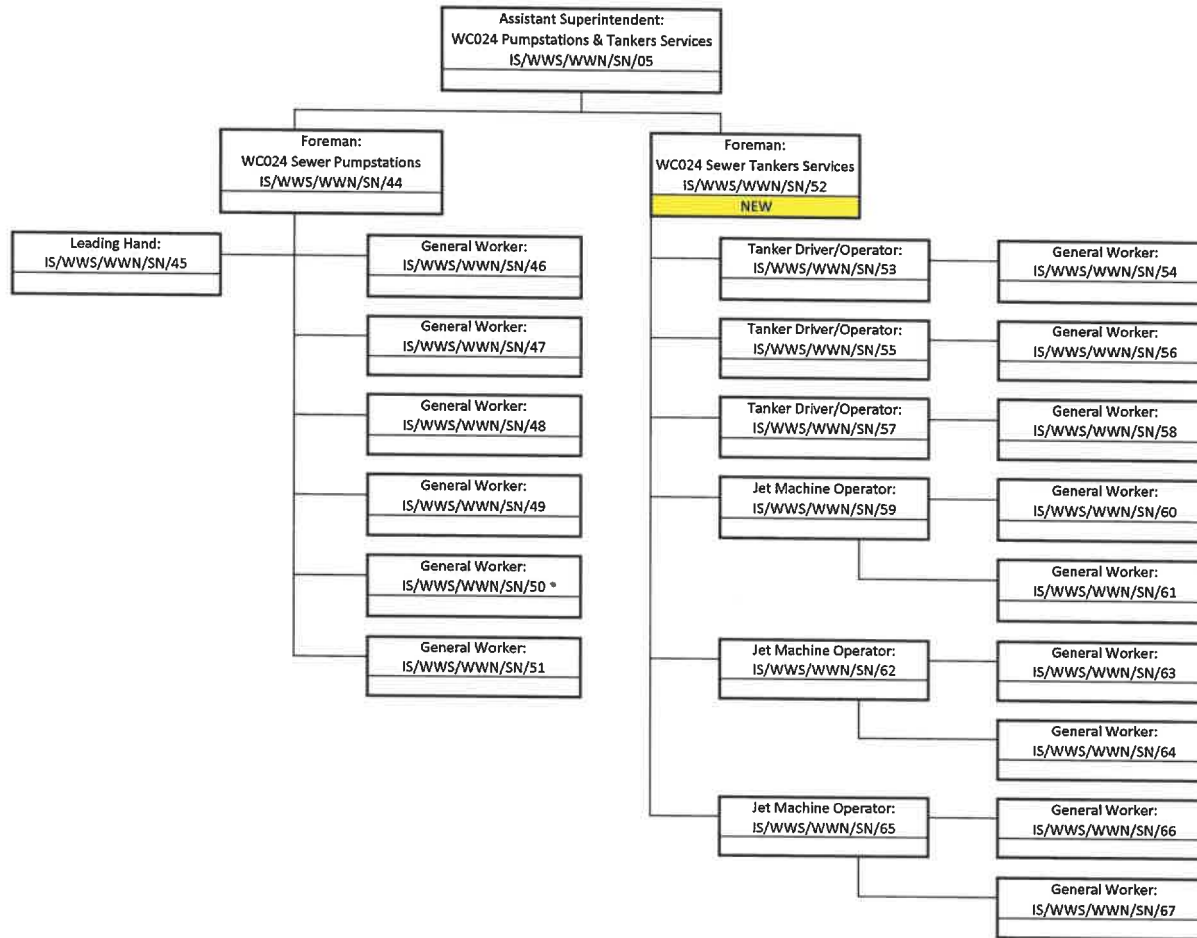
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STELLENBOSCH LOCAL MUNICIPALITY **MICRO STRUCTURE - with proposed modifications (October 2024)**

Sewer Pumpstations & Tankers

PROPOSAL TO MOVE FROM p. 42 still to be consulted



ANNEXURE 2

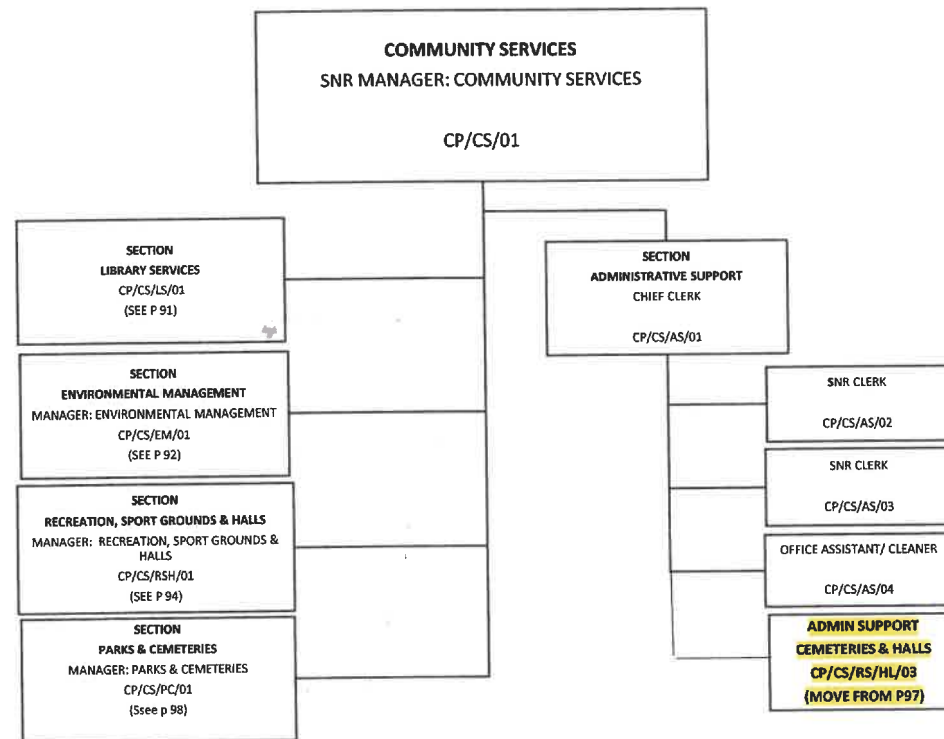
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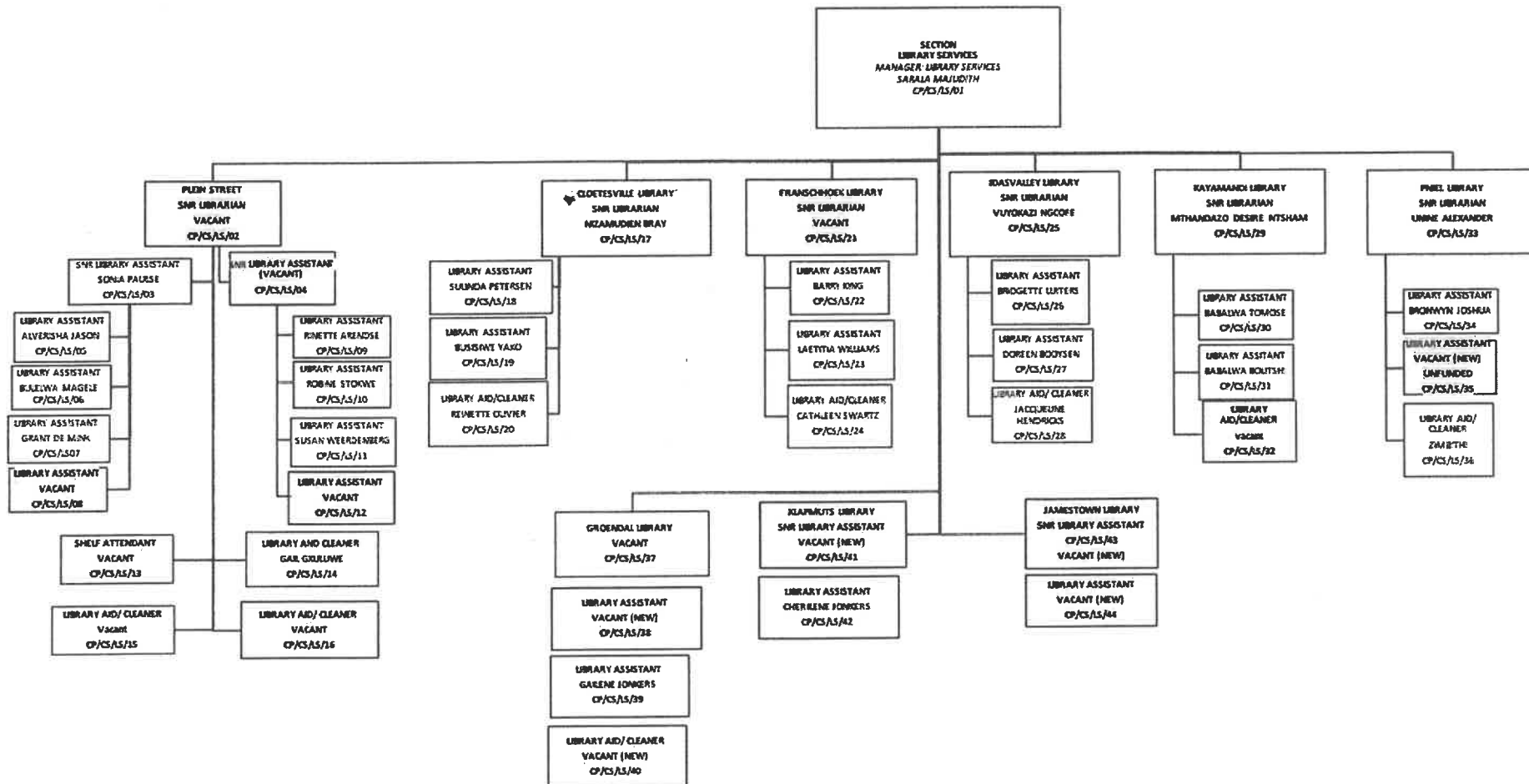
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ANNEXURE 3

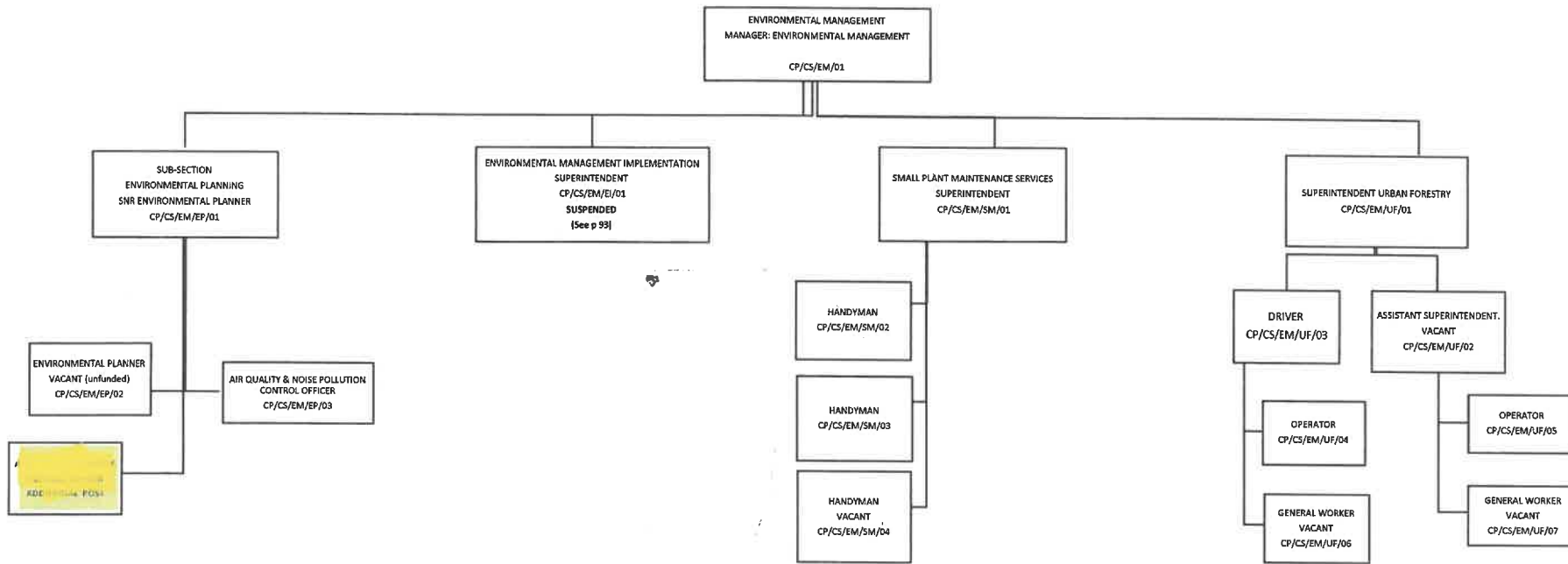
ANNEXURE 3

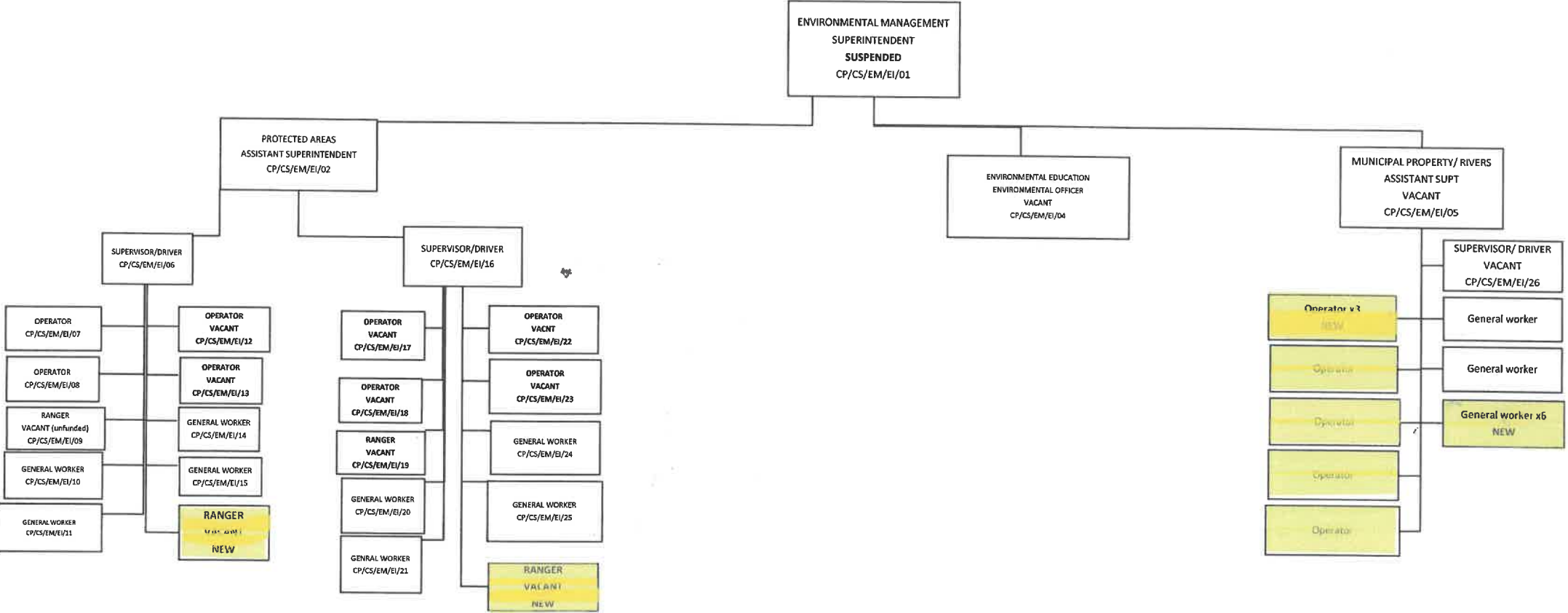


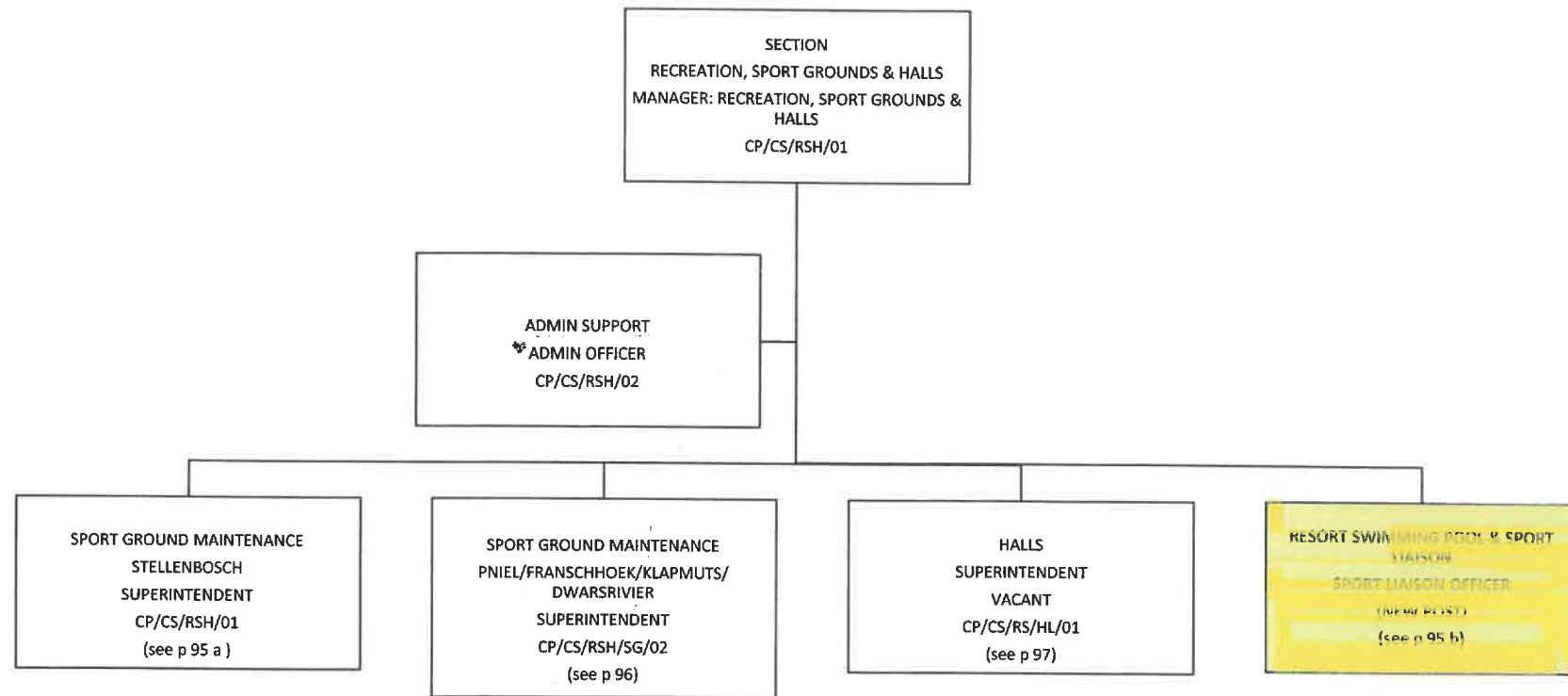


NOTE: ITC CADET- CONDITIONAL GRANT FUNDING POSITIONS

LIBRARY ADMIN ASSISTANT- CONDITIONAL GRANT FUNDING POSITIONS

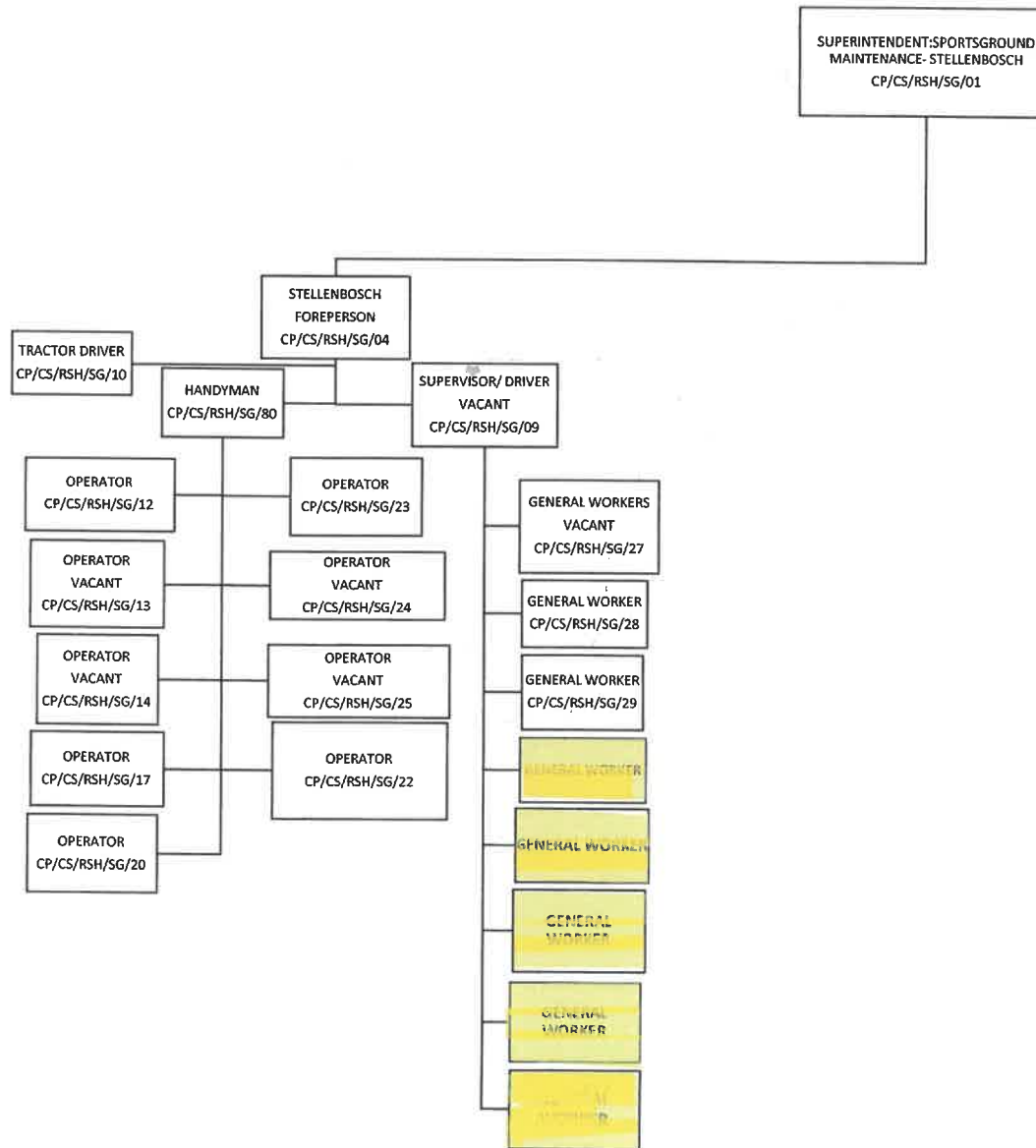






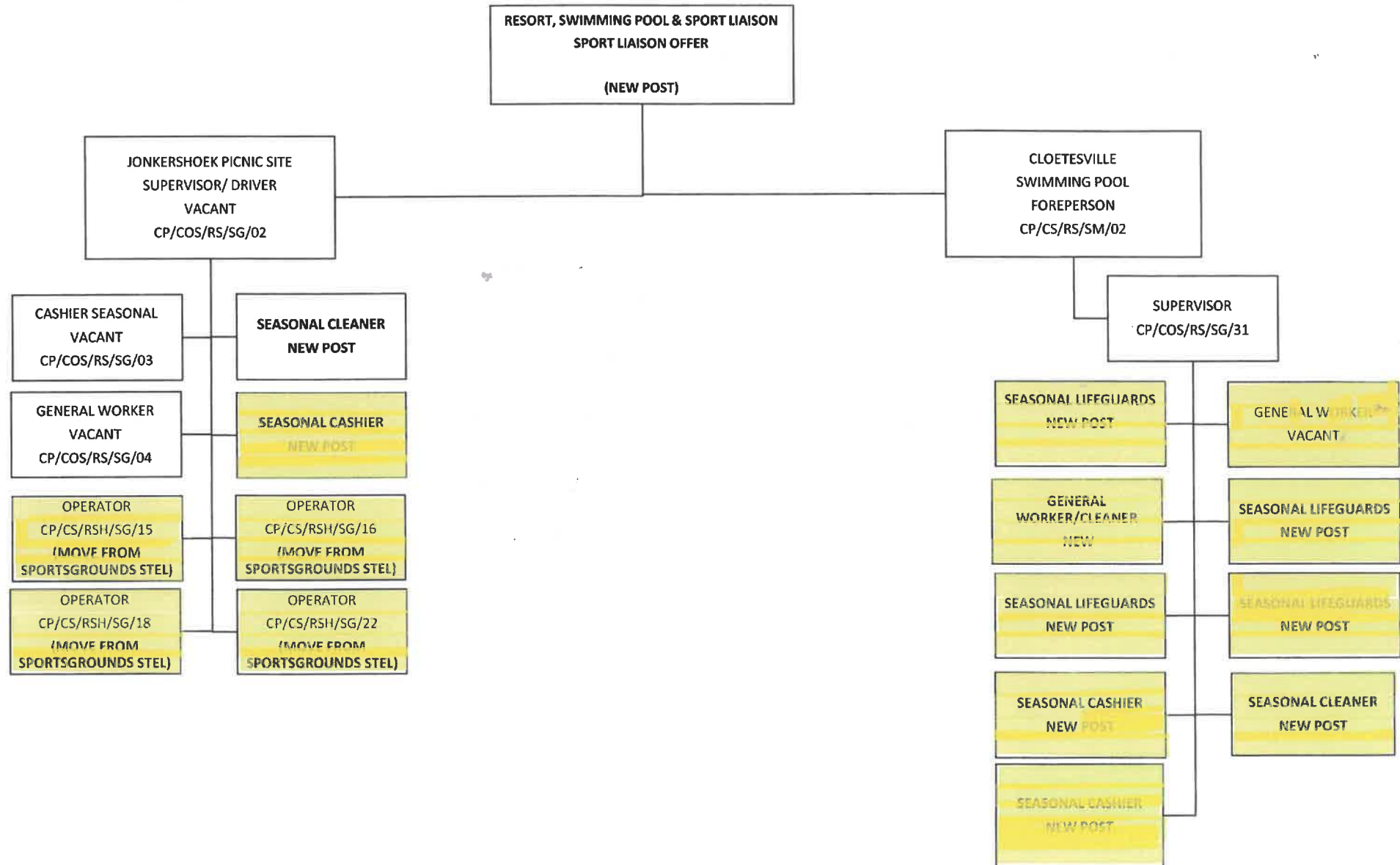
CHANGES MADE ON THE 2017 APPROVED MICROSTRUCTURE

(A)

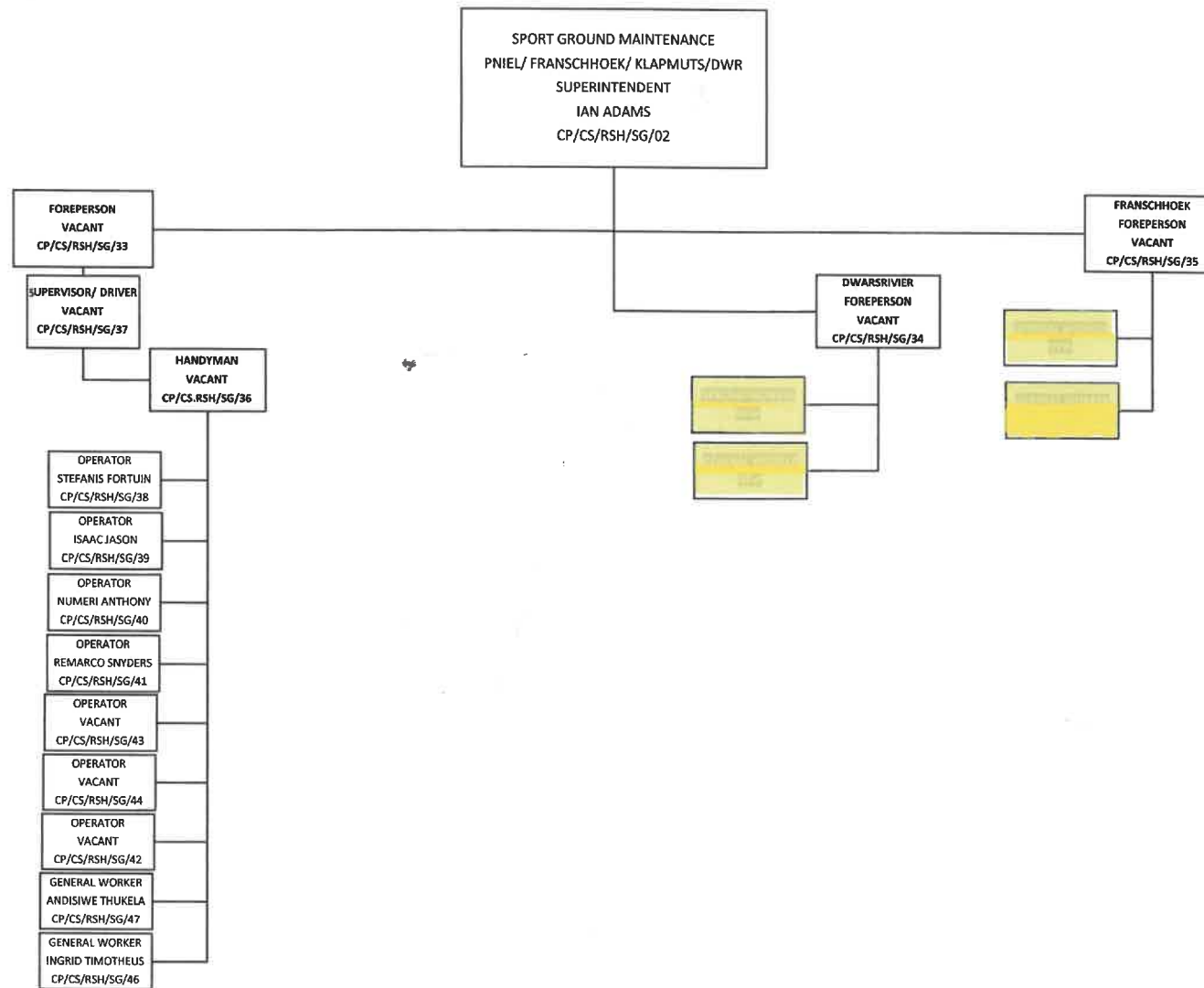


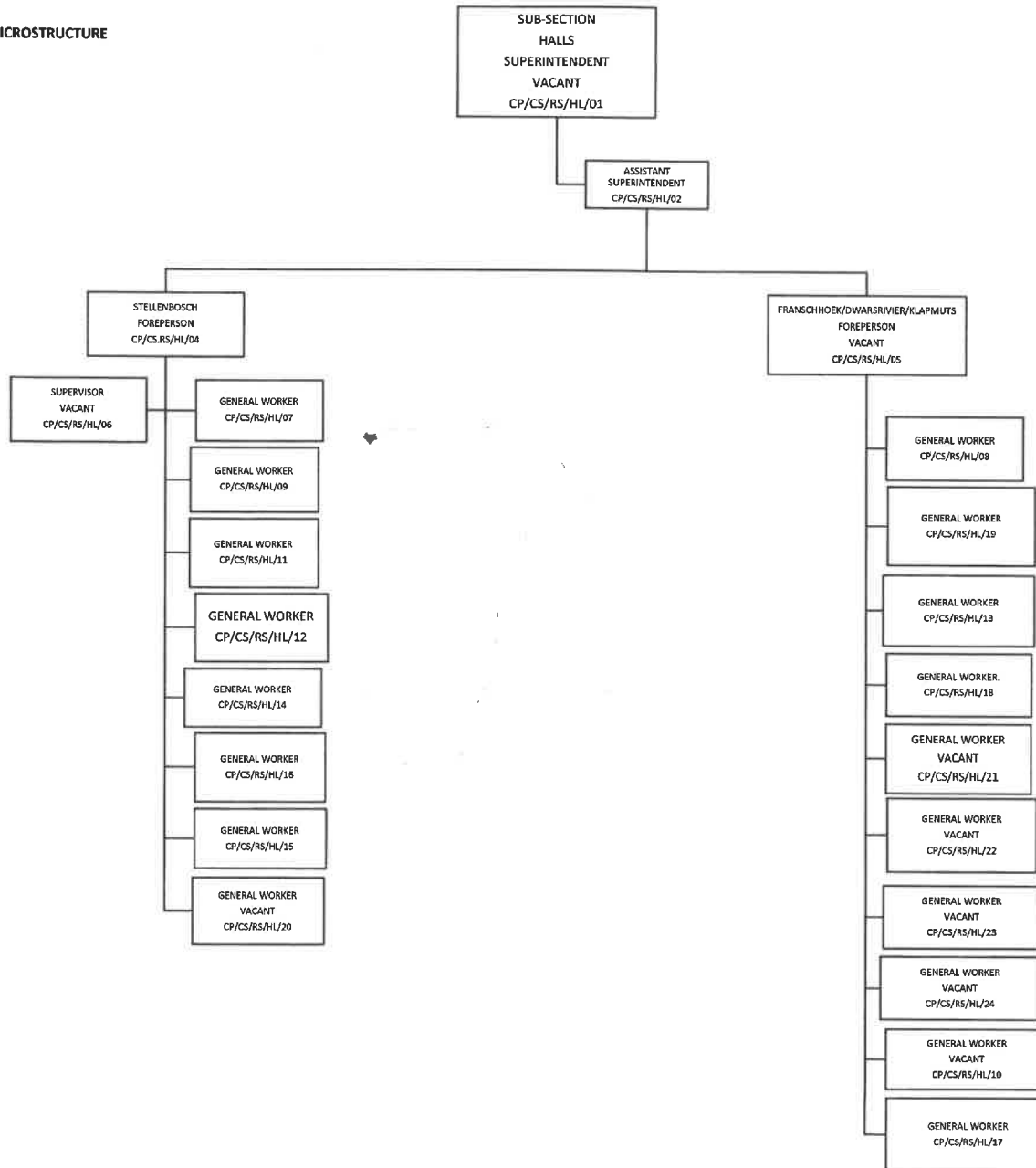
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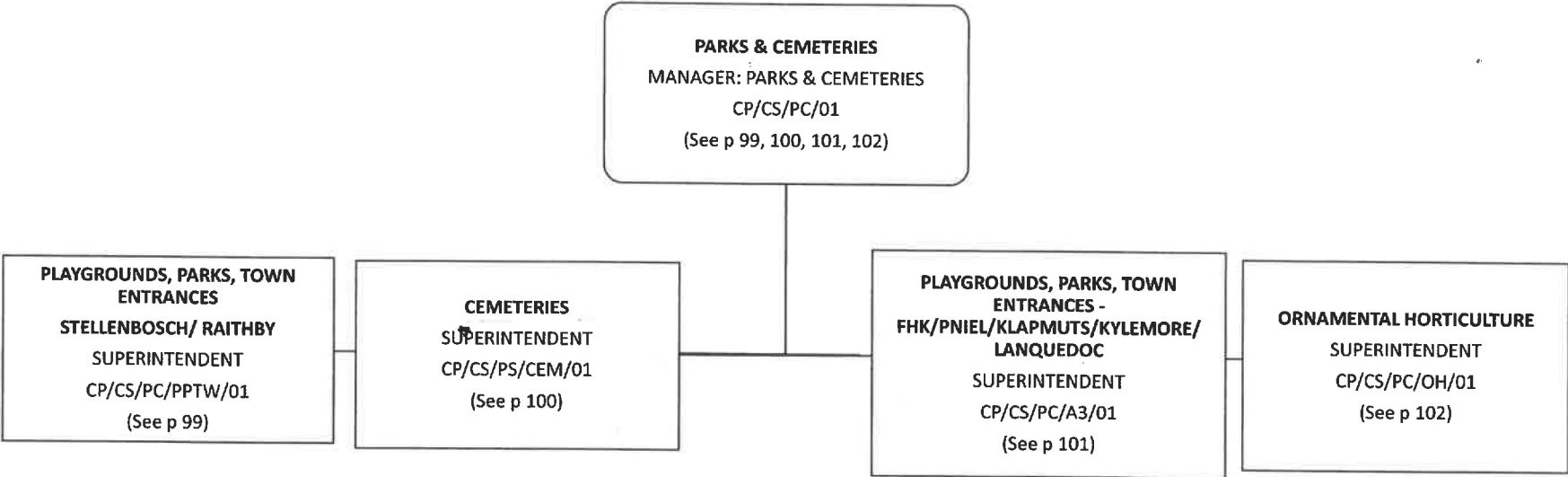
(B)



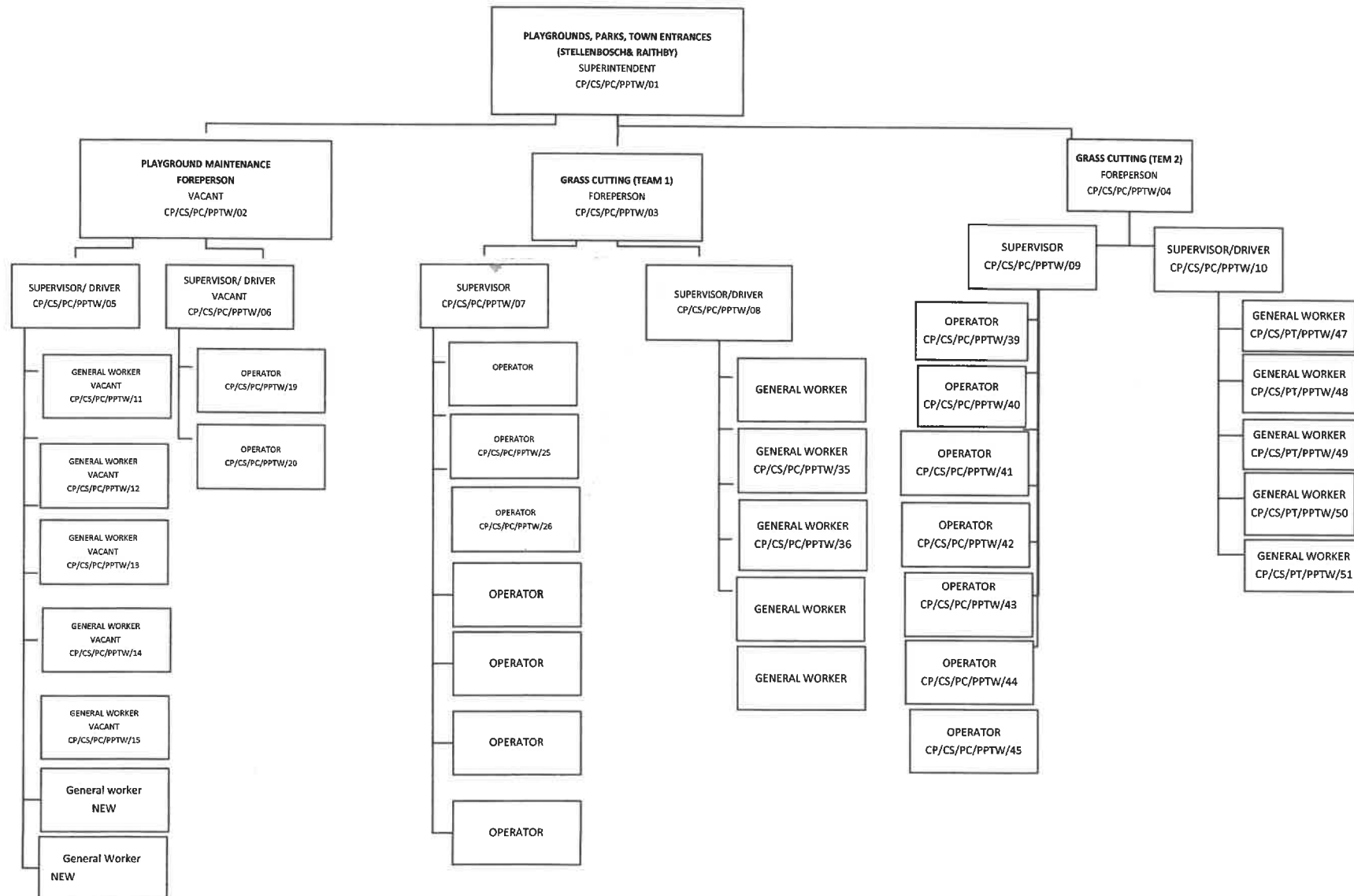
CHANGES MADE ON THE 2017 APPROVED MICROSTRUCTURE



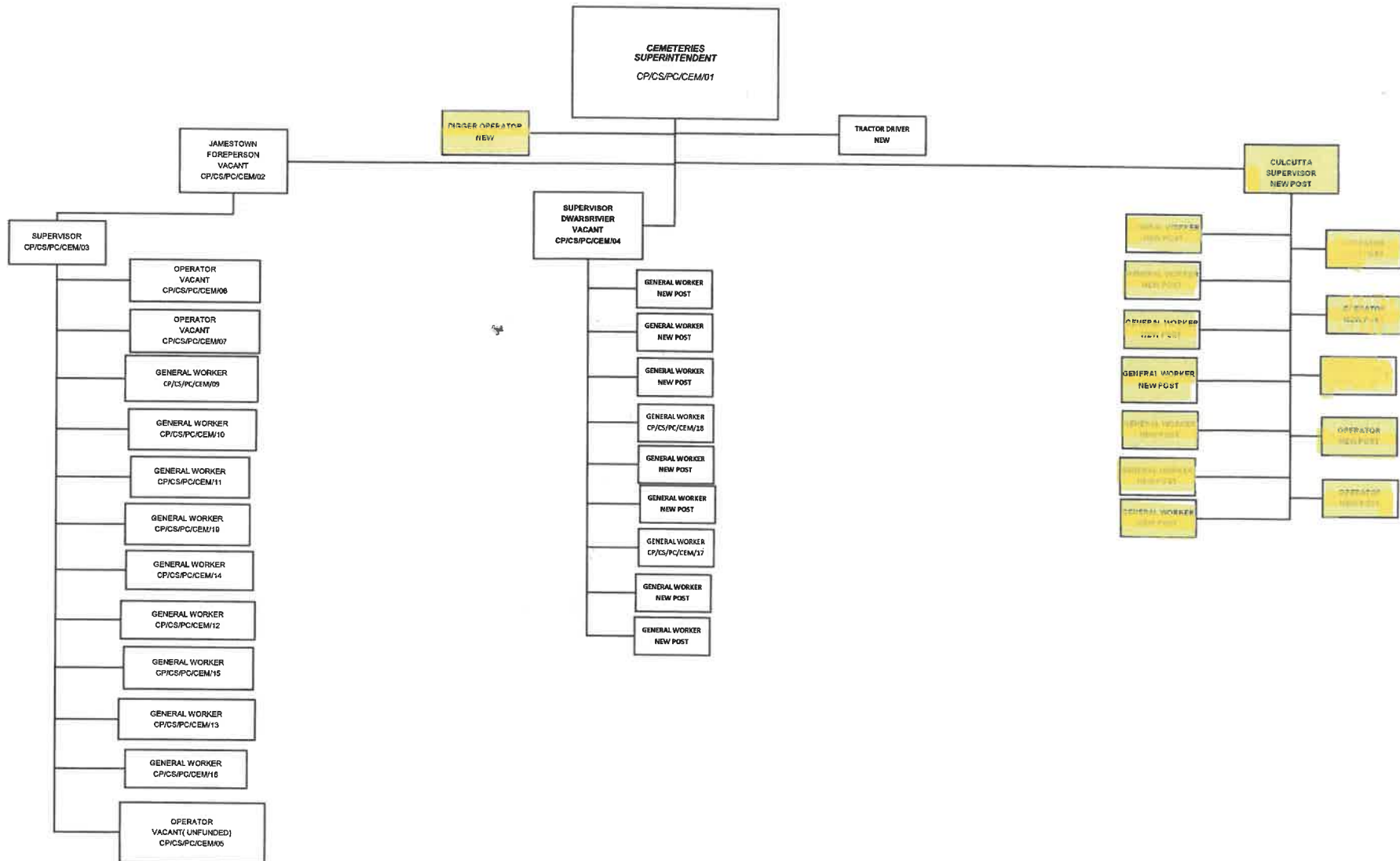


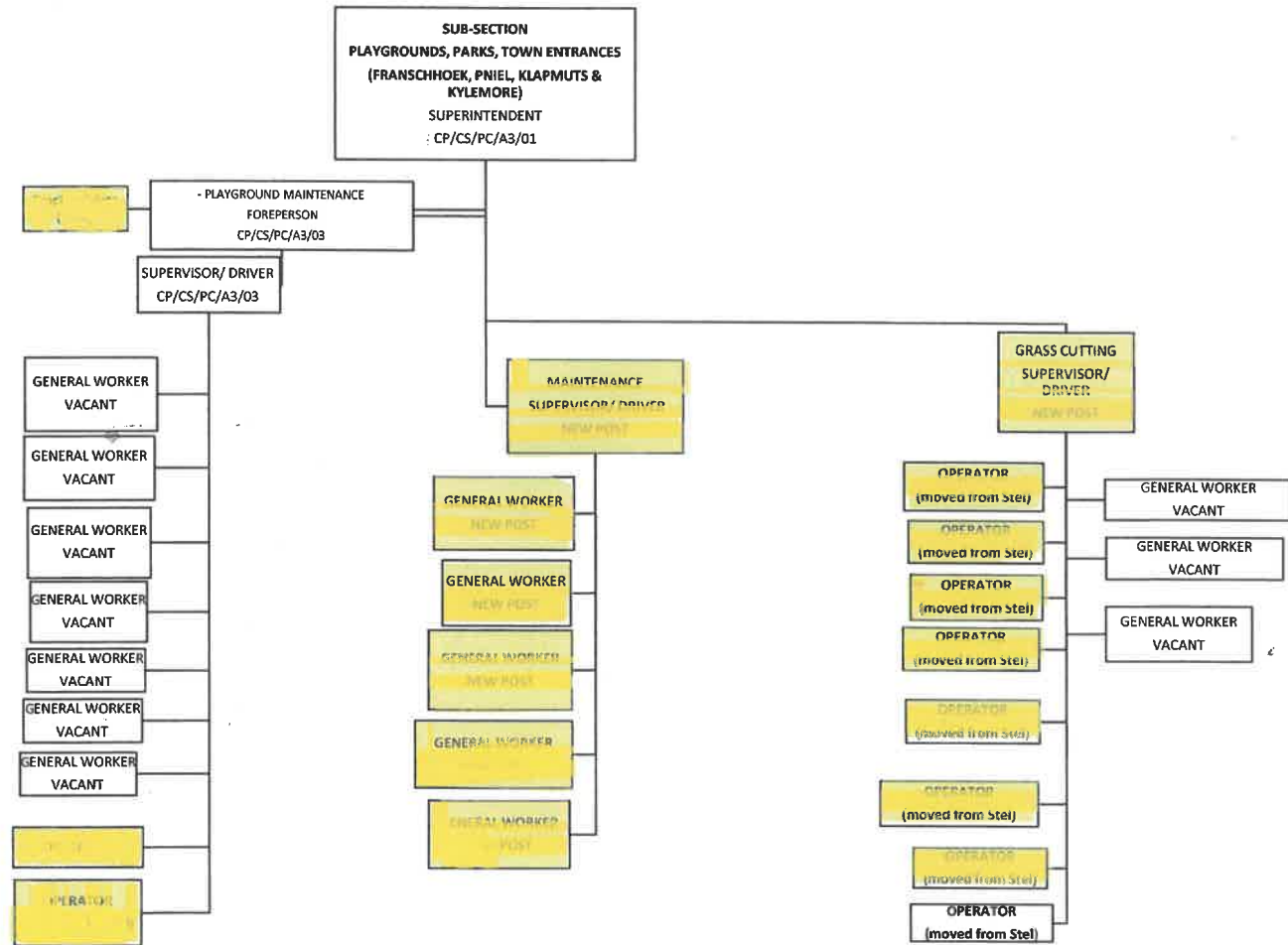


CHANGES MADE ON THE 2017 APPROVED MICROSTRUCTURE

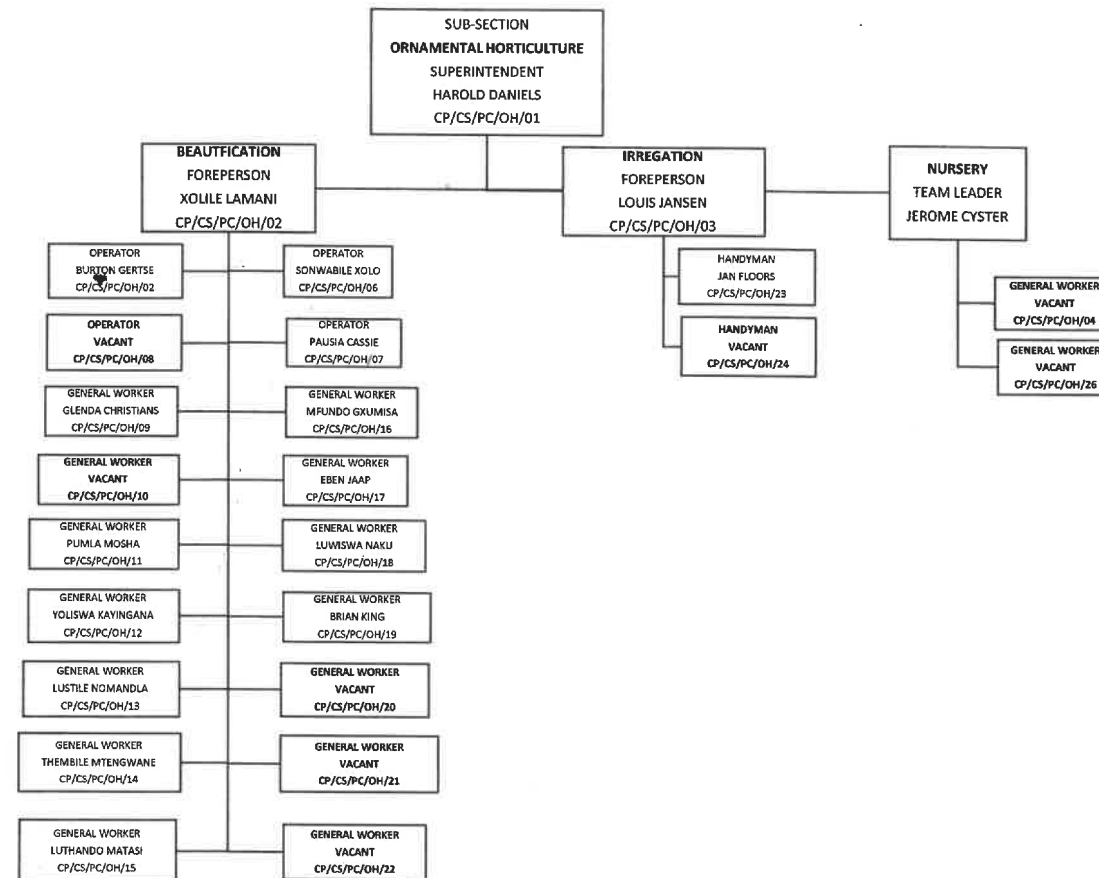


CHANGES MADE ON THE 2017 APPROVED MICROSTRUCTURE

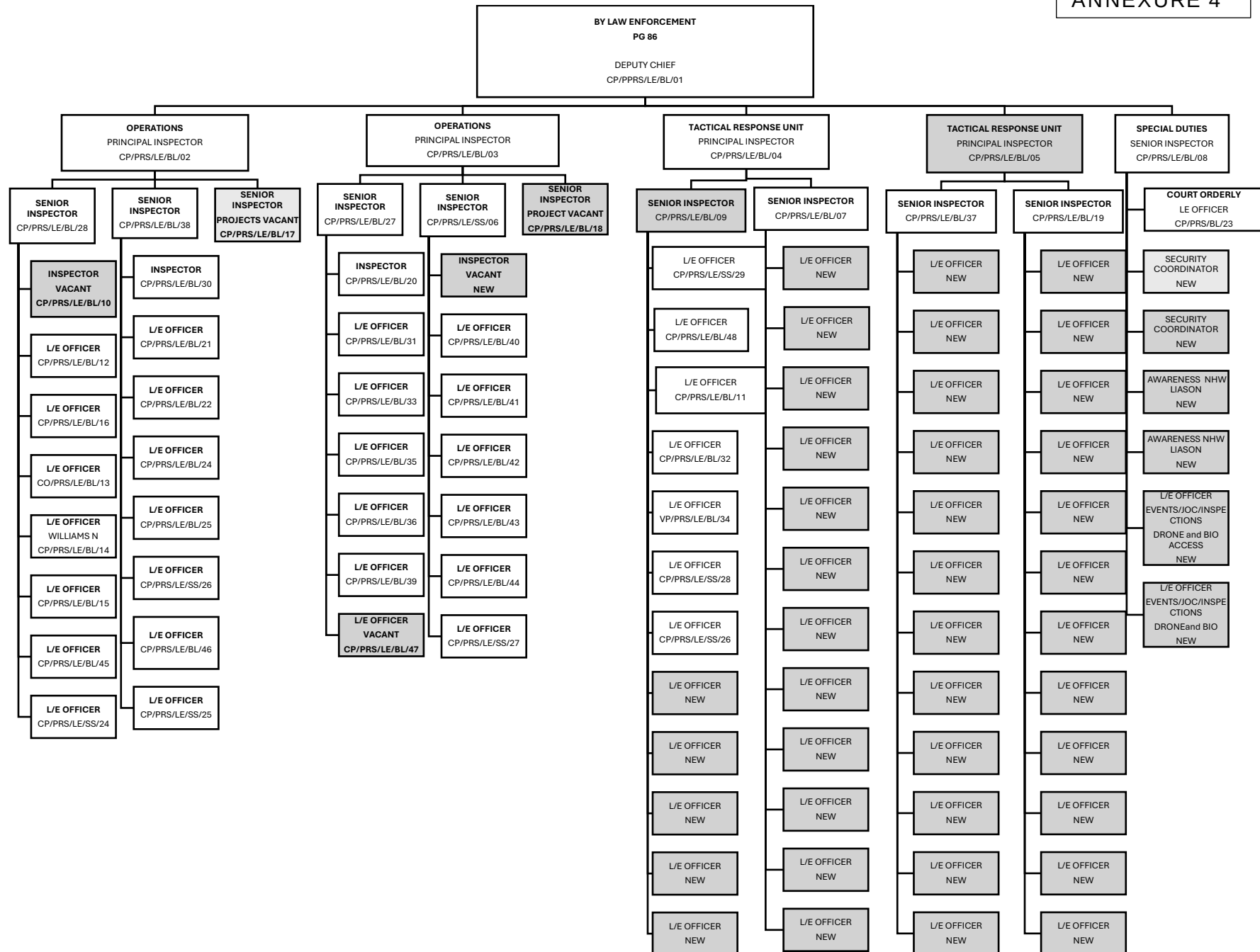






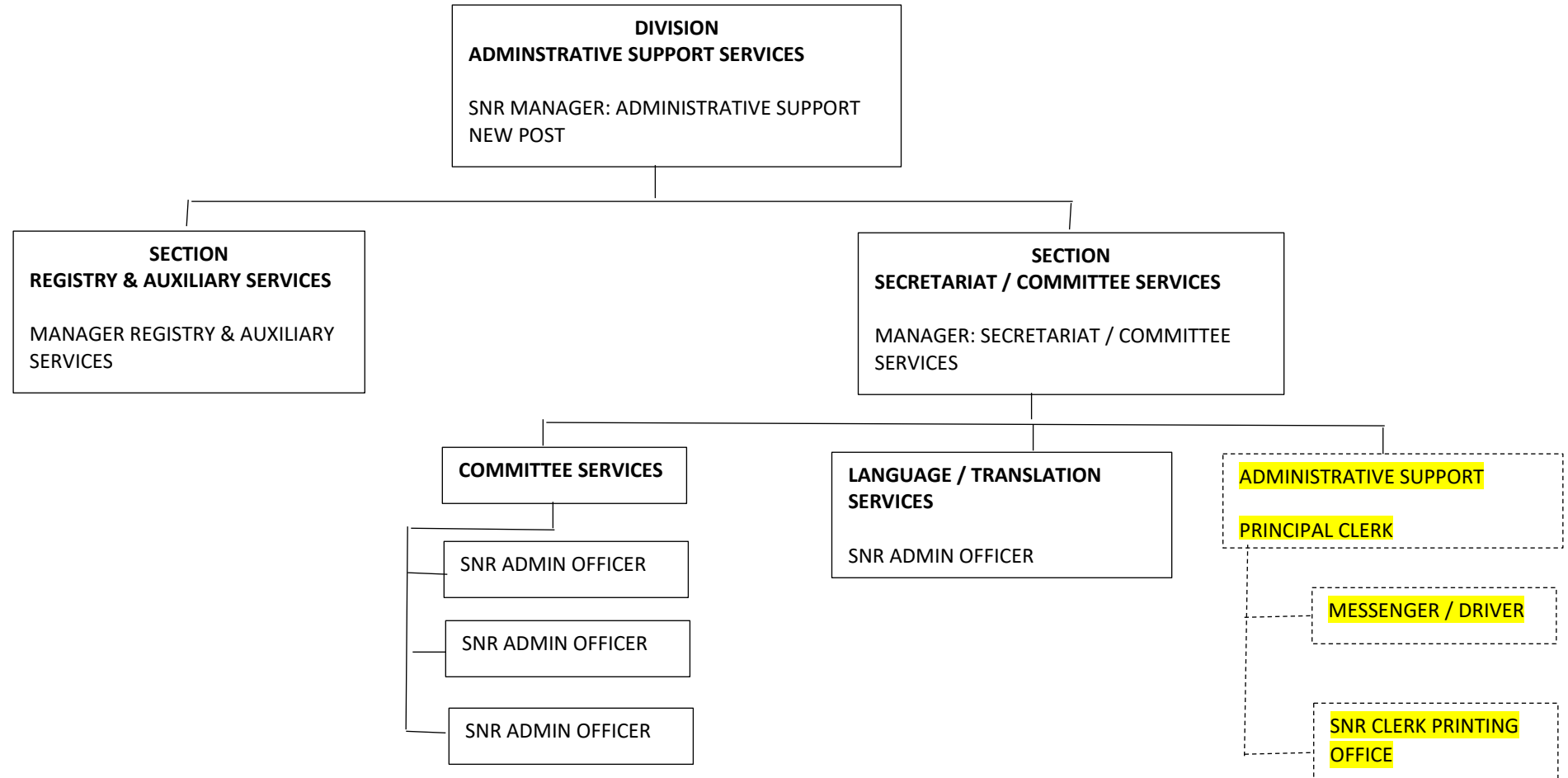


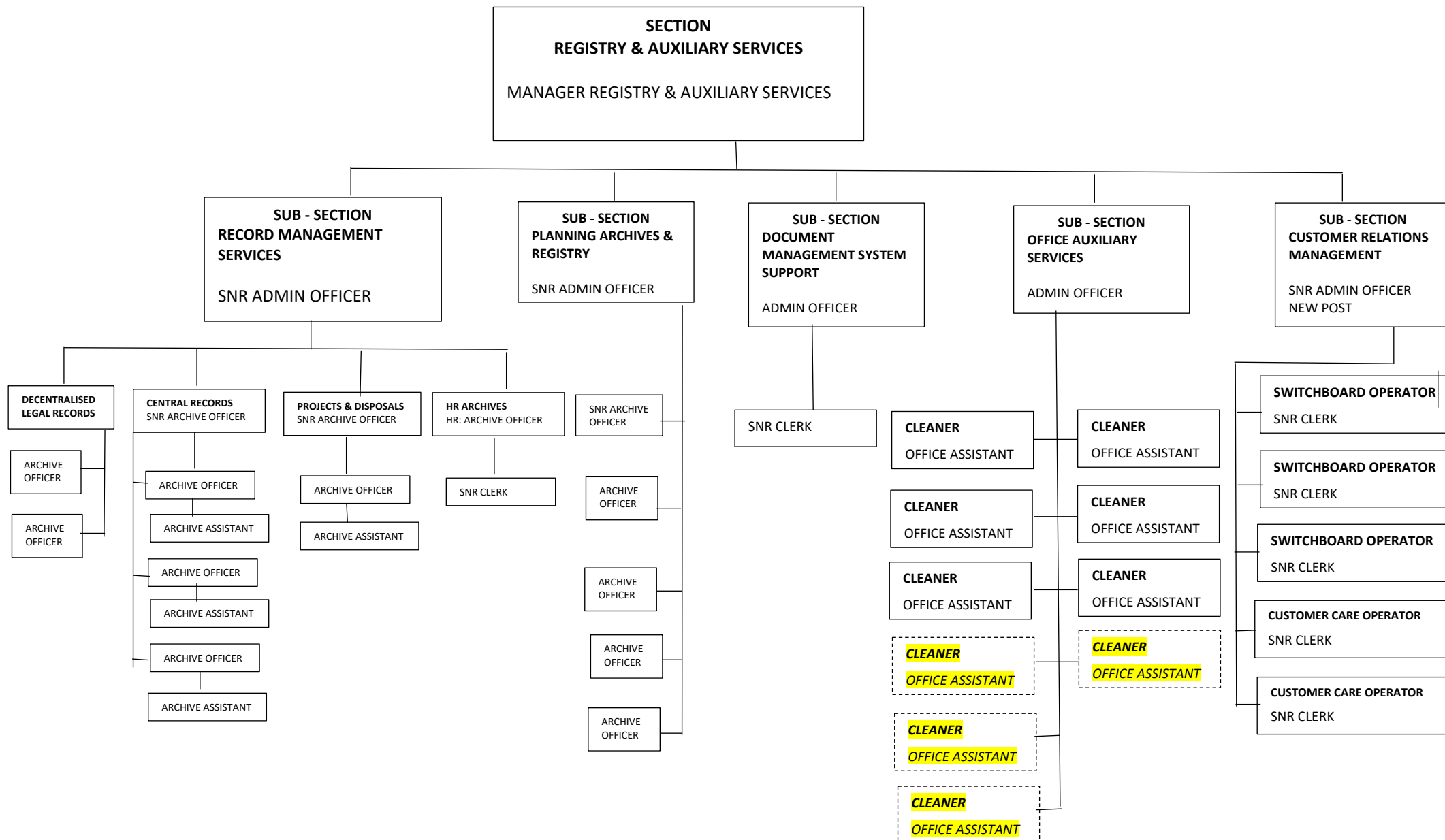
ANNEXURE 4



ANNEXURE 5

PROPOSED CHANGES: CORPORATE SERVICES: JANUARY 2025





10.4	FINANCIAL SERVICES: (PC: CLLR JC ANTHONY)
------	---

NONE

10.5	HUMAN SETTLEMENTS: (PC: CLLR R DU TOIT)
------	---

NONE

10.6	INFRASTRUCTURE SERVICES : (PC: CLLR R PHEIFFER)
------	---

10.6.1	STATUS REPORT ON THE ALTERNATIVE ENERGY GENERATION PROGRAMME – MARCH 2025
--------	---

Collaborator No: 781806
 IDP KPA Ref No: Green & Sustainable Valley
 Meeting Date: 24 March 2025 and 31 March 2025

1. SUBJECT: STATUS REPORT ON THE ALTERNATIVE ENERGY GENERATION PROGRAMME – MARCH 2025

2. PURPOSE

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

3. DELEGATED AUTHORITY

Municipal Council.

4. EXECUTIVE SUMMARY

4.1 20 MW Independent Power Producer Contract: Tender conditionally awarded to successful bidder. A Legal Firm has been appointed by the Municipality to assist in interrogating the draft Power Purchase Agreement at present. Once the draft Power Purchase Agreement is finalised and signed off by both parties, development rights will commence.

4.2 50 MW Independent Power Producer Tender: The Request for Proposals has been prepared and served at the Bid Specifications Committee (BSC). The BSC had some queries before approving the bid documents. These queries will be taken up in return Item to Council to confirm Council's interpretation of what was previously approved by Council when the Feasibility Study was approved.

4.3 The installation of the 66kV switchgear at Main and University substations, is planned to be completed in April 2025. This will then enable the installation of the Supervisory Control and Data Acquisition (SCADA) completion at those substations.

4.4 The Bid Specification Committee (BSC) meeting for the new (SCADA) tender took place on 16 January 2025. The specification for the tender has been approved for advertising subject to minor updates. The new tender is for the Supply, Delivery, Off-Loading, Installation, Setup, Configuration and Commissioning/Testing of

Electrical Substation Telemetry Monitoring Equipment (SCADA System) and Supervisory Communication Network Installations.

The tender was advertised on 15 February 2025.

- 4.5 Fire Station Progress: The tender for the Stellenbosch Fire Station battery storage system was awarded and construction work will be completed by 30 June 2025.
- 4.6 NPK Building Progress: Tender documentation is being prepared at present for the retrofitting of the building with alternative energy equipment.
- 4.7 Main Building (Neethling Huis) Progress: Currently at detailed design and tender documentation stage (Electrical and Mechanical Fire Compliancy).
- 4.8 Energy Performance Certification: The frames have been delivered, and the certificates have been installed in all buildings except the NPK building. The delay in the NPK building is due to the final positioning of the frame not yet being confirmed.
- 4.9 Municipal Community Buildings Progress: Tender B/SM 34/25 Turnkey – Engineering, Procurement and Construction (EPC) of Hybrid Inverter with Battery Storage Systems at fourteen Stellenbosch Municipality Community Buildings. The technical evaluation has been completed and the report will serve at the next Bid Adjudication Meeting in March.
- 4.10 Eskom Hot Water Load Control (HWLC) and RT 29-2024 Contracts for smart meters:

A new tender will be prepared with the objective of becoming effective on 1 July 2025.

- 4.11 The Municipality's load curtailment application is still with Eskom at present, and Eskom has committed to responding formally to the Municipality's request. The Municipality will still pursue this option but mitigating measures are in place should it not materialise.

The above projects, 4.1 to 4.10, will still be pursued by the Municipality's Alternative Energy Program with the focus on securing cheaper and renewable energy, as well as the focus on business continuity during outages and ensuring that critical plants and systems are still operational.

5. **RECOMMENDATION**

that Council notes 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

6.2.1 20 MW Independent Power Producer Contract: Tender conditionally awarded to successful bidder. A Legal Firm has been appointed by the Municipality to assist in interrogating the draft Power Purchase Agreement at present. Once the draft Power Purchase Agreement is finalised and signed off by both parties, development rights will commence.

6.2.2 50 MW Independent Power Producer Tender: The Request for Proposals has been prepared and served at the Bid Specifications Committee (BSC). The BSC had some queries before approving the bid documents. These queries will be taken up in return Item to Council to confirm Council's interpretation of what was previously approved by Council when the Feasibility Study was approved.

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Municipality will still pursue this option but mitigating measures are in place should it not materialise.

The above projects, 4.1 to 4.10, will still be pursued by the Municipality's Alternative Energy Program with the focus on securing cheaper and renewable energy, as well as the focus on business continuity during outages and ensuring that critical plant and systems are still operational.

6.3 Financial Implications

This report has no further financial implications to the municipality and the projects have been appropriately budgeted for.

6.4 Legal Implications

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

6.5 Staff Implications

Specialized technical staff would be required to facilitate and implement the switching and optimization of different sources of energy into the Municipal grid. The department has identified vacancies as well as new posts which have been submitted in a new draft organogram for review.

6.6. Previous / Relevant Council Resolutions

23RD COUNCIL MEETING: 2024-06-14: ITEM 10.6.1

NOTED

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

"40TH COUNCIL MEETING: 2021-01-27: ITEM 11.5.1

RESOLVED (nem con)

- (a) that Council approves the investigation into alternate methods of electricity generation and purchases.
- (b) that Council approves the joint investigation to be done by University of Stellenbosch, Council for Scientific and Industrial Research (CSIR), and the Western Cape Government.
- (c) that Council accepts the initiating of the following processes as may be required:
 - i. Municipal Systems Act, Section 78(1) processes
 - ii. Municipal Finance Management Act, Section 33 investigation processes
 - iii. Electricity Regulation Act, Section 13; and
- (d) that Council considers the funding of such investigations and implementation of completed investigations within the determination of the 2021/22 budget process.

16TH COUNCIL MEETING: 2023-08-23: ITEM 11.6.3**NOTED**

The progress of the Alternate Energy Generation initiatives and studies.

20TH COUNCIL MEETING: 2024-02-21: ITEM 11.6.1**NOTED**

The Alternative Energy Generation strategies identified by the AEG Committee and the progress with the Alternative Energy Generation projects initiated.

6.7 Risks / Challenges: Implications and Mitigation:

- The approval of the municipality's load curtailment application by Eskom's Load Shedding Committee is a risk but the program is now focusing on affordability of future energy costs for the Municipality, as well as security of supply.
- The existing ICT network infrastructure is being upgraded in tandem with the SCADA project.

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.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2025-03-24: ITEM 7.6.1

that Council notes the latest progress with the Alternative Energy Generation projects in implementation at present.

FOR FURTHER DETAILS CONTACT:

NAME	<i>Nombulelo Zwane / Rendani Makungo</i>
POSITION	<i>Senior Manager: Electrical Services</i>
DIRECTORATE	<i>Infrastructure Services</i>
CONTACT NUMBERS	<i>021 808 8770/ 021 808 8333</i>
E-MAIL ADDRESS	nombulelo.zwane@ Stellenbosch.gov.za / rendani.makungo@ Stellenbosch.gov.za
REPORT DATE	<i>27 February 2025</i>

10.6.2	REQUEST FOR THE CLOSURE OF NAGTEGAAL ROAD, ONDER-PAPEGAAIBERG
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Collaborator No: 782377

IDP KPA Ref No: Good Governance and Compliance

Meeting Date: 24 March 2025 and 31 March 2025

1. SUBJECT: REQUEST FOR THE CLOSURE OF NAGTEGAAL ROAD, ONDER-PAPEGAAIBERG

2. PURPOSE

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

3. DELEGATED AUTHORITY

Municipal Council.

4. EXECUTIVE SUMMARY

The Municipality had received requests from the public, for the permanent closure of Nagtegaal Road, at its intersection with Devon Valley Road in Onder-Papegaaiberg.

In March 2024 the Municipality commissioned a detailed Traffic Impact Study to confirm the nature and extent of the traffic impacts. The Traffic Impact Study recommended the closure of Nagtegaal Road.

The proposed closure was tabled before Council in November 2024, where Council noted the contents of the report (and its Traffic Study) and approved the advertisement of the road closure for public comment, see **ANNEXURE A**.

Comments received proposed improved traffic calming measures on surrounding roads and a U-Turn facility and the point of the closure, see Annexure B. All proposals from the public participation process were evaluated and found to be valid and warranted and are also supported by the Directorate.

It is therefore proposed that cost of the closure, which will include traffic calming on surrounding roads and well as the U-turn facility, be budgeted for in the next budget cycle. Implementation which will include design and construction, can commence once the budget is approved and becomes available.

5. RECOMMENDATIONS

- (a) that Council takes note of the comments received and the Directorates view;
- (b) that Council approves the closure of Nagtegaal Road;
- (c) that the cost for the closure and associated works be budgeted for in the next budget cycle; and
- (d) that implementation of the closure, which includes design and construction commences once the budget is approved and becomes available.

6. DISCUSSION / CONTENTS

6.1 Background

The Municipality had received requests from the public, for the permanent closure of Nagtegaal Road, at its intersection with Devon Valley Road in Onder-Papegaaiberg.

In March 2024 the Municipality commissioned a detailed Traffic Impact Study to confirm the nature and extent of the traffic impacts. The Traffic Impact Study recommended the closure of Nagtegaal Road.

The proposed closure was tabled before Council in November 2024, where Council noted the report (and its Traffic Study) and approved the advertisement of the road closure for public comment.

6.2 Discussion

A public participation was followed whereby Notice No. 8/2025 was published on the Municipality's website and in the Eikestad newspaper on the 23rd of January 2025, see **ANNEXURE A**.

Comment was received from an internal Municipal Department proposing a U-turn facility at the point of the closure, see **Annexure Bi**.

Comments from the public were received from Mr AM van Zyl and Ms D Pieters. In essence the public comments proposed improved traffic calming measures on surrounding roads, see **ANNEXURE Bii and Biii**.

All proposals from the public participation process were evaluated and found to be valid and warranted. The proposals obtained from the public participation process are also supported by the Directorate.

It is therefore proposed that cost of the closure, which will include traffic calming on surrounding roads and well as the U-turn facility, be budgeted for in the next budget cycle. Implementation, which will include design and construction, can commence once the budget is approved and becomes available.

See Locality Plan below:



6.3. Financial Implications

If final approval is obtained, an estimated cost for implementation is R500 000.

6.4 Legal Implications

Complies with legislative requirements.

6.5 Staff Implications

No additional staff implications.

6.6 Previous / Relevant Council Resolutions:

27TH COUNCIL MEETING: 2024-11-27: ITEM 10.6.3

RESOLVED (majority vote with 7 abstentions)

- (a) that the contents of this report, and its ANNEXURE be noted;
- (b) that the Proposed Nagtegaal Road Closure be duly advertised for public comment; and
- (c) that upon the completion of the public participation process, together with any comments/objections, the item be resubmitted to Council for final approval and adoption.

6.7 Risk Implications

Implementation of the closure will improve local traffic safety.

6.8 Comments from Senior Management:**6.8.1 Municipal Manager:**

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2025-03-24: ITEM 7.6.2

- (a) that Council takes note of the comments received and the Directorates view;
- (b) that Council approves the closure of Nagtegaal Road;
- (c) that the cost for the closure and associated works be budgeted for in the next budget cycle; and
- (d) that implementation of the closure, which includes design and construction commences once the budget is approved and becomes available.

ANNEXURES

Annexure A: Notice for Public Comment

Annexure B: Comments Received

FOR FURTHER DETAILS CONTACT:

Name	Shane Chandaka
Position	Director
Directorate	Infrastructure Services
Contact Numbers	021 808 8213
E-mail Address	Shane.Chandaka@ Stellenbosch.gov.za
Report Date	14 March 2025

ANNEXURE A



The Maties students currently working as Interns at R17 Ventures (from left) are Bernard Wleahn, Johannes Alvin Scholtz, Lindokuhle Nomzamo Nkume, Elani Conradie and Simon Baxter. Photo: R17 Ventures

Marketing talent actively fostered

Five students of Stellenbosch University (SU) have embarked on the next step of their education journey thanks to a collaboration between the institution and international digital performance marketing agency R17 Ventures AG.

The students have joined the company's Cape Town office at the V&A Waterfront as interns.

This milestone celebrates the company's strong and collaborative relationship with SU, which was further strengthened during a dynamic challenge hosted on-campus last September.

The initiative, part of SU's centenary celebration of business education, blended academic rigour with real-world application, culminating in an opportunity for students to secure internships with R17 Ventures.

The agency hosted a workshop that challenged the Maties students to craft go-to-market strategies for a Swiss brand, targeting generational markets. Working in teams, the BCom students tackled the complexities of marketing, finance and innovation, presenting fresh perspectives and creative solutions.

After a rigorous evaluation, one team emerged victorious, earning paid internships at R17, which exemplifies the company's effort to empower the next generation of marketing professionals by bridging the gap between academic theory and professional practice.

"With such a high calibre of students in the participating teams, the competition was tough," said Chanté Brand, academy lead at R17 Ventures. "It's reassuring to see such a strong student base getting ready to enter the workforce."

Over the next four weeks, the group of interns, under the instruction of Brand and R17 leadership, will receive hands-on training in performance marketing, gaining invaluable skills that align with global industry standards.

Raphael Rohner, CEO of R17 Ventures, added: "This initiative highlights our broader dedication to fostering young talent across South Africa. In addition to our partnership with SU, we have our own in-house academy and also maintain robust relationships with other leading institutions."

Digital identity workshop

Stellenbosch will host the DID: UNCONF AFRICA 2025 two-day workshop at the prestigious Stellenbosch Institute for Advanced Study (STIAS) from Tuesday 18 to Thursday 20 February.

As organisations and governments across Africa embrace digital transformation, reshaping how we connect and transact, the need for innovative digital identity solutions made by Africans for Africans has never been more critical. This "unconference" aims to address this challenge by bringing experts together to collaborate on African-led solutions.

This collaboration between local digital identity start-up DIDx and the Internet Identity Workshop (IIW) will bring local and international innovators, leaders and activists together to reshape the future of digital identity in the Southern African Development community (SADC).

The event fosters innovation, collaboration and interoperability, making a significant impact on the inclusive development of digital identity in Africa.

Launched in 2005 by the IIW, this event takes place twice a year in Silicon Valley, USA.

Keeping it relevant to Africa, Day 1

starts with an African-focused Digital Identity Programme, which will explore the current state of digital identity in South Africa and the SADC region through insightful presentations and engaging panel discussions, focusing on local challenges, opportunities and innovations.

From here on it takes on a slightly unconventional approach, with the Open Space UnConferences, which are participant driven. Together with a professional facilitator, the delegates will co-create the agenda live each day of the event. There are no keynotes or panels; it's all about exploring the topic with professional peers from a range of identity areas.

Renowned facilitator Heidi Nobantu Saul and local experts from DIDx will guide the process of the "unconference" proceedings.

"We are excited to bring the first IIW-inspired event to Africa," says DIDx chief operations officer Gideon Lombard. "DID:UNCONF AFRICA is a unique platform for innovation and collaboration in digital identity, offering attendees the chance to actively shape the future of this crucial field."

For further details, registration and sponsorship opportunities, visit: <https://didunconf.africa>.

Cheerful parade beckons

Excitement is building as the iconic Stellenbosch Harvest Parade returns to the streets of the country's wine capital on Saturday 1 February.

The beloved tradition brings together the vibrant Stellenbosch community to celebrate the start of the grape-harvest season with a spectacular procession of floats, music and joy. It has been a feature of the town for almost half a century and has consistently coloured the streets in its the current format since 2013.

Visitors and residents are again invited to witness the parade as it follows its traditional route from Market Street and winding its way along oak-lined avenues. The high point is its arrival at the Stellenbosch Town Hall, where a brief ceremony will take place to bless the coming harvest and express gratitude for the contributions of all agri-workers who make the industry thrive.

"The Harvest Parade is one of the most beautiful expressions of our wine culture and community spirit," said Elmarie Rabe, manager of Stellenbosch Wine Routes. "It's a day to celebrate not only the vineyards and the wines we are so proud of, but also the incredible people behind the scenes who bring the magic to life. We're thrilled to welcome visitors to Stellenbosch to experience this unforgettable event."

Raising the prominence of the occasion is the support of the Stellenbosch Municipality. A steadfast patron of the parade, its backing recognises the important contribution



A colourful parade of floats, dancers, musicians and more will again fill Stellenbosch's streets for the annual Harvest Parade on Saturday 1 February. Photo: Alfred Thorpe/Vuurtoring Media

agriculture and wine tourism make to the region's economy and heritage. The event is also supported by the Cape Winelands District Municipality, Paul Roos KwikSpar and Aquasky Water.

Furthermore, the parade coincides with another significant date for South African agriculture: the official birthday of our wine industry. On 2 February 1659 the first wine was produced in the Cape, marking the beginning of a rich viticultural legacy that continues to flourish.

The parade gets underway at 09:00 from the town's Toy and Miniature Museum in Market Street. It then makes its way along Alexander, Bird, Church and Plein streets to arrive at the town hall at 09:30 for the official blessing of the harvest. Once completed, the procession will return along its route to the starting point.

For more information, email info@wineroute.co.za or call 021 886 4310.



STELLENBOSCH

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MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

NOTICE FOR PUBLIC COMMENT

NOTICE No.: 8/ 2025

CLOSURE OF THE NAGTEGAAL ROAD INTERSECTION WITH DEVEON VALLEY ROAD

The Municipality is considering the closure of the Nagtegaal Road Intersection with Devon Valley Road, Onder-Papegaaiberg.

The intersection closure under consideration prohibits direct access from Devon Valley Road to Nagtegaal Road. Nagtegaal Road remains open and accessible via Tarentaal Road and Hoep-Hoep Road.

Notice is given in terms **Council's Resolution, Item 10.6.3 of the 27th Council Meeting held on the 27 November 2024**, to advertise the proposed closure for public comment.

The community and travelling public is therefore invited to provide comment. Comments must clearly state "Closure of the Nagtegaal Road Intersection with Devon Valley Road" and may be forwarded to: Engineering.services@stellenbosch.gov.za or may be submitted to the Municipal Office located at 71 Plein Street, Ecclesia Building, Second Floor.

Any person, unable to read or write or, having any sight disability, will be assisted by an official at the above-mentioned office, should they not be able to provide comments on their own accord.

The Council item and associated report can be downloaded from Stellenbosch Municipality's website (www.stellenbosch.gov.za).

Comments / inputs must be submitted on or before 28th of February 2025.

Infrastructure Services
21/1/2025

ANNEXURE B

From: [Engineering Services](#)
To: [Shannon Groeneveld](#); [Justine Fielies](#); [Grant Leith](#)
Cc: [Clayton Hendricks](#); [Engineering Services](#); [Johan Fullard](#); [Justin Leitch](#)
Subject: RD_000050482 Closure of the Nagtegaal Road Intersection with Devon Road"
Date: Monday, 10 February 2025 11:51:01
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

Good day

Please find the under- mentioned request – registered with reference number RD_000050482 – for your attention.



Kind regards,
Ms Farren Loggenberg
Customer Care Officer (Support Intern)
Infrastructure Services

T: 021 808 8953
Email: Farren.Loggenberg@stellenbosch.gov.za
1st Floor, Ecclesia Building 71, Plein Street, Stellenbosch,
7600
www.stellenbosch.gov.za




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

From: Clayton Hendricks <Clayton.Hendricks@stellenbosch.gov.za>
Sent: Monday, 10 February 2025 10:23
To: Engineering Services <Engineering.Services@stellenbosch.gov.za>
Cc: Johan Fullard <Johan.Fullard@stellenbosch.gov.za>
Subject: Closure of the Nagtegaal Road Intersection with Devon Road"

Good day Roads Dept

The notification of the closing of Nagtegaal Road intersection is noted.

The Waste Management Department will require a turning circle at the end of Nagtegaal Road to allow the refuse truck to turn at the end of the road. Reversing a refuse trucks poses several risks and should be avoided. If no turning circle is possible, then the closing of Nagtegaal Road is not supported.



Kind regards,
Clayton Hendricks
Senior Manager: Waste Management
Infrastructure Services
Stellenbosch Municipality

T: +27 21 808 8248/8228 | Cell: +27 731344912
71 Plein Stret, Ecclesia Building, Stellenbosch, 7600
www.stellenbosch.gov.za




From: [Engineering Services](#)
To: [Nigell Winter](#); [Justine Fielies](#); [Shannon Groeneveld](#)
Cc: [Engineering Services](#); [mm](#); [Mayor \(Jeremy Fasser\)](#); mver@sun.ac.za
Subject: FW: Closure of Nagtegaal road at intersection with Devonvalley Road, Onderpapegaaiberg
Date: Wednesday, 12 February 2025 16:28:37
Attachments: [NoticeNagtegaalroadClosure.jpg](#)
[image001.png](#)
[image002.png](#)
[image003.png](#)

Good day.

Please find complaint below – registered with reference number RD_000050704 – for your attention.

[@mver@sun.ac.za](mailto:mver@sun.ac.za) – We hereby acknowledge the receipt of your e-mail. Your complaint has been escalated to the Roads & Stormwater Division for further handling.



Regards
Ashwill Coetzee
 Customer Care Officer (Intern)
 Infrastructure Services

T: +27 21 808 8345
 71 Plein Street, Ecclesia Building 1st Floor
 Stellenbosch, 7599
www.stellenbosch.gov.za



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

From: Pieterse, DALENE [mver@sun.ac.za] <mver@sun.ac.za>
Sent: Wednesday, 12 February 2025 15:57
To: mm <Municipal.Manager@stellenbosch.gov.za>; Engineering Services <Engineering.Services@stellenbosch.gov.za>; Mayor (Jeremy Fasser) <Mayor@stellenbosch.gov.za>
Subject: [EX] Closure of Nagtegaal road at intersection with Devonvalley Road, Onderpapegaaiberg

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

Dear management of Stellenbosch municipality

The closure of Nagtegaalroad at the entrance of Devonvalley Road refers(see attached file for notice). The addition of the circle in Winery Road, becoming Devonvalley Road has led to an increase in traffic in surrounding areas which is a residential area (Onderpapegaaiberg), with the proposed closure of the above mentioned intersection. I would like to bring to your attention the fact that this closure will lead to an increase in traffic in Tarentaal road. This road leads directly past two sets of accommodation for the elderly, Stellenoord and Geluksoord. In this specific area this is a pedestrian crossing

near the corner of Tarentaal and Hoep Hoep, but this is totally insufficient since cars speed down this road (in this particular area as well). There is a speed hump further down this road near the Scouts Hall, but there is definitely one needed at the pedestrian crossing mentioned. Also note that, should Tarentaal be closed, it will lead to increased traffic down Hoep Hoep road. This road is used very often by the residents of Geluksoord and I urge you to also set up speed humps in Hoep Hoep.

Kind regards.

Dalene Pieterse

Resident of Hoep Hoep road, Onderpapegaaiberg

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

From: [Engineering Services](#)
To: [Justine Fielies](#); [Nigell Winter](#)
Cc: [Engineering Services](#); amvanzyl@isales.co.za
Subject: CLOSURE OF NAGTEGAAL ROAD INTERSECTION
Date: Tuesday, 04 February 2025 08:22:18
Attachments: [image001.png](#)
[image003.png](#)
[image004.png](#)
Importance: High

Good day

Please find e-mail below for your attention.

@ Ms Van Zyl – Your e-mail has been escalated to the Roads & Traffic Engineering Division for their scrutiny.



Jeanne Schreuder
Customer Care Officer
Infrastructure Services

T: +27 21 808 8343
71 Plein Street, Ecclesia Building 1st Floor
Stellenbosch, 7599
www.stellenbosch.gov.za



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

From: AM VAN ZYL <amvanzyl@isales.co.za>
Sent: Monday, 03 February 2025 16:25
To: Engineering Services <Engineering.Services@stellenbosch.gov.za>
Subject: [EX] Fw: CLOSURE OF NAGTEGAAL ROAD INTERSECTION
Importance: High

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

From: AM VAN ZYL
Sent: Friday, January 31, 2025 10:11 AM
To: engineering@stellenbosch.gov.za
Subject: CLOSURE OF NAGTEGAAL ROAD INTERSECTION

To Whom it may Concern

NOTICE: 8/ 2025

Objection against said plans unless the area gets SPEED CALMING in Hoep-Hoep Street.

We have had, and still have experiences with motorists taking wrong turn offs, then speeding up and down either Tiptol or Hoep-Hoep to make up for “time lost”. The latest trend of delivery bikes and Ubers adding to the problem at great speed.

We do have the old age home, Geluksoord, at the end of Hoep-Hoep Street, with the elderly either using Hoep-Hoep for walking, assisted or on their own.

I have been witnessed to reckless driving by a motorist down Hoep-Hoep, nearly hitting an elderly pedestrian who can not, due to the uneven nature of the sidewalks, use them, forced to walk on the tar, but with people parking in front of their homes, causing speeding cars to swerve, nearly knocking over a very old lady. She was left traumatised by this event. And that is just one such incident witnessed.

Children use the streets on their bicycles and many moms with toddlers use Hoep-Hoep to push a pram, or have the little one on tricycles and push bikes. Not ideal to close roads, forcing irritated drivers through the streets. Signage are ignored, so will not solve a problem caused by speed.

I urge you kindly to, once the municipality decides to close off Nagtegaal, bring speed bumps halfway between Geluksoord and Nagtegaal turn off, as well as before Tiptol, as people picks up speed returning bottom end of Hoep-Hoep, to chase down the street.

Thank you kindly

Adri van Zyl
Resident Tiptol 1
0824137353

10.7	PARKS AND OPEN SPACES: [PC: CLLR N OLAYI]
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NONE

10.8	PLANNING, LOCAL ECONOMIC DEVELOPMENT AND TOURISM: [PC: DEPUTY MAYOR: CLLR M SLABBERT]
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10.8.1	PUBLIC PARTICIPATION PROCESS FOR STELLENBOSCH MUNICIPALITY: PROPOSED DRAFT PROBLEM PROPERTY BY-LAW 2025
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Collaborator No: 780663
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 19 February 2025 & 31 March 2025

1. SUBJECT: PUBLIC PARTICIPATION PROCESS FOR STELLENBOSCH MUNICIPALITY: PROPOSED DRAFT PROBLEM PROPERTY BY-LAW 2025

2. PURPOSE

Is to present to Council the Stellenbosch Municipality: Proposed Draft Problem Property By-law (2025) for consideration to adopt the same for the purpose of a public participation process.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

Following the internal review of the Stellenbosch Municipality: Problem Property By-law (2020), the Department of Development Management proceeded to update the current problem property by-law to address difficulties that are currently being experienced in the implementation of said By-law, as well as to enhance the By-law with relevant additions.

The proposed draft Stellenbosch Municipality Problem Property By-law (2025) is now being presented to Council for consideration to be adopted for the purpose of a public participation process.

Following such public participation process and any required amendments that may result from such process, the final draft problem property by-law will be submitted to Council for consideration of approval and subsequent promulgation.

5. RECOMMENDATIONS

- (a) that the proposed draft Stellenbosch Municipality Problem Property By-law 2025 **BE NOTED**; and
- (b) that the proposed draft Stellenbosch Municipality Problem Property By-law 2025 **BE ADOPTED** for the purpose of a public participation process.

6. DISCUSSION / CONTENTS**6.1 Background**

A crucial need was identified for the review of the current Stellenbosch Municipality Problem Property By-Law (2020), to allow for the effective implementation thereof.

The review process of the current Stellenbosch Municipality Problem Property By-law (2020) included the rationale for the inclusion of all problem properties.

The current Stellenbosch Municipality Problem Property By-law (2020) refers specifically to "Problem Buildings", which may be interpreted to exclude properties on which no building structures are present and consequently hampers the implementation of the By-law on properties where no buildings exist.

It was further identified that the current Stellenbosch Municipality Problem Property By-law (2020), does not make provision for the effective recourse should an owner not adhere to the compliance notices.

In accordance with these identified difficulties to implement the associated processes of the subject By-law, the current Problem Property By-Law (2020) was updated with suitable measures to address these matters.

During the updating process of the subject By-law all relevant internal departments was consulted, which included the Directorate: Corporate Services, Legal Services, and the Municipal Court. Valuable inputs were received from the Senior Magistrate to ensure the effective referral of cases to the court, when required.

The Draft By-law retains the objective for Council to assist property owners in rectifying the problem properties, and additional provisions were added in accordance with the current reality of matters that is pertinent in the context of the Stellenbosch Municipality.

All inputs will be considered for required amendments, and the final draft by-law will then be submitted to Council for adoption pursuant to any comments received after the public participation process and promulgated.

In consideration of the proposed updates to the current By-law, the most viable avenue for adopting the new subject by-law must be determined.

In practice there are essentially two ways to update and amendment a By-law, -

- a) The first is the "Brackets and Underline" method in which every individual amendment is shown in the subject by-law by way of words in [] to indicate omissions from the by-law and words underlined to indicate insertions in the by-laws. With any changes to a By-law, this approach makes for difficult reading and complicated interpretation.
- b) The second is the "Publish and Repeal" method whereby a new version of the subject by-law, with all amendments, are adopted and published and with it, also repeal the previous or existing version. This is the Directorate's preferred method as such version will be clean and easy to read and use. It is thus also proposed to undertake the amendment of the subject By-law in accordance with this method.

6.2 Financial Implications

The development of the subject by-law was undertaken in-house with no cost to Council. The public participation process will result in the cost associated with required publishing of the Draft By-law.

6.3 Legal Implications

The amendment of By-law is governed in terms of the provisions of Section 12 of the Municipal Systems Act, 2000 (Act 32 of 2000) which needs to be satisfied. The proposed public participation process is an inherent requirement for adopting a new by-law.

6.4 Staff Implications

The public participation process will be conducted in-house by the available professional building development management staff.

6.5 Previous / Relevant Council Resolutions

Council resolved (nem con) **Item 13.2 on 29 July 2020**

- (a) that the revised draft By-law on Problem Properties for Stellenbosch Municipality (WC024) be recommended for approval in terms of Sections 11(3)(m) of the Local Government Municipal Systems Amendment Act 32 of 2000 and;
- (b) the administration proceeds with the publication of the by-law.

6.6 Risk Implications

There are no risks associated with the envisaged public participation process in finalising the development of the proposed draft Stellenbosch Municipality Problem Property By-law (2025).

6.7 Comments from Senior Management**6.7.1 Director: Infrastructure Services**

Inputs not solicited.

6.7.2 Director: Planning and Economic Development

Item supported.

6.7.3 Director: Community and Protection Services

Inputs not solicited.

6.7.4 Director: Corporate Services

Inputs as reflected in the subject updated By-law. Supports the recommendations.

6.7.5 Chief Financial Officer

Inputs not solicited.

6.7.6 Municipal Manager

Item supported.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2025-02-19: ITEM 7.8.1

- (a) that the proposed draft Stellenbosch Municipality Problem Property By-law 2025 **BE NOTED**; and
- (b) that the proposed draft Stellenbosch Municipality Problem Property By-law 2025 **BE ADOPTED** for the purpose of a public participation process.

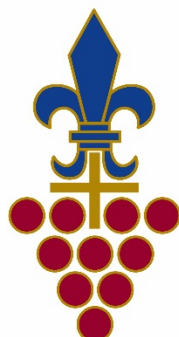
ANNEXURES

Annexure "A": Proposed Draft Stellenbosch Municipality: Problem Property By-law 2025

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REPORT DATE	<i>5 February 2025</i>

ANNEXURE A



STELLENBOSCH

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PROBLEM PROPERTY BY-LAW

APPROVED BY COUNCIL: _____ 2025

DRAFT AMENDMENTS

February 2025

PROBLEM PROPERTY BY-LAW

PREAMBLE

Noting the constitutional mandate of municipalities to administer the regulation of buildings and properties within their jurisdiction and to control public nuisance;

Noting the need to identify problem properties and to take the necessary measures to ensure compliance with the Municipality's by-laws, policies and plans and legislation related to property and the use of property;

And noting that the principal purpose of this By-law is to secure compliance rather than demolition and re-development;

Be it therefore enacted by the Council of the Stellenbosch Municipality; it reads as follows:

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PART 1: DEFINITIONS AND APPLICATION

1 Definitions

In this By-law, unless the context indicates otherwise-

“authorised official” means an employee of Stellenbosch Municipality responsible for carrying out any duty or function or exercising any power in terms of this By-law or any other applicable by-law and includes an employee delegated to carry out such duties, functions or exercise such powers;

“building” includes-

- (a) any structure, whether of a temporary or permanent nature and irrespective of the materials used in the erection thereof, erected or used for or in connection with the-
 - (i) accommodation or convenience of human beings or animals;
 - (ii) manufacture, processing, storage, display or sale of any goods;
 - (iii) rendering of any service;
 - (iv) destruction or treatment of refuse or other waste materials;
 - (v) cultivation or growing of any plant or crop;
- (b) any wall or part of the building including entrance gates/facilities;

1. **“Municipality”** means Stellenbosch Municipality, a local authority established in terms of section 12 of the Local Government: Municipal Structures Act 117 of 1998 by Provincial Notice 489/2000 (Establishment of the Stellenbosch Municipal (WC024)) promulgated in the Government Gazette dated 22 September 2000, as amended by Provisional Notice PN675/2000 (Stellenbosch Municipality (WC024) Established Amendment Notice)

promulgated in the Provincial Gazette of 4 December 2000 as amended by the 9th Amendment notice dated 15 October 2021.

“National Building Regulations Act” means the National Building Regulations and Building Standards Act, 1977 (Act No.103 of 1977);

“owner” in relation to a property means the person in whose name the land on which such building was or is erected, as the case may be, is registered in the deeds office in question;

“occupier” means a person in charge of a property or the person who occupy the property or who erected the structure under investigation or authorised the erection of the structure on the property with or without the consent of the owner.

(a) If such person, in the case of a natural person, is deceased or was declared by any court to be incapable of managing his or her own affairs or a prodigal or is a patient as defined in section 1 of the Mental Health Act, 1973 (Act No. 18 of 1973), or if his or her estate has been sequestrated, placed under administration or debt review the executor or curator, administrator or debt councillor concerned, as the case may be;

(b) such person, in the case of a juristic person or trust, has been liquidated or placed under judicial management or business rescue, the liquidator, judicial manager or business rescue practitioner concerned, as the case may be;

(c) such person is absent from the Republic or if his or her whereabouts are unknown, any person who, as agent or otherwise, undertakes the management, maintenance or collection of rentals or other moneys in respect of such building or who is responsible therefor;

(d) in the case of a sectional title scheme, a sectional title unit is registered in the name of a person, that person;

(e) in the case of a trust, the trustees of such trust;

(f) in the case of an Owners Association, the members of the owners association

(g) in the case of a sectional title scheme, a body corporate responsible for the control, administration, and management of the common property; and/or

(h) where the Stellenbosch Municipality is unable to determine the identity of such person, any person who is entitled to the benefit of the use of such building or who enjoys such benefit;

“problem property” means any property that has been declared under section 10 to be a problem property;

“property”-

(a) means any piece of land registered as a separate entity of land in the deeds registry as an erf, lot, plot, farm, stand or agricultural holding and includes any unit and land contemplated in the Sectional Title Act, 1986 (Act No. 95 of 1986) including any piece of land not so registered in the deeds registry;

(b) includes any building or structure on that piece of land, any active or abandoned development and building activities, inclusive of earthworks, on the property in pursuance of development of the subject property; and

(c) includes any earthworks done on that piece of land.

2 Application of this By-law

(1) This By-law applies to all properties within the area of jurisdiction of the Stellenbosch Municipality including properties owned by the State.

(2) Where the Stellenbosch Municipality is unable to determine the identity of the owner of a property, any person who is entitled to the benefit of the use of such building or property, or who enjoys such benefit shall be deemed to be the owner of such property or the person in charge of that property or who occupy the property.

PART 2: DUTY AND LIABILITY OF OWNERS

3 Duty of owners

(1) Every owner of a property must-

- (a) not permit that the property becomes abandoned and/ or it to be unlawfully occupied, overcrowded or used for criminal activities; or activities that contravenes any Municipal Bylaws or National Laws
- (b) not permit the dumping of waste on the property or allow that waste accumulate on the property; and
- (c) not permit that the property be used for any purpose not authorised in terms of the prevailing land use rights and /or cause that the property is illegally connected to electricity and the water supply system,
- (d) ensure that the property, which includes any structures, buildings and infrastructure located thereon, is maintained in a good state of upkeep, repair and in a safe and functional condition that prevents hazards to health, safety or the environment, and which includes, but is not limited to, ensuring:
 - (i) that the condition and appearance of the property is not in a state of being derelict, unhealthy, unsanitary, unsightly, dilapidated, overgrown and consequently justifiable objectionable, and
 - (ii) that the condition and appearance of the property does not impact negatively on the aesthetic appeal of the living environment, and which means that the condition and appearance of the property is not distractively less than, and not befitting, the equivalent state of the prevailing conditions of other properties in the same street and/ or precinct.
- (e) ensure that the property, including any structures, buildings and infrastructure located thereon, is maintained in compliance with the applicable **National Building Regulations** and other relevant safety regulations so that the property does not present any risks to the health,

safety, or well-being of the occupants or the public, and which includes, but is not limited to, ensuring that:

- (i) the structural integrity of the building, structures, and infrastructure is preserved and not causing that any building, structure or infrastructure on the property becomes structurally unsound or becomes dangerous to life or property, and if so, to notify the Stellenbosch Municipality if the condition of any property is dangerous to life or property in terms of section 12(2) of the National Building Regulations and Building Standards Act;
 - (ii) electrical, plumbing, and mechanical systems are safe and properly functioning
 - (iii) access to the property, including walkways and stairways, is safe and free from hazards.
 - (iv) fire safety measures are in place and maintained in good working order.
- (2) During the erection of a building, the owner of the property must proceed with its erection without delay and take reasonable measures during its erection to prevent unauthorised access to the building.
- (3) For the purposes of subsection (2), delay means any period in excess of three months.

4 Duty to take measures

- (1) If a property is unlawfully occupied or used for criminal activities, the owner must take the necessary measures to evict the occupants at own cost without delay.
- (2) Where the owner of such property fails/refuses to take appropriate legal action and/or eviction proceedings against the illegal occupiers, out of own initiative or when instructed to do so, the Municipality can institute appropriate legal action against the owner and occupiers which proceeding will be instituted by the Municipality, but for the cost of the owner. Where the owner cannot be found after a diligent search, legal action can be instituted by the Municipality against the illegal occupants, and owner which will be for the owner's cost.

- (3) The Municipality will take appropriate legal action against the occupiers of the property, where the Municipal Council is the owner of a property so occupied.
- (4) Where the State is the owner of a property, the Municipality will act against a State after a process of intergovernmental relations is instituted and finalised.
- (5) If waste has been dumped or accumulated on the property, the owner must remove the waste and transport it to a designated licensed disposal facility at the owner's cost.
- (6) Should the owner fail/refuse to remove the waste the Municipality can institute legal action against the owner/occupier of the property.
- (7) Overgrown vegetation shall be removed by the owner at the owner's cost when so instructed by the Municipality in writing, and within 14 working days from receipt of such instruction. Should the owner fail to adhere to the instruction from the Municipality, the Municipality shall appoint a contractor to execute the function, and the cost shall be for the owner's account and shall be placed on the owner's Municipal account.

5 Liability of owners for costs

- (1) Where the owner has failed to comply with a compliance notice issued by the authorised official, the owner is liable for the costs incurred by the Stellenbosch Municipality or contractor appointed by the Municipality, to-
 - (a) maintain, repair, renovate, rehabilitate, or alter the property;
 - (b) secure, close or barricade the property;
 - (c) demolish a building or structure on the property;
 - (d) to clean-up and remove waste, vegetation, clear and remove plant overgrowth, remove rubble and rehabilitate the property; or
 - (e) otherwise enforce compliance with this By-law
- (2) Any damages and actual costs will be recovered by the Stellenbosch Municipality in terms of its Credit Control and Debt Collection Policy and the Credit Control

and Debt Collection By-law, 2011 and these cost may be added to the owner's Municipal account.

- (3) Where the Municipality commenced with any of the processes alluded to in section 5(1)(a) to (e), the Municipality will finalize the process commenced with and the owner cannot appoint its own contractors after the Municipality commenced with such processes.
- (4) The owner/occupier will be liable for the payment of the costs incurred by the Municipality regardless of the owner/occupier appointing its own contractor after the Municipality appointed a contractor to attend to the processes alluded to in section 5(1)(a) to (e).

PART 3: INVESTIGATION AND COMPLIANCE NOTICE

6 Investigation

- (1) Subject to subsection (7), an authorised official may enter any property unrestricted at a reasonable time to inspect and determine whether the owner of the property complies with this by-law. A reasonable time in terms of this section will be any time between 07h00am and 20h00pm on weekdays.
- (2) An authorised official may only enter a property in terms of subsection (1)-
 - (a) with the consent of the owner or occupant; OR
 - (b) on 7 days after the date upon which a written notice was sent to the owner or occupant of an intention to inspect the property; or
 - (c) with a warrant to enter and search the property issued by a Judge of the High Court or a Magistrate for the district in which the land or property or premises or building or structure is situated, at the request of the Municipality if –
 - (i) the prior permission of the occupier or owner cannot be obtained after reasonable attempts; or
 - (ii) the purpose of the inspection would be frustrated by the occupier or owner's prior knowledge thereof;

- (d) A warrant may be issued only if it appears to the Judge or Magistrate from information that there are reasonable grounds for believing that –
 - (i) An authorised employee has been refused entry to land or property or a building that he or she is entitled to inspect;
 - (ii) An authorised employee will be refused entry to land or property or a building that he or she is entitled to inspect;
 - (iii) An offence contemplated in section 16 of this By-law is occurring or has occurred and an inspection of the premises is likely to yield information pertaining to that offence; or
 - (iv) The inspection is in the opinion of the Municipality reasonably necessary for the purpose of this By-law.
- (3) A warrant must authorise the Municipality and all officials deemed necessary by the Municipality, including any law enforcement agents or government officials, to enter upon the land or property or premises or to enter the building to inspect and determine whether the owner of the property complies with this By-law as specified in the warrant, on one occasion only, and that entry must occur –
 - (i) Within one month of the date on which the warrant was issued; and
 - (ii) At a reasonable time between 07h00am and 20h00pm, except where the warrant was issued on grounds of urgency.
- (4) A search warrant may only be issued if it appears on information provided under oath that there are reasonable grounds for believing that the property is unlawfully occupied, used for criminal activities, or that there is prima facie evidence that there is a contravention of this By-law.
- (5) An authorised official or officials may enter the premises without a warrant if he/she reasonably believes that a warrant will be issued in the circumstances contemplated in subsection (7) but that the delay in obtaining such warrant will negate the purpose of such entry.
- (6) An authorised official may be accompanied by any approved competent person, as contemplated in Part A 19 of the National Building Regulations and an armed

law enforcement official may accompany the official due to safety concerns, or any other person who's technical or professional advice would be required to make a determination on any prevailing condition at the property, who is instructed to examine the building and report on the state of the building and any measures to be taken,

- (7) A notice issued in terms of subsection (2)(b) permits the authorised official to enter the property in terms of subsection (1) more than once.

7 Compliance notice

- (1) An authorised official may issue a compliance notice on the owner of a property if that official considers that-

- (a) the owner has failed to comply with the duties of an owner under Part 2 or any other contravention of the By-law which can be remedied by the issuing of a compliance notice; and
- (b) the failure can be remedied without the declaration of a problem property in terms of Part 4.

- (2) The compliance notice must-

- (a) specify-
 - (i) the measures that the owner must take to remedy the non-compliance in terms of Part 2;
 - (ii) a reasonable period within which the measures must be taken; and completed in full
 - (iii) the date by which the owner may make representations to amend or withdraw the notice; and
- (b) be in the form determined by the delegated authority in terms of section 20.

- (3) The measures contemplated in subsection (2)(a) may include-

- (a) cleaning, repairing, repainting, renovating or altering the property;
- (b) securing, fencing, or barricading the property;

- (c) completing the construction of a building or structure on that property;
 - (d) closing or demolishing a structure, building or part of a building;
 - (e) disposing of, or removing, any waste accumulated, dumped or stored on a property;
 - (f) clear and remove plant overgrowth, remove rubble and rehabilitate the property; or
 - (g) causing any unauthorised land uses and/ or occupation or criminal activities associated with the property to cease.
- (4) The authorised official may amend the compliance notice after receiving any representations from the owner contemplated in subsection (2)(a)(v).

8 Failure to comply with compliance order

- (1) If the owner of the property fails to comply with a compliance order issued in terms of section 7, an authorised official -
- (a) may extend the period or otherwise amend the compliance order;
 - (b) may declare the property to be a problem property in terms of section 10;
- (2) The owner contemplated in subsection (1) is liable for the costs incurred in respect of an approved competent person for examining and reporting on the state of the building and the measures to be taken in terms of section 6(6).

PART 4: DECLARATION OF A PROBLEM PROPERTY

9 Notice of intention to declare a problem property

- (1) An authorised official may issue a notice of intention to declare a property to be a problem property if the official is satisfied that there are good grounds for believing that the property -
- (a) is abandoned or derelict;

- (b) is unlawfully occupied or overcrowded;
 - (c) is overgrown, not maintained properly and as a result is or is becoming unhealthy, unsanitary, unsightly, dilapidated, overgrown or objectionable;
 - (d) is illegally connected to either the electricity and/or water supply system;
 - (e) is being used for criminal activities or as a throughfare for criminals;
 - (f) has without planning permission, been altered so as to have the effect of preventing the South African Police Service and/or law enforcement of the Municipality, its inspection authorities and authorised officials from lawfully entering the property without notice in order to frustrate the purpose of an investigation;
 - (g) is structurally unsound or is or becoming dangerous to life or property;
 - (h) is being used to dump waste or allowed to accumulate waste or vegetation;
 - (i) has people occupying the property without access to clean water supply and ablution facilities; or
 - (j) has buildings or structures that was erected without approved building plans that is used by people contrary to the consent use issued by the Municipality;
 - (k) the construction of which is incomplete and
 - (i) has not been proceeded with for more than three months, and
 - (ii) the owner has not taken reasonable measures during its erection to prevent unauthorised access to the property.
 - (l) failure to comply with any duty of owners as listed in section 3
- (2) The notice in subsection (1) must-
- (a) give the owner 7 days within which to make representations as to why the property should not be declared a problem property and why the measures specified in subsection (b) should be amended or withdrawn;
 - (b) specify the measures and the time-period within which the measures must be taken to prevent the property being declared a problem property.

- (3) If in the representations the owner undertakes, in writing, to take the measures specified in subsection (2)(b), subject to such conditions that the authorised official may require, the official may in his or her discretion defer a decision in terms of section 10(1).

10 Declaration of a problem property

- (1) An authorised official may, using the criteria set out in section 9(1) declare a property a problem property if-
 - (a) the owner fails to comply with a compliance notice issued in terms of section 7(1);
 - (b) the owner fails to make representations;
 - (c) representations have been made; the official is nevertheless satisfied that there are good grounds to declare the property a problem property;
 - (d) the owner fails to comply with the undertaking given in terms of section 9(3).
- (2) The declaration, in a form to be determined by the delegated authority in terms of section 20, must set out the measures and the dates within which the measures must be taken by the owner.
- (3) The measures contemplated in subsection (2) include-
 - (a) any measure contemplated in section 7(3);
 - (b) an order requiring the evacuation of the property if the authorised official has reason to believe that the property is unsafe and requires immediate evacuation;
 - (c) a requirement that the owner take the necessary steps to evict the occupants of the property.
- (4) A measure contemplated in subsection (3)(c) may only require an owner to institute proceedings in a court of law to evict occupants on the property if-
 - (a) the occupants are unlawfully occupying the property;
 - (b) the premises are being used for criminal activities;

- (c) it is in the interests of safety and security of the occupants or the public or both that occupants are temporarily or permanently evicted; or
 - (d) one of the measures contemplated in subsection (3)(a) requires that the premises be vacated either temporarily or permanently in order to either effect alterations to the property or to demolish a building or structure on the property.
- (5) Where the owner of the property after a diligent search cannot be found, the Municipality can institute legal action against the occupiers of the property.
- (6) The Stellenbosch Municipality must-
- (a) serve the declaration on the owner and/or occupier of the property;
 - (b) at the owner's/occupier's cost, erect sign boards and publish advertisements in community newspapers notifying the public that the property has been declared a problem property setting out the measures to be taken and any orders or requirements as to access or occupation in the declaration.
- (7) No unauthorised person may enter a property which has been declared a problem property.
- (8) The Stellenbosch Municipality may, on its own accord, or upon written representation authorise any person to enter a property which has been declared a problem property for purposes of renovating, repairing, or securing the property as per the written instructions issued by the Municipality, which cost shall be for the owner of the property and which cost may also be added to the owner's Municipal account..

11 Owner's failure to comply with the declaration

- (1) If the owner fails to comply with any measure required in section 10(2), the Stellenbosch Municipality may –
- (a) approach a court for relief contemplated in Part 6.
 - (b) carry out the measure; or
 - (c) appoint a contractor to carry out the measure; and

- (2) If the Stellenbosch Municipality gives effect to the measure under subsection (1)(b) and (c), the owner/occupier is liable for the costs and expenses of effecting the measures.

PART 5: APPOINTMENT OF ADMINISTRATOR

12 Appointment of administrator

- (1) The Stellenbosch Municipality may, where the owner of a property is deceased and complaints regarding the property have been received, apply to the Court for the appointment of an administrator.
- (2) An administrator appointed by the Court has the powers and duties of the registered owner of the property, including the following powers, or such powers and duties as the Court may direct:
 - (a) Full compliance with the stipulations of this By-Law
 - (b) The collection of rental and other charges from the occupiers;
 - (c) The maintenance, repair or renovation of the problem property utilizing the rental so collected or from other funding as obtained from whatever source;
 - (d) The payment of charges for the supply of electricity, water, sanitation and rates and taxes from such rental or other funding as obtained from whatever source;
 - (e) The appointment of a committee to assist in the management of the problem property;
 - (f) The opening and operating of an account with a bank;
 - (g) Any other action-
 - (i) required to give effect to measures contemplated in this By-Law
 - (ii) contemplated in Part 6;
 - (iii) reasonably required to be taken in terms of managing the problem property;

- (iv) any action which the owner would, in normal course of business and management of the problem property, have been able to take.
- (3) The administrator must submit the following documents to the Stellenbosch Municipality and the Court-
 - (a) a monthly report in the form determined by the delegated authority in terms of section 20;
 - (b) a final report and account in the form determined by the delegated authority in terms of section 20 on the completion of the administrator's mandate.
- (4) The Stellenbosch Municipality may, where necessary apply to the Court to -
 - (a) replace the administrator;
 - (b) require the administrator to account for and justify any action taken in terms of subsection (3);
 - (c) reverse or amend any decision taken by the administrator in terms of subsection (3);
 - (d) terminate the mandate of the administrator.
 - (e) Hold the administrator liable for adherence to the stipulations of this By-Law and any order of Court;

PART 6: EVACUATION

13 Evacuation

- (1) If a property has been declared to be a problem property in terms of this By-Law and an authorised official has reasonable grounds for believing that a property is dangerous to life and other property and that the immediate evacuation of the property is necessary-
 - (a) the authorised official may make an order requiring the evacuation of the property as contemplated in section 10(3)(b).

- (b) If the order is not obeyed, the Stellenbosch Municipality may apply to court on an urgent basis for an order-
 - (i) compelling all persons on the property to evacuate the property;
 - (ii) prohibiting any person from entering the property.
 - (iii) Which cost shall be for the owner of the property or the administrator thereof in terms of Part 5;
- (2) A court may-
 - (a) grant an order contemplated in subsection (1)(b) if it is satisfied that the property is unsafe and that the immediate evacuation of the property is necessary;
 - (b) require the owner to provide temporary accommodation for the occupants to be evacuated;
 - ~~(e)~~ make, in addition to any order of costs against the owner, an order regarding the costs incurred in implementing the order.

14 Demolition

- (1) If an authorised official has reasonable grounds to believe that the demolition of a building is a necessary measure in terms of section 10(3)(a) read with section 7(3)(d), the Stellenbosch Municipality may-
 - (a) require the owner to demolish any structure, building or part of a building; or
 - (b) institute proceedings in a court to order directing the owner or authorising the Stellenbosch Municipality to demolish the building on one or more of the following grounds-
 - (i) the building or structure or its alteration is without planning permission or building plan approval;
 - (ii) the building or structure is structurally unsafe and not capable of being made safe;

- (iii) the building or structure is or becoming dangerous to life and property;
- (iv) the building or structure is used by members of the public for purposes contrary to the land use right applicable to the property;
- (v) the building or structure is used to continuously violate the Events Bylaws of Stellenbosch Municipality
- (vi) the owner has failed to comply with the measures issued in terms of section 10(3)(a) and the costs of complying with those measures exceed the costs of demolition.

(2) A court may- Also, and in addition

- (a) grant an order for the demolition of a building or structure if it is satisfied that the demolition is a necessary measure in terms of this By-Law read with section 7(3)(d); and
- (b) make an order of costs against the owner including the costs of the demolition, and returning or rehabilitating the property to a state which will no longer put it in contravention of the stipulations of the By-Law

PART 7: ENFORCEMENT

15 Civil proceedings

The Stellenbosch Municipality or Administrator may, by way of civil proceedings and in accordance with the Stellenbosch Municipality: Credit Control and Debt Collection Policy and Credit Control and Debt Collection By-law recover-

- (a) any costs incurred in effecting any measure or performing any function in terms of this By-law from the owner or beneficial owner of the affected property;

16 Offences and penalties

- (1) A person is guilty of an offence and is liable to a penalty in terms of subsections (2) and (3), if that person –

- (a) contravenes or fails to comply with any provision of this By-law;
 - (b) contravenes or fails to comply with any requirement set out in a notice served on him/her in terms of this By-law;
 - (c) fails to comply with a lawful instruction of an authorised official;
 - (d) threatens, resists, interferes with, or obstructs any authorised official in the performance of that official's duties or functions in terms of this By-law; or
 - (e) knowingly makes a false statement.
- (2) Any person who is convicted of an offence under this By-law is liable to-
- (a) a fine not exceeding an amount of R120 000
 - (b) imprisonment for a period not exceeding 3 years; or
 - (c) both such fine and imprisonment in (a) and (b) above.
 - (d) All costs incurred by the Municipality to ensure compliance to the stipulations of this By-Law;
- (3) In the case of a continuing offence, the Court may impose in respect of suitable proof that the offence continues-
- (a) an additional fine calculated at 25% of the municipal valuation of the property.
 - (b) imprisonment for a period not exceeding 10 days; or
 - (c) both such fine and imprisonment, will be imposed.
- (4) If civil proceedings have been instituted for the collection of a fine in terms of section 16(1) against any person in respect of a contravention contemplated in subsection (1), no criminal proceedings may be instituted against that person in respect of that contravention.
- (5) Municipality may put the property on auction to recover any unpaid fees owed in terms of sections 16.

PART 8: GENERAL

17 Appeals

Any person, who objects to a compliance notice or declaration issued by an authorised official, may appeal in terms of section 62 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000).

18 Appointment of authorised officials

The delegated authority may appoint authorised officials to implement this By-law and may appoint such official as a building control officer in terms of section 5 of the National Building Regulations and Building Standards Act.

19 Delegation

The Stellenbosch Municipality's Municipal Manager is authorised to exercise all the powers and perform all the duties and functions conferred on the Stellenbosch Municipality under this By-law and may delegate such powers and functions to authorised officials other than the powers and functions contemplated in this section and sections [18](#).

20 Powers of authorised officials

- (1) An authorised official may, when entering a property-
 - (a) inspect or investigate the property;
 - (b) question the owner, management agent or occupier of the property;
 - (c) take photographs, notes or audio-visual recordings of the property;
 - (d) take samples and remove any document, sample, or thing for the purpose of evidence in any civil or criminal proceedings.
- (2) Subject to section 6(2), an authorised official may exercise any power conferred on a building control officer in terms of section 15 of the National Building Regulations and Building Standards Act.

21 Form of notices, declarations, and sign boards

The delegated authority must determine the form of the notices, declarations and sign boards that are required to be issued or erected in terms of this By-law.

22 Serving of a notice

- (1) Whenever a compliance notice, or any notice is authorised or required to be served on a person in terms of this By-law, it shall be deemed to have been effectively and sufficiently served on such person—
 - (a) when it has been delivered to him or her personally;
 - (b) when it has been left at his or her place of residence or business in the Republic with a person apparently over the age of 16 years;
 - (c) when it has been posted by registered or certified mail to his or her last known residential or business address in the Republic and an acknowledgment of the posting thereof is produced;
 - (d) if his or her address in the Republic is unknown, when it has been served on his or her agent or representative in the Republic in the manner contemplated in paragraph (a), (b) or (c); or
 - (e) if his or her address and agent in the Republic are unknown, when it has been posted in a conspicuous place on the immovable property, if any, to which it relates;
 - (f) by email a copy of the notice to the person, if the person has an email address. If service was effected by email, by an affidavit of the person who effected service, which must provide proof of the correct email address and confirmation that the whole sending of the email was completed;
- (2) Service on any of the following persons or addresses constitutes service on the owner of the property:
 - (a) an agent appointed by the owner to sell, lease, or manage the property;
 - (b) a person appointed to supervise the property;

- (c) a person seemingly in charge of the property or collecting rent from occupants on the property.
- (3) When a compliance notice as aforesaid is authorised or required to be served on a person by reason of his or her being or having been the owner or holding some other right in respect of immovable property, it shall not be necessary to name him or her, but it shall be sufficient if he or she is therein described as the owner or holder of such immovable property or other right, as the case may be.
- (4) When a compliance notice as aforesaid is required to be served on a person after-hours; or in cases where officials are threatened, Stellenbosch Municipality Law Enforcement or South African Police Services (SAPS) can be requested to assist in delivering the notice. It shall be deemed to have been effectively and sufficiently served on such person.

23 Indemnity

The Stellenbosch Municipality and any authorised official are not liable for any damages caused by anything lawfully done or omitted by the Stellenbosch Municipality or the authorised official in carrying out any function or duty in terms of this By-law.

24 Repeal

Stellenbosch Municipality: Problem Property Bylaw, 2020 as published in the Provincial Gazette of July 2022 is hereby repealed.

25 Short title

This By-law is called the Stellenbosch Municipality: Problem Property By-law, 2025 as amended.

SCHEDULE A: FINES

Stellenbosch Municipality may impose the following fines in respect of contraventions of the relevant applicable sections of the By-Law.

- (1) In respect of Section 16(2)(a), any person who is convicted of an offence under this By-Law is liable to a fine not exceeding an amount of R120 000.00
- (2) In respect of section 16(3)(a), in the case of continuing offence, the Court may impose an additional fine; calculated at 25% of the municipal valuation of the property.
- (3) In respect of section 16(5), the Municipality may put the property on auction to recover any unpaid fees owed

ANNEXURE A: NOTICES

Stellenbosch Municipality may apply Notices in respect of contraventions of the relevant applicable sections to ensure compliance of this By-law, as follows –

- a) Notice of Intended Inspection
- b) Compliance Notice
- c) Notice of Contravention
- d) Notice of Intention to Declare a Problem Property
- e) Notice of Declaration of a Problem Property

10.8.2	REQUEST TO UNDERTAKE PUBLIC PARTICIPATION PROCESS (PPP) IN RESPECT OF THE DRAFT STELLENBOSCH MUNICIPALITY SPAZA SHOP BY-LAW
--------	--

Collaborator No: 780659

IDP KPA Ref No: Good Governance

Meeting Date: 19 February 2025 and 31 March 2025

1. SUBJECT: REQUEST TO UNDERTAKE PUBLIC PARTICIPATION PROCESS (PPP) IN RESPECT OF THE DRAFT STELLENBOSCH MUNICIPALITY SPAZA SHOP BY-LAW

2. PURPOSE

To request approval from Council to proceed with advertising of the Draft Spaza Shop By-Law, for public participation.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

The Municipality's Spaza Shop By-law has been drafted to regulate and support the operations of spaza shops within the Municipality. The Draft By-law aligns with recent national directives while addressing the unique circumstances of the Municipality. This initiative responds to President Ramaphosa's announcement on 15 November 2024, requiring all spaza shops to register their businesses within 21 days (see **ANNEXURE 1**). The registration deadline has since been extended to 28 February 2025, as per the additional announcement by the National Government on 18 December 2024.

Spaza shops play a crucial role in the local economy by providing essential goods, fostering entrepreneurship, and creating employment opportunities, particularly in townships and rural areas. However, challenges such as lack of formal registration, regulatory non-compliance, and health and safety risks necessitate a structured approach to registration and regulation. In response to these challenges and in line with the recent national policy directives, Stellenbosch Municipality has completed a drafted a Spaza Shop By-law to regulate spaza shops specifically, distinct from other township businesses. The Draft By-law:

- Facilitates formal registration of spaza shops, ensuring compliance with municipal policies, land-use regulations, and health and safety standards.
- Supports the growth and sustainability of spaza shops by providing municipal assistance and capacity-building initiatives.
- Ensures effective enforcement to address illegal trading and health and safety concerns.

This Draft By-law is a revised version of the Standard Draft By-law for Township Economies published by the Department of Cooperative Governance and Traditional Affairs (COGTA) (see **ANNEXURE 2**). While the national framework By-law provides general guidelines, the Municipality has tailored this Draft By-law to its specific local context, ensuring targeted and effective regulation.

The Draft By-law is to be submitted to Council for approval to allow for the commencement of the public participation process. Following public consultation and the necessary amendments which will follow, the final By-law will be resubmitted to Council for consideration of formal adoption and implementation.

5. RECOMMENDATIONS

- (a) that Council notes and approves the Draft Stellenbosch Municipality Spaza Shop By-law for public participation; and
- (b) that the final By-law be brought back to Council for formal adoption after the public participation process is concluded.

6. DISCUSSION / CONTENTS

6.1 Background

On 15 November 2024, President Ramaphosa announced that all spaza shop owners must register their businesses within 21 days to address concerns over foodborne illnesses, non-compliance, and consumer safety. This was done in response to several fatalities, particularly among children, caused by unsafe food products sold in spaza shops.

Following this announcement, municipalities were tasked with implementing the registration process. On 18 December 2024, Minister Velenkosini Hlabisa (COGTA) indicated the extension of the registration deadline to 28 February 2025 to allow for full compliance.

6.2 Discussion

The draft Stellenbosch Municipality Spaza Shop By-law was developed in response to the national directives received while addressing the unique circumstances of Stellenbosch (see Annexure 3). The Municipality has determined that the Standard Draft By-law for Township Economies was too broad and in turn regulated all township businesses, not only spaza shops. Given the distinct nature, form and service of spaza shops, a separate, and more targeted by-law was deemed necessary.

Key provisions of the Draft Spaza Shop By-law include:

- Mandatory registration of all spaza shops within Stellenbosch Municipality.
- Issuing of business licences, ensuring compliance with health, safety, and zoning regulations.
- Enforcement mechanisms, including penalties for non-compliance.
- Municipal support initiatives, such as business training and infrastructure support.
- Designated trading areas for spaza shops to operate legally.

The Municipality's Economic Development and Tourism section is currently engaging with relevant municipal departments as well as external government departments such as Cape Winelands District Municipality to ensure alignment with existing legislation. Concurrently, the section is assisting with the registration of spaza shops within its jurisdiction.

This Draft By-law directly addresses Action 4 of the Implementation Plan presented previously to the Council, which highlighted and noted the consideration, adoption, and promulgation of a Township Economy By-law.

Action 4 - Implementation Plan Action:

- Amend and refine the Standard Draft By-law for Stellenbosch Municipality.
- Advertise the By-law for public participation and obtain legal feedback.
- Submit the revised By-law to Section 80 (Portfolio Committee) and MAYCO for consideration.
- Submit the final By-law to Council for adoption and promulgation.

6.3 Financial Implications

Funding is required for the advertising of the By-law for comment.

6.4 Legal Implications

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

6.5 Staff Implications

None.

6.6 Previous / Relevant Council Resolutions:

The following previous Council item is applicable:

- **27th Council Meeting: 2024-11-27: Item 15.1**
Council noted the following:
 - a) The Standard Township Economies By-law;
 - b) That a By-law will be brought back to Council for approval in principle before a public participation process is followed; and
 - c) That Council notes the department's plan for the registration of Spaza Shops within the WC024.

6.7 Risk Implications

The risks are addressed through the content of the item.

6.8 Comment from Senior Management

The item has been circulated for comments to the following internal departments:

- **Directorate of Planning and Economic Development:** Development Management – Comments have been received and incorporated.
- **Directorate of Infrastructure Services:** Roads and Stormwater - Comments have been received and incorporated.
- **Directorate of Corporate Services:** Comments have been received and incorporated.
- **Directorate Community Services:** Comments have been received and incorporated

6.8.1 Cape Winelands District Municipality: Comments have been received and incorporated.

6.8.2 Municipal Manager

Supports the recommendations.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2025-02-19: ITEM 7.8.3

- (a) that Council notes and approves the Draft Stellenbosch Municipality Spaza Shop By-law for public participation; and
- (b) that the final By-law be brought back to Council for formal adoption after the public participation process is concluded.

ANNEXURES:

- Annexure 1: President Ramaphosa's announcement on 15 November 2024, requiring all spaza shops to register their businesses within 21 days
- Annexure 2: Standard Draft By-law for Township Economies published by the Department of Cooperative Governance and Traditional Affairs (COGTA)
- Annexure 3: The Draft Stellenbosch Municipality Spaza Shop By-law

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REPORT DATE	11 February 2025

ANNEXURE 1



THE PRESIDENCY
REPUBLIC OF SOUTH AFRICA



ADDRESS BY PRESIDENT CYRIL RAMAPHOSA ON DEATHS OF CHILDREN DUE TO FOOD-
BORNE ILLNESSES, UNION BUILDINGS, TSHWANE

ADDRESS BY PRESIDENT CYRIL RAMAPHOSA ON DEATHS OF CHILDREN DUE TO FOOD-BORNE ILLNESSES, UNION BUILDINGS, TSHWANE



Friday, 15 November 2024

Fellow South Africans,

I wish to address you this evening on a matter that has deeply saddened and distressed our nation.

Across the country, there has been a rise in reported cases of food-borne illnesses and deaths.

A number of people are becoming severely ill and even dying after eating contaminated food.

It has been found that some of the food items would have been purchased from spaza shops and street vendors.

Since the beginning of September 2024, there have been a total of 890 reported incidents of food-borne illnesses across all provinces.

Gauteng and KwaZulu-Natal have been the most affected, with Limpopo, Free State and Mpumalanga also recording dozens of incidents.

Over the last few weeks alone, food-borne illnesses have claimed the lives of at least 22 of our nation's children.

Last month there was a major food-borne incident in Naledi in Soweto in which six children died.

The youngest of these children was just six years old.

Few words can adequately convey our sadness and our pain as a nation.

Our thoughts and prayers are with their families as they go through the pain and the anguish of losing their children.

Losing a child is something no parent should ever have to endure.

The young children who died weren't just children of their families. They were our children.

Our people have every right to be upset and to be angry in the face of such tragedies.

At a time like this, we need to unite as a country and work together to end these deaths.

We must do what it takes to make sure such tragedies never happen again.

As soon as the deaths occurred, multidisciplinary teams in government were activated to address these incidents.

These teams included detectives from the South African Police Service, health officials, environmental inspectors, Department of Agriculture officials and officials from the National Consumer Commission.

Cabinet has met on three occasions to receive reports from these departments on the recent incidents.

This is what we now know.

The National Institute for Communicable Diseases was requested to conduct scientific tests and has established that the deaths of the six children in Naledi, Soweto can be directly attributed to a highly hazardous chemical used as a pesticide known as Terbufos.

Terbufos can have serious health effects, even at low levels of exposure.

Terbufos is an organophosphate chemical that is registered in South Africa for agricultural use.

It is not allowed to be sold for general household use.

However, Terbufos is being informally sold as a so-called 'street pesticide' for domestic use in townships and informal settlements to control rats.

Samples were taken from 84 spaza shops in the Naledi area. Of these, three had evidence of Terbufos.

After stringent testing, a chip packet found on one of the children who had died had traces of Terbufos on both the inside and the outside of the packet.

As part of the investigation into the Naledi deaths, inspectors confiscated a number of illegal pesticides from spaza shops.

They found instances where food was being stored alongside pesticides and detergents.

It was also found that these spaza shops lacked proper safe food storage, hand and dishwashing facilities, increasing the likelihood of food contamination.

Even as our investigations are ongoing, it is critical to understand that this is not a problem confined to spaza shops and other informal traders.

The unregulated use of restricted pesticides in communities has become a growing problem, with devastating consequences.

In many townships another chemical, Aldicarb, and an organophosphate known as Galephirimi are commonly sold by street vendors and hawkers to control rat infestations.

Aldicarb has been banned for use in South Africa since 2016.

Last year, three children in Ekurhuleni and three children in Soweto died after exposure to Aldicarb.

In responding to these tragedies, we need to understand the cause of this challenge in our communities.

One of the reasons that people use pesticides is to deal with rat infestation.

The problem of rat infestation is due in part to poor waste management in several municipalities.

Rubbish is not collected regularly, streets are not being cleaned, creating conditions for rats and other pests to thrive.

Often, the poorest communities are the worst affected, and often the cheapest remedies that are used are these highly hazardous substances like Terbufos and Aldicarb.

Another challenge is that responsibility for environmental health that should happen in our communities is the responsibility of local government.

Many municipalities do not have the capacity and resources to conduct inspections of these businesses and enforce regulations.

Our response must therefore address all the factors that contribute to the problem.

We also need to prevent the spread of misinformation.

The investigations that have taken place do not suggest any deliberate campaign to poison children in our country.

There is also no evidence that the problem is confined to spaza shops owned by foreign nationals only.

These products are just as likely to be sold in shops owned by South Africans.

We all have a duty – as the State, as a society, as parents and families – to protect those among us who are most vulnerable.

Following the special meeting of Cabinet, we have decided to make the following interventions:

The first intervention is to get hazardous pesticides off the street.

The second critical intervention is to protect children from exposure to these substances.

The third critical intervention is to prevent future outbreaks.

The following measures will be implemented with immediate effect.

To get hazardous pesticides off the street:

The spaza shops which have been implicated in the deaths of children will be closed with immediate effect.

All spaza shops and other food handling facilities must be registered within the municipalities in which they operate within 21 days from today. Any shop that is not registered within 21 days and does not meet all health standards and requirements will be closed.

The South African Police Service and other law enforcement agencies will be required to investigate, arrest and prosecute offenders. This will involve close cooperation with all registered manufacturers and suppliers.

Integrated multidisciplinary inspection teams will undertake compliance inspections of food handling facilities, manufacturers, distributors, wholesaler and retailers. This will include spaza shops and general dealers.

Non-compliant businesses and shops linked to any poisoning incidents or found to unlawfully stock hazardous chemicals will be shut down.

A massive campaign of door-to-door inspection of all spaza shops, tuck shops and other informal traders will be undertaken, starting with Gauteng and KwaZulu-Natal.

This will be undertaken by inter-disciplinary inspections teams consisting of the South African Military Health Services, environmental health practitioners, the South African Police Service, the National Consumer Council, labour inspectors and others.

The initial phase of inspections will need be completed within a month.

All registered manufacturers of Terbufos will be inspected to ensure that no products are diverted into the non-agricultural market. The supply chain process for distribution and sale of Terbufos will be investigated to ensure that controls are being adhered to and that there is accountability for who they sell to.

Regulations and protocols on the traceability, repackaging, destruction and sale of pesticides, insecticides and foodstuffs will be strengthened.

The second intervention is about the protection of children from exposure to harmful substances:

The Department of Basic Education will immediately issue a circular to Provincial Education Departments and all schools on best practice protocols for preventing and managing foodborne illnesses within schools.

By the start of the new school year, the Department of Basic Education and School Governing Bodies, together with the Department of Health, will review and update the guidelines for schools on the management of suppliers of foodstuffs to public schools. This will include tuck shops operated at these schools.

A public education campaign will be launched aimed at children, parents, caregivers and the broader community on food safety and the identification, handling and storage of dangerous chemicals. This campaign will involve GCIS, government departments and agencies, industry organisations and civil society formations.

This will be complemented by a public education campaign aimed at communities, spaza shops, tuck shops, informal traders and other retailers on health, safety and hygiene regulations, the identification of hazardous products, regulations that apply to hazardous products and legal consequences.

The Ministers of Basic Education and Health and other government departments will classify certain pesticides and insecticides not suitable for home use as “dangerous objects” that may not be brought or used on school premises. This will be undertaken in terms of the Regulations on Safety Measures for Public Schools.

The third intervention will be aimed at preventing future outbreaks:

I have directed that Joint Operational and Intelligence Structures be established at a national and provincial level to deal with this crisis.

Our local municipalities will be required to take urgent action to address the problem of rat infestations by cleaning cities and towns and removing waste. All municipal landfill sites will be required to comply with National Environmental Management Waste Act. Failure to comply will result in strict sanctions that include directives, compliance notices and criminal enforcement.

A Ministerial Health Advisory Committee is being established to develop medium- and long-term prevention measures. This Committee will consist of experts such as toxicologists, paediatricians, chemical pathologists, epidemiologists, forensic pathologists and others.

All deaths of patients 12 years and below will be made notifiable in the Notifiable Medical Condition Surveillance System.

An electronic medical certification of death system will be established to allow the National Department of Health to access cause of death information immediately after a death is certified.

The work of the Biosecurity Hub will be strengthened to better control the entry of products, organisms and harmful biological products at ports of entry

The Department of Agriculture is in the process of reviewing and updating all relevant legislation with respect to the regulation and authorisation of agricultural pesticides for use in South Africa.

A joint fund of R500 million will be established by the Departments of Trade, Industry and Competition and Small Business Development to support township and rural businesses, including community convenience shops. The funding will be for the refurbishment of businesses and non-financial support in terms of technical skills, regulatory compliance and capacity building.

As we undertake these interventions and measures, there is a lot that we can do as parents to protect our children.

As consumers and parents, if we buy food or send our children to buy food, it must only be from places that are licensed to sell foodstuffs and that observe food safety regulations.

We must check that food is prepared in a clean and hygienic area.

We must make sure that foodstuffs being sold have clear branding and labels, and that they are not past their sell-by date.

We must educate our children about food safety and teach them to check for this labelling themselves.

Anyone who sees fake foodstuffs and expired foodstuffs being sold in our communities, should report them to the National Consumer Commission.

The number for the National Consumer Commission is 012 065 1940.

We have to take greater care with the storage and use of pesticides and dangerous chemicals.

We must only buy pesticides that are in their original containers and that are clearly labelled for household use.

All dangerous chemicals must be kept out of reach of children.

Spaza shops and street vendors have a special responsibility for the health and safety of their customers.

They need to operate responsibly and in terms of the law.

They need to observe certain basic practices.

For example, they must not use the same containers or implements for chemical substances and food.

Only pesticides and chemicals registered for household use may be sold.

They must be clearly labelled and in their original packaging.

Establishments found to be in possession of pesticides that are restricted or banned will face legal consequences.

Once again, South Africans are called upon to work together to overcome a great difficulty.

But we are far from helpless. There is much we can do.

Each of us needs to be better informed about the risks of pesticides and other dangerous products.

Each of us needs to take responsibility for the safety and well-being of those around us, particularly the children of our nation.

By working together, by enforcing the law, by being alert and responsible, we will be able to bring an end to these tragedies.

I thank you.

ANNEXURE 2



Government Gazette Staatskoerant

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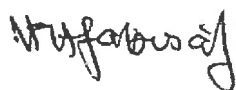
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GENERAL NOTICES • ALGEMENE KENNISGEWINGS

DEPARTMENT OF CO-OPERATIVE GOVERNANCE**NOTICE 2826 OF 2024****LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 (ACT NO 32 OF 2000)****STANDARD DRAFT BY-LAW FOR TOWNSHIP ECONOMIES**

I, Velenkosini Hlabisa, Minister for Cooperative Governance and Traditional Affairs hereby, in terms of section 14(1) of the Local Government: Municipal Systems Act, 2000 (Act No 32 of 2000), and after complying with the procedural requirements in this section, make the Standard Draft By-Law for Township Economies, in the Schedule.

**MR VELENKOSINI HLABISA****MINISTER FOR COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS****DATE: 04/11/2024**

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Preamble

Whereas sections 152(1) and 153(a) of the Constitution of the Republic of South Africa, 1996 ("Constitution"), require municipalities to promote social and economic development within their jurisdictional areas;

And whereas the Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013), mandates municipal spatial development frameworks to identify current and future economic nodes where public and private investment will be prioritised and identify the designation of areas where incremental upgrading approaches to development and regulation will be applicable;

And whereas the Businesses Act, 1991 (Act No. 71 of 1991), provides for municipalities to declare and prohibit trading in zones within their jurisdictional areas;

And whereas the dense concentration of poverty, unemployment and related social ills make townships a priority for inclusive growth and development;

And whereas Government acknowledges that townships must be vibrant economic centres;

And whereas section 22 of the Constitution guarantees the right of every citizen to choose his or her trade, occupation or profession freely, and empowers the State to regulate the practice of a trade, occupation or profession by law;

And whereas Government recognises that participation and meaningful inclusion of businesses in townships will transform the economy,

Be it therefore enacted by the Municipal Council of (Insert municipality name), as follows:

Definitions

1. In this Standard Draft By-Law, a word or expression to which a meaning has been assigned in the Act, bears the meaning so assigned and, unless the context otherwise indicates—

"authorised official" means an employee of the municipality who is duly responsible for carrying out any duty or function or exercising any power in terms of this Standard Draft By-Law and includes—

- (a) a law enforcement officer declared to be a peace officer in terms of section 334(1)(a) of the Criminal Procedure Act, 1977 (Act No. 51 of 1977); and
- (b) any other employee delegated or person authorised to carry out or exercise the duty, function or power;

"business" means an entrepreneurial undertaking, or a business concern, whether formal (registered) or informal (unregistered), which is engaged in the production of goods or provision of services or sale of goods, undertaken by an entrepreneur or an enterprise, an enterprise organisation or a co-operative as categorised in the National Small Business Act;

"Businesses Act" means the Businesses Act, 1991 (Act No. 71 of 1991);

"business activity" means the selling of goods, or the supplying or offering to supply a service for remuneration;

"business licence" means a licence or permit issued by a local government that allows an individual or company to conduct business within the government's geographical jurisdiction;

"foreigner" means an individual who is neither a South African citizen, nor a permanent resident, but is not an illegal foreigner in terms of the Immigration Act, 2002 (Act No. 13 of 2002);

"goods" means a product marketed for human use or consumption;

"illegal goods" means—

- (a) goods which may not have been lawfully acquired or disposed of;
- (b) goods that are prohibited from sale or distribution under any applicable national, provincial, or municipal law;
- (c) counterfeit goods as defined in the Counterfeit Goods Act, 1997 (Act No. 37 of 1997);

- (d) goods that are required to be, but have not been, imported or produced in terms of the provisions of the Customs and Excise Act, 1964 (Act No.91 of 1964);
- (e) stolen goods; or
- (f) goods that do not meet mandatory safety or quality standards as prescribed by relevant legislation;

"litter" includes a receptacle, container, or other matter, which has been discarded, abandoned, or left behind, by a street trader, or by his or her customers;

"Minister" means the Minister responsible for local government;

"municipal council" means a municipal council referred to in section 157(1) of the Constitution;

"municipal manager" means a person appointed in terms of section 54A of the Municipal Systems Act, as the head of administration of the municipality;

"Municipal Systems Act" means the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000);

"nuisance" means conduct or behaviour by a person, an organisation, business or institution or the use, keeping, producing, by-producing, harbouring or conveying, as the case may be, of any item, substance, matter, material, equipment, tool, plant or animal or causing or creating a situation or condition in or on private property or in a public place or anywhere in a municipality which causes damage, annoyance, inconvenience, noise pollution or discomfort to the public or to a person, in the exercise of rights common to all or of a person;

"National Road Traffic Act" means the National Road Traffic Act, 1996 (Act No. 93 of 1996);

"obstruct" means to do anything which blocks or is likely to block vehicular or pedestrian traffic flow on a public road or private road, open or public space or private space;

"PAIA" means the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000);

"public monument" means any one of the "public monuments and memorials", as defined in section 2 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999);

"public place" means a building, square, park, recreation ground or open space to which the public has the right of access, or which is shown on a general plan or land use scheme of a township filed in the deeds registry, Surveyor-General's office or a municipality, and has been provided for the use of the public or the owners of erven in such township;

"public road" means a public road as defined in section 1 of the National Road Traffic Act;

"sell" means exchange, offer, display, deliver, supply or dispose of, for sale or authorise, direct or allow a sale;

"services" means activities or value created, generated or performed for human consumption;

"sidewalk" means a sidewalk as defined in section 1 of the National Road Traffic Act;

"Spatial Planning and Land Use Management Act" means the Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013);

"townships" means residential townships where only the most basic amenities and infrastructure are provided which were initially established during the Colonial and Apartheid eras for occupation by Black South Africans on the outskirts of towns and cities and now also include newly created residential townships, in and on the outskirts of towns and cities, which have been created as a result of South Africa's history; and

"township economies" means business activities (formal or informal) undertaken in townships.

Objectives

2. The objects of this by-law is to—

- (a) facilitate inclusive spatial and economic development in townships;
- (b) harmonise the township ecosystem and provide norms and standards for the establishment and management of township-based enterprises both formal and informal;
- (c) raise awareness of applicable laws and regulations affecting township businesses; and
- (d) support small businesses to grow and participate in mainstream economic activities.

Freedom to engage in business activities

3.(1) Subject to subsection (2) any person that has a business licence, may engage in business activities within the area of jurisdiction of a municipality.

(2) A municipality may, based on its developmental objectives, determine quotas on the proportion of businesses within specific categories of businesses, to be owned and operated by foreigners in line with all the relevant legislation.

(3) In determining the quotas a municipality must ensure, amongst others, that a proportion of the total staff employed in the business are South African citizens or permanent residents in line with all relevant legislation.

(4) A business activity referred to in subsections (1) and (2), is subject to the provisions of—

- (a) legislation in the Republic of South Africa;
- (b) applicable permits or licencing requirements;
- (c) other applicable municipal by-laws and policies; and
- (d) this standard draft by-law.

(5) A person may not carry on a business activity within the area of jurisdiction of a municipality unless that person is a holder of a business permit issued or transferred to him or her by the municipality.

Designated business areas and sites

4.(1) A municipality must, subject to the provisions of the Spatial Planning and Land Use Management Act and any other applicable legislation, policy or by-law—

- (a) promote commercial, retail and industrial activities in townships; and
- (b) demarcate business areas and sites to promote inclusive economic development or recognise a township as a mixed-use business area.

(2) A municipality may, by resolution—

- (a) extend, reduce, or disestablish a business area or site subject to compliance with the requirements of the Spatial Planning and Land Use Management Act and after public consultation and reasonable notice;
- (b) lease land or a portion of a property from the owner or occupier on condition that the owner or occupier allows a specified number of businesses to trade on such property on terms and conditions determined by the municipality over an agreed period; or
- (c) where possible, provide infrastructure for businesses that are leasing.

Issuing of permits

5.(1) A municipality must issue a permit if it is properly applied for, unless—

- (a) the permit holder does not comply with the relevant provisions of this standard draft by-law;
- (b) the goods or services provided by the business are illegal; or

- (c) the business premises do not comply with the requirement relating to town planning or the safety or health of the public, or any law which applies to those premises.
- (2) The municipality must be satisfied that the applicant will be in actual and effective control of the business.
- (3) A municipality may grant the permit on condition that—
 - (a) the goods and services sold are legal; and
 - (b) the business premises comply with the requirement relating to town planning or the safety or health of the public, or any law which applies to those premises.
- (4) A municipality may, on application by a permit holder—
 - (a) amend a condition;
 - (b) extend the period of the permit;
 - (c) revoke a condition; or
 - (d) indicate that the condition specified in the permit is complied with.

Proactive steps to be undertaken by municipality

- 6. A municipality must perform its functions and exercise its powers to—
 - (a) build the operational and management capacity of entrepreneurs and small businesses in townships through workshops, training or mentoring;
 - (b) conduct business compliance and awareness workshops;
 - (c) facilitate skills development and business development support services for township businesses;
 - (d) facilitate access to infrastructure for township businesses; and
 - (e) facilitate access to markets for township businesses.

Registration and permitting of business activities

- 7.(1) A municipality must delegate the authority to deal with the registration, permitting and enforcing of the by-law for township economies to the municipal manager or any other delegated official.
- (2) The delegated official is responsible for—
 - (a) creating awareness about the application process and applicable policies and by-laws;
 - (b) assisting and supporting applicants in the application process;

- (c) administering the processing of applications and the timely processing of applications within a set period;
 - (d) reviewing and approving applications for registration or permitting including—
 - (i) receiving, reviewing and approving applications for registration or permitting within a set period;
 - (ii) investigating the feasibility of the application and the compilation of a report thereon;
 - (iii) submitting the application and the feasibility report to the delegated authority; and
 - (iv) issuing of registration cards or permits;
 - (e) resolving complaints and disputes occurring between the municipality and a business; and
 - (f) facilitating efficiency and municipal responsiveness in registering and permitting businesses, as well as enforcing by-laws.
- (3) Application forms for registration or permitting can be accessed physically at the municipal offices and on the municipal website.
- (4) The municipal manager or a delegated official is responsible to establish and maintain a database of registered businesses, which may contain the following information and must be managed in accordance with PAIA guidelines:
- (a) The full name, surname, gender and disability status of the business owner;
 - (b) the identity number of the business owner concerned;
 - (c) the physical and postal address of the business concerned;
 - (d) the location where the business concerned is authorised by such registration to carry on business, and if such registration applies to a trading plan area, the trading bay or market allocated to such a business in accordance with the applicable trading plan;
 - (e) a description of the goods or services that the business concerned is authorised by such registration to sell or provide;
 - (f) a distinguishing registration number;
 - (g) citizenship status, passport number, section 22 asylum seeker permit, section 24 refugee permit, valid visa allowing foreign national to be in the Republic to work or conduct business; and
 - (h) any other information that may be required by this by-law or any other law.

- (5) The applicant must provide a sworn affidavit stating that he or she is not engaged in the trade of illegal goods as defined in this by-law and that his or her business operations are within applicable norms and standards.
- (6) The municipality reserves the right to conduct background checks on applicants, including liaising with law enforcement agencies, to verify the legality of their business activity.
- (7) A registered business must be issued with a registration card or permit that must be displayed and be available for inspection at all times.
- (8) The responsible official must put in place a complaints system that can be used by residents and community members to report and receive feedback regarding their complaints or concerns and an appeal process.

Transferability of permit

- 8.(1) In the event of the death of a permit-holder and the loss of income generated by the informal trading which results in the dependents of the deceased permit-holder being placed under undue or severe economic hardship, a permit may be transferred, by the municipality, to a dependant, or an assistant acting on behalf of the dependant, who may continue trading until the permit is no longer valid.
- (2) A permit may be temporarily transferred for a period of no longer than twelve months by the municipality, to a dependent or, where there is no dependent, to an individual nominated by the permit-holder, if the permit-holder is unable to perform his or her functions: Provided that an affidavit is provided to the municipality stating the nature and period for which the permit-holder requires the permit transfer.
 - (3) A dependent or assistant is only permitted to replace the permit-holder for the period stipulated in the affidavit and approved by the municipality.
 - (4) A permit-holder may not transfer a permit to any other person in any manner.
 - (5)(a) If a permit is transferred by the municipality and the new holder does not resume trading within a period stipulated in the transfer notice, the municipality may revoke the permit and in such a case the permit must immediately be returned to the municipality.
 - (b) Details of revoked permits must be placed on a database to be shared with relevant departments.
 - (6) If a permit holder no longer wishes to trade, the municipality may revoke the permit and in such a case the permit must immediately be returned to the municipality.

(7) A permit transferred may not be used for the purpose of a business other than the business to which the permit relates.

Prohibitions and restrictions

9.(1) Except in cases where prior approval has been granted by the municipality, a person may not carry out a business activity—

- (a) in a garden or park to which the public has a right of access;
 - (b) on a verge adjacent to—
 - (i) a building belonging to, or occupied by an organ of state;
 - (ii) a church, mosque, synagogue or other formal registered place of worship; or
 - (iii) a building belonging to, or occupied by the municipality;
 - (c) at a building declared to be a public monument;
 - (d) next to an auto teller bank machine;
 - (e) at a place where—
 - (i) it causes an obstruction in front of a fire hydrant or an entrance to or exit from a building;
 - (ii) it causes an obstruction to vehicular traffic; or
 - (iii) it substantially obstructs pedestrians in their use of a sidewalk;
 - (f) on a verge adjacent to a building in which business is conducted by a person who sells goods of the same nature as or of a similar nature to goods being sold by the seller concerned; and
 - (g) on half of a public road adjacent to a building used for residential purposes, if the owner or person in control or an occupier of the building objects thereto.
- (2)** A person carrying on a business—
- (a) may not sleep overnight at the place of such business, except in a case where prior approval has been granted by the municipality or where the business is operating from residential units or structures;
 - (b) may not place his or her property on a public road, except in cases where prior approval has been granted by the municipality;
 - (c) may not construct a permanent structure on a public road or public place other than a shed, shack, Wendy house or poles implanted into the ground,

- and other infrastructural arrangements common in the street trading environment;
- (d) may not buy goods from an establishment that does not comply with relevant regulatory prescripts;
 - (e) may not sell expired items;
 - (f) must ensure that his or her property or area of activity—
 - (i) does not cover an area of a public road, or a public place which is greater than six square metres (with a maximum length of three metres) in extent, unless otherwise approved by the municipality; and
 - (ii) in respect of a sidewalk, leaves an unobstructed space for pedestrian traffic, being not less than one and a half metres wide when measured from any contiguous building to the property or area of activity, and not less than one half metre wide when measured from the kerb line to the property or area of activity;
 - (g) may not conduct business on a sidewalk where the width of such sidewalk is less than one metre;
 - (h) may not place or stack his or her goods in such a manner that such goods are likely to injure a person or cause damage to property;
 - (i) may not sell, distribute or store illegal goods or goods that do not comply with acceptable standards;
 - (j) may not carry on business in such a manner as to—
 - (i) create a nuisance;
 - (ii) create a traffic, health hazard, or health risk;
 - (iii) obstruct access to, or the use of, street furniture or any other facility designed for use by the general public;
 - (k) must maintain records of the identification of his or her suppliers and be able to provide proof of the legitimate sourcing of the goods upon request by an authorised official; and
 - (l) may not knowingly purchase goods from suppliers engaged in the trade of illegal goods.

Hygiene and waste removal

10.(1) A person operating a registered business must—

- (a) ensure that the business complies with health and safety requirements and has the applicable health and safety certificates;
 - (b) ensure that the food sold in the business is not contaminated by insecticides, pesticides, or any poisonous substance;
 - (c) keep the business area or site occupied by him or her for the purposes of such business activity, in a clean and sanitary condition;
 - (d) keep his or her property in a clean, sanitary and well-maintained condition;
 - (e) dispose of litter generated by his or her business in whatever refuse receptacle provided by the municipality for the public, or at a dumping site of the municipality;
 - (f) ensure that no excessive smoke, fumes or other substance, odours, or noise, emanating from his or her business activities, causes pollution of any kind;
 - (g) ensure that the necessary recycling methods are utilised; and
 - (h) dispose of hazardous and e-waste in the correct manner.
- (2) The owner of the property where business activities, including selling prepared meals or beverages, take place, must ensure that there is appropriate infrastructure, including ablution facilities.

Restricted and prohibited areas

11.(1) A municipality may in terms of section 6A(2) of the Businesses Act, after consulting the public and by resolution, declare any place in its area of jurisdiction to be an area in which street trading is restricted or prohibited, and must, to enable compliance therewith, prescribe or make signs, markings or other devices indicating—

- (a) specified hours during which business activity in respect of particular goods or services is restricted or prohibited;
 - (b) the boundaries of the restricted or prohibited areas; and
 - (c) any other restriction or prohibition against business activity regarding the area in question.
- (2) A municipality must display any such sign, marking or device in such a position and manner as will indicate the restriction or prohibition and the location or boundaries of the area concerned.
- (3) A sign erected in terms of this by-law or the Business Act serves as sufficient notice of the prohibition or restriction in respect of the area concerned.

(4) A sign contemplated in subsection (1) may be amended from time to time and displayed by the municipality for the purpose of this by-law and has the same effect as a road sign in terms of the National Road Traffic Act, 1996.

(5) A registered business must not cause any nuisance.

Offences and penalties

12.(1) A person who—

- (a) contravenes, or fails to comply with, a provision of this by-law;
- (b) fails to comply with a notice issued in terms of this by-law;
- (c) fails to comply with a lawful instruction given in terms of this by-law; or
- (d) who obstructs or hinders an authorised official in the execution of his or her duties under this by-law,

is guilty of an offence and must be served with a written warning advising of the offence, the remedial action and applicable times, consequences for failure to redress, and the appeal process.

(2) Despite the provisions of subsection (1), a person found to be transgressing any provision of this by-law must—

- (a) on a first transgression, be served with a written warning notice informing that person of the transgression and that his or her business licence may be cancelled immediately if he or she does not remedy the transgression within a reasonable time based on industry or sector trends; and
- (b) on a subsequent transgression, be served with a written notice informing that person of the transgression and that, subject to an appeal process, his or her business licence is immediately cancelled and that he or she will be barred from reapplying for a licence in any municipality for a period of five years after the subsequent transgression.

(3) Different penalties may be effected in respect of different businesses based on industry trends.

Appeals

13. (1) A person who feels aggrieved by the decision of the municipality may lodge an appeal within a period of 21 days after receipt of the application outcome or within such extended period as may be agreed upon between the municipality and the applicant concerned.

- (2) During the appeal process it is presumed that the application was unsuccessful.

Enforcement of by-law

14. (1) An authorised official appointed by the municipality is responsible for monitoring and enforcement of this by-law and must regularly liaise and co-operate with officials of the Department of Home Affairs, the Department of Health and the South African Revenue Service to ensure compliance with relevant and applicable legislation.

- (2) A municipality may—

- (a) apply its discretion to impound business equipment where continuous transgression without remedy is observed; or
- (b) release the business equipment at a fee in line with municipal tariffs.

(3) (a) A municipality may impound goods on reasonable suspicion that such goods are expired or illegal.

(b) Goods that are confirmed to be expired or illegal must be handed over to the relevant government body for destruction.

(4) A municipality must establish a task team dedicated to combating the trade of illegal goods and services, which must—

- (a) conduct regular inspections of businesses to verify that they are registered and that the products being sold are legal and comply with applicable regulatory requirements or norms and standards;
- (b) collaborate with national and provincial law enforcement agencies to share information and conduct joint operations against illicit trade networks;
- (c) implement a confidential reporting system for the public and other traders to report suspected illicit trade activities;
- (d) implement information programmes to educate businesses on what constitutes an illegal product; and
- (e) subject to the Protection of Personal Information Act, (Act No. 4 of 2013), implement a central repository of individuals whose licences have been cancelled due to non-compliance with the by-law and share details on an annual basis with other municipalities.

Amendment of by-laws and transitional measures

15. Once approved, the municipality must consider the impact of this by-law on all other by-laws and must amend sections that conflict with the provisions of this by-law or amend the applicable by-laws to be in line with the provisions of this by-law.

ANNEXURE 3



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Draft Spaza Shop By-law, 2025

SCHEDULE

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1. DEFINITIONS

(1) In this By-Law, a word or expression to which a meaning has been assigned in the Act, bears the meaning so assigned and, unless the context otherwise indicates—

“authorised official” means an employee of Stellenbosch Municipality who is duly responsible for carrying out any duty or function or exercising any power in terms of this By-Law and includes—

- (a) a law enforcement officer declared to be a peace officer in terms of section 334(1)(a) of the Criminal Procedure Act, 1977 (Act No. 51 of 1977); and
- (b) any other employee delegated or person authorised to carry out or exercise the duty, function or power;

“Businesses Act” means the Businesses Act, 1991 (Act No. 71 of 1991);

“business activity” means the selling of goods, or the supplying or offering to supply a service for remuneration; specifically as it relates to spaza shops;

“business licence” means a licence or permit issued by a local government that allows an individual or company to conduct business within the government's geographical jurisdiction;

“goods” means a product marketed for human use or consumption;

“illegal goods” means—

- (a) goods which may not have been lawfully acquired or disposed of;
- (b) goods that are prohibited from sale or distribution under any applicable national, provincial, or municipal law;
- (c) counterfeit goods as defined in the Counterfeit Goods Act, 1997 (Act No. 37 of 1997);
- (d) goods that are required to be, but have not been, imported or produced in terms of the provisions of the Customs and Excise Act, 1964 (Act No. 91 of 1964);
- (e) stolen goods; or
- (f) goods that do not meet mandatory safety or quality standards as prescribed by relevant legislation;

“Land Use Planning By-law” means the Stellenbosch Municipality By-Law on Municipal Land Use Planning, 2023;

“Law Enforcement agencies” means entities that enforce laws and regulations, including but not limited to Local Municipality Law Enforcement Officers, the South African Police Service (SAPS), Immigration Officers, Provincial Liquor Authority Officers, Health Inspectors, Fire Services Inspectors, Building Inspectors, and Land Use Inspectors.

“litter” includes a receptacle, container, or other matter, which has been discarded, abandoned, or left behind, by a street trader, or by his or her customers;

“municipality” means the Municipality of Stellenbosch established in terms of section 12 of the Local Government Municipal Structures Act, 1998 (Act No. 17 of 1998).

“municipal manager” means a person appointed in terms of section 54A of the Municipal Systems Act, 2000 (Act No. 32 of 2000), as the head of administration of Stellenbosch Municipality;

“National Building Regulations” means the National Building Regulations and Building Standards Act, 1997 (Act No. 103 of 1977);

“nuisance” means conduct or behaviour by a person, an organisation, business or institution or the use, keeping, producing, by-producing, harbouring or conveying, as the case may be, of any item, substance, matter, material, equipment, tool, plant or animal or causing or creating a situation or condition in or on private property or in a public place or anywhere in a municipality which causes damage, annoyance, inconvenience, noise pollution or discomfort to the public or to a person, in the exercise of rights common to all or of a person;

“PAIA” means the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000);

“POPIA” means the Protection of Personal Information Act, 2013 (Act No. 4 of 2013);

“registration” means the process by which a spaza shop owner submits their details to Stellenbosch Municipality for the purpose of recording their details on the municipal database;

“sell” means exchange, offer, display, deliver, supply or dispose of, for sale or authorise, direct or allow a sale;

“services” means activities or value created, generated or performed for human consumption;

“spaza shop” means the use of a portion of a dwelling house, second dwelling and/or outbuildings as a shop for the sale of everyday convenience products as defined in Stellenbosch Municipality's Zoning Scheme By-Law, 2023, and includes a "house shop" as having a corresponding or equivalent meaning provided that—

- (a) the scale of anyone building so used shall not exceed that of a normal dwelling house which would ordinarily accommodate one family, and;
- (b) the primary use of the land unit shall remain the residence of the proprietor of the establishment and his or her family if applicable, and;
- (c) the proprietor of the establishment shall be the resident during the period when the activity is undertaken, although he/she may be absent for holidays for periods not exceeding 30 consecutive days during which the activity may be conducted by an employee;

“Zoning Scheme” means the Stellenbosch Municipality Zoning Scheme By-law, 2023.

2. OBJECTIVES

- (1) The objectives of this By-law are to—
- (a) consolidate all relevant legislation applicable to spaza shops into a single by-law to ensure clarity, compliance and uniform enforcement;
 - (b) raise awareness of applicable laws and regulations affecting spaza shops; and
 - (c) support spaza shops to grow and participate in mainstream economic activities.

3. FREEDOM TO ENGAGE IN SPAZA SHOPS

- (1) Subject to subsection (2) any person that has a business licence, may operate a spaza shop within the area of jurisdiction of the Municipality (WC024).
- (2) A business activity referred to in subsection (1), is subject to the provisions of—
- (a) legislation in the Republic of South Africa;
 - (b) applicable permits or licencing requirements;
 - (c) other applicable municipal by-laws and policies; and
 - (d) this By-law.
- (3) A person may not carry on with a business activity within the area of jurisdiction of the Municipality unless that person is a holder of a business licence issued or transferred to him or her by the Municipality.

4. RESTRICTIONS AND PROHIBITIONS ON SPAZA SHOPS

- (1) The Municipality may in terms of section 6A(2) of the Businesses Act, ensure compliance regarding—
- (a) Standard operating hours during which business activity in respect of particular goods or services is restricted or prohibited are as follows—
 - (i) Spaza shop operations may only take place between 05:00 and 21:00.
 - (ii) No spaza shop activity shall be conducted between 21:00 and 05:00;

- (b) the boundaries of the restricted or prohibited areas; and
- (c) any other restriction or prohibition against spaza shop activity regarding the area in question.

(2) A registered spaza shop must not cause any public nuisance.

5. REGISTRATION OF SPAZA SHOPS

- (1) Application forms for registration or licensing can be accessed physically at the municipal offices and on the municipal website.
- (2) The municipal manager or a delegated official is responsible for establishing and maintaining a database of registered spaza shops, which may contain the following information and must be managed in accordance with PAIA guidelines—
 - (a) The full name, surname, gender and disability status of the spaza shop owner;
 - (b) the identity number of the spaza shop owner concerned;
 - (c) the physical and postal address of the spaza shop;
 - (d) the location where the spaza shop concerned is authorised by such registration to carry on business;
 - (e) a description of the goods or services that the spaza shop is authorised to sell or provide by such registration;
 - (f) a distinguishing registration number;
 - (g) citizenship status, passport number, section 22 asylum seeker permit, section 24 refugee permit, valid visa allowing foreign nationals to be in the Republic to work or conduct business; and
 - (h) any other information that may be required by this By-law or any other law.
- (3) The applicant must submit a sworn affidavit stating that they are not engaged in the trade of illegal or expired goods and that their spaza shop operates in full compliance with all applicable laws, norms, and standards.
- (4) The Municipality reserves the right to conduct background checks on applicants, including liaising with law enforcement agencies, to verify the legality of their identity, residency and spaza shop.

- (5) A registered spaza shop must be issued with a business licence that must be displayed and be available for inspection at all times.
- (6) A spaza shop may not trade unless it holds a valid business licence issued by the Municipality.
- (7) The responsible official must put in place a complaints system that can be used by residents and community members to report and receive feedback regarding their complaints or concerns and an appeal process.

6. ISSUING OF BUSINESS LICENCES FOR SPAZA SHOPS

- (1) The Municipality must issue a licence if it is properly applied for, unless—
 - (a) the licence holder does not comply with the relevant provisions of this by-law;
 - (b) the goods or services provided by the spaza shop are illegal or expired;
 - (c) the spaza shop premises do not comply with the requirements relating to town planning, the safety or health of the public, or any law which applies to those premises.
 - (d) the spaza shop premises do not have appropriate land use rights as provisioned in the Land Use Planning By-law and the Zoning Scheme;
 - (e) the building or premises do not have approved building plans that comply with the National Building Regulations, which include:
 - (i) a valid certificate of occupancy obtained from the Municipality; and
 - (ii) a valid fire certificate obtained from the Municipality.
 - (f) a certificate of acceptability (CoA) has not been issued in terms of Regulation 3(2) of R 638 of 22 June 2018 from the Cape Winelands District Municipality's Municipal Health Services Department.
- (2) The Municipality must be satisfied that the applicant will be the lawful occupier of the property and will personally manage and exercise effective control over the spaza shop.
- (3) The Municipality may, on application by a licence holder—
 - (a) amend a condition;

- (b) extend the period of the licence;
- (c) revoke a condition; or
- (d) indicate that the condition specified in the permit is complied with.

7. DELEGATION OF AUTHORITY AND ADMINISTRATIVE RESPONSIBILITIES

(1) The Municipality must delegate the authority to deal with the registration, licensing and enforcement of this By-law to the municipal manager or any other delegated official.

(2) The delegated official is responsible for—

- (a) facilitating the application process and applicable policies and by-laws;
- (b) assisting and supporting applicants in the application process;
- (c) administering the processing of applications and the timely processing of applications within a set period;
- (d) reviewing and approving applications for registration or licensing including—
 - (i) receiving, reviewing and approving applications for registration or licensing within a set period;
 - (ii) investigating the feasibility of the application and the compilation of a report thereon;
 - (iii) submitting the application and the feasibility report to the delegated authority; and
 - (iv) issuing of registration cards or licences;
- (e) resolving complaints and disputes occurring between the Municipality and a business; and
- (f) facilitating efficiency and municipal responsiveness in registering and licensing businesses, as well as enforcing by-laws by law enforcing agencies.

8. TRANSFERABILITY OF A BUSINESS LICENCE

(1) In the event of the death or absence of a licence-holder and the loss of income generated by the informal trading which results in the dependents of the deceased licence-holder being placed under undue or severe economic hardship, a permit may be transferred by the Municipality, to a dependant, or an assistant acting on behalf of the dependant, who may continue trading for a period stipulated by the

Municipality until the licence is no longer valid.

- (2) A licence may be temporarily transferred for a period of no longer than twelve (12) months by the Municipality, to a dependent or, where there is no dependent, to an individual nominated by the licence holder, if the licence holder is unable to perform his or her functions, provided that an affidavit is provided to the Municipality stating the nature and period for which the licence-holder requires the licence transfer.
- (3) A dependent or assistant is only permitted to replace the licence-holder for the period stipulated in the affidavit and approved by the Municipality.
- (4) A licence-holder may not transfer a licence to any other person in any manner except under the specific conditions outlined in subsections (1) – (3).
- (5) If a licence is transferred by the Municipality and the new holder does not resume trading within the period stipulated in the transfer notice, the Municipality may revoke the licence and in such a case the licence must immediately be returned to the Municipality.
- (6) Details of the revoked licence must be placed on a database to be shared with relevant departments.
- (7) If a licence holder no longer wishes to trade, the Municipality may revoke the licence and in such a case the licence must immediately be returned to the Municipality.
- (8) A licence transferred may not be used for the purpose of a business other than the business to which the licence relates.
- (9) Any supporting documents originally issued in the name of the deceased or former licence-holder and required for the operation of the spaza shop, must be transferred in accordance with the applicable laws and processes governing those approvals. If the law or relevant authority does not permit direct transfer of specific certificates or approvals, the dependent or nominated individual must reapply and obtain the necessary certificates and approvals in their own name as required

under section 8 of this By-law.

- (10) The Municipality will only issue and transfer the business licence to the new applicant once all required documents have been obtained in their name, in accordance with section 8 of this By-law.

9. HYGIENE AND WASTE REMOVAL

- (1) A person operating a registered spaza shop must—

- (a) ensure that it complies with health and safety requirements and has the applicable health and safety certificates; as stipulated in relevant provincial and national legislation;
- (b) ensure that the food sold is not expired, or contaminated by insecticides, pesticides, or any poisonous substance;
- (c) keep his or her property in a clean, sanitary and well-maintained condition and must ensure sufficient waste disposal bins are on the premises;
- (d) dispose of litter generated in a refuse receptacle provided by the Municipality or another, at a dumping site of the Municipality;
- (e) ensure that no excessive smoke, fumes or other substance, odours, or noise, emanating from his or her business activities, causes pollution of any kind;
- (f) ensure that the necessary recycling methods are utilised; and
- (g) dispose of hazardous and e-waste in the correct legally prescribed manner.

- (2) The owner of the property where business activities, including selling of prepared meals or beverages, take place, must ensure that there is appropriate infrastructure, including ablution facilities.

10. OFFENCES AND PENALTIES

- (1) A person who—

- (a) contravenes, or fails to comply with, a provision of this By-law;
- (b) fails to comply with a notice issued in terms of this By-law;
- (c) fails to comply with a lawful instruction given in terms of this By-law; or

- (d) who obstructs or hinders an authorised official in the execution of his or her duties under this By-law, is guilty of an offence and must be served with a written warning advising of the offence, the remedial action and applicable times, consequences for failure to redress, and the appeal process.
- (2) Despite the provisions of subsection (1), a person found to be transgressing any provision of this By-law must—
- (a) on a first transgression, the transgressor shall be issued a fine and/or a written warning notice informing that person of the transgression and that his or her business licence may be cancelled immediately if he or she does not remedy the transgression within a reasonable time based on industry or sector trends; and
 - (b) on a subsequent transgression, the transgressor shall be issued a fine and/or a written notice informing that person of the transgression and that, subject to an appeal process, his or her business licence is immediately cancelled and that he or she will be barred from reapplying for a licence in any Municipality for a period of five years after the subsequent transgression.
- (3) Spaza shop owners who contravene any provision of this By-Law, requiring municipal intervention—such as waste removal or the rectification of a transgression—shall be liable for a fine not exceeding R10,000, in addition to any costs incurred by the Municipality in addressing the violation. The Municipality may revoke or suspend the business licence until the fine and associated costs have been paid in full.
- (4) The Municipality may revoke a business licence and require the owner to remove any structure, if applicable, and restore the premises to its original condition at the owner's expense.

11. APPEALS

- (1) A person who feels aggrieved by the decision of the Municipality may lodge an appeal within a period of 21 days after receipt of the application outcome.
- (2) During the appeal process it is presumed that the application was unsuccessful.

12. ENFORCEMENT OF BY-LAW

- (1) An authorised official appointed by the Municipality and any Municipal law enforcement official is responsible for monitoring and enforcement of this By-law and may liaise and cooperate with officials of the Department of Home Affairs, the Department of Health and the South African Revenue Service to ensure compliance with relevant and applicable legislation.
- (2) The Municipality may—
 - (a) apply its discretion to impound business equipment and stock where continuous transgression without remedy is observed; or.
 - (b) release the business equipment at a fee in line with municipal tariffs.
- (3) The Municipality Law Enforcement agencies may to combat the trade of illegal goods and services, may—
 - (a) conduct regular inspections of spaza shops to verify that they are registered and that the products being sold are legal and comply with applicable regulatory requirements or norms and standards;
 - (b) collaborate with national and provincial law enforcement agencies to share information and conduct joint operations against illicit trade networks;
 - (c) implement a confidential reporting system for the public and other traders to report suspected illicit trade activities;
 - (d) subject to POPIA, implement a central repository of individuals whose licences have been cancelled due to non-compliance with this By-law.

13. AMENDMENT OF BY-LAWS AND TRANSITIONAL MEASURES

- (1) Upon approval, the Municipality shall assess the impact of this By-law on all other existing by-laws and make necessary amendments to any sections that are in conflict with its provisions. Where applicable, amendments will be made to align other by-laws with the provisions of this By-law.

10.8.3	REVISED TERMS OF REFERENCE REVISION 1 AND CODE OF CONDUCT FOR THE ESTABLISHMENT OF A STELLENBOSCH MUNICIPALITY CONSERVATION ADVISORY COMMITTEE (SMCAC) AND TO ALLOW THE DIRECTORATE: PLANNING AND ECONOMIC DEVELOPMENT TO PLACE ADVERTISEMENTS TO INVITE SUITABLY QUALIFIED AND EXPERIENCED PERSONS TO APPLY TO SERVE AS MEMBERS OF SMCAC
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Collaborator No:

IDP KPA Ref No: Good Governance and Compliance

Meeting Date: 24 March 2025 and 31 March 2025

1. **SUBJECT: REVISED TERMS OF REFERENCE REVISION 1 AND CODE OF CONDUCT FOR THE ESTABLISHMENT OF A STELLENBOSCH MUNICIPALITY CONSERVATION ADVISORY COMMITTEE (SMCAC) AND TO ALLOW THE DIRECTORATE: PLANNING AND ECONOMIC DEVELOPMENT TO PLACE ADVERTISEMENTS TO INVITE SUITABLY QUALIFIED AND EXPERIENCED PERSONS TO APPLY TO SERVE AS MEMBERS OF SMCAC**

2. **PURPOSE**

To provide the Council with the Revised Terms of Reference and Code of Conduct for the Establishment of the Conservation Advisory Committee as required in terms of Section 249 of the Stellenbosch Municipality Zoning Scheme Bylaw, 2024, and to obtain the required approval to place advertisements for the invitation for members to serve on the said Committee.

3. **DELEGATED AUTHORITY**

Council.

4. **EXECUTIVE SUMMARY**

Section 249 of the Stellenbosch Municipality Zoning Scheme Bylaw, 2024 stipulates the following:

“(1) *The Municipality shall establish a Conservation Advisory Committee, which may consist of various sub-committees for different overlay zone areas, to make recommendations on planning applications in Urban and Rural Conservation Overlay zones.*”

5. **RECOMMENDATIONS**

- (a) that Council approve the Terms of Reference Revision 1 for the Establishment of the Conservation Advisory Committee, as contained in **APPENDIX 1** of this report;
- (b) that Council approves the revised Code of Conduct Revision 1 of the Members of the Conservation Advisory Committee as contained in **APPENDIX 2** of this report;
- (c) that Council approves that the Directorate: Planning and Economic Development commence with a process to place an advertisement that will invite suitably qualified and experienced persons to apply to serve as Members of the Conservation Advisory Committee; and
- (d) that Council notes that the Directorate: Planning & Economic Development will submit the preferred candidates to serve as members of the Conservation Advisory Committee, to Council for approval.

6. DISCUSSION / CONTENTS**6.1 Background**

The Stellenbosch Municipality Zoning Scheme Bylaw, 2024 requires the establishment of a Stellenbosch Municipality Conservation Advisory Committee (SMCAC) in terms of Section 249 of the said bylaw.

The Committee:

- *shall consider the application and submit their recommendation within the period prescribed by the Planning By-law.*
- *may formulate recommendations that may include conditions to be imposed or recommendations on how the proposal should be amended to improve compliance with the Conservation Overlay Policy.*

The Municipality, through its adopted rules and procedures, may determine that certain types of applications need not be commented on by the committee, in which case the designated decision-maker within the Municipality may decide on the application as per the appropriate delegations.

The Urban and Rural Overlay Zones Conservation Overlay Zones is contained within the applicable bylaw, and the Committee is also tasked with providing recommendations to the Delegated Authority, as determined by the Stellenbosch Municipality Register of Delegations, which may be amended from time to time on land use applications and all other matters requiring cultural and heritage comments (including signage and outdoor advertising applications).

Modifications of the Terms of Reference (**Annexure 1**):

- General formatting to improve the document grammatically.
- Updating the Revision and Date of the document.
- Updated the Structure of the SMCAC, to request the restrictive clause of members being only residents be relaxed to allow potential SMCAC members to either reside or work in Stellenbosch Municipality.
- Rules and procedures of the meeting have been updated to reflect the current in-person meetings of the SMCAC.
- Updated the Roles of the Chairperson to include an additional hour at the end of each meeting to discuss the minutes.

Modification of the Code of Conduct (**ANNEXURE 2**):

- General formatting to improve the document grammatically.
- Updating the Revision and Date of the document.
- Rules and procedures of the meeting have been updated to reflect the current in-person meetings of the SMCAC.
- Updated the Roles of the Chairperson to include an additional hour at the end of each meeting to discuss the minutes.
- Added a signature block at the end of the document, so that when persons accept their appointment as members of the SMCAC they will sign a Copy of the Code of Conduct that will be kept with their appointment letter and acceptance letter.

6.2 Financial Implications

The Committee members will be remunerated at an hourly rate of R1325. This is a 6% increase as due to budgetary constraints there has not been an increase in fees, since the Committee was first appointed in 2023.

The Chairperson will be remunerated at an hourly rate of R1460. This is a new fee as more time is expected of the Chairperson per meeting.

Meeting procedures are limited to three (3) hours per meeting and should the duration of meetings require an extension of such hours, prior approval must be obtained from the delegated authority.

The current budgetary provision was made for one (1) meeting per month within the 2025/2026 approved operational budget.

6.3 Legal Implications

The Establishment of the Conservation Advisory Committee is required in terms of Section 249 of the Stellenbosch Municipality Zoning Scheme Bylaw, 2024.0.

6.4 Previous / Relevant Council Resolutions:

The SMCAC members were previously approved at the 11th Council meeting Dated 2023-02-22 and the 23rd Council meeting Dated 2024-06-14.

6.5 Risk Implications

There exists no risk in the Establishment of the Committee.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2025-03-24: ITEM 7.8.1

- (a) that Council approve the Terms of Reference Revision 1 for the Establishment of the Conservation Advisory Committee, as contained in **APPENDIX 1** of this report;
- (b) that Council approves the revised Code of Conduct Revision 1 of the Members of the Conservation Advisory Committee as contained in **APPENDIX 2** of this report;
- (c) that Council approves that the Directorate: Planning and Economic Development commence with a process to place an advertisement that will invite suitably qualified and experienced persons to apply to serve as Members of the Conservation Advisory Committee; and
- (d) that Council notes that the Directorate: Planning & Economic Development will submit the preferred candidates to serve as members of the Conservation Advisory Committee, to Council for approval.

APPENDICES

Appendix 1: Terms of Reference Revision 1 for the Establishment of a Stellenbosch Municipality Conservation Advisory Committee

Appendix 2: Code of Conduct Revision 1 of the Stellenbosch Municipality Conservation Advisory Committee

FOR FURTHER DETAILS CONTACT:

NAME	Katherine Robinson
POSITION	Senior Heritage Planner
DIRECTORATE	Planning and Economic Development
CONTACT NUMBERS	021 808 8608
E-MAIL ADDRESS	Katherine.Robinson@ Stellenbosch.gov.za
REPORT DATE	20 February 2025

APPENDIX 1



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**TERMS AND REFERENCES FOR THE
ESTABLISHMENT OF A STELLENBOSCH
MUNICIPALITY CONSERVATION ADVISORY
COMMITTEE**

Revision 1

JANUARY 29, 2025

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Definitions and interpretation of rules

In this document, unless the context requires otherwise -

“Delegated Authority”	Means: a municipal employee / Committee who is authorized in terms of delegated by the Municipality to exercise a power or perform a duty in terms of the National Heritage Resources Act 25 of 1999 and Chapters 25 and 26 of the Stellenbosch Municipality Zoning Scheme Bylaw, 2024.
“Chairperson”	Means: the person who presides over the meeting. The Chairperson is responsible for ensuring that each meeting is effectively conducted according to the constitution and that matters are handled in an orderly and efficient manner.
“Committee”	Means: the Stellenbosch Municipality Conservation Advisory Committee appointed by the Council.
“Committee Officer”	Means: an authorized employee appointed/ designated by the Stellenbosch Municipality, whose function is to provide administrative and secretarial support to the Stellenbosch Municipality Conservation Advisory Committee.
“Conservation”	Means: the process for managing heritage resources to retain their cultural significance. This includes protection, maintenance, preservation, and adaptive reuse of resources. Conservation requires the retention of an appropriate visual context and other relationships that contribute to the significance of the place.
“Consultant”	Means: a person authorized in terms of the power of attorney to make an application on behalf of the owner of land.
“Council”	Means: Municipal Council of Stellenbosch Municipality.
“Cultural landscape”	Means: a physical area with natural features and elements that have been modified by human activity which results in layered evidence, that has been built up over time that gives a landscape its descriptive spatial historical aesthetic character that is symbolic and memorable.
“Cultural significance”	Means: aesthetic, architectural, historical, social, linguistic, scientific and technological value or significance.
“Development”	Means: any physical intervention, excavation, or action that is not the result of natural forces, which may, in the opinion of a heritage authority, result in a change to the appearance or physical nature of the place or will influence its stability and future wellbeing.
“Heritage area”	Means: a designated geographical area of special architectural historical, social, symbolic, aesthetic/scenic character protected by legislative mechanisms at a provincial or municipal level.
“Heritage resources”	Means: any place or object that has a cultural significance.
“Heritage site”	Means: a place that has been declared a national heritage site (Grade 1) by SAHRA or declared a provincial heritage site (Grade 2) by the provincial resource authority.
“HWC”	Means: Heritage Western Cape - the provincial heritage resource authority.
“Member”	Means: a person appointed a member of the Stellenbosch Municipality Conservation Advisory Committee by the Stellenbosch Council.
“Minister”	Means: The Minister of Arts and Culture
“Municipality”	Means: Stellenbosch Municipality located in the Cape Winelands District of the Western Province.

“NHRA”	Means: The National Heritage Resources Act, (Act 25 of 1999)
“SAHRA”	Means: The South African Heritage Resources Agency
“Zoning Scheme”	Means: The Stellenbosch Zoning Schemes Bylaw adopted by Stellenbosch Council

1. The purpose of the Stellenbosch Municipality Conservation Advisory Committee

The Stellenbosch Municipality Conservation Advisory Committee is appointed by the Council, to assist them with the expertise required in heritage-related matters to satisfy the mandate of Section 249(1) of the Stellenbosch Zoning Scheme By-Law, 2024.

The Conservation Advisory Committee must evaluate and advise on all heritage matters per the National Heritage Resources Act 25 of 1999 and any new developments in Overlay Zones and Scenic Routes in terms of the Stellenbosch Zoning Scheme By-Law.

The Conservation Advisory Committee must evaluate and advise on signage applications made in terms of the Outdoors Advertising and Signage Policy / By-Law that is located in the Overlay Zones and Scenic Routes in terms of the Stellenbosch Zoning Scheme By-Law, 2024.

On request by the Senior Manager: Development Planning, the Stellenbosch Municipality Conservation Advisory Committee must evaluate and advise on any building scheme outside the Overlay Zones, should he be of the opinion, that such scheme might have a significant impact on the environment.

2. Functions of the Stellenbosch Municipality Conservation Advisory Committee

The function of the Conservation Advisory Committee is to advise the Council on the various aspects of preservation and furthering of the cultural landscape and natural environment of the Greater Stellenbosch Area.

The committee therefore has the following functions:

- 2.1 To advise the Council on the aesthetical, functional, architectural, cultural, and historical aspects of any new development or contemplated development and for any proposed alterations or additions to existing buildings, structures, and built environment elements within all declared heritage areas including areas outside of the declared heritage areas where in the opinion of the Senior Manager: Development Planning, a new development might have a significant impact on the environment.
- 2.2 To advise the Council on the aesthetical, functional, architectural, cultural, and historical aspects of any proposed alterations or additions to existing buildings or structures specified in Sections 27 & 34 of the NHRA.
- 2.3 To advise Council on any application received for the demolition or partial demolition of any building or structure within any declared Heritage Area or to any structure specified in terms of Sections 27 & 34 of the NHRA.
- 2.4 To advise, the Council on any applications received in terms of Section 38 of the NHRA.
- 2.5 To provide the Council with comments and input on Outdoor Advertising and Signage applications.
- 2.6 To advise the Council with the compilation of a heritage register and demarcation of heritage areas as specified in section 30 or 31 of the NHRA of all heritage resources within the greater Stellenbosch.
- 2.7 To evaluate and advise the Council on any application for signage as per the approved Outdoor Advertising Signage Policy or Bylaw.

- 2.8 Provide input to the Directorate of Planning and Environment on the development of specific development strategies, guidelines, regulations, and procedures pertaining to the preservation and appropriate development of individual declared Heritage Areas.
- 2.9 To provide advice on applications that require approval by SAHRA and HWC in terms of Sections 27 & 34 of the National Heritage Resources Act.
- 2.10 To advise the Council on developments located in all the cultural landscapes as defined by the Heritage Inventory in cases where the Senior Manager: Development Planning is of the opinion, that any contemplated development might have a significant impact.
- 2.11 The Municipality may, through its adopted rules and procedures, determine that certain types of applications need not be commented on by the Committee (Stellenbosch Zoning Scheme 2024, Section 249(7)).
- 2.12 Should the Council be assessed by Heritage Western Cape and be deemed a competent authority in terms of Section 26 read together with Section 8 of the Heritage Resource Act, the Committee is to advise the Council on the identification and management of Grade III heritage resources.

3. Mandate of the Stellenbosch Conservation Advisory Committee

The mandate of the Committee is only to advise the delegated authority as per Council's Register of Delegations, on all heritage-related applications in the declared Stellenbosch Municipality Urban and Rural Conservation Overlay Zones, Scenic Routes and all heritage buildings and sites related to the NHRA as well as all developments referred to the Committee by the Senior Manager: Development Planning.

No individual member and/or group of members of the Committee may represent the views and/or authority of the Stellenbosch Municipality.

4. Structure of the Stellenbosch Conservation Advisory Committee

It is recommended that a single Committee structure is adopted, to advise the delegated authority on all heritage-related applications in the declared Stellenbosch Municipality Urban and Rural Conservation overlay Zones, Scenic Routes, and all heritage buildings and sites in Stellenbosch (WC024) Municipality and any developments recommended to them to comment on by the Senior Manager: Development Planning.

A Heritage Committee must consist of:

- 4.1 A must consist of a minimum of five (5) members and a maximum of seven (7) members appointed by the Council who are not employees of the Municipality or on the Council.
- 4.2 All members must reside or work in the Stellenbosch (WC024) Municipality.
- 4.2 In addition, there will be a minimum of two (2) employees of the Municipality from the Department of Environmental Planning.
- 4.3 The Committee must have reasonable knowledge, experience, and expertise in the following interrelated fields and professions:
 - 4.3.1 Built Environment
 - 4.3.2 Cultural Heritage
 - 4.3.3 Heritage Management
 - 4.3.4 Natural Environment

- 4.4 The Committee members must have appropriate knowledge of the current heritage planning and environmental legislation and policies.
- 4.5 It would be considered advantageous if members have experience in documentation and archival research of South African Heritage or expertise in design and supervision of construction in the heritage environment.
- 4.6 The Committee members are to be representative of diversity, inclusion, and equity.

5. Terms of Office of the Stellenbosch Conservation Advisory Committee members.

- 5.1 The Municipality will select members through an advertised application process.
- 5.2 Members of the Conservation Advisory Committee shall be appointed following a process of transparency and representativity.
- 5.3 Their appointment must consider that the members are to have qualifications and/or proven experience in the fields relevant to heritage resources for the efficient functioning of the Heritage Committee.
- 5.4 A member holds office for a term of three (3) years.
- 5.5 A member may be re-appointed by the Council for a second term, for three (3) years, provided that the member may not hold office for more than six (6) consecutive years.
- 5.6 On appointment the members must sign a letter of acceptance of the post and a copy of a Code of Conduct of Committee Members that has been approved by the Council.
- 5.7 A member of the Conservation Advisory Committee must vacate the office if a member:
 - 5.7.1 Resigns in writing 1 month before the date of resignation.
 - 5.7.2 Has been absent from three consecutive meetings of the Heritage Committee without leave of absence.
 - 5.7.3 The Municipal Manager, after consultation with the Director: of Planning and Economic Development and the relevant delegated authority, may remove a member from office if, in the opinion of the Council, there are sound reasons for doing so after hearing the member on those reasons.
- 5.8 If a member vacates the office before the expiration of the period for which they have been appointed as a member of the Conservation Advisory Committee, another person may be nominated by the Committee and appointed by the Council to fill the vacancy for the remaining portion of the period for which the member was appointed.
- 5.9 Should the need arise, the Committee can put forward a request to the Council for the right to co-opt additional members to the committee temporarily should a development issue be dealt with that will have a direct impact on a specific geographic area and a person or persons with sound knowledge of that area exist.

6. Reimbursement of expenses incurred by the Stellenbosch Conservation Advisory Committee

The delegated authority may determine the reimbursement of expenses incurred by members of the Heritage Committee in terms of Stellenbosch Municipality's relevant reimbursement policy, only when such expenses have been pre-approved in writing by the delegated authority.

7. Rules of procedure for Meetings of the Stellenbosch Conservation Advisory Committee:

7.1. General:

- 7.1.1 The Conservation Advisory Committee must meet at 9 AM on the last Monday of each month.
- 7.1.2 The Committee Officer must pre-arrange the boardroom where the Committee is to meet monthly.
- 7.1.3 The Members will nominate and vote for a Chairperson at the first Committee meeting.
- 7.1.4 The Committee Officer will be responsible for creating the yearly meeting schedule.
- 7.1.5 The Committee Officer will create the meeting agenda and compile information packs that will be sent to the members through electronic communication a minimum of five (5) working days before the meeting.
- 7.1.6 All Members of the Committee must, in writing, specify an electronic mail address, where they will receive a notice of meetings and other official correspondence and are required to acknowledge receipt, in writing, of the upcoming scheduled meeting and receipt of the information packs.
- 7.1.7 Electronic notices of a meeting or any other official correspondence to these addresses will constitute a paper notice of a meeting.
- 7.1.8 If a member has not received notice of a meeting or all relevant documentation, the meeting will not be invalidated.
- 7.1.9 Should the Chairperson be absent on the day of the meeting, the Committee is to elect a Committee Member who will undertake the duties of the Chairperson.

7.2. Quorum

- 7.2.1 A quorum for a meeting of the Stellenbosch Municipality Conservation Advisory is half (50%) plus 1 of the appointed members.
- 7.2.2 The Chairperson shall, in the event of equality of votes, have a casting vote in addition to his / her deliberative vote.
- 7.2.3 The minutes can only be recorded as approved once there is a quorum.

7.3. Agenda and Site Inspections:

- 7.3.1 A copy of the minutes from the previous meeting, an agenda for the scheduled meeting, and copies of all information packs for the meeting must be sent to the Committee Members by the Committee Officer.
- 7.3.2 Meetings should be conducted according to the order in which the matter appears on the agenda, and only items that are on the agenda and are in writing may be debated. Notwithstanding this, the Chairperson may change the order of matters appearing on the agenda and/or withdraw an item or refer it back to the Administration, except for allocated appointment items on the agenda.

- 7.3.3 The Committee may conduct a site inspection, with prior approval from the delegated authority, relevant to an application being considered or request that the Committee office or the second Municipal Official, present at the meetings, to conduct an inspection on their behalf.
- 7.3.4 Should a site inspection be required, arrangements are to be made by the Committee Official. All members are to confirm the dates that they are available at the end of the meeting for ease of arrangements.
- 7.3.5 All site inspections are to be recorded in a Site Inspection Report by the members and which should be attached to the minutes of the next meeting.

7.4. Role of the Chairperson

The Chairperson must:

- 7.4.1 Ensure that the minutes of the previous meeting is adopted and seconded by the Committee Members.
- 7.4.2 Request members to declare any personal or other interest in respect of the agenda before them and indicate whether they have been approached by any party concerned prior to the meeting. Recusals by members, if any should be minute accordingly.
- 7.4.3 Maintain order during the meeting.
- 7.4.4 Refer any alleged contravention of the code of conduct by members at the meetings to the Delegated Authority.
- 7.4.5 Ensure that the meetings are conducted according to the code of conduct.
- 7.4.6 Ensure that when members go on a site inspection, they are reminded that they are representing the Municipality and should always act per the Code of Conduct.
- 7.4.7 Allocate an extra hour to the end of the meeting to discuss the minutes with the Committee official.

7.5. Oral/ electronic presentation

- 7.5.1 Should an applicant wish to present an oral/verbal/visual presentation to the Committee, they are to put their request in writing to the Committee Officer at least seven (7) days before that meeting so they can be allocated a time slot.
- 7.5.2 The purpose of an oral presentation is to allow the applicant/consultant an opportunity to present the application to the committee and provide accuracy or merit on the documentation/plans before the committee, it also allows the applicant to elaborate on relevant issues that the committee members may have. The applicant may not be present when the Committee discusses the application and makes their recommendation.
- 7.5.3 The applicant must provide electronic documents to the Committee Officer on the closing date for submission on the 15th of each Month before the next meeting.

- 7.5.4 The Committee Officer will electronically distribute the electronic document to the Committee members so that the Committee members may have time to consider the matter in advance.
- 7.5.5 The Chairperson may limit the oral presentation to specified matters relating to an application.
- 7.5.6 As a general guide, the applicant/consultant, must be permitted a maximum of 15 minutes to make their presentation.
- 7.5.7 After the introduction of the application by the Committee Officer, the order of speakers will, subject to the Chairperson's discretion be as follows:
 - 7.5.7.1 The applicant or consultant who requested the presentation will address the Committee; whereafter
 - 7.5.7.2 The Chairperson will allow committee members to ask the applicant relevant questions of clarification.
 - 7.5.7.3 No cross-examination of any party is permitted.

7.6. Recommendations and Voting:

- 7.6.1 All recommendations must be taken by the supporting vote agreed upon by the majority of members present at the meeting.
- 7.6.2 If the Chairperson asks members whether they agree with the recommendation/s on the matter before the Committee, and such recommendation/s are opposed by any members present, a decision must be taken by show of hands by approving an application in (1) whole or (2) in part, or (3) refuse it. Should there be no opposition, it must be recorded in the minutes that the decision was unanimous.
- 7.6.3 A member may vote only if he/she has been present during the debate on the matter.

7.7. Minutes

- 7.7.1 The Committee Secretary must ensure that all proceedings of the Stellenbosch Municipality The Conservation Advisory Committee is to be recorded during the meeting. All recommendations, including reasons, must be recorded in the minutes.
- 7.7.2 Every member of the Committee, as well as any other person who attended a meeting, must sign the attendance register, and the Committee Officer must ensure that a record is made in the minutes of the names of those members who:
 - 7.7.2.1 Are absent with leave having been granted by the Chairperson;
 - 7.7.2.2 In the case of the Chairperson, absent with leave must be granted by the Senior Heritage Planner;
 - 7.7.2.3 Any leave that has not been authorized must be recorded;
 - 7.7.2.4 Arrived after the meeting has started (time of arrival must be recorded);
 - 7.7.2.5 Leave the meeting before the conclusion thereof (time and reason for departure must be recorded)
 - 7.7.2.6 The correctness of the minutes must, after the meeting, be signed off by the Chairperson after circulation to the members present, and thereafter be made available within one week (seven working days) following a meeting;

- 7.7.2.7 A copy of the confirmed minutes must be included in the Agenda of the next meeting of the Stellenbosch Municipality Conservation Advisory Committee for information and record purposes.

APPENDIX 2



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CODE OF CONDUCT OF A STELLENBOSCH MUNICIPALITY CONSERVATION ADVISORY COMMITTEE

Revision 1

JANUARY 29, 2025

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These Rules of Procedure must be read with the Stellenbosch Municipal Land Use Planning By-law (2015) published in the Provincial Extraordinary Gazette No 7512, dated 7 October 2015;

1. Application of rules of procedure

- 1.1. The Rules of Procedure (hereafter named "Rules") apply to all the meetings of the Stellenbosch Municipality Conservation Advisory Committee appointed by the Council.

2. Definitions and interpretation of rules

- 2.1. In these Rules, unless inconsistent with the context hereof or the Stellenbosch Municipal Planning By-law:

"Agent" or "Consultant"	Means a person authorised in terms of a power of attorney to make an application on behalf of the owner of the land
"Applicant"	Means a person referred to in Section 15 who makes an application to the Municipality as contemplated in that section and includes its agent or consultant or other legal representative
"Authorised Employee"	Means a municipal employee who is authorised in terms of delegated or sub-delegated authority by the Municipality to exercise a power or perform a duty in terms of the Stellenbosch Municipal Land Use Planning By-law (2015) and includes the author of land use assessment report served before the Committee.
"By-law"	Means By-law on Land Use Planning on Land Use Planning 2015, published in the Provincial Extraordinary Gazette No 7512, dated 7 October 2015
"Chairperson"	Means the Chairperson designated in terms of Section 72(10) of the Stellenbosch Municipal Land Use Planning By-law (2015) and includes the elected at such meetings if the Chairperson is not able to act as such
"Committee"	Means the Stellenbosch Municipality Conservation Advisory Committee appointed by Council.
"Committee Officer"	Means an authorized employee appointed/ designated by the Stellenbosch Municipality, whose function is to provide administrative and secretarial support to the Stellenbosch Municipality Conservation Advisory Committee.
"Consultant"	Means a person authorized in terms of the power of attorney to make an application on behalf of the owner of the land.

“Council”	Means Municipal Council of Stellenbosch Municipality.
“Cultural landscape”	Means a physical area with natural features and elements that have been modified by human activity that results in layered evidence built up over time that gives a landscape its descriptive spatial historical aesthetic character that is symbolic and memorable.
“Cultural significance”	Means aesthetic, architectural, historical, social, linguistic, scientific and technological value or significance.
“Day”	Means calendar day and <i>not</i> a working day;
“Development”	Means any physical intervention, excavation, or action that is not the result of natural forces, which may, in the opinion of a heritage authority, result in a change to the appearance or physical nature of the place or will influence its stability and future wellbeing.
“Heritage area”	Means a designated geographical area of special architectural historic, social, symbolic, aesthetic/scenic character protected by legislative mechanisms wither at the provincial or municipal level.
“Heritage resources”	Means any place or object that has cultural significance.
“Heritage site”	Means a place that has been declared a national heritage site (Grade 1) by SAHRA or declared a provincial heritage site (Grade 2) by the provincial resource authority.
“HWC”	Means Heritage Western Cape - the provincial heritage resource authority.
“Member”	Means a person appointed a member of the Stellenbosch Municipality Conservation Advisory Committee by the Stellenbosch Council.
“Minister”	Means The Minister of Arts and Culture
“Municipality”	Means Stellenbosch Municipality located in the Cape Winelands District of the Western Province.
“NHRA”	Means The National Heritage Resources Act, (Act 25 of 1999)
“SAHRA”	Means The South African Heritage Resources Agency
“Zoning Scheme”	Means the Stellenbosch Zoning Schemes Bylaw adopted by the Stellenbosch Council

- 2.2. The ruling of the Chairperson regarding the application of these Rules and any other procedural matters not dealt with herein is final and binding on the meeting at which such ruling is made and shall be recorded in the minutes.

3. Notice of meetings

- 3.1. If a member has not received notice of a meeting per these Rules, this will not invalidate any proceedings of the meeting.
- 3.2. The Chairperson and officials who are Committee members will receive such notification via their email addresses.
- 3.3. Electronic notices of a meeting or any other official correspondence to these addresses will constitute a paper notice of a meeting. Hard copies of an agenda and all official correspondence will be delivered to a member on request, provided it is practical and/or economical to do so in the circumstances.
- 3.4. The Conservation Advisory Committee must meet at 9 AM on the last Monday of each month.
- 3.5. The Committee Officer must pre-arrange the boardroom where the Committee is to meet monthly.
- 3.6. At the first meeting, the Members will nominate and vote for a Chairperson.
- 3.7. The Committee Officer will be responsible for creating the yearly meeting schedule based on the date determined by the Conservation Advisory Committee in consultation with the Delegated Authority.
- 3.8. The Committee Officer will create the meeting agenda and compile information packs that will be sent to the members through electronic communication a minimum of five (5) working days before the meeting.
- 3.9. All Members of the Committee must, in writing, specify an electronic mail address, where they will receive a notice of meetings and other official correspondence and are required to acknowledge receipt, in writing, of the upcoming scheduled meeting and receipt of the information packs.
- 3.10. Electronic notices of a meeting or any other official correspondence to these addresses will constitute a paper notice of a meeting.
- 3.11. If a member has not received notice of a meeting or all relevant documentation the meeting will not be invalidated.
- 3.12. Should the Chairperson be absent on the day of the meeting, the Committee is to elect a Committee Member who will undertake the duties of the Chairperson.

4. Meetings open to the public.

- 4.1. Meetings of the Committee must be open to the public, except in so far as the Committee may in special cases direct otherwise, namely that the meeting is

closed as matters are of such a nature that confidential treatment is considered reasonable and justifiable.

- 4.2. Certain items on the agenda may be discussed in-camera. A Committee member may call for an in-camera discussion. However, such a decision on any item must be taken in a meeting open to the public.

5. Quorum

- 5.1. If there is no quorum and the Chairperson is present, he/she must postpone the meeting for 15 minutes. If at the end of that period, there is still no quorum, the meeting must again be postponed for a period determined by the Chairperson at his/her discretion. The Chairperson may postpone the meeting till another time and date at the same venue or another venue.
- 5.2. In the absence of the Chairperson and where no quorum exists, the Committee Officer shall postpone the meeting for 15 minutes. If, after 15 minutes of the appointed time for the commencement of the meeting the required quorum is not present, the meeting shall be cancelled.
- 5.3. A quorum for a meeting of the Stellenbosch Municipality Conservation Advisory is half (50%) plus 1 of the appointed members.
- 5.4. The Chairperson, shall, in the event of an equality of votes, have a casting vote in addition to his / her deliberative vote.
- 5.5. The minutes can only be recorded as recommendations once a quorum is present.

6. Agenda

- 6.1. A copy of the minutes from the previous meeting, an agenda for the scheduled meeting, and copies of all information packs for the meeting must be sent to the Committee Members by the Committee Officer.
- 6.2. Meetings should be conducted according to the order in which the matter appears on the agenda, and only matters which are on the agenda and are in writing may be debated. Notwithstanding this, the Chairperson may change the order of matters appearing on the agenda or withdraw an item or refer it back to the Administration, except for allocated appointment items on the agenda.
- 6.3. The Committee may conduct a site inspection, with prior approval from the delegated authority, relevant to an application being considered or request that the Committee office or the second Municipal Official, present at the meetings, to inspect on their behalf.

- 6.4. Should a site inspection be required, arrangements are to be made by the Committee Official. All members are to confirm the dates that they are available at the end of the meeting for ease of arrangements.
- 6.5. All site inspections are to be recorded in a Site Inspection Report by the members which should be attached to the minutes of the next meeting.

7. Role of the Chairperson.

- 7.1. The Chairperson must:
 - 7.1.1. Ensure that the minutes of the previous meeting are adopted and seconded by the Committee Members.
 - 7.1.2. Request members to declare any personal or other interest in respect of the agenda before them and indicate whether they have been approached by any party concerned before the meeting. Recusals by members, if any should be minute accordingly.
 - 7.1.3. Maintain order during the meeting.
 - 7.1.4. Refer any alleged contravention of the code of conduct by members at the meetings to the Delegated Authority.
 - 7.1.5. Ensure that the meetings are conducted per these rules.
 - 7.1.6. Ensure that when members go on-site inspections they are representing the Stellenbosch Municipality should always act per these rules.
 - 7.1.7. Allocate an extra hour to the end of the meeting to discuss the minutes with the Committee official.

8. Oral/ electronic presentation

- 8.1. Should an applicant wish to present an oral/verbal/visual presentation to the Committee, they are to put their request in writing to the Committee Officer at least seven (7) days before that meeting so that they can be allocated a time slot.
- 8.2. The purpose of an oral presentation is to allow the applicant/consultant an opportunity to present the application to the committee and provide accuracy or merit on the documentation/plans before the committee, it also allows the applicant to elaborate on relevant issues that the committee members may have. The applicant may not be present when the Committee discusses the application and makes their recommendation.

- 8.3. The applicant must provide electronic documents to the Committee Officer on the closing date for submission on the 15th of each Month before the next meeting.
- 8.4. The Committee Officer will electronically distribute the electronic document to the Committee members so that the Committee members may have time to consider the matter in advance.
- 8.5. The Chairperson may limit the oral presentation to specified matters relating to an application.
- 8.6. As a general guide, the applicant/consultant, must be permitted reasonable time to make their presentation.
- 8.7. After the introduction of the application by the Committee Officer, the order of speakers will, subject to the Chairperson's discretion be as follows:
 - 8.7.1. The applicant or consultant who requested the presentation will address the Committee; where after
 - 8.7.2. The Chairperson will allow committee members to ask the applicant relevant questions of clarification.
 - 8.7.3. No cross-examination of any party is permitted.

9. Recommendations and Voting:

- 9.1. All recommendations must be taken by the supporting vote agreed upon by the majority of members present at the meeting.
- 9.2. If the Chairperson asks members whether they agree with the recommendation/s on the matter before the Committee, and such recommendation/s are opposed by any members present, a decision must be taken by show of hands by approving an application in (1) whole or (2) in part, or (3) refuse it. Should there be no opposition, it must be recorded in the minutes that the decision was unanimous.
- 9.3. A member may vote only if he/she has been present during the debate on the matter.

10. Interruption, Suspension, and Adjournment

- 10.1. The Chairperson must, on reasonable motivation and a majority vote of the members, interrupt or postpone proceedings and adjourn the meeting.
- 10.2. On resumption of the meeting at a later time or date, the meeting will consider the unfinished business before continuing with any new matters on the agenda.

11. Minutes

- 11.1. The Committee Secretary must ensure that all proceedings of the Stellenbosch Municipality Conservation Advisory Committee are to be recorded during the meeting. All recommendations, including reasons, must be recorded in the minutes.
- 11.2. Every member of the Committee, as well as any other person who attended a meeting, must sign the attendance register, and the Committee Officer must ensure that a record is made in the minutes of the names of those members who:
 - 11.2.1. Are absent with leave having been granted by the Chairperson;
 - 11.2.2. In the case of the Chairperson, absent with leave must be granted by the Senior Manager: Development Planning;
 - 11.2.3. Any leave that has not been authorised must be recorded;
 - 11.2.4. Arrived after the meeting has started (time of arrival must be recorded);
 - 11.2.5. Leave the meeting prior to the conclusion thereof (time and reason for departure must be recorded)
 - 11.2.6. The correctness of the minutes must, after the meeting, be signed off by the Chairperson after circulation to the members present, and thereafter be made available within one week (seven working days) following a meeting;
 - 11.2.7. A copy of the confirmed minutes must be included in the Agenda of the next meeting of the Stellenbosch Municipality Conservation Advisory Committee for information and record purposes.

12. Recommendations on applications

- 12.1. In respect of an application referred to in Section 15(2) of the Stellenbosch Municipal Land Use Planning By-law (2015), the Committee must:
 - 12.1.1. recommend for the approval, in whole or in part, or reject the application with reasons;
 - 12.1.2. recommend conditions to be imposed in terms of Section 66 of the Stellenbosch Municipal Land Use Planning By-law (2015) for inclusion should an application be appealed upon the approval and conduct any necessary inspection to assess an application in terms of Section 59 of the Stellenbosch Municipal Land Use Planning By-law (2015).
- 12.2. Any evaluation or assessment made by the Committee must also take into account: the criteria for decision-making as contained in Section 65 of the Stellenbosch Municipal Land Use Planning By-law (2015) and Section 42 of the

Spatial Planning Land Use Management Act (2013); impose Conditions as per Section 66 of the Stellenbosch Municipal Land Use Planning By-law (2015); take into account the Development principles referred to in Chapter VI of the Land Use Planning Act 2014 and Chapter 2 of Spatial Planning Land Use Management Act (2013); and applicable provisions of the zoning schemes of WC024.

- 12.3. As the Committee is an advisory body only, no member is allowed to make public statements and/or comments in the public domain representing the deliberations of the Committee.

	NAME (Please print)	SIGNATURE	DATE
SMCAC Committee member			
Stellenbosch Municipality Official			

10.9	COMMUNITY SERVICES: [PC: CLLR X KALIPA]
10.9.1	FEEDBACK RECEIVED FROM FRANSCHHOEK RUGBY CLUB COUNCIL 2024-11-27/10.9.2

Collaborator No: 782276
 IDP KPA Ref No: Valley of Opportunity
 Meeting Date: 24 March 2025 and 31 March 2025

1. SUBJECT: FEEDBACK RECEIVED FROM FRANSCHHOEK RUGBY CLUB COUNCIL 2024-11-27/10.9.2

2. PURPOSE

To consider the feedback received from Franschhoek Rugby Club relating to the Council decision to pay back the donation.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

Council decided that two organisations who were found to be in contravention of the Grant in Aid policy must pay back the donations received and that they are eligible to apply again for Grant in Aid after a period of 12 months.

The council decision was communicated to both organisations on 2024-01-20 (**ANNEXURE 1**). Two written responses (**ANNEXURE 2**) were received from Franschhoek Rugby Club on 2025-01-27 wherein they make some requests.

5. RECOMMENDATIONS

- (a) that the communication between the municipality and Franschhoek Rugby Club be noted; and
- (b) that the amount required to be paid back by Franschhoek Rugby Club remains at R 40 000,00;
- (c) that the arrangements relating to the repayment of monies owed be dealt with in line with the approved debt collection policy;
- (d) that the full amount of R 40 000 be paid back by the end of the current financial year (30 June 2025);
- (e) that Franschhoek Rugby Club be allowed to apply for Grant in Aid funding only upon clearing the amount owed to the municipality;
- (f) that further funding is dependent upon approval of such an allocation by Provincial Treasury as per Section 67 (2) of the Municipal Finance Management Act 56 of 2003 (MFMA); and
- (g) that Franschhoek Rugby Club be informed of the decision.

6. DISCUSSION / CONTENTS

6.1 Background

Council resolved that Franschhoek Rugby Club who was found to be in contravention of the Grant in Aid (GiA) Policy must pay back the amount of R 40 000 and that they would be allowed to apply for GiA funding again after a 12-month period. Upon receiving the information, the Club responded with further requests.

6.2 Discussion

Two communications received from Franschhoek Rugby Club contains the following requests:

- a. To reduce the amount that the club is required to pay back and
- b. To allow them to make monthly installments of R 500,00 towards the money owing by them. The club explains further that the request to pay R 500,00 per month is subject to their financial position and that they will pay more if they are in a position to do so, but that should their position worsen, that they will send an adjusted amount to the municipality or make a suitable payment arrangement.

The above requests are made in response to a Council Decision. It is thus required that a response be obtained from the Council on these matters.

No reference is made in terms of the percentage reduction requested. The donation was made to the club from the items requested in the table below and the feedback report indicates what the funds were utilised for. None of the funds were spent according to the requested proposal and it is recommended that all funds spent in contravention of the policy be claimed back by the municipality.

Funding Proposal (Request)	Expenditure of funds (Feedback Reports)
2. Transport to the value of R12 000 and	5. Frame for deceased player (R150)
3. Sport equipment to the value of R 28 000.	6. Flowers and Sympathy card for deceased player (R137.49)
a. Headstart Soccer Ball Bag	7. Physio Therapist - outstanding account (R 920)
b. Marking cones (Flat)	8. Accountant - outstanding account (R5 000)
c. Marking cones (Traffic)	9. Medic – outstanding account (R 2 500)
d. Training bibs	10. Referees (R 800)
e. Ball pump	11. Coke (R 5 470)
f. Agility ladder	12. Shop Shop (Cooldrink, chips, chocolates, cleaning materials) (R 1 400.20)
g. Hurdles	13. Float and Ad Hoc ? (R 2 500)
h. Tackle bag	14. Accountant – outstanding account (R 2 500)
i. Contact Shield	15. Rolls and Wors (R 1 985.86)
j. Rugby balls	16. Medic (R 900)
k. Training agility poles	17. After Function Food (R300)
l. Gilbert rugby ball	18. Referees (R 1 600)
	19. Coke (R 2 447)
	20. Shop Shop (Chips and Cooldrink) (R 976.20)
	21. Wors and Rolls (R 804.99)
	22. Samsung Tablet (R 2 988)
	23. Engen Fuel (R 300)
	24. 2 Way Radio (R 1 872.80)
	25. Projector and Mini Video Camera (R4 057)

Paying back R 40 000,00 at R 500,00 per month will take the club 80 months (6 years and 8 months). This period is dependent on whether the club pays back the money at R 500,00 per month or whether they pay larger or smaller amounts. Accepting a payment arrangement of R 500,00 per month means that the club can apply for further donations from the municipality without having cleared their debt. This is not recommended due to the administrative burden it will place on the municipality.

6.3. Financial Implications

Council is to receive the amount of R 40 000 back from Franschhoek Rugby Club if the amount is paid in full. Down payments of the monies owed will place an administrative burden on the municipality for a suggested period of 6 years and 8 months.

6.4 Legal Implications

Arrangements for the repayment of outstanding debt must be dealt with through the debt collection policy to comply with the provisions of the MFMA.

6.5 Staff Implications

This report has no staff implications to the Municipality.

6.6 Previous / Relevant Resolutions:

27TH COUNCIL MEETING: 2024-11-27: ITEM 10.9.2

RESOLVED (majority vote with 5 abstention)

- (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 R1481.00;
- (c) that Council agree after careful consideration to change that **Ubuntu Hiking** be barred from participation in the Grant in Aid Donation Programme for a period of 12 months despite the stipulations of the Grant in Aid Policy paragraph 8.5;
- (d) that the Franschhoek Rugby Club be instructed to pay back the amount of R 40 000,00;
- (e) that Council agree, after careful consideration, to change the period that Franschhoek Rugby Club be barred from participating in the Grant in Aid Donation Programme for a period of 12 months despite the stipulations of the Grant in Aid Policy paragraph 8.5;
- (f) that Council consider to change the period to be barred from participating in the Grant in Aid Donation Programme for a period of 12 months despite the stipulations of the Grant in Aid Policy paragraph 8.5; and
- (f) that these two Organisations be informed of the decision.

6.7 Risk Implications

Risks are addressed in the report.

6.8 Comments from Senior Management (Grants Committee Members):**6.8.1 Director: Protection and Community Services:**

Support the recommendations.

6.8.2 Director: Planning and Economic Development:

Support the recommendations.

6.8.3 Chief Financial Officer:

I do not support the extension of the payment period beyond 30 June 2025. In my opinion, the full repayment of the outstanding amount must be settled with the municipality before any further funding is considered.

It is important to note that the organisation will be eligible to apply for grant-in-aid funding in the 2025/2026 financial year. However, I believe it is important that all existing financial obligations are met in full prior to the further allocation of any grant-in-aid funding.

Also keep in mind that requirements in Section 67 (2) of the Municipal Finance Management Act 56 of 2003 (MFMA) must be met before any grant-in-aid funding is allocated to the organisation.

Section 67 (2) of the MFMA:

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

6.8.3 Municipal Manager:

Repayment to coincide with the MTREF period as per MFMA.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2025-03-24: ITEM 7.9.1

- (a) that the communication between the municipality and Franschhoek Rugby Club be noted;
- (b) that the amount required to be paid back by Franschhoek Rugby Club remains at R 40 000,00;
- (c) that the arrangements relating to the repayment of monies owed be dealt with in line with the approved debt collection policy; and
- (d) that the full amount of R 40 000 be paid back over 36 months and should they default on the payment arrangement they will not be eligible for future applications.

ANNEXURES

Annexure 1: Letter informing Franschhoek Rugby Club of the 2024/11/27 Council decision

Annexure 2: Responses received from Franschhoek Rugby Club

FOR FURTHER DETAILS CONTACT:

NAME	Michelle Aalbers
POSITION	Manager Community Development
DIRECTORATE	Community and Protection Services
CONTACT NUMBERS	8408
E-MAIL ADDRESS	Michelle.aalbers@ Stellenbosch.gov.za
REPORT DATE	2025-01-29

ANNEXURE 1



STELLENBOSCH
 STELLENBOSCH • PNIEL • FRANSCHHOEK
 MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Ref: Council 3/4/1/5 2024-11-27/10.9.2
 20-01-2025

The Chairman
 Franschhoek Rugby Club
 9 Keerom Street
 Groendal, Franschhoek

Dear Mr George Collins

Grant in Aid: Feedback relating to the 2021-2022 funding period

The original communication dated 07-12-2022 and your subsequent response dated 12-01-2023 has reference. The municipality apologise for the late response, but can provide your organisation with the following formal response on the matter:

27TH COUNCIL MEETING: 2024-11-27: ITEM 10.9.2

RESOLVED (majority vote with 5 abstention)

- (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 the Franschhoek Rugby Club be instructed to pay back the amount of R 40 000,00;
- (c) that Council agree, after careful consideration, to change the period that Franschhoek Rugby Club be barred from participating in the Grant in Aid Donation Programme for a period of 12 months despite the stipulations of the Grant in Aid Policy paragraph 8.5;
- (f) that these two Organisations be informed of the decision.

As it has already been more than 12 months since the incident and as Franschhoek Rugby Club has not participated in the Grant in Aid Donation programme during that period, it is deemed that the period of 12 months as indicated by Council has been adhered to.

Please submit proof of payment to the amount of R 40 000.00 to michelle.aalbers@stellenbosch.gov.za. Payment can be made into the following account using the following reference:

Account Name: Stellenbosch Municipality
 Account Type: Public Sector Managed Account
 Account Number: 62869253684
 Bank Name: First National Bank (Code 200610)
 Reference: Fhoek Rugby Refund

Regards

M Aalbers
 Manager Community Development

ANNEXURE 2



FRANSCHHOEK RUGBY CLUB

Franschhoekrugby@gmail.com

(est. 2003)

REGISTRATION NUMBER NPC 2019/528641/08

Our reference: slbmun/1/25

Your reference: Council3/4//1/5 2024-11-27/10.9.2

27th January 2025

BY EMAIL

The Manager: Community Development
Stellenbosch Municipality
Attention: Ms M. Aalbers

Dear Ms Aalbers

GRANT IN AID: 2021 // 2022

The above matter bears reference as well your letter dated 20th January 2025, of which the content is noted.

We wish to reiterate, as we hereby do, and as stated in our communique to you dated 25th October 2022, our willingness to reimburse the Municipality for the grant in-aid allocated to us during the financial year 2021 – 2022.

Having said that, it is vital however that you take into consideration our Club's economic circumstances in your request that we repay the money back, more specifically for the following reasons:

- (a) We are a voluntarily organisation, deeply dependent on sponsorships, membership fees and functions throughout the year.
- (b) Many of our members are either unemployed or learners.

Club Administrator: Emile Krotz (083 580 0097)

President Archie Johnson -0825128956 - Chairperson: George Collins 072 863 6226

Secretary: Jami Klem 0646512910 - Treasurer: Leandre Davids 083 951 2159

Scrum it Administrator: Rayno Jordaan (081 462 7026)

Affiliated with Western Province Rugby Football Union (WPRFU)





FRANSCHHOEK RUGBY CLUB

Franschhoekrugby@gmail.com

(est. 2003)

REGISTRATION NUMBER NPC 2019/528641/08

- (c) A large number of our local community is seasonal employees and do not work for nearly half a year.
- (d) About 60% of our games are played outside Franschhoek which puts an extra financial burden on our transport expenses, over and above our administrative commitments to honour at Western Province Rugby Union in Cape Town.
- (e) It is against this background that we humbly request that you sympathetically consider the following:
- (f) To reduce the amount that we are accountable to repay; and
- (g) That you allow us to make monthly instalments to settle such an amount

We trust that you find the above in order and that you consider our request favourably.

Your sincerely

A handwritten signature in black ink, appearing to be 'G. Collins'.

George Collins
Chairperson

Club Administrator: Emile Krotz (083 580 0097)

President Archie Johnson -0825128956 - Chairperson: George Collins 072 863 6226

Secretary: Jami Klem 0646512910 - Treasurer: Leandre Davids 083 951 2159

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Affiliated with Western Province Rugby Football Union (WPRFU)





FRANSCHHOEK RUGBY CLUB
Franschhoekrugby@gmail.com
(est. 2003)
REGISTRATION NUMBER NPC 2019/528641/08

Our reference: stbmun/1/25

Your reference: Council3/4//1/5 2024-11-27/10.9.2

27th January 2025

BY EMAIL

REFUND-GRANT IN AID: 2021 // 2022

The Manager: Community Development
Stellenbosch Municipality
Attention: Ms M. Aalbers

Dear Ms Aalbers

Referring to our previous communication, we can only afford to pay R500 per month, depending on how our economic situation unfolds for the year. If our finances improve, we would like to pay it off faster, but conversely, if our finances worsen, we will send an adjusted amount to the municipality or to make a suitable payment arrangement.

We hope that the committee will consider our proposed amount. Your understanding and cooperation are greatly appreciated.

Kind regards


George Collins

Chairperson

Club Administrator: Emile Krotz (083 580 0097)

President Archie Johnson -0825128956 - Chairperson: George Collins 072 863 6226

Secretary: Jami Klem 0646512910 - Treasurer: Leandre Davids 083 951 2159

Scrum it Administrator: Rayno Jordaan (081 462 7026)

Affiliated with Western Province Rugby Football Union (WPRFU)



10.10	RURAL MANAGEMENT AND ENVIRONMENT: [PC: CLLR J WILLIAMS]
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10.10.1	STELLENBOSCH MUNICIPALITY NATURE AREAS BY-LAW
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Collaborator No: 781075
IDP KPA Ref No: Valley of Opportunity
Meeting Date: 24 March 2025 and 31 March 2025

1. SUBJECT: STELLENBOSCH MUNICIPALITY NATURE AREAS BY-LAW

2. PURPOSE

The Stellenbosch Municipality Nature Areas By-Law (February 2025) (**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 as it pertains to the management of Stellenbosch Municipality's nature areas. Following the Council Resolution of 2024-10-30, referred to in section 6.6 below, the draft by-law (August 2024) was advertised for public comment (**ANNEXURE B**). Comment received during this period (**ANNEXURE C**) has been considered and various amendments made (**ANNEXURE D**) culminating in the above document presented to the Council for approval.

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. 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 Stellenbosch Municipality Nature Areas By-Law 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 Fire Act, among other legislation, and to ensure that Stellenbosch Municipality's nature areas are managed and used in a responsible- and sustainable manner.

5. RECOMMENDATIONS

- (a) that Council approves the Draft Stellenbosch Municipality Nature Areas By-Law (February 2025); and
- (b) that Council approves of the completion of the administrative process of gazetting the by-law as the Stellenbosch Municipality Nature Areas By-Law.

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 do not have a dedicated Nature Areas By-Law addressing place specific challenges. The attached draft by-law deals with, among other, the:

- a) Powers and responsibilities of the municipality in relation to its nature areas
- b) Use of biological resources in nature areas
- c) Access to nature areas
- d) Restricted activities
- e) Prohibited activities
- f) Compliance and enforcement

6.3 **Financial Implications**

The proposed by-law will have to be published in the Provincial Gazette.

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**

Environmental Management and Law Enforcement will be responsible for enforcing the by-law on adoption thereof.

6.6 Previous / Relevant Council Resolutions:

The 26th Council Meeting: 2024-10-30: Item 10.10.1 RESOLVED (majority vote) that:

- (a) 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 the Council for approval.

6.7 Risk Implications

This report has no risk implications for the Municipality.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2025-03-24: ITEM 7.10.1

- (a) that Council approves the Draft Stellenbosch Municipality Nature Areas By-Law (February 2025); and
- (b) that Council approves of the completion of the administrative process of gazetting the by-law as the Stellenbosch Municipality Nature Areas By-Law.

ANNEXURES

Annexure A – Draft Stellenbosch Municipality Nature Areas By-Law (February 2025)

Annexure B – Call for comments (Advertisement)

Annexure C – Comment received

Annexure D – Comment and response report

ANNEXURE A

STELLENBOSCH MUNICIPALITY

NATURE AREAS BY-LAW

Draft: February 2025

Stellenbosch Municipality, in terms of Section 156(2) of the Constitution of the Republic of South Africa, 1996, hereby enacts as follows:

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CHAPTER 1: INTRODUCTORY PROVISIONS

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 area, wholly or partly by mechanical or electrical power, in order to move through the airspace above a nature area;

“animal” means any organism whose taxonomical classification belongs to the kingdom ANIMALIA.

“authorized 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 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 approved by 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 approved by the Council of Stellenbosch Municipality;

“Municipality” means the Municipality of Stellenbosch established in terms of Section 12 of the Local Government: Municipal Structures Act (117 of 1998), Provincial Notice 488 dated 22

September 2000, and includes any political structure, political office bearer, councillor, duly authorized agent thereof or any employee thereof acting in connection with this By-Law by virtue of a power vested in the municipality and delegated or sub-delegated to such political structure, political office bearer, councillor, agent or employee;

“nature reserve” means an area proclaimed, protected or published in any government or provincial gazette in terms of any law for the purposes of nature conservation in Stellenbosch Municipality, and which is managed by Stellenbosch Municipality or designated management authority;

“nature area” means an area owned by the Municipality, whose current use or intended purpose includes that of nature and/or water resource conservation and/or management, encompassing both a proclaimed nature reserve and an unproclaimed natural area;

“NEMA” means the National Environmental Management Act (107 of 1998);

“notice” includes a written notification or prohibition, determined by Stellenbosch Municipality, being prominently displayed in writing, optionally combined with the use of pictograms, or a notice board erected at or near a nature area point of entry or exit, and **“notify”** shall have a corresponding meaning;

“nuisance” means any act, omission or condition which is offensive, injurious or dangerous to health, or which materially interferes with the ordinary comfort, safety, convenience, peace or quiet of any user of a nature area or amenity connected therewith;

“open access areas” means a portion of a nature area which can be entered and traversed by any means where entry to such portion of the nature area is not restricted or controlled by any access point or gate;

“operating times” means the period of time between and including the opening time and closing time of a nature area as depicted on a notice board;

“overnight” means to be present and includes camping in designated areas in a nature area between sunset and sunrise;

“pick” includes cut, chop off, take, gather, pluck, uproot, break, damage or destroy;

“Protected Area Advisory Committee” (PAAC) means a committee established in terms of the Regulations for the Proper Administration of Nature Reserves (Government Gazette No. 35021, GNR.99 of 8 February 2012) made in terms of the Act;

“recreational area” means any area set aside or designated in terms of the management plan for general or specific recreational use by the public inside a nature area;

“recreational water” means any inland water body, lake, river, stream, wetland, vlei, dam or portion thereof, which is owned or managed by Stellenbosch Municipality, and includes the verges or banks

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 either autonomous or is piloted from a remote pilot station and includes drones and model aircraft.

“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 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 authorization” means written consent issued by an authorized official or ranger of the Municipality in terms of this By-Law, and includes any permit issued in terms of Section 14(1) or identification card issued in terms of Section 5(2).

2. Application

This By-Law –

- (a) applies to any area which is proclaimed or recognized as a protected area in terms of the Act; or managed as a nature area;
- (b) must be interpreted and applied in accordance with the principles and provisions of the National Environmental Management Act (107 of 1998), the Stellenbosch Environmental

Management Framework and the Environmental Management Plan in force in a particular area.

CHAPTER 2: POWERS AND RESPONSIBILITIES OF THE MUNICIPALITY

3. Functions

The municipality may in managing a nature area –

- (1) manage breeding and cultivation programmes, and may reserve areas in a nature area as breeding places and nurseries;
- (2) sell, exchange or donate any animal, plant or other organism occurring in a nature area, or purchase, exchange or otherwise acquire any indigenous species which it may consider desirable to re-introduce into a specific nature area;
- (3) undertake and promote research;
- (4) control, remove or eradicate any species or specimens of species which it considers undesirable to protect and conserve in a nature area or that may negatively impact on the biodiversity of the nature area;
- (5) carry out any development and construct or erect any infrastructure necessary for the management of a nature area, subject to an environmental authorization in terms of Section 24 of NEMA, applicable By-Laws and the applicable management plan;
- (6) allow visitors to a nature area;
- (7) take reasonable steps to ensure the security and well-being of visitors and staff;
- (8) provide accommodation and facilities for visitors and staff;
- (9) carry on any business or trade or provide other services for the convenience of visitors and staff; authorize any person, subject to relevant conditions as it may determine, to—
 - (i) carry on any business or trade, or provide any service, which the management authority may carry on or provide in terms of this section; and
 - (ii) provide the infrastructure for such business, trade or service;
- (10) by agreement with-
 - (i) other municipal departments, provide any service in a nature area for the management of the nature area, which the Municipality may be mandated to provide in terms of legislation; or
 - (ii) any other organ of state, perform a function in a nature area which that organ of state may perform in terms of legislation; and
- (11) issue Notices in terms of Section 6.

4. Commercial, community and visitor activities

- (1) The Municipality may, in terms of a management plan, designate a part of a nature area, as an area in which a particular activity may be undertaken by visitors to a nature area, communities or interest groups, and must display a notice at the entrance to the nature area in which such area is described, provided that the activity does not compromise the purpose for which the nature area was established or is used.
- (2) The Municipality may, in terms of a management plan, designate a part of a nature area, as an area in which a commercial activity may be undertaken by an authorized vendor, and must display a notice at the entrance to the nature area in which such area is described and at the place the commercial activity is undertaken;
- (3) The Municipality may, in consultation with the PAAC's, user or interest groups and other interested and affected parties develop codes of conduct for specific activities authorized within a nature area.

5. Rangers

- (1) The Municipality may appoint rangers for a 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 authorization 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 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 area—
 - (a) designate any land or water area as a recreational area;
 - (b) designate any land or water area for a purpose other than recreation;
 - (c) prohibit or restrict the use and access of any person, vehicle, vessel, domestic animal, species or specimen to a specific land or water area or part thereof; or
 - (d) designate the times and conditions during which and subject to which any sports or other activities may be practiced 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 area and the Municipality may vary or revoke a notice at any time by a subsequent notice.

- (3) The Municipality may prescribe symbols or pictograms to be used on public notice boards and these shall have the meaning prescribed in the list of approved pictograms attached as Annexure A.
- (4) The Municipality may erect public notice boards within or near the nature area to notify interested and affected parties of permissible activities and prohibitions in terms of this By-Law.
- (5) In addition, the Municipality may -
 - (a) publish or broadcast the notice in a manner that is reasonably likely to bring it to the attention of interested and affected persons;
 - (b) distribute copies of the notice to persons owning or occupying land in the vicinity of the affected nature area; or
 - (c) use public meetings, PAAC meetings or other means of bringing information to the attention of interested and affected persons.

7. Recreational areas inside nature areas

- (1) The Municipality may, within a recreational area, display any notice required under this By-Law.
- (2) In relation to recreational areas, the Municipality may prominently display a notice at an entrance to a recreational area indicating -
 - (a) the opening and closing times of that recreational area; and
 - (b) any rules made by the management authority in relation to that recreational area.

CHAPTER 3: USE OF BIOLOGICAL RESOURCES IN NATURE AREAS

8. Use of biological resources

The Municipality may, upon application and subject to the provisions of a management plan, by means of the granting of a non-transferable written authorization or the entering into a written agreement, with the conditions it deems necessary, grant to any person the right to the sustainable, monitored use of identified biological resources in a nature area.

9. Natural resource utilization

The Municipality may upon application and subject to the provisions of a management plan, by means of the granting of a written authorization or the entering into a written agreement, and on the conditions it deems necessary, grant to any person or group the right to the sustainable, monitored use of identified natural resources in a nature area.

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 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 the expiry and for the termination 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 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 area.

CHAPTER 4: ACCESS TO NATURE AREAS

11. Access to nature areas by user of biological- or natural resources

- (1) The holder of a written authorization granted in terms of Sections 4, 8 or 9 above may, subject to any condition contained in the written authorization, use a road or path identified by the municipality, for the reasonable exercise of a written authorization to use biological resources- or natural resources: Provided that -
 - (a) the Municipality may close any access road or limit the use thereof for management purposes;
 - (b) if a holder of a written authorization fails to remove or repair any obstruction on an access road caused as a result of the exercise of a written authorization, the

Municipality may undertake such removal or repair, and recover the cost in this regard from the holder of the written authorization;

- (c) the Municipality may impose restrictions on the type of vehicle, machinery or equipment which is permitted on an access road in order to prevent any environmental or other damage;
- (d) the holder of a written authorization must keep every road, track or footpath used, reasonable wear excluded, in a good driving condition; and
- (e) a holder of a written authorization may not create or construct any new access road for the removal of biological resources or for any other reason create, construct, lengthen or otherwise expand any new or existing road, track or footpath, without written authorization from the Municipality.

12. Admission

- (1) A person who has been granted entry into a nature area may be allowed admission only to a specific area and at designated times as determined by the Municipality.
- (2) The Municipality may close a nature area or any part of a nature area-
 - (a) if, in the Municipality's opinion-
 - (i) the closure is necessary or desirable for the management of the nature reserve or nature area;
 - (ii) the closure is necessary for the Municipality to perform any of its functions in terms of the Act or this By-Law or any maintenance actions; or
 - (iii) the safety of persons may be compromised;
 - (b) if a fire-ban is in force in an area that includes all or part of the nature area;
 - (c) if the risk of uncontrolled fire in the nature area is, in the Municipality's opinion, extreme;
 - (d) if the Municipality's staff necessary to patrol or secure the nature area are unavailable; or
 - (e) if, in the Municipality's opinion, it is in the interest of public safety to close the nature area.
- (3) No person may, without the written authorization of the Municipality, enter or remain in a nature area, or part thereof, that has been closed in terms of subsection 12(2).

13. Points of entry and exit

- (1) No person may, other than in open access areas of a nature area, or subject to the provisions of Section 11, enter or leave a nature area at any place other than through the designated points of entry or exit, without the written authorization of the Municipality.
- (2) Where a public road, pathway or cycle path traverses a nature area-
 - (a) no written authorization is required by a person to travel through the nature area on such public road, pathway, or cycle path to a destination outside the nature area in question; and
 - (b) no person may in the course of traversal -

- (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 area, at a height below 1500ft above ground level without the written authorization from the Municipality.
- (4) No person may land, or attempt to land, an aircraft in a nature area without the prior written authorization from the Municipality.
- (5) No person may fly a RPAS over a nature area or land such RPAS in a nature area without the written authorization 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 area, within a reasonable time, depending on the nature of the emergency.

14. Proof of entry

- (1) Where a written authorization, or entry permit, is required for entry to a nature area, a person who enters the nature area in a vehicle or on foot, must ensure that the written authorization or entry permit is in his or her possession, and available for inspection at all times until he or she leaves the nature area.
- (2) Where a written authorization is issued for overnighting in a nature area, the written authorization 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.
- (3) For purposes of this By-Law a written authorization contemplated in subsection 14(2) is displayed in a vehicle only if-
 - (a) the written authorization is displayed on the inside of the windscreen on the side of the vehicle opposite to the driver's position; or
 - (b) where, because of the design of the vehicle, it is not possible to comply with paragraph (3)(a) the written authorization displayed in a permanent position in or on the vehicle, so that the written authorization is facing outwards from the vehicle and can be easily seen and read by a person outside the vehicle.

15. Safe entering

No person may enter or take a vehicle into a nature area, onto a place, road, river or water area in an unsafe, reckless or negligent manner.

16. Staying overnight

No person may stay overnight in a nature area-

- (a) without the written authorization of the Municipality;
- (b) without having first reported to the Municipality or to a ranger assigned by the Municipality to perform escort duty; or
- (c) at any place other than a place designated for such activity by the Municipality.

17. Times of entry and travel

- (1) Nature areas are open from sunrise to sunset, unless indicated otherwise by means of a notice at designated points of entry and at open access areas.
- (2) No person may, without the written authorization of the Municipality, enter, leave or travel in a nature area at any time other than the times determined by the Municipality, except in open access areas.

18. Maximum number of visitors

- (1) The Municipality may determine a maximum number of visitors who may be present at a specific nature area at a given date and time;
- (2) The number of visitors contemplated under subsection 18(1) must be published by the Municipality by means of a notice.

CHAPTER 5: RESTRICTED ACTIVITIES**19. Activities which may have an adverse effect in a nature area**

- (1) No person may, without the written authority of the Municipality, in a nature area-
 - (a) introduce any non-endemic specimen, or part thereof to a nature area;
 - (b) convey, move or otherwise translocate any specimen;
 - (c) intentionally disturb any species or non-endemic 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, injure or kill any living animal by any means, method or device whatsoever, including searching, pursuing, driving, lying in wait, ensnaring, 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 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 authorization of the Municipality.
- (3) No person may, within a 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 area, except an official or person duly authorized to do so;
- (6) No person may consume alcohol or drugs within a nature area, nor enter a 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 area except with written authorization from the Municipality and in accordance with an approved environmental management plan for the specified activity:
- (a) film and simultaneously transmit photographic images using a webcam or other image recording or transmitting device, including trail cams;
 - (b) conduct tours for profit;
 - (c) conduct any kind of competition;
 - (d) sell or hire goods or the offering of goods for sale or hire;
 - (e) provide or offer to provide any service for a fee or reward;
 - (f) an activity of any kind for the purpose of fund raising, personal gain, making a profit, or advertising;
 - (g) an organised and hold an event, including sporting or cultural events;
 - (h) record visual images of animals for any virtual hunting or other such activity;
 - (i) conduct any type of training, exercises or simulations; or
 - (j) environmental education programmes and activities.

21. Research and monitoring

- (1) No person may in a nature area, without written authorization of the Municipality, carry out scientific or general research or undertake monitoring projects.
- (2) Any person undertaking scientific or general research or monitoring projects in a nature area must—
 - (a) submit a written proposal to the Municipality that describes the purpose and methodology of the research or monitoring;
 - (b) be in possession of all required permits and authorizations in terms of any other law;
 - (c) comply with all specified conditions in the written authorization;
 - (d) submit all data and information gathered, to the Municipality, in a format determined and at stages of the project specified by the Municipality; and
 - (e) submit copies of all reports and findings to the Municipality upon completion.

22. Interference with substrates or cultural objects

- (1) No person may, except with the prior written authorization of the Municipality and subject to any other applicable laws-
 - (a) remove from a nature area any-
 - (i) soil, sand, gravel, pebbles, stone, rock or mineral or similar material;
 - (ii) wood, mulch or other dead vegetation;
 - (iii) fossil, archaeological remains or cultural artefacts;
 - (iv) animal faecal matter;
 - (b) dig any soil or similar material in a nature area; or
 - (c) disturb in a nature area –
 - (i) wood, mulch, peat or other dead vegetation or animal;
 - (ii) termite mounds, bees' nests, spider webs, birds' nests or animal burrow;
 - (iii) fossil, shell midden, archaeological remains or paleontological specimens or meteorites;
 - (iv) any object or material that is or was used for any ritual or other practice; or
 - (v) any object that has historical or cultural significance.

23. Bioprospecting

No person may undertake any manner or form of bioprospecting in a nature area without the prior written authorization 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 area are subject to prior approval and written authorization from the Municipality, and any relevant legislation.
- (2) No person may in a nature area, without prior written authorization 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.

25. Land and airspace

- (1) No person may in a nature area, except with the prior written authorization 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 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 area 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 authorization of the Municipality, launch, or use a vessel on a dam, reservoir, lake, river or other body of water in a 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 area unless the prior written authorization by the Municipality has been obtained.

27. Removal and dumping in water areas

- (1) No persons may, without the prior written authorization of the Municipality and other than subject to the conditions imposed by the Municipality, in any manner in a nature area—
 - (a) remove, dredge, pump or move any sand, soil or stones from a water area;
 - (b) deposit, dump or throw sand, soil, stones or other material of any kind in a water area.

28. Domestic animals and livestock in nature areas

- (1) No person may, except on conditions determined by the Municipality from time to time, allow any dog, cat or other domestic animal or livestock belonging to or under the care of that person to enter or remain in a nature area.
- (2) Any dog, cat or other domestic animal, including those contemplated in Section 28(1) which is not in the care of any person, may be caught and removed, impounded or destroyed at the discretion of the Municipality.

- (3) Any dog, cat, other domestic animal or livestock in a nature area, including those contemplated in Section 28(1), that is not in direct control by means of a leash or similar restraint, unless in a designated leash or constraint free area, may be caught and removed or impounded at the discretion of the Municipality.

29. Firearms and dangerous weapons

No person, other than a ranger or contractor with written authorization of the municipality, who enters a nature area, may be in possession of any firearm, dangerous weapon, explosive, trap or poison.

30. Commercial activities

No person may undertake any activities of a commercial nature, including the operation of any entertainment device, the sale of any goods, the hire of any equipment, or any similar activity on any nature area, without written authorization from the Municipality.

31. General restrictions

- (1) No person who is in a nature area, without the written authorization of the Municipality, may—
- (a) offer any show or entertainment, conduct any business or trade, or collect any money from the public;
 - (b) carry on any agricultural or gardening activities except subject to the conditions which the Municipality may lay down from time to time;
 - (c) use or cause to be used, any loud speaker or similar device or other noisy equipment;
 - (d) construct or erect any booth, marquee or other structure;
 - (e) organise or cause to be organised or attend or participate in any public meeting, demonstration or gathering; or
 - (f) tamper with, deface, damage, remove or in any other way interfere with a nature area boundary fence or object demarcating the boundary of a nature area.
- (2) No person may -
- (a) intentionally or negligently cause a fire or discard any burning or smouldering 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 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, other than a municipal official or authorized individual, driving a vehicle in a 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 area or section of a nature area.
 - (3) No person may enter or travel in a 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 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;
 - (c) deposit, discharge or leave any noxious, smelly, offensive or polluting substance, matter or thing;
 - (d) deposit or leave any offal, dead species or specimen, or dung;
 - (e) deposit, except in any receptacle provided for litter, any domestic garbage;
 - (f) intentionally break any article of glass, china, pottery, plastic or other brittle material;
 - (g) deposit, discharge or leave any mineral, mineral waste or other industrial waste or by-product thereof;
 - (h) discard or discharge any toxic chemical or substance, pharmaceutical substance, including biocides, or any other pollutant or harmful substance except in the course of control and eradication of invasive specimens in terms of the National Environmental Management: Biodiversity Act (10 of 2004); or
 - (i) dispose of aerosols containers or any other hazardous substance of such nature.
- (2) No person at any time or in any manner, including by the use of detergents, dispose of any solid or liquid waste, including engine oil, into any water area in a nature area.
- (3) No person may at any time or in any manner throw, place or dispose of any item, medium or object that may directly or indirectly cause water pollution.

34. General prohibitions

- (1) No person may, in a nature area-
 - (a) unlawfully occupy, build on, erect, move into, inhabit, sell or use any land, building or structure to which he or she does not have lawful title;
 - (b) demarcate any piece of land with any form of material, including, but not restricted to string, rope, pegs, stones, pebbles, wire, wood or any other material or continue to demarcate after a written notice to stop any form of demarcation was issued by the Municipality;
 - (c) move or remove any demarcation or surveying pegs affixed in terms of any law;
 - (d) without the written consent of the Municipality allow, encourage, motivate, organise or instigate the occupation of any land;
 - (e) continue with any activity specified in subsections (a) to (e) above after a written notice to stop construction was issued by the Municipality;
 - (f) at any time play any radio, compact disc player, music system, musical instrument or in any way whatsoever cause any noise in a manner that is likely to disturb any species or specimen or other person;
 - (g) behave in an offensive, improper, indecent or disorderly manner;
 - (h) engage in sexual activity or solicit any person for the purpose of prostitution or immorality;
 - (i) except subject to written authorization granted in Chapter 3, cut, remove, dig up, fell, burn, pluck, break, climb up or upon or cause damage to timber or to any tree, shrub, brushwood, fencing post, pole, fern, turf, grass, fruit, flower, plant or vegetation; or
 - (j) create or construct any new access roads, paths or tracks.
- (2) No person may, in a nature area, intentionally obstruct, disturb, interrupt or annoy any other person utilising the nature area in compliance with this By-Law.
- (3) No person may discharge a firearm within a nature area, except-
 - (a) if that person is authorized by the Municipality thereto;
 - (b) for the discharge of a blank by a life-guard during an organized competition or by any other person authorized 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 authorization of the Municipality;
- (4) No person may, in a nature area, throw, roll or discharge any stone, rock, boulder, substance, projectile or missile to endanger any person, species or specimen.
- (5) No person may, in a 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 areas;
 - (b) the use of any amenity, service, facility, entertainment venue, event, film show or performance presented or provided or rendered by or on behalf of the Municipality, at or in a 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 official 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.
- (3) Should the ranger considered in subsection 36(2) fail to produce the staff identification card then no power granted in terms of this By-Law can be exercised.

37. Powers and functions of rangers

- (1) In this section, unless the context indicates otherwise, 'article' means anything, including a structure, object, document, book, record or electronic information or extract, part or sample therefrom that is reasonably suspected in the use of contravening this By-Law.
- (2) Without a warrant, a ranger may stop, enter, search and seize any vehicle, premises or person if the ranger has reasonable grounds to believe that an offence in terms of this By-Law has been or is being committed by means or with the help of such vehicle or premises if-
- (a) the person in control of the vehicle or premises consents to such stop, entry, search or seizure; or
 - (b) the ranger has reasonable grounds to believe that a warrant will be issued, if the ranger applied for it, and the delay caused by the obtaining of such a warrant would defeat the object of the stop, entry, search or seizure.
- (3) If subsection 37(2) does not apply, then a ranger may stop, enter and search any vessel, vehicle, premises or person and may seize an article contemplated in subsection 37(5)(h) only on the authority of a warrant.

- (4) A judge in chambers may issue a warrant contemplated in subsection 37(3) on written application by a ranger if it appears from information under oath or affirmation that-
 - (a) there are reasonable grounds for believing that a contravention of this By-Law has occurred;
 - (b) the search and seizure is likely to yield information pertaining to the contravention; and
 - (c) the search and seizure is reasonably necessary for the purposes of this By-Law.
- (5) In enforcing or investigating compliance with this By-Law, a ranger may-
 - (a) be accompanied by an interpreter, a police official or any other person who may be able to assist with the inspection;
 - (b) inspect any article which may be relevant to the investigation;
 - (c) examine, analyse, measure or make a copy of an article and remove it for examination, analysis, measurement, copying or extraction;
 - (d) require a person to produce or to deliver at such time and place as may be determined by the ranger, an article for inspection;
 - (e) take a photograph or make an audio-visual recording of any person or anything for his or her investigation;
 - (f) question a person who, in the opinion of the ranger, may be able to furnish information on a matter to which this By-Law relates;
 - (g) direct a person to appear before him or her at such time and place as may be determined by the ranger and question such person either alone or in the presence of any other person on a matter to which this By-Law relates; and
 - (h) seize an article-
 - (i) which is associated with or is on reasonable grounds believed to be associated with 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 his or her 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 area 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 area in the exercise of a lawful power or duty; and

- (c) in any 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-
 - (i) issue the person with a fine for not complying with the compliance notice;
 - (ii) take steps to remedy any adverse effect arising from the person's actions and recover the costs from such person;
 - (iii) apply to a competent court for appropriate relief including the costs of the application; or
 - (iv) institute a criminal prosecution.

The compliance notice may-

- (i) instruct the person within a specified time to, in writing, inform the Municipality what steps have been taken to comply with the notice;
 - (j) instruct a person at their cost to take specified action to the satisfaction of the Municipality within a specified time to-
 - (i) cease, modify or control an activity causing, continuing or contributing to an adverse effect on a nature area,
 - (ii) investigate, evaluate and assess the impact of a specific situation or activity and report thereon;
 - (iii) undertake and complete specific measures;
 - (iv) eliminate or remove an encroachment or unauthorized structure;
 - (v) rehabilitate the affected environment; or
 - (vi) any combination of the provisions listed in paragraphs (i) through (v).
- (2) Should the person on whom a compliance notice under subsection 38(1) was issued, fail to comply, or inadequately comply, with the compliance notice or authorization, then the Municipality may take measures that the Municipality considers appropriate to remedy the situation and may authorize another person to take such measures.

- (3) The Municipality may recover costs to the Municipality, or an authorized person, for the measures to be undertaken under subsection 38(2), and all costs incurred as a result of acting under subsection 38(2), from any or all of the persons on whom the compliance notice or authorization was issued.

39. Impounding of vehicle, items or goods

- (1) The Municipality or appointed ranger may, without a warrant, seize and impound a vehicle, items or goods which is concerned, or is on reasonable grounds believed to be concerned, with the commission of an offence in terms of this By-Law.
- (2) The ranger, at the time of the impoundment, must give the holder of the impounded vehicle, items or goods an impoundment notice setting out –
 - (a) the reason for the impoundment;
 - (b) a description of the impounded vessel or vehicle;
 - (c) the address and contact details of the designated pound;
 - (d) the impoundment fee; and
 - (e) a warning that the impounded vehicle may be sold to recover the impoundment fee and any fine, costs or damages.
- (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 40 –
 - (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

- (1) 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;
 - (c) fails to comply with the terms of any notice or signage displayed in terms of this By-Law;
 - (d) contravenes a lawful instruction given by a ranger in terms of this By-Law;
 - (e) threatens, obstructs, hinders or uses abusive language to a ranger or a person lawfully accompanying the ranger in the exercise of a power conferred in terms this By-Law;
 - (f) when called upon by a ranger to furnish information, furnishes false or misleading information; or
 - (g) falsely holds himself or herself to be a ranger or a person authorized to act on behalf of the Municipality in terms of this By-Law;

commits an offence.

41. Penalties

- (1) Any person who commits an offence referred to in Section 40 is liable to a corresponding fine as contemplated in terms of the NEMA Admission of Guilt Fines Regulations (Annexure B), or upon conviction to imprisonment for a period not exceeding 2 years or to such imprisonment without the option of a fine, or to both such fine and such imprisonment.
- (2) In addition to imposing a fine or imprisonment, a court may order any person convicted of an offence in terms of this By-Law —
 - (a) to rectify the harm caused;
 - (b) to forfeit to the Municipality a vehicle impounded in terms of Section 39;
 - (c) to pay the costs incurred by the Municipality as a consequence of the contravention; and

- (d) to pay damages for harm caused to another person or property within the nature area, which order shall have the force and effect of a civil judgment.
- (3) The Municipality may ban any person who fails to comply with any provisions of this By-Law from entering any nature area(s) for a determined period of time.
- (4) The Municipality may restrict access to a vehicle that fails to comply with any provisions of this By-Law from entering a nature area for a determined period of time.
- (5) A ban imposed in terms of subsections 41(3) and 42(4) must be reduced to writing and served on the person or owner of the vehicle.
- (6) The Municipality must provide a person contemplated above with a written notice of its intention to ban such person in terms of section 41(3). Such a person has 7 days to provide reasons why the Municipality should not ban such person.
- (7) A person who has been banned in terms of subsections 41(3) and 41(4) above may make written representations to the Director: Community and Protection Services as to why the ban should be lifted or reduced in length within 48 hours of the receipt thereof.

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. Liability and 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 pertaining to nature areas 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 Areas By-Law and comes into operation on promulgation in the Provincial Gazette.

ANNEXURE A

1	Stay on boardwalk		19	Fires in demarcated areas		37	Fishing		55	Restrooms		73	Wheelchair access		91	Swimming allowed		109	Do not pick flora	
2	Stay on pathways		20	Braais allowed		38	Fishing with permit only		56	Female restroom		74	Parking		92	Swimming is dangerous		110	Useful plants	
3	Hiking / Walking		21	No fires		39	No fishing		57	Male restroom		75	Visitors parking		93	No swimming		111	Unique vegetation	
4	Guided walk		22	No fires or gas braais		40	No treble hooks		58	Restaurant		76	No parking		94	Windsurfing		112	Nature appreciation	
5	Trail running		23	No overnighting		41	No fishing off bridges		59	Picnic area		77	Information		95	Water skiing		113	Do not damage fauna or flora	
6	Scenic views		24	No alcohol		42	No fishing at night		60	Use litterbins		78	Speed limit		96	Boat launch		114	General fauna	
7	Pathway		25	No firearms		43	No fishing with nets		61	Bin free area Do not litter		79	No access		97	Motorboating		115	Bird viewing	
8	Dog free running area		26	No hunting		44	No prawn pumping		62	Education facilities		80	No vehicles		98	Sailing		116	Birdhide	
9	Dogs on leash		27	No dumping		45	No bait collection		63	Overnight education facilities		81	No off-road vehicles		99	No sailing		117	Do not feed the animals	
10	No dogs allowed		28	No sand-mining		46	No use of live bait		64	Accommodation		82	No mountain bikes		100	Natural pool		118	Photos allowed	
11	Poop scoop area		29	No music		47	No lobster fishing		65	Permit needed		83	No driving on sand dunes		101	Boma		119	Discovery trail	
12	No driftlines		30	Playground		48	Conservation office		66	Beware of snakes		84	Canoeing allowed		102	Power boats allowed		120	Whale watching	
13	Bag limits		31	No smoking		49	Beach		67	Kite surfing		85	No canoeing		103	No power boats		121	Horse riding	
14	Size limits		32	Do not leave valuables in vehicle		50	No boats of any kind allowed		68	No kite surfing		86	Jet skis prohibited		104	Electric boats allowed		122	Camping	
15	Beware of falling branches		33	Safeguard valuables		51	Wind surfing		69	No mooring of vessels		87	No water skiing		105	No electric boats		123	4 X 4	

124 Cellphone	
106 Water bottle	
107 Sun hat	
108 Tortoises	
88 No defecating	
89 Nature garden	
90 Unique fauna and flora	
70 Gift shop	
71 Canon	
72 Safety gloves	
52 Coffee shop	
53 Play area	
54 Safety boots	
34 Cafe	
35 Administration office	
36 No lighting match/fires	
16 Restaurant	
17 No camping	
18 No hiking/walking	

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 voetpaaie	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	Sakbeperkings	Imida yengxowa
14	Size limits	Groottebeperkings	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 kwimimandla 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	Sandmynerie 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 ngakwiibhulorho
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

45	No bait collection	Uithaal van aas verbode	Akubheyithwa
46	No use of live bait	Gebruik van lewende aas verbode	Akusetyenziswa izinto eziphilayo xa uloba
47	No lobster fishing	Uithaal van kreef verbode	Akulotywa zilobster
48	Conservation office	Bewaringskantoor	I-ofisi yolondolozo
49	Beach	Strand	Ulwandle
50	No boats of any kind allowed	Alle soorte bote verbode	Akuvumelekanga naluphi na uhlobo lwesikhephe
51	Windsurfing	Seilplankry	Ukusefa
52	Coffee shop	Koffiewinkel	Ivenkile yekofu
53	Play area	Speelarea	Ummandla wokudlala
54	Safety boots	Veiligheidstewels	Iibhutsi zokhuseleko
55	Restrooms	Kleedkamers	Amagumbi angasese
56	Female restroom	Kleedkamer vir vroue	Igumbi langasese labasetyhini
57	Male restroom	Kleedkamer vir mans	Igumbi langasese lamadoda
58	Restaurant	Restaurant	Irestyurenti
59	Picnic area	Piekniekgebied	Ummandla wepiknikhi
60	Use litterbins	Gebruik vullisdromme	Sebenzisa imigqomo yenkunkuma
61	Bin free area. Do not litter	Dromlose gebied. Rommelstrooiery verbode	Ummandla wemigqomo. Musa ukulahla phantsi inkunkuma
62	Education facilities	Opvoedingsfasiliteite	Amaziko emfundo
63	Overnight education facilities	Oornag-opvoedingsfasiliteite	Amaziko emfundo asebusuku
64	Accommodation	Verblyf	Indawo yokuhlala
65	Permit needed	Permit benodig	Imvume iyafuneka
66	Beware of snakes	Pasop vir slange	Lumkela iinyoka
67	Kite surfing	Vlieërski	Ukubhajiswa kweekayiti
68	No kite surfing	Vlieërski verbode	Akubhajiswa iikayiti
69	No mooring of vessels	Vasmeer van vaartuie verbode	Akuvumelekanga ukubotshelwa kweenqanawa
70	Gift shop	Geskenkwinkel	Ivenkile yezipho
71	Cannon	Kanon	Inkanunu
72	Safety gloves	Veiligheidshandskoene	Igloves zokuzikhusela
73	Wheelchair access	Rolstoeltoegang	Indawo yokungena abakhubazekileyo
74	Parking	Parkering	Ipaki
75	Visitors parking	Besoekersparkering	Ipaki yendwendwe
76	No parking	Parkering verbode	Akupakwa
77	Information	Inligting	Iinkcukacha
78	Speed limit	Spoedbeperking	Isantya somgago
79	No access	Geen toegang nie	Akungenwa
80	No vehicles	Voertuie verbode	Azivumelekanga izithuthi
81	No off-road vehicles	Veldvoertuie verbode	Azivumelekanga izithuthi ezinkulu (off-road vehicles)
82	No mountain bikes	Bergfietse verbode	Azivumelekanga iibhayisekile ezihamba ezintabeni
83	No driving on sand dunes	Bestuur op sandduine verbode	Akuqhutywa kwiingqumba zesanti
84	Canoeing allowed	Kanovaart toegelaat	Kuvumelekile ukuhamba ngephenyane
85	No canoeing	Kanovaart verbode	Akuvumelekanga ukuhamba ngephenyane
86	Jet skis prohibited	Waterponies verbode	Azivumelekanga izithuthuthu zokudlala emanzini
87	No water skiing	Waterski verbode	Akuvumelekanga ukutyibiliza emanzini
88	No defecating	Ontlasting verbode	Akuvumelekanga ukuzithuma

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	Iselela

ANNEXURE B

GOVERNMENT NOTICE

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).

Offences under the Protected Areas Regulations

2. The offences in terms of regulation 61 of the Protected Areas Regulations are, to the extent specified in columns 1 and 2 of Table 1 to this Schedule hereby specified as offences in respect of which an admission of guilt fine, stipulated in column 3 of the said Table, may be paid.

Short title and commencement

3. These Regulations are called the Protected Areas Act: Admission of Guilt Fines Regulations, 2011 and take effect on the date of publication thereof in the *Gazette*.

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

	of the management authority.	
11(1)	Failing to display receipt for the entrance fee or the permit authorizing entry into the special nature reserve, national park or world heritage site.	R 500,00
11(2)	Failing to display, in their vehicle, a permit for camping in a special nature reserve, national park or world heritage site.	R 500,00
13(1)(a)	Staying overnight in a special nature reserve, national park or world heritage site without the permission of the management authority.	R 1500,00
13(1)(b)	Staying overnight in a special nature reserve, national park or world heritage site without payment of the applicable fees as determined by the management authority.	R 1500,00
13(1)(c)	Staying overnight in a special nature reserve, national park or world heritage site without first reporting to the designated reception office or to an authorized official assigned to perform escort duty.	R 1500,00
13(1)(d)	Staying overnight in a special nature reserve, national park or world heritage site if no accommodation has been reserved or is available for that person.	R 1500,00
13(1)(e)	Staying overnight in a special nature reserve, national park or world heritage site on a houseboat or any other vessel without the permission of the management authority.	R 1500,00
13(1)(f)	Staying overnight in a special nature reserve, national park or world heritage site at any place other than a place designated by the management authority.	R 1500,00
13(2)	Camping in a special nature reserve, national park or world heritage site at an area other than an area set aside for that purpose by the management authority.	R 1500,00
14	Entering, leaving or traveling in a special nature reserve, national park or world heritage site at any time other than the times determined by the management authority.	R500, 00
15	Entering or travelling in a special nature reserve, national park or world heritage site in a vehicle that does not conform to the dimensions and other requirements determined by the management authority from time to time.	R 1000,00
16(1)(a)	Driving, parking or stopping a vehicle in a special nature reserve, national park or world heritage site in a way that constitutes a nuisance, disturbance or danger to any other person.	R 2000,00
16(1)(b)	Driving in a special nature reserve, national park or world	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

18(7)	Moving, defacing or otherwise interfering with a Protected Areas Notice, notice board or other sign board put onto, affixed to or placed in a special nature reserve, national park or world heritage site by a management authority or by a life-guard, without being duly authorized thereto by a management authority.	R 2000,00
20(1)(a)	Filming and simultaneously transmitting photographic images, in a special nature reserve, national park or world heritage site by the use of a webcam or other image recording or transmitting device without a license, permit or agreement with the management authority.	R 2500,00
20(1)(b)	Conducting a tour, in a special nature reserve, national park or world heritage site without a license, permit or agreement with the management authority.	R 2000,00
20(1)(c)	Conducting any kind of competition in a special nature reserve, national park or world heritage site without a license, permit or agreement with the management authority.	R 1500,00
20(1)(d)	Selling or hiring of goods or the offering of goods for sale or hire in a special nature reserve, national park or world heritage site without a license, permit or agreement with the management authority.	R 1000,00
20(1)(e)	Providing or offering to provide any service for a fee or reward in a special nature reserve, national park or world heritage site without a license, permit or agreement with the management authority.	R 1000,00
20(1)(g)	Conducting research in a special nature reserve, national park or world heritage site without a license, permit or agreement with the management authority.	R 1500,00
20(1)(h)	Conducting an activity of any kind for the purpose of fund raising, personal gain or making a profit in a special nature reserve, national park or world heritage site without a license, permit or agreement with the management authority.	R1500,00
20(1)(i)	Undertaking any organized or special event in a special nature reserve, national park or world heritage site, including sporting or cultural events without a license, permit or agreement with the management authority.	R 1500,00
20(1)(j)	Visual imaging of animals in a special nature reserve, national park or world heritage site for the purpose of virtual hunting or other similar activities without a license, permit or agreement with the management authority.	R 1500,00
22(a)	Using or causing to be used, any loud speaker or similar	R 2000,00

	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

	permission of the management authority.	
36	Interfering with, putting into operation, damaging, climbing on or boarding any vehicle, vessel, dredging apparatus or any other implement which is the property of or in use by a management authority or its agent, without the permission of the management authority, or its agent.	R 2000,00
37(1)	Interfering with, misusing, damaging, using in conflict with any management authority directions any building, signage, convenience shelter, changing room, pier, landing stage, raft, buoy or other facility or structure provided or erected by the management authority.	R 1000,00
37(2)	Failing to comply with directions of any notice affixed to a building, structure or facility referred to in regulation 37(1).	R 500,00
37(3)	Blocking or restricting access to any road or other point of entry to or within any special nature reserve, national park or world heritage site.	R 2500,00
39(1)(a)(ii)	Removing wood, mulch or other dead vegetation from a special nature reserve, national park or world heritage site without the prior written permission of the management authority.	R 2500,00
39(1)(a)(v)	Removing coral or shells from a special nature reserve, national park or world heritage site without the prior written permission of the management authority.	R 2500,00
39(1)(b)	Digging or intentionally disturbing any soil or similar material in a special nature reserve, national park or world heritage site without the prior written permission of the management authority.	R 500,00 (2500)
39(1)(c)(i)	Intentionally disturbing any wood, mulch, peat or other dead vegetation or animal in a special nature reserve, national park or world heritage site without the prior written permission of the management authority.	R 500,00
39(1)(c)(ii)	Intentionally disturbing termite mounds in a special nature reserve, national park or world heritage site without the prior written permission of the management authority.	R 1500,00
39(1)(c)(iii)	Intentionally disturbing fossil, shell midden, archaeological remains or paleontological specimens or meteorites in a special nature reserve, national park or world heritage site without the prior written permission of the management authority.	R 1500,00 (2500)
39(1)(c)(iv)	Intentionally disturbing any of the marine components contemplated in regulation 39(1)(a).	R 1000,00
39(2)	Constructing an impoundment or weir on any river or river bed or abstracting any water from any impoundment or weir on any river or in any river bed within a special nature reserve, national park or world heritage site, or abstracting any water by means of pump, pipes, gravitation or any other means, located outside the boundary of a special nature reserve, national park or world heritage site, from any river or river bed forming a boundary with a special nature reserve, national park or world heritage site without the written permission of the management authority and without conducting an environmental impact assessment.	R 2500,00
40(a)	Depositing or leaving, in a special nature reserve, national park or world heritage site, any litter, bottle, broken glass, china, pottery, plastic articles, rubbish, refuse, seeds, fruit or	R 2000,00

	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

	management authority.	
45(2)(b)(iv)	Conveying, moving or otherwise translocating any specimen of an alien or listed invasive species in a special nature reserve, national park or world heritage site without the written permission of the management authority.	R2500, 00
49(1)	Bringing a dog, cat or other pet belong to such person or under such persons care into a special nature reserve, national park or world heritage site other than on the conditions determined by the management authority.	R 1000.00
61(b)	Failing to comply with a Protected Area Notice, an internal rule or any other document issued or displayed in terms of the Protected Areas Regulations.	R500, 00
62(b)	In failing to comply with any internal rule, violates, refuses or fails to obey or comply with any prohibition, request or instruction imposed by the Protected Areas Regulations or by the management authority or authorised official.	R 2500,00
63(2)	Failing to hand over a permit or proof of entry on demand for endorsement indicating withdrawal of permission to enter a special nature reserve, national park or world heritage site, when requested to leave.	R1500, 00

Musical experience

One of Middelvie Wines' popular events, Burgers and Beats, returns on Saturday 7 December, with live entertainment by duo James Stewart and John Ellis.

As lead singers of their respective bands, the vocalists rose to fame in the 1990s, and their collective talents of their interpretations of some of their favourite songs add to the ingredients for a perfect night out under a starlit sky.

Ellis was the former lead singer of internationally acclaimed band Tree63, and multi-Emmy nominated and multi-South African Music Award-winning Stewart is the former frontman of The Usual

Sit back, relax and enjoy a bit of the farm lifestyle away from the hustle and bustle of the Stellenbosch nightlife. Wine plays the starring role, but for their meals, guests will enjoy a delicious home-made beef cheeseburger, served with chips and a glass of Middelvie wine, while being kept entertained.

The cost per person is R360. Children under 12 years only pay R90 for a hamburger, chips and juice. Groups of 10 adults or more will qualify for a 10% discount when booking.

Middelvie wines will also be available to purchase.

Space is limited; book your place on middelvievines@gmail.com or 021 883 2565.

School of Art to exhibit at PJ Olivier Art Centre



Students of the Mari Stander School of Art – (from left) Christelle Kriel, Gerhard de Bruin, Janet Traut, Mathilda Malan and Marlaen Jonker-Arangles – working from a live model and busy finishing off their artworks before their final student exhibition, which opens at the PJ Olivier Art Centre in Stellenbosch at 18:30 on Tuesday 26 November. The artworks will be displayed until Monday 2 December. Locals are invited to come and enjoy an evening of beautiful art, wine and live music. The opening speaker is Franci Beyers of Stellenbosch Visio magazine. All the artwork on display is a show of the students' work for the year. The exhibition will, as a result, present a variety of subjects and mediums.



'Tis the season at Middelvie

Start the festive season on a high note with the annual Sunset Carols event at Middelvie on Sunday 1 December from 18:15. A child's dream, Middelvie is set on a working farm where the young ones can run around freely on the sprawling lawn, get to know the farm animals or participate in some fun traditional games. This allows for the older generation to sit back and relax while sipping on a glass of Middelvie wine. The bonus of a breathtaking Stellenbosch sunset makes the evening so much more special. As per tradition, Father Christmas will make a special guest appearance to hand-out gifts to the young ones, and the evening concludes with everyone joining in to sing along to Christmas carols. The evening, at a cost of R450 per couple, includes a Boerebraai-inspired tapas platter with, among other things, sweetcorn fritters with a sweet chilli dipping sauce, mini-braai broodjies, chicken kebabs and boerewors sosaties. Dessert is an optional extra. The children will get to tuck into a yummy snack box of a boerie, chips, a juice box and some sweets at a cost of R100 per child under age 12. Pre-booking for this unforgettable evening is essential on middelvievines@gmail.com or 021 883 2565.

Dorpskalender | Town calendar

SATERDAG 23 NOVEMBER

■ Idasvlei: Die HOËRSKOOLOÛCKHOFF-ALUMNIGROEP hou om 10:00 sy jaarvergadering by die skool in Bloekomlaan. Die volgende is op die sakelys – opening en verwelkoming; verskonings; notule van vorige vergadering op 25 November 2023; sake uit notule; voorsitter se verslag; geouditeerde finansiële verslag; veranderinge aan grondwet; algemeen; en sluiting. Kontak Stan Amos by 082 464 6283 of Fatieg Henry by 082 958 9309 vir meer inligting.

SONDAG 24 NOVEMBER

■ Stellenbosch: Die Stellenbosch Madrigaalsangere bied om 16:00 hul jaareind-konsert, *Of All The Birds*, by die PJ OLIVIER-KUNSSENTRUM aan. Die plaaslike sanggroep sal 'n verskeidenheid genres en style dek, insluitend musiek van The Beatles, Sinead O'Connor, Mia Makaroff, Xander Krizinger, Thomas Morley, John Bartlett, 'n tradisionele Ierse-lied (in Gaëlies), en vele meer. Verversings sal teen 'n skenking beskikbaar wees, maar daar is geen kaartfasiliteit nie, net kontant, elektroniese betalings en Capitec PayMe. Kaartjies, teen R130 elk, is aanlyn deur Quicket te koop, met beperkte kaartjies by die deur.

MONDAY 25 NOVEMBER

■ Stellenbosch: *Richmond Loop*, a multimedia response to an artist residency in the Karoo town, will be screened at the NEELSIE CINEMA until Sunday 1 December. It is a collaboration between new music composer Prof Michael Blake and conceptual artist Emma Willemse. On Thursday 28 November at 17:30, the artists will be present to take questions after the showing.

DINSdag 26 NOVEMBER

■ Devonvlei: Die DIEREBESKERMINGSVERENIGING (DBV) STELLENBOSCH hou om 18:00 sy jaarvergadering by die Devon Valley Hotel. Stuur teen 'n vyfde 22 November 'n e-pos-bondskap na

fundraiser@awss.co.za of skakel 021 883 9129 om jou plek te bespreek.

FRIDAY 29 NOVEMBER

■ Stellenbosch: The Cape Town Philharmonic Orchestra (CPO) has opened the dress rehearsal, for the sold-out annual tribute concert to the late philanthropist Hubert Rupert, to the public. The rehearsal of Beethoven's Fifth, featuring CPO principal guest conductor Bernhard Güeller and piano virtuoso Qden Blaauw, will be held at the ENDLER HALL at 16:00. Unreserved tickets cost R75 each and can be booked through Webtickets and Artscape Dial-A-Seal on 021 421 7695. The doors for the rehearsal performance will open at 15:45.

SATERDAG 30 NOVEMBER

■ Stellenbosch: Die Evangeliese-Lutherse gemeente Stellenbosch-Somerset-Wes bied van 10:00 tot 14:00 die jaarlike DUITSE KERSMARK in Hofmeyrstraat 26 aan. Soos altyd bied die mark 'n geleentheid vir Kersinkopies met 'n Europese inslag met handgemaakte Kersversierings en adventkranses, geskenkartikels, Bratwurst en aartappelsaai, Kersgebak en ander Duitse lekkernye. Toegang is gratis. Stuur e-pos na info@lutheranstellenbosch.co.za, skakel 021 887 5030 of besoek www.lutheranstellenbosch.co.za vir meer inligting.

■ Stellenbosch: Die ATKV-Crescendo vier sy 50ste verjaardag met 'n spesiale konsert, *ATKV Crescendo GOUD*, by die DAISY JONES-TEATER buite Stellenbosch. Crescendo-bekendes soos Karin Hougaard, Petronel Baard en Rouel Beukes sal saam met meer onlangse bekendes soos Selby Williams, Lucia Poggenpoel en Alzanley Lizmore musikale huldeblyke bring aan kunstenaars soos Anneli van Rooyen, Jak de Priester en Rina Hugo wie se musikale loopbane met die hulp van Crescendo vlerke gekry het. Besoek www.crescendo.org.za vir kaartjies. Standaard-kaartjies kos R250 en vir R500 kan jy 'n eksklusiewe BBP-ervaring kry, waar jy onder meer voor en ná die vertoning versnaperings en 'n glasie van die ATKV-Crescendo se eksklusiewe wynreeks saam met die kunstenaars kan geniet. BBP-kaartjiehouers kan ook uitsteek na 'n wyn-en-whisky-proeueleentheid.

SATURDAY 7 DECEMBER

■ Johannesburg: Be part of the enthusiastic community building up the Argentine tango at DIE BOEKKLUB off the Helshoogte Pass from 15:00 to 18:00. The event is organised by an organisation dedicated to building the Argentine tango dance and music community in the Boland and celebrating Afro-Argentine artistic culture. The event is open to newcomers and experienced dancers. There will be a lesson from 15:00 to 16:30, followed by a practica until 18:00. The cost is R150 for both sessions or R50 for the practica only. For more information or to reserve your place, send an email to wikus engelbrecht@gmail.com.

■ Idasvlei: Die derde jaarlike braai-byeenkoms van die HOËRSKOOLOÛCKHOFF-ALUMNIGROEP word om 14:00 by die skool in Bloekomlaan gehou. Alle oudleerders word genooi om die geselligheid by te woon. Neem jou eie vleis, drankies, stoele en gazebo's saam. Hout, kole en water sal verskaf word. Toegang beloop R50 per persoon; parkering is gratis. Kontak Stan Amos by 082 464 6283 of Fatieg Henry by 082 958 9309 vir meer inligting.



STELLENBOSCH MUNICIPALITY

STELLENBOSCH-PNIEL-FRANSCHHOEK

MUNISIPALITEIT UMASIPALA MUNICIPALITY

021 808 8679 Community and Protection Services

INVITATION TO COMMENT:

DRAFT STELLENBOSCH MUNICIPALITY NATURE RESERVE AND NATURE AREA BY-LAW

Notice is hereby given of the availability of the Draft Stellenbosch Municipality Nature Reserve and Nature Area By-Law for comment. The draft by-law is available on the municipal website (<https://www.stellenbosch.gov.za/>). Hard copies are available at the municipal advice centres in Stellenbosch and Franschhoek. Comment on the document must be submitted per email to schalk.vandermarwe@stellenbosch.gov.za. The closing date for receipt of comment is 20 December 2024.

Please contact Schalk van der Merwe at 021 808 8679 should you have any queries.

UITNODIGING VIR KOMMENTAAR:

KONSEP STELLENBOSCH MUNISIPALITEIT NATUURRESERVAAT EN NATUURAREA ORDONANSIE

Hiermee word kennisgewing gegee van die beskikbaarheid van die Konsep Stellenbosch Munisipaliteit Natuurreservaat en Natuurarea Ordonansie vir kommentaar. Die dokument is beskikbaar op die munisipale webtuiste (<https://www.stellenbosch.gov.za/>). Harde kopieë is beskikbaar by die munisipale advies kantore te Stellenbosch en Franschhoek. Kommentaar op die dokument moet gestuur word per e-pos na schalk.vandermarwe@stellenbosch.gov.za. Die sluitingsdatum vir die ontvang van kommentaar is 20 Desember 2024.

Vir enige navrae skakel gerus vir Schalk van der Merwe by 021 808 8679.

Eikestadnuus
21 NOV 2024

ANNEXURE C



Chairperson: HC Eggers

fsm.spring474@passfwd.com

fsmountain.org

11 Grandiceps Rd, 7600 Stellenbosch

Public Benefit Organisation No. 930049434

FRIENDS OF STELLENBOSCH MOUNTAIN

Comments and suggestions on the Draft SM Nature Reserve and Nature Area By-law January 2025

A Context

- A1. Thank you for the opportunity to comment on the Draft Stellenbosch Municipality Nature Reserve and Nature Area By-Law in the version of November 2024.
- A2. Attached please find two copies of the November 2024 draft, one with detailed comments, text edits and suggested important additions, the other showing only the suggested new text omitting any editing information.

B Salient points

- B1. **Principles** had been entirely missing so far. Expanded definitions of the relevant Acts of Parliament as well as the new section 2(2) remedy this omission.
- B2. **Wildfires** constitute the largest short-term risk and threat to the Municipality and its residents by far. The enormous risk and costs resulting from new-era wildfires, with winds far stronger than ever experienced before coupled to dry areas, have been illustrated by the recent Los Angeles fires. The Stellenbosch climate, topography, wind risk and settlement patterns closely resemble those of Southern California. A few lessons learnt so far in Los Angeles, which must now be applied to Stellenbosch and many other Western Cape settlements include:
 - B2.1 Nature Areas represent a source of fire and risk not just for adjacent residential areas. Burning embers can fly for kilometers, and entire neighbourhoods can be set on fire even while the fire front is still far away.
 - B2.2 Conventional wisdom, methods and resources pertaining to firefighting must be revised fundamentally. Even helicopters and aircraft become powerless and useless under the conditions experienced in Los Angeles.
 - B2.3 More than 12,000 structures were destroyed so far in Los Angeles within a few days — equivalent to most of central Stellenbosch.
 - B2.4 The cost of loss and damage in Los Angeles was last estimated at 250 billion US Dollars, about 4 to 5 trillion Rand. These enormous numbers mean that Nature Areas now represent the single largest immediate threat to the Municipality and its residents.

For these reasons, a new section provisionally called “31A” has been added which collects all related provisions as well as introduce stricter ones. For example, even the possession of flammable material should now be prohibited, not just the laying of fires.

- B3. **Liability** is closely connected to Wildfires (through the National Veld and Forest Fire Act and common law) but also to personal injury. These liabilities were also not addressed adequately so far. The old section 45 (Indemnity) has been “promoted” to “Liability and Indemnity” and moved into Chapter 8.
- B4. **Rangers:** Both sections 5 and 37 originally had the same title “Rangers”. From the context, it appears that section 37 refers to Rangers (now termed “Staff Rangers”) who are permanent or temporary municipal employees, while section 5 refers to other persons who are not employees but accredited volunteers and maybe external service providers such as commercial security companies. This makes sense. However, the various powers and functions of eg section 38 must be disambiguated to make clear which powers and functions are reserved for Staff Rangers and which are also given to volunteer Rangers. Section 5(6) attempts to establish lines of communication between the later and municipal persons or structures.
- B5. **Initiation schools** have been a problem in the past. The issue should be considered and if necessary one or more additional sections added.
- B6. **Consolidation and re-ordering** of several sections and subsections has been carried out to bring related issues together. Where possible, language has been tightened and improved.
- B7. **Definitions** have been carefully updated and expanded. The suggested new provisions are closely tied to those definitions, so both must be read together.
- B8. For example: we suggest that the definitions “nature reserves” and “nature areas” are ambiguous in the use of “OR” and because the unnecessarily long five-word phrase “nature reserves OR nature areas” is used about 100 times in the By-Law. The modified definitions of “**Nature Area**” and “**Nature Reserve**” solve these problems.
- B9. We suggest that **Agenda items** needed to introduce a revised Nature Area By-Law in Mayco and Council should
 - B9.1 emphasise the ballooning risk and role of Nature Areas in municipal affairs,
 - B9.2 make clear that the By-Law itself is only a start and that comprehensive medium-term and long-term changes to current municipal practices and policies would be needed,
 - B9.3 point out that, to avoid the charge of “negligence” as defined in the National Veld and Forest Fire Act, the Municipality must in future allocate a far larger share in funding and manpower to Nature Areas than the paltry amounts allocated so far to Nature Areas. The necessary additional budget allocations of a few million more Rand must be compared to the hundreds of millions or trillions in damage costs resulting from negligence.

C Smaller general issues

- C1. The suggested changes have inevitably had an impact on section numbering. Even the original November 2024 version was in part inconsistent. Once final edits have been completed, the entire document must again be revised to ensure that section numbering and reference to them is consistent.
- C2. In general, section numbers in legislation do not normally have a full stop at the end. We therefore suggest that, for example, one should write “12” instead of “12.” and so on throughout the document. Also spelling variants must be consolidated. For example, use either “authorisation” or “authorization” but not both. Capitalised chapter headings are hard to read, so these were made lower-case as well as shortened in some cases.
- C3. The two attached PDF copies were generated from Latex. A Word version can be provided on request but that would need more work.

Stellenbosch Municipality Draft Nature Areas By-Law
Annotated version with suggested corrections and additions
January 2025 Friends of Stellenbosch Mountain

Comment:

- Text in red denotes suggested corrections and/or additions.
- Text with ~~striketrough~~ should be deleted.
- Yellow comment boxes provide background and motivation for specific text.
- Section numbering has been kept the same as in the August 2024 draft, but new sections had to be added and some sections and subsections moved (eg section 45). Renumbering and updating of reference to section numbers will therefore be necessary.

Stellenbosch Municipality, in terms of Section 156(2) of the Constitution of the Republic of South Africa ~~of~~ 1996, hereby enacts as follows:

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2. Application

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4. Commercial, community, volunteer and visitor activities

Comment: See comments under new definition “Visitor”

5. Rangers

Comment: see definitions and section 37 “Staff Ranger”. It may be better to move this to Chapter 8.

6. Notices

7. Recreational areas ~~inside nature reserves or nature areas~~ in Nature Areas

CHAPTER 3: ~~THE Use of Biological Resources in Nature Reserves or Nature Areas~~ Nature Areas

8. Use of biological resources
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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~~ **Nature Area**, wholly or partly by mechanical or electrical power, in order to move through the airspace above a ~~nature reserve or nature area~~ **Nature Area**;

“**animal**” means any organism whose taxonomical classification belongs to the ~~kingdom ANIMALIA~~ **Animal Kingdom which includes plants, animals and microorganisms**.

Comment: “Animalia” is a TV series. Kingdoms are not normally fully capitalised in science. It seems advisable to spell out the all-inclusive meaning of the Kingdom.

“**a Authorised official**” or “~~the~~ **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;

Comment: Capitalise “Ranger” and “Authorised Official” throughout

~~“the Act”~~ means the National Environmental Management: Protected Areas Act (57 of 2003);

Comment: The Protected Areas Act is important, but not more important than the other acts in the NEMA suite. For that reason, it would be better to spell out “Protected Areas Act” where appropriate, eg in section 2 below, but to put in a more general definition of ALL pertinent acts as follows (note the plural!)

“the Nature Acts” means the aggregate of Acts of Parliament pertaining to nature areas and nature conservation, as amended, including

- **the NEMA Suite of acts as defined in this section, plus**
- **the National Environmental Management Laws Amendment Act (Act 25 of 2014) (NEMLA 3),**
- **the National Veld and Forest Fire Act (Act 101 of 1998),**
- **the National Water Act (Act 36 of 1998),**
- **the Mountain Catchment Areas Act (Act 76 of 1981),**
- **the Climate Change Act (Act 22 of 2022),**

and the Regulations issued from time to time in terms of these Acts.

Comment: This is used in section 2. The NEMLA 3a Act is important in linking environmental legislation to mining legislation and corresponding EIAs.

“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~~ **Nature Area** by users which are not contrary to this By-Law;

Comment: Codes of Conduct are normally voluntary. It would be better to use another term if specific clauses are intended to be enforceable. For example, a Memorandum of Understanding is not a Code of Conduct.

“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;

“Fire Management Plan” means the **Stellenbosch Municipality Integrated Fire Management Plan;**

“management plan” means **both** a plan drafted and submitted to **approved by** the MEC in compliance with Section 39(2) of the **Protected Areas Act**; ~~whereas as well as a management plan pertinent to one or more Nature Area which has been approved by Council~~ 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;~~

Comment: This has been subsumed into the definition of RPAS

“Municipality” means the Municipality of Stellenbosch **as** established in terms of Section 12 of the Local Government: Municipal Structures Act (117 of 1998); **and** Provincial Notice 488 dated 22 September 2000, and includes any political structure, political office bearer, councillor, duly authorised agent thereof or any employee thereof acting in connection with this By-Law by virtue of a power vested in the Stellenbosch Municipality and delegated or sub-delegated to such political structure, political office bearer, councillor, agent or employee; **“municipal” shall have corresponding meaning**

Comment: Capitalise the word “Municipality” in the definition to distinguish it from “any other municipality”, then use the capitalised word “Municipality” throughout the by-law

“Nature Reserve” means an area proclaimed, protected or published in any government or provincial gazette in terms of any law for the purposes of nature conservation in Stellenbosch **the** Municipality, and which is managed by Stellenbosch **the** Municipality or designated management authority;

~~“nature area” means any area set aside, un-proclaimed and managed as a nature area for nature conservation by Stellenbosch Municipality;~~

Comment: This submission tries to unify the two kinds of nature areas under one concept, because throughout the August 2024 draft, the use of “nature reserves OR nature areas” makes ambiguous use of the word “OR”, which sometimes should read “AND”. There is a distinction between an “exclusive OR” and an “inclusive OR” and these have different legal implications. Also, this five-word phrase is used more than 100 times which made the August 2024 draft hard to read. The two-word term “Nature Area” defined below solves both problems:

“Nature Area” means an area owned by the Municipality, whose current use or intended purpose includes that of nature and/or water resource conservation and/or management, independent of the particular zoning assigned to the area by the Municipal Zoning Scheme, and encompassing both a proclaimed Nature Reserve and an unproclaimed natural area;

~~“NEMA” means the National Environmental Management Act (107 of 1998);~~

Comment: Replace with the more general (refer also to the above definition of “Nature Acts” which is more general):

“NEMA Suite of Acts” means the aggregate of

- the National Environmental Management Act (Act 107 of 1998),**
- the Protected Areas Act (Act 57 of 2003),**
- the Biodiversity Act (Act 10 of 2004),**
- the Air Quality Act (Act 39 of 2004),**
- the Waste Act (Act 59 of 2008),**

and the Regulations issued from time to time in terms of these Acts.

Comment: Used in section 2 for a compact summary of relevant principles applying to Nature Areas.

~~“Notice” includes~~ **means** a written notification or prohibition, determined by Stellenbosch **the** Municipality, being **either** ~~prominently~~ displayed in writing, optionally combined with the use of pictograms, or a notice board erected at or near a ~~nature reserve or nature area~~ **Nature Area** point of entry or exit, **or communicated in writing to the person or party concerned;** and “notify” shall have a corresponding meaning;

Comment: Many notices mentioned in section 6 do not belong on a notice board but in a written letter by the Municipality.

“nuisance” means any act, omission or condition which is offensive, injurious or dangerous to health, or which materially interferes with the ordinary comfort, safety, convenience, peace or quiet of any user of a ~~nature reserve or nature area~~ **Nature Area** or amenity connected therewith;

“open access areas” means a portion of a ~~nature reserve or nature area~~ **Nature Area** which can be entered and traversed by any means where entry to such portion of the ~~nature reserve or nature area~~ **Nature Area** is not restricted or controlled by any access point or gate;

“operating times” means the period of time between and including the opening time and closing time of a ~~nature reserve or nature area~~ **Nature Area** as depicted on a notice board;

“overnight” means to be present ~~and includes camping in designated areas in a nature reserve or nature area~~ **Nature Area** between sunset and sunrise; **this includes camping and night hiking;**

“pick” includes cut, chop off, take, gather, pluck, uproot, break, damage or destroy;

“the Principles” mean the principles laid down in each and all of the NEMA Suite of Acts;

“Protected Area Advisory Committee” (PAAC) means a committee established in terms of the Regulations for the Proper Administration of Nature Reserves (Government Gazette No. 35021, GNR.99 of 8 February 2012) made in terms of the Act;

“Ranger” means a natural person who has been appointed by the Municipality in terms of section 5 or as Staff Ranger in terms of section 37.

Comment: See additional definition of “Staff Ranger” below to distinguish the two categories addressed in sections 5 and 37.

“recreational area” means any area set aside **or designated** in terms of the management plan for general or specific recreational use by the public ~~inside in a nature reserve or nature area~~ **Nature Area**;

Comment: “set aside” means exclusive use. “Designate” means nonexclusive use. Many activities, including FSM invasive work, biking, etc etc are not exclusive to other activities in the same area.

“recreational water” means any inland water body, lake, river, stream, wetland, vlei, dam or portion thereof, which is owned or managed by ~~Stellenbosch~~ **the** Municipality, and includes the verges or banks of such areas, against which water may periodically or seasonally rise, and which is also owned or managed by the ~~m~~ **M**unicipality;

“riparian habitat” shall have the meaning defined in the National Water Act;

“Remotely Piloted Aircraft System” (RPAS) means an unmanned aircraft which **is either autonomous or** is piloted from a remote pilot station and includes ~~the Remotely Piloted Aircraft System commonly referred to as drones~~ **drones and model aircraft of any kind;**

“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;

but excluding dogs and food brought in legally by a Visitor.

Comment: Definition of “specimen” is too general. See comments at the start of section 19. The addition **excluding ...** is important. However, only dogs should be excluded, not domestic animals or pets in general, because some of those could turn feral and invasive.

Staff Ranger means a permanent or temporary member of Staff of the Municipality who is appointed in terms of Section 37.

“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 **motorised or unmotorised** conveyance designed or adapted principally to travel on wheels or tracks, **including a bicycle**;

“Visitor” means a natural person or organisation and includes a recreational visitor, a community or volunteer group, a contractor, a service provider, a lessee, an event attendant.

Comment: The very general definition of “Visitor” is used eg in the generality of Liability, see eg section 40A. Care must be taken to keep this definition general.

Comment: It must be verified whether the various sections pertaining to visitors are compatible with this general definition. In any case, it is important that the role of all persons and groups who are not municipal staff members must be addressed properly in the By-Law. It may work to qualify specific types of visitors in specific clauses. For example, in section 18 one would speak of “recreational visitors” rather than just “visitors”. “Lessee” pertains to eg people renting a municipal facility inside a Nature Area.

Comment: If occasional visitors must be distinguished from regular ones such as volunteer groups, contractors, maintenance persons etc, then a second collective definition would help eg in section 4(1). For example define **“Volunteer”** or **“Regular User”** and use accordingly.

“watercourse” shall have the meaning defined in the National Water Act; and includes a “water area” as defined in this By-law;

“water resource” shall have the meaning defined in the National Water Act;

“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~~ **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 ~~m~~ **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 —

- (1) ~~proclaimed or recognized as a protected area in terms of the Act; or~~
- (2) ~~managed as a nature area.~~

Comment: The new subsection (2) ensures that some kind of principles form part of the By-Law without having to reinvent the wheel. (Also see Definition of “Nature Acts”)

This By-Law —

- (a) **applies to each and every Nature Area; and**

- (b) must be interpreted and applied in accordance with the Principles and applicable provisions of the NEMA Suite of Acts, all other Nature Acts, the Stellenbosch Municipality Environmental Management Framework (SEMF) and the Environmental Management Plan currently in force for a particular Nature Area.

CHAPTER 2: Powers and Responsibilities of the Municipality

3. Functions

The ~~m~~ Municipality may in managing a ~~nature reserve or nature area~~ **Nature Area** –

- (1) manage breeding and cultivation programmes, and may reserve areas in a ~~nature reserve or nature area~~ **Nature Area** as breeding places ~~and~~ **or as** nurseries;
- (2) sell, exchange or donate any animal, plant or other organism occurring in a ~~nature reserve or nature area~~ **Nature Area**, or purchase, exchange or otherwise acquire any indigenous species which it may consider desirable to re-introduce into a specific ~~nature reserve or nature area~~ **Nature Area**;
- (3) undertake and promote research;
- (4) control, remove or eradicate any species or specimens of species which it considers undesirable to protect and conserve in a nature reserve or nature area or that may negatively impact on the biodiversity of the nature reserve or nature area;
- (5) carry out any development and construct or erect any infrastructure necessary for the management of a ~~nature reserve or nature area~~ **Nature Area**, subject to an environmental authorisation in terms of Section 24 of NEMA, applicable By-Laws and the applicable management plan;
- (6) allow visitors to a ~~nature reserve or nature area~~ **Municipal Nature Area**;
- (7) take reasonable steps to ensure the security and well-being of visitors and staff;
- (8) provide accommodation and facilities for visitors and staff;
- (9) carry on any business or trade or provide other services for the convenience of visitors and staff; authorize any person, subject to relevant conditions as it may determine, to –
 - (i) carry on any business or trade, or provide any service, which the management authority may carry on or provide in terms of this section; and
 - (ii) provide the infrastructure for such business, trade or service;
- (10) by agreement with -
 - (i) other municipal departments, provide any service in a ~~nature reserve or nature area~~ **Nature Area** for the management of the ~~nature reserve or nature area~~ **Nature Area**, which the ~~m~~ Municipality may be mandated **or required** to provide in terms of legislation; or
 - (ii) any other organ of state, perform a function in a ~~nature reserve or nature reserve~~ **Nature Reserve** which that organ of state may perform in terms of legislation; ~~or and~~
- (11) issue Notices in terms of Section 6.

4. Commercial, community, **volunteer** and visitor activities

Comment: See comment underneath the definition “Visitor” in section 1

- (1) The ~~m~~ Municipality may, in terms of a management plan, ~~set aside~~ **designate** a part of a ~~nature reserve or nature area~~ **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~~ **a Visitor**, and must display a notice at the entrance to the ~~nature reserve or nature area~~ **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~~ **Nature Area** was established **or is currently used**.

Comment: “set aside” means exclusive use. “Designate” means nonexclusive use. Many activities, including FSM invasive work, biking, etc etc are not exclusive to other activities in the same area.

- (2) The ~~m~~ **M**unicipality may, in terms of a management plan, set aside **(designate?)** a part of a ~~nature reserve or nature area~~ **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~~ **Nature Area** in which such area is described and at the place the commercial **or community** activity is undertaken;

Comment: While the intention is clearly to accommodate eg cycle tracks, this provision of “notice” should preferably be complemented by adding a provision where areas are designated in MoUs. For example, the area in which FSM does its invasive work ranges from the lowest river to the mountain cliffs, and it hardly makes sense to put up a map of such at the entrance. Rather, the area of operation should be defined in the MoU.

- (3) The ~~m~~ **M**unicipality may, in consultation with the PAAC’s, user or ~~interest~~ **volunteer** groups and other interested and affected parties develop ~~codes of conduct~~ **rules and binding Memoranda of Understanding** for specific activities authorised within a ~~nature reserve or nature area~~ **Nature Area**.

5. Rangers

Comment: This section covers Rangers appointed from outside the body of municipal employees, which are covered as “Staff Rangers” in section 37. See section 1 definitions of “Ranger” which includes both and “Staff Ranger” which is more specific. Staff Rangers have more powers than Rangers in general.

Comment: If the intention is to harness volunteer help and create synergy between the Municipality and other organisations, then an additional subsection should spell out a process of accreditation.

- (1) The ~~m~~ **M**unicipality may appoint ~~r~~ **R**angers for a ~~nature reserve and nature area~~ **one or more Nature Area** and set in writing any prerequisites, terms, conditions or restrictions on any such appointments.
- (2) The ~~m~~ **M**unicipality must issue any duly appointed ~~r~~ **R**anger with a written authorisation and an identification card.
- (3) The ~~r~~ **R**anger must, when performing any responsibility with regards to this By-Law, have in his/her possession their identification card or written authorization.
- (4) A ~~r~~ **R**anger may issue verbal or written instructions to visitors relating to compliance with this By-Law in terms of the conditions of their written authorization.
- (5) One or more staff members or departments of the Municipality shall be designated as contact persons with whom a Ranger shall communicate on specific issues.**

Comment: This and the next new subsections establishes lines of communication, reporting and escalation with respect to difficult situations eg when an illegal activity is encountered by the Ranger which he/she cannot legally address on his own. For example, the Ranger would call in municipal Law Enforcement or the Fire Services as and when the need arises.

- (6) As and where the need arises for actions to be taken which exceed the authority of a Ranger, the Ranger shall communicate forthwith with the designated contact person to provide a staff member or Staff Ranger with the necessary authorisations.**

6. Notices

- (1) In relation to a ~~nature reserve or nature area~~ **Nature Area**, the ~~m~~ **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~~ **Nature Area** —
 - (a) ~~set aside~~ **set aside or designate** any land or water area; **for what purpose? or excluding what particular use?**
 - (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~~ **a specific** 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~~ **practiced** or performed on such land or water area.

Comment: “Practise” is to improve one’s ability in something. “Practice” is to carry out a particular activity.

- (2) A notice may impose conditions in relation to the participation in or undertaking of any activity in a ~~nature reserve or nature area~~ **Nature Area** and the ~~m~~ **Municipality** may vary or revoke a notice at any time by a subsequent notice.
- (3) The ~~m~~ **Municipality** may prescribe symbols or pictograms to be used on public notice boards and these shall have the meaning prescribed in the list of approved pictograms attached as Annexure A.

Comment: Annexure A is of course still to be included

- (4) The ~~m~~ **Municipality** may erect public notice boards within or near the ~~nature reserve or nature area~~ **Nature Area** to notify **Visitors and** interested and affected parties of permissible activities and prohibitions in terms of this By-Law.
- (5) In addition, the ~~m~~ **Municipality** may -
 - (a) publish or broadcast the ~~m~~ **Notice** in a manner that is reasonably likely to bring it to the attention of interested and affected persons;
 - (b) distribute copies of the notice to persons owning or occupying land in the vicinity of the affected ~~nature reserve or nature area~~ **Nature Area**; or
 - (c) use public meetings, PAAC meetings or other means of bringing information to the attention of interested and affected persons.

7. Recreational areas inside nature reserves and nature areas

- (1) The ~~m~~ **Municipality** may, within a recreational area, display any notice required under this By-Law.
- (2) In relation to recreational areas, the ~~m~~ **Municipality** may prominently display a notice at an entrance to a recreational area indicating -
 - (a) the opening and closing times of that recreational area; and
 - (b) any rules made by the management authority in relation to that recreational area;
 - (c) display and levy entrance or use fees for daily access or season tickets or electronic tokens and issue corresponding tickets or tokens;**
 - (d) require Visitors to produce their ticket or tokens on demand during their sojourn; and**
 - (e) issue a spot fine to any person who cannot produce a valid ticket or token.**

CHAPTER 3: ~~THE~~ Use of Biological Resources in Nature Areas

8. Use of biological resources

The ~~m~~**M**unicipality may, upon application and subject to the provisions of a management plan, by means of the granting of a non-transferable written authorisation or the entering into a written agreement, with the conditions it deems necessary, grant to any person the right to the sustainable, monitored use of identified biological resources in a ~~nature reserve or nature area~~ **Nature Area**.

9. Natural resource utilization

The ~~m~~**M**unicipality may upon application and subject to the provisions of a management plan, by means of the granting of a written authorisation or the entering into a written agreement, and on the conditions it deems necessary, grant to any person or group the right to the sustainable, monitored use of identified natural resources in a ~~nature reserve or nature area~~ **Nature Area**.

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~~ **Nature Area** was established;
 - b) ~~define~~ **demarkate** 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 ~~m~~**M**unicipality 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 **the expiry and for the cancellation termination** of the right or amendment of the conditions granting the right.
- (5) The ~~m~~**M**unicipality 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 ~~m~~**M**unicipality.
- (6) The ~~m~~**M**unicipality may cancel an authorization granted in terms of Sections 4, 8 or 9 if the conditions set by the ~~m~~**M**unicipality 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~~ **Municipal Nature Area** is threatened.
- (7) The ~~m~~**M**unicipality 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 ~~m~~**M**unicipality 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~~ **Nature Area**.

CHAPTER 4: Access

11. Access to 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~~ **designated** by the ~~m~~ **Municipality**, for the reasonable exercise of a written authorisation to use biological resources- or natural resources: Provided that -
 - (a) the ~~m~~ **Municipality** may **for operational purposes** close any access road or limit the use thereof ~~for management purposes~~;
 - (b) if a holder of a written authorisation fails to remove or repair any obstruction on an access road caused as a result of the exercise of a written authorisation, the ~~m~~ **Municipality** may undertake such removal or repair, and recover the cost in this regard from the holder of the written authorisation;
 - (c) the ~~m~~ **Municipality** may impose restrictions on the type of vehicle, machinery or equipment which is permitted on an access road in order to prevent any environmental or other damage;
 - (d) the holder of a written authorisation must keep every ~~access road~~ **road, track or foot-path** used, reasonable wear excluded, in a good ~~driving~~ condition; and

Comment: the provision should cover not only access roads but also tracks (jeep tracks, bicycle tracks etc)

Comment: The term “reasonable wear” is problematic and needs more clarity. For example, erosion often starts with what may be considered “reasonable wear” but increases cumulatively. There must be a requirement of rehabilitation in some way.

- (e) a holder of a written authorisation may not ~~create or construct any new access road for the removal of biological resources or for any other reason,~~ **create, construct, lengthen or otherwise expand any new or existing road, track or footpath** without the **additional** written authorisation of the ~~m~~ **Municipality**.

12. Admission

- (1) A person who has been granted entry into a ~~nature reserve or nature area~~ **Nature Area** may be ~~allowed admission~~ **given access** only to a specific area and at designated times as determined by the ~~m~~ **Municipality**.
- (2) The ~~m~~ **Municipality** may close a ~~nature reserve or nature area~~ **Nature Area** or any part of a ~~nature reserve or nature area~~ **Nature Area** -
 - (a) if, in the ~~m~~ **Municipality's** opinion -
 - (i) the closure is necessary or desirable for the proper management of the ~~nature reserve or nature area~~ **Nature Area**;
 - (ii) the closure is necessary for the ~~m~~ **Municipality** to perform any of its functions in terms of the ~~Act~~ **Nature Acts** or this By-Law or any maintenance actions; or
 - (iii) the safety of persons may be compromised;
 - (c) if a fire-ban is in force in an area that includes all or part of the ~~nature reserve or nature area~~ **Nature Area**;

Comment: Issues relating to fire must be addressed more comprehensively. See new section provisionally named 31A below.

- (d) if the risk of uncontrolled fire in the nature reserve or nature reserve is, in the ~~m~~ **Municipality's** opinion, extreme;
- (e) if the ~~m~~ **Municipality's** staff necessary to patrol or secure the nature reserve or nature area are unavailable; or

- (f) if, in the ~~m~~ Municipality's opinion, it is in the interest of public safety to close the ~~nature reserve or nature area~~ **Municipal Nature Area**.
- (3) No person may, without the written authorization of the ~~m~~ Municipality, enter or remain in a ~~nature reserve or nature area~~ **Nature Area**, or part thereof, that has been closed in terms of subsection 12(2).

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~~ **Nature Area** at any place other than through the designated points of entry or exit, without the written authorisation of the ~~m~~ Municipality.
- (2) Where a public road, pathway or cycle path ~~passes through~~ **traverses** a ~~nature reserve or nature area~~ **Nature Area** -
- no written authorisation is required by a person to travel through the ~~nature reserve or nature area~~ **Nature Area** on such public road, pathway, or cycle path to a destination outside the ~~nature reserve or nature area~~ **Nature Area** in question; and
 - no person may **in the course of traversal** -
 - leave such public road, pathway or cycle path;
 - enter into a ~~nature reserve or nature area~~ **the Municipal 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~~ **Nature Area**, at a height below 1500ft above ground level without the written authorisation from the ~~m~~ Municipality.

Comment: "Ground level" may be ambiguous. Is this measured for example from the basis of the mountain, or from each point on the mountain? In other words, does the 1500ft exclusion zone also rise and fall with the topography?

- (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 ~~m~~ Municipality.
- (5) No person may fly a RPAS over a ~~nature reserve or nature area~~ **Nature Area** or land such RPAS in a ~~nature reserve or nature area~~ **Nature Area** without the written authorisation from the ~~m~~ Municipality.
- (6) Subsection 13(4) and (5) does not apply-
- in the case of an emergency; or
 - 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 ~~m~~ Municipality before the aircraft is removed from the ~~nature reserve or nature area~~ **Nature Reserve**, 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~~ **Nature Area**, a person who enters the ~~nature reserve or nature area~~ **Municipal 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~~ **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.

Comment: Question: does this apply to reserves only? Or to all nature areas?

- (3) For purposes of this By-Law a written authorisation contemplated in subsection 14(2) is displayed in a vehicle only if -
- (a) the written authorisation is displayed on the inside of the windscreen on the side of the vehicle ~~opposite to~~ **at the** the driver's position; or
 - (b) where, because of the design of the vehicle, it is not possible to comply with paragraph (3)(a) the written authorisation displayed in a permanent position in or on the vehicle, so that the written authorisation is facing outwards from the vehicle and can be easily seen and read by a person outside the vehicle.

15. Safe entering

No person may enter or take a vehicle into a ~~nature reserve or nature area~~ **Nature Area**, onto a place, road, river or water area in an unsafe, reckless or negligent manner.

Comment: This section is quite unclear. What is the concern with “entering” as opposed to “moving within” an area? Why not make this a subsection of section 32?

16. Staying overnight

No person may stay overnight in a ~~nature reserve or nature area~~ **Municipal Nature Area** -

- (a) without the written authorisation of the ~~m~~ **Municipality**;
- (b) without having first reported to the ~~m~~ **Municipality** or to a ~~r~~ **Ranger** assigned by the ~~m~~ **Municipality** to perform escort duty; or
- (c) at any place other than a place designated for such activity by the ~~m~~ **Municipality**.

17. Times of entry and travel

- (1) ~~Nature reserves or nature areas are open from sunrise to sunset, unless indicated otherwise by means of a notice at designated points of entry and at open access areas.~~ **Unless indicated otherwise by means of a Notice, Nature Areas are open from sunrise to sunset**
- (2) No person may, without the written authorisation of the ~~m~~ **Municipality**, enter, leave or travel in a ~~nature reserve or nature area~~ **Nature Area** at any time other than the times determined by the ~~m~~ **Municipality**, except in open access areas.

18. Maximum number of visitors

- (1) The ~~m~~ **Municipality** may determine a maximum number of ~~v~~ **Visitors** who may be present at a specific ~~nature reserve or nature area~~ **Nature Area** at a given date and time;
- (2) The number of visitors contemplated under subsection 18(1) must be published by the ~~m~~ **Municipality** by means of a notice.

CHAPTER 5: Restricted Activities

19. Activities which may have an adverse effect on a Nature Area

- (1)

Comment: Subsection (1) relies on the definition of “specimen”, but that definition is too general. Taken at face value, any pet dog is also a “specimen”, as are boiled eggs, cheese milk etc brought in for food etc. Update the definition of “specimen” to exclude these.

No person may, without the written authority of the ~~m~~ **Municipality**, in a ~~nature reserve or nature area~~ **Municipal Nature Area** -

- (a) introduce any **nonendemic** specimen, or part thereof to a ~~nature reserve or nature area~~ **Nature Area**;

- (b) convey, move or otherwise translocate any **nonendemic** specimen;
- (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 **injure** or kill any living animal by any means, method or device whatsoever, including searching, pursuing, driving, lying in wait, **ensnaring**, 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.
- (o) introduce any dead wood or untreated timber of any origin whatsoever into a Nature Area.**

Comment: This is stricter than the provisions of subsections (a) and (b) and is designed to prevent introduction of infested firewood for braais or untreated construction timber which may be contaminated by invasives such as the Polyphagous Shothole Borer Beetle or other pathogen

- (2) No person within a ~~nature reserve or nature area~~ **Municipal 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 ~~m~~ **Municipality**.
- (3) No person may, within **or in the vicinity of** a ~~nature reserve or nature area~~ **Nature Area** place, throw, dump, or release into the environment any refuse, rubbish, used containers, effluent, toilet waste, **toxic substance, soil, stones** or any objectionable material in areas other than those designated fit for this purpose by the ~~m~~ **Municipality**.

Comment: This duplicates parts of section 33 and should preferably be consolidated with section 33.

- (4) No person may spoil or ruin any equipment, furniture or structure located within a ~~nature reserve or nature area~~ **Nature Area** by affixing thereto, in any way, papers, placards or notices, or by cutting, writing, stamping, painting, drawing or marking thereon;

Comment: Subsection (5) moved to section 31A.

Comment: Subsection (6) moved to section 35(1)(i)

20. Specified activities

- (1) No person may undertake any of the following activities in a ~~nature reserve or nature area~~ **Nature Area** except with written authorisation from the ~~m~~ **Municipality** and in accordance with an approved environmental management plan for the specified activity:

- (a) film and simultaneously transmit photographic images using a webcam or other image recording or transmitting device, including trail cams;
- (b) conduct tours **for profit**;
- (c) conduct any kind of competition;
- (d) sell or hire goods or the offering of goods for sale or hire;
- (e) provide or offer to provide any service for a fee or reward;
- (f) an activity of any kind for the purpose of fund raising, personal gain, making a profit, or advertising;
- (g) ~~an organised~~ **organise and hold any** special event, including sporting or cultural events;
- (h) record visual images of animals for any virtual hunting or other such activity;
- (i) conduct any type of training, exercises or simulations; or
- (j) environmental education programmes and activities.

Comment: Some overlap and duplication with section 30

Comment: A Visitor showing the area informally to others would strictly speaking be “conducting a tour”, so that exclusion has to be limited. This section also implies systematic communication and agreement with volunteer NGOs and signing the necessary Memoranda of Understanding. The Municipality needs volunteer help and will be wise to not choke off that help.

21. Research, monitoring and patents

- (1) No person may in a ~~nature reserve or nature area~~ **Nature Area**, without written authorisation of the ~~m~~ **Municipality**, carry out scientific or general research or undertake monitoring projects.
- (2) Any person undertaking scientific or general research or monitoring projects in a ~~nature reserve or nature area~~ **Nature Area** must —
 - (a) submit a written proposal to the ~~m~~ **Municipality** that describes the purpose and methodology of the research or monitoring;
 - (b) be in possession of all required permits and authorisations in terms of any other law;
 - (c) comply with all specified conditions in the written authorisation;
 - (d) submit all data and information gathered, to the ~~m~~ **Municipality**, in a format determined and at stages of the project specified by the ~~m~~ **Municipality**; and
 - (e) submit copies of all reports and findings to the ~~m~~ **Municipality** upon completion.
- (3) No person or organisation may apply for a patent or exclusive use based on any natural resource occurring in a Nature Area identified and evaluated in the course of formal or informal research conducted there.**

Comment: This could also go under section 23 (Bioprospecting) but in principle not only biological species could be patented.

22. Interference with substrates or cultural objects

- (1) No person may, except with the prior written authorisation of the ~~m~~ **Municipality** and subject to any other applicable laws -
 - (a) remove from a ~~nature reserve or nature area~~ **Nature Area** any-
 - (i) soil, sand, gravel, pebbles, stone, rock or mineral or similar material;
 - (ii) wood, mulch or other dead vegetation;
 - (iii) fossil, archaeological remains or cultural artefacts;
 - (v) animal faecal matter;
 - (b) dig any soil or similar material in a ~~nature reserve or nature area~~ **Nature Area**; or
 - (c) intentionally **or unintentionally** disturb in a ~~nature reserve or nature area~~ **Nature Area**

- (i) wood, mulch, peat or other dead vegetation or animal;
- (ii) termite mounds, bees' nests, spider webs, birds' nests or animal burrow;
- (iv) fossil, shell midden, archaeological remains or paleontological specimens or meteorites;
- (v) any object or material that is or was used for any ritual or other practice; or
- (vi) any object that has historical or cultural significance.

23. Bioprospecting

No person may undertake any manner or form of bioprospecting in a ~~nature reserve or nature area~~ **Nature Area** without the prior written authorisation of the ~~m~~ **Municipality** other than subject to such conditions as determined by the ~~m~~ **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 ~~m~~ **Municipality**, and any relevant legislation.
- (2) No person may in a ~~nature reserve or nature area~~ **Nature Area**, without prior written authorisation of the ~~m~~ **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~~.

Comment: The last phrase “in respect of a building or immovable property” is unclear and must be clarified or removed.

25. Land and airspace

No person may in a ~~nature reserve and nature area~~ **Nature Area**, except with the prior written authorisation of the ~~M~~ **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. Watercourses and water resources

- (1) No person may, without the written authorisation of the ~~m~~ **Municipality**, launch, or use a vessel on a dam, reservoir, lake, river or other body of water in a ~~nature reserve or nature area~~ **Nature Area** unless the water has been set aside by the ~~m~~ **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~~ **Nature Area** unless the prior written authorisation by the ~~m~~ **Municipality** has been obtained.

- (3) No person may access, modify, interfere with or erect structures in any water resource occurring in a Nature Area without the written authorisation of the Municipality and the appropriate legal basis and processes within the National Water Act and the Biodiversity Act.

27. Removal and dumping in watercourses

No persons may, without the prior written authorisation of the ~~the~~ Municipality and other than subject to the conditions imposed by the ~~the~~ Municipality, in any manner in a ~~nature reserve or nature area~~ Nature Area —

- (a) remove, dredge, pump or move any sand, soil or stones from a ~~water area~~ watercourse or riparian habitat;
- (b) deposit, dump or throw sand, soil, stones or other material of any kind in a ~~water area~~ watercourse or riparian habitat.

28. Domestic animals and livestock in Nature Areas

- (1) No person may, except on conditions determined by the ~~the~~ Municipality from time to time, allow any dog, cat or other domestic animal or livestock belonging to or under the care of that person to enter or remain in a ~~nature reserve or nature area~~ Nature Area.
- (2) Any dog, cat or other domestic animal, including those contemplated in Section 28(1) which is not in the care of any person, may be caught and removed, impounded or destroyed at the discretion of the ~~the~~ Municipality.
- (3) Any dog, cat, other domestic animal or livestock in a ~~nature reserve or nature area~~ Nature Area, including those contemplated in Section 28(1), that is not in direct control by means of a leash or similar restraint, unless in a designated leash or constraint free area, may be caught and removed or impounded at the discretion of the ~~the~~ Municipality.
- (4) No person may bring, convey or introduce any exotic pet or exotic domesticated animal into a Nature Area.

Comment: This includes foreign or nonendemic snakes, geckos, bugs, as well as the infamous tars which became invasive on Table Mountain, Argentine ants and the Polyphagous Shothole Borer Beetle.

29. Firearms and dangerous weapons

- (1) No person, other than a ~~a~~ Ranger or contractor with written authorisation of the ~~the~~ Municipality, who enters a ~~nature reserve or nature area~~ Nature Area, may be in possession of any firearm, dangerous weapon, explosive, trap or mammal or avian poison.

Comment: Herbicides must be allowed under particular circumstances, see section 33 new limitations in 33(1)(h)

- (2) No person may discharge a firearm within a nature reserve or nature area, except -
 - (a) if that person is authorised by the ~~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 ~~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 ~~the~~ Municipality;

Comment: This was moved from section 35(3)

- (3) No person may, in a ~~nature reserve or nature area~~ Nature Area, throw, roll or discharge any stone, rock, boulder, substance, projectile or missile to endanger any person, species or specimen.

Comment: This was moved from section 35(4)

30. Commercial Activities

No person may undertake any activities of a commercial nature, including the operation of any entertainment device, the sale of any goods, the hire of any equipment, or any similar activity on any ~~nature reserve or nature area~~ **Nature Area**, without written authorisation from the ~~m~~ **Municipality**.

Comment: Overlap and duplication with section 20

31. General restrictions

- (1) No person who is in a ~~nature reserve or nature area~~ **Nature Area**, without the written authorisation of the ~~m~~ **Municipality**, may —
 - (a) offer any show or entertainment, conduct any business or trade, or collect any money from the public;
 - (b) carry on any agricultural or gardening activities except subject to the conditions which the ~~m~~ **Municipality** may lay down from time to time;
 - (c) use or cause to be used, any loud speaker or similar device or other noisy equipment;
 - (d) construct or erect any booth, marquee or other structure;
 - (e) organise or cause to be organised or attend or participate in any public meeting, demonstration or gathering; or
 - (f) tamper with, deface, damage, remove or in any other way interfere with a ~~nature reserve or nature area~~ **Nature Area** boundary, fence or **other** object demarcating the boundary of a ~~nature reserve or nature area~~ **Nature Area**.
- (2) **Every lease or management agreement between the Municipality and any other party involving a Nature Area in part or as a whole must prohibit the introduction or use of specimens and species as defined in section 1, and must prohibit within the leased or management area any land use, watercourse- and water resource-related or any other activity prohibited in this By-law.**
- (3) **Every encroachment agreement between the Municipality and any other landowner adjacent to a Nature Area must prohibit the introduction or use of specimens and species as defined in section 1, and must prohibit within the encroachment area any land use, watercourse- and water resource-related or any other activity prohibited in this By-law.**

Comment: Ensure that lease areas, outsourced management and encroached areas do not become sources of new invasives and misuses like dumping.

CHAPTER 6: Prohibited Activities

31A. Fire and burns

Comment:

- Risks and the severity of wildfires have escalated and will likely further escalate.
- The Municipality must minimise the huge risks, financial and ecological, associated with wildfires. A basic precaution is to proactively prevent an accusation of negligence as per the National Veld and Forest Fire Act and the associated huge financial liabilities which negligence could cause. The new section below tries to proactively address those risks.
- Under the new climatic conditions, wildfires starting in Nature Areas can easily reach residential areas. Correspondingly, the Rand amount of liabilities has exploded. Maximum preventative measures in Nature Areas have therefore become necessary not only for the sake of these areas themselves, but also for the residential areas and the associated

liabilities.

(2) No person may -

- (a) intentionally or negligently cause a fire or discard any burning **or smouldering object anywhere in a Nature Area other than in a place where such firemaking is explicitly permitted by the Municipality, or otherwise act in a manner likely to cause a fire;**
~~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;~~

Comment: Except for controlled and ecological burns (see below), outdoors fire-making of any kind whatsoever should no longer be permitted within Nature Reserves, not even in previously designated fire or braai areas. The risks are too high and the consequences too massive. For indoor firemaking, see new subsection (5) below.

- (b) ~~smoke in a nature reserve or nature area,~~ **Nature Area; or** ~~other than in areas designated for smoking; or~~
 (c) ~~discharge any firework.~~

Comment: Duplicates section 25(i).

Comment: The above subsection was previously under section 31. Smoking should be prohibited everywhere, with no exceptions. See also new subsection below re possession of flammable materials.

- (3) Unless authorised in writing by the Municipality, no person entering a Nature Area may be in possession of any flammable material, including cigarettes, smoking pipes, matches, candles, lighters, fireworks, liquid or solid fuels or propellants, gas cylinders, braai equipment, braai wood or fuel, or any equipment which may emit or cause flames or sparks.**

Comment:

- The suggested prohibition on even the possession of flammable material is much stricter than restrictions hitherto. It has, however, become necessary because fire risks and fire consequences have escalated.
- Prohibiting possession is also much easier to verify and enforce possession of flammable material than it is to catch someone in the act of smoking etc.

- (4) No person may construct any new outdoor fireplace of any kind whatsoever within a Nature Area or re-use an existing outdoor fireplace.**
- (5) The Municipality may authorise the use of indoor fireplaces within fully enclosed overnight stay facilities but may suspend consent use as and when in its opinion conditions are too dangerous.**
- (6) The Public Fire Danger Index codifying the current fire danger within Nature Areas in Appendix B must be updated and published daily by the Municipality. If a Code Red condition is declared, all Visitors must leave all Nature Areas, and until relaxation of Code Red only essential municipal and firefighting staff may enter and remain in a Nature Area.**

Comment: The 2019 Integrated Fire Management Plan is a good start, but that plan and its five colour codes were aimed at municipal staff, and the measures to be taken as per Table 2 were too lax for present and future conditions. While it may take a while to update the Integrated Fire Management Plan itself, an up-to-date system of colour codes, and corresponding actions suitable for the public can be included as an appendix already in the present By-Law.

- (8) **Notwithstanding the provisions of this section, the Municipality may conduct or cause to be conducted controlled, ecological and prescribed burns in specific parts of Nature Areas.**
- (9) **The Municipality must, in conducting or authorising controlled or ecological burns, apply the rules and methods set out in the Fire Management Plan. In particular, the Municipality must take all reasonable measures to ensure that a controlled or ecological burn does not get out of hand. Mandatory measures include suitable choice of weather conditions, warning of adjacent landowners and having firefighting equipment and teams on hand during the burn.**

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;

Comment: The above deleted subsection was previously under section 19(5) but is replaced by the above two new subsections.

32. Prohibitions relating to vehicles

- (1) No person driving a vehicle in a ~~nature reserve or nature area~~ **Nature Area** may -
- drive, park, or stop in such a manner that constitutes a nuisance, disturbance, inconvenience or danger to any other person or vehicle;
 - drive, park or stop in any manner that causes an obstruction;
 - block the pathway of a management operation or emergency vehicle;
 - park a vehicle in a place other than in a place designated for that purpose by the ~~m~~ **Municipality**;
 - drive or park anywhere except on a designated road or designated parking area;

Comment: This prohibition assumes that “vehicles” are cars or at least motorised, whereas the definition of “Vehicle” is more general, including nonmotorised vehicles like bicycles. And such NMT vehicles are not “parked” and do not travel only on “designated roads”. Limit the above to cars/trucks since the other cases are treated below.

- 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;
 - drive a vehicle off designated roads or tracks, except in an area set aside by the ~~m~~ **Municipality** for that purpose; or
 - 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 ~~m~~ **Municipality** may restrict or preclude the use of any vehicle or vehicle type within a ~~nature reserve or nature area~~ **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~~ **Nature Area** except in a vehicle that conforms to the dimensions and other requirements determined by the ~~m~~ **Municipality**.

Comment: Dimensions?? Where are these dimensions to be specified? Updated? Dimensions for all the large variety of “vehicles”?

33. Littering and pollution

- (1) No person may, in a ~~nature reserve or nature area~~ **Nature Area**-
- 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;
- (c) deposit, discharge or leave any noxious, smelly, offensive or polluting substance, matter or thing;
- (d) deposit or leave any offal, dead species or specimen, or dung;
- (e) deposit, ~~except in any receptacle provided for litter, any domestic garbage;~~

Comment: Domestic garbage has no place at all in Nature Areas, and certainly not in any Nature Area refuse bin where visitors could dump their household waste under this section.

- (f) intentionally break any article of glass, china, pottery, plastic or other brittle material;
- (g) deposit, discharge or leave any mineral, mineral waste or other industrial waste or by-product thereof;
- (h) discard or discharge any toxic chemical or substance, pharmaceutical substance, including biocides, or any other pollutant or harmful substance **except in the course of control and eradication of invasive specimens in terms of the Biodiversity Act**; or
- (i) dispose of aerosols containers or any other hazardous substance ~~of such nature~~.

34. Pollution of water

- (1) No person at any time or in any manner, including by the use of detergents, dispose of any solid or liquid waste, including engine oil, into any water area in a ~~nature reserve or nature area~~ **Nature Area**.
- (2) No person may at any time or in any manner throw, place or dispose of any item, medium or object that may directly or indirectly cause water pollution.

35. General prohibitions

- (1) No person may, in a ~~nature reserve or nature area~~ **Nature Area** -
 - (a) unlawfully occupy, build ~~on~~, or erect **any temporary or permanent building or structure**, move into, inhabit, sell or use any land to which he or she does not have lawful title; ~~or any building or structure;~~

Comment: Subsection (b) moved below and generalised

- (c) demarcate any piece of land with any form of material, including, but not restricted to string, rope, pegs, stones, pebbles, wire, wood or any other material or continue to demarcate after a written notice to stop any form of demarcation was issued by the ~~m~~ **Municipality**;
- (d) move or remove any demarcation or surveying pegs affixed in terms of any law;
- (e) without the written consent of the ~~m~~ **Municipality** allow, encourage, motivate, organise or instigate the occupation, **rental or sale** of any land;
- (b) continue with ~~the construction of an incomplete structure~~ **any activity specified in subsections (a) to (e)** after a written notice to stop ~~construction~~ was issued **served** by the ~~m~~ **Municipality**;
- (f) at any time play any radio, compact disc player, music system, musical instrument or in any way whatsoever cause any noise in a manner that is likely to disturb any species or specimen or other person;
- (g) behave in an offensive, improper, indecent or disorderly manner;
- (h) engage in sexual activity or solicit any person for the purpose of prostitution or immorality;
- (i) **consume, distribute, sell or be in possession of any alcohol or drugs nor enter a Nature Area under the influence of alcohol or drugs.**

Comment: This replaces section 19(6). As in the case of flammable materials (new section 31A), it is better to prohibit possession of alcohol and drugs since it is much easier to prove possession of alcohol than to catch someone in the act of consuming it.

- (j) **make a video or sound recording or another person without his or her consent, unless in the context of some noncompliance with this By-Law by such person.**
- (2) No person may, in a ~~nature reserve or nature area~~ **Nature Area**, intentionally obstruct, disturb, interrupt or annoy any other person utilising the ~~nature reserve or nature area~~ **Nature Area** in compliance with this By-Law.
- (3) **Except where explicitly provided in terms of a Municipal Plan or required by law, no person may in a Nature Area –**
- (a) except subject to written authorisation granted in Chapter 3, cut, remove, dig up, fell, burn, pluck, break, climb up or upon or cause damage to timber or to any tree, shrub, brushwood, fencing post, pole, fern, turf, grass, fruit, flower, plant or vegetation; or

Comment: “The Law” includes the Biodiversity Act which requires the Municipality to carry out control and eradication of invasives.

- (b) create or construct any new access roads, paths or tracks **or lengthen, widen or realign any existing road, track or path.**

Comment: These two subsections have been removed from 35(1) above because there are exceptions to the general prohibition: eg mountain bike trail plans and invasive species control and eradication.

Comment: Subsection 35(3) was moved to section 29

Comment: Subsection 35(4) was moved to section 29

- (5) No person may, in a ~~nature reserve or nature area~~ **Nature Area**, prevent, hinder or obstruct a ~~Ranger~~ **Ranger** in the exercise of his **or her** duties in terms of this By-Law.

Comment: change subsection number

CHAPTER 7: Fees and Tariffs

36. Fees and tariffs

- (1) The ~~m~~ **Municipality** shall annually determine the fees and tariffs applicable for —
- access to ~~nature reserves or nature areas~~ **Nature Areas**;
 - the use of any amenity, service, facility, entertainment venue, **event**, film show or performance presented or provided or rendered by or on behalf of the ~~m~~ **Municipality**, at or in a ~~nature reserve or nature area~~ **Nature Area**; and
 - the operation of any commercial activity;
 - ~~costs associated with any remedial action undertaken by the municipality due to non-compliance with the By-law.~~

Comment: 36(d) is not a fee or tariff; it varies with the particular noncompliance. Hence it was moved to section 45 Liability and Indemnity and generalised: see 45(6).

- (e) **the price of any resource sold or leased by the Municipality associated in the course of such commercial activity;**
- (f) **the fees, tariffs or remuneration paid by the Municipality to an external service provider or consultant in the course of assisting with a service in or with respect to a Nature Area.**

- (2) ~~The Municipality may recover costs associated with remedial action undertaken due to non-compliance with the By-law.~~

Comment: section 36(2) likewise does not belong under “fees and tariffs” and was moved to section 45(7).

- (3) The ~~m~~ Municipality may suspend the payment of entrance fees on any specific day as it may deem fit **but must motivate such suspension in a Notice.**

CHAPTER 8: Compliance, Enforcement and Liability

Comment: Inclusion of section 5 (ordinary Rangers) here may help to clarify to distinguish between the two types and their respective functions and powers

37. Staff Rangers

- (1) The ~~m~~ Municipality may appoint any member of staff , **including a permanent and temporary employee** as a ~~ranger~~ **Staff Ranger**.
- (2) Any duly appointed ~~ranger~~ **Staff 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.
- (3) Should the ~~ranger~~ **Staff Ranger** considered in subsection ~~36(2)~~ **37(2)** fail to produce the staff identification card then no power granted in terms of this By-Law can be exercised **by the Staff Ranger**.

38. Powers and functions of ~~r~~ Rangers

Comment: It is important to clarify which of these powers are conferred on ordinary (section 5) Rangers and which are reserved for Staff Rangers (section 37).

- (1) In this section, unless the context indicates otherwise, ‘article’ means anything, including a structure, object, document, book, record or electronic information or extract, part or sample therefrom that is reasonably suspected in the use of contravening this By-Law.
- (2) ~~Without a warrant, a~~ **A** ~~r~~ Ranger may stop, enter, search and seize any vehicle, premises or person **without a warrant** if the ~~r~~ Ranger has reasonable grounds to believe that an offence in terms of this By-Law has been or is being committed ~~on or in~~ **by means or with the help of** such vehicle or premises if -
 - (a) the person in control of the vehicle or premises consents to such stop, entry, search or seizure; or
 - (b) the ~~r~~ Ranger has reasonable grounds to believe that a warrant will be issued **later**, if the ~~r~~ Ranger applied for it, and the delay caused by the obtaining of such a warrant would defeat the object of the stop, entry, search or seizure.
- (3) If subsection ~~37(2)~~ **38(2)** does not apply, then a ~~r~~ Ranger may stop, enter and search any vessel, vehicle, premises or person and may seize an article contemplated in subsection **37(5)(h)** ~~38(5)(h)~~ only on the authority of a warrant.
- (4) A judge in chambers may issue a warrant contemplated in subsection **37(3)** ~~38(2)~~ on written application by a ~~r~~ Ranger if it appears from information under oath or affirmation that -
 - (a) there are reasonable grounds for believing that a contravention of this By-Law has occurred;
 - (b) the search and seizure is likely to yield information pertaining to the contravention; and
 - (c) the search and seizure is reasonably necessary for the purposes of this By-Law.
- (5) In enforcing or investigating compliance with this By-Law, a ~~r~~ Ranger may -

- (a) be accompanied by an interpreter, a police official or any other person who may be able to assist with the inspection;
- (b) inspect any article which may be relevant to the investigation;
- (c) examine, analyse, measure or make a copy of an article and remove it for examination, analysis, measurement, copying or extraction;
- (d) require a person to produce or to deliver at such time and place as may be determined by the ~~¶~~ **R**anger, an article for inspection;
- (e) take a photograph or make an audio-visual recording of any person or anything for his or her investigation;
- (f) question a person who, in the opinion of the ~~¶~~ **R**anger, may be able to furnish information on a matter to which this By-Law relates;
- (g) direct a person to appear before him or her at such time and place as may be determined by the ~~¶~~ **R**anger and question such person either alone or in the presence of any other person on a matter to which this By-Law relates; and
- (h) seize an article -
 - (i) which is ~~concerned in~~ **associated with** or is on reasonable grounds believed to be ~~concerned in~~ **associated with** 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 ~~¶~~ **R**anger removes or seizes an article, the ~~¶~~ **R**anger 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 ~~¶~~ **R**anger must exercise ~~their~~ **his or her** 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 ~~¶~~ **R**anger may —
 - (a) launch, operate or use any vehicle or vessel upon any recreational water or in any Nature Area 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~~ **Nature Area** in the exercise of a lawful power or duty; and
 - (c) in any ~~nature reserve or nature area~~ **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.

39. Compliance Notice

- (1) The ~~¶~~ **M**unicipality or appointed ~~¶~~ **R**anger 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 ~~m~~ Municipality may take one or more of the following measures -
 - (i) issue the person with a fine for not complying with the compliance notice;
 - (ii) take steps to remedy any adverse effect arising from the person's actions and recover the costs from such person;
 - (iii) apply to a competent court for appropriate relief including the costs of the application; or
 - (iv) institute a criminal prosecution.

The compliance notice may -

- (i) instruct the person within a specified time to, in writing, inform the ~~m~~ Municipality what steps have been taken to comply with the notice;
- (j) instruct a person at their cost to take specified action to the satisfaction of the ~~m~~ Municipality within a specified time to -
 - (i) cease, modify or control an activity causing, continuing or contributing to an adverse effect on a ~~nature reserve or nature area~~ **Nature Area**,
 - (ii) investigate, evaluate and assess the impact of a specific situation or activity and report thereon;
 - (iii) undertake and complete specific measures;
 - (iv) eliminate or remove an encroachment or unauthorised structure;
 - (v) rehabilitate the affected environment; or
 - (vi) any combination of the provisions listed in paragraphs (i) through (v).
- (2) Should the person on whom a compliance notice under subsection 38(1) was issued, fail to comply, or inadequately comply, with the compliance notice or authorisation, then the ~~m~~ Municipality may take measures that the ~~m~~ Municipality considers appropriate to remedy the situation and may authorise another person to take such measures.
- (3) The ~~m~~ Municipality may recover costs to the ~~m~~ Municipality, or an authorised person, for the measures to be undertaken under subsection 38(2), and all costs incurred as a result of acting under subsection 38(2), from any or all of the persons on whom the compliance notice or authorisation was issued.

40. Impounding of vehicle, items or goods

- (1) The ~~m~~ Municipality or appointed ~~r~~ Ranger may, without a warrant, seize and impound a vehicle, items or goods which is concerned, or is on reasonable grounds believed to be concerned, with the commission of an offence in terms of this By-Law.
- (2) The ~~r~~ Ranger, at the time of the impoundment, must give the holder of the impounded vehicle, items or goods an impoundment notice setting out -
 - (a) the reason for the impoundment;
 - (b) a description of the impounded vessel or vehicle;
 - (c) the address and contact details of the designated pound;
 - (d) the impoundment fee; and
 - (e) a warning that the impounded vehicle may be sold to recover the impoundment fee and any fine, costs or damages.
- (3) The ~~r~~ 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 ~~m~~ 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)~~ **49(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 ~~m~~ Municipality and becomes the property of the ~~m~~ 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)~~ **40(4)(b)(iii)** is not made within such time as the ~~m~~ Municipality may determine, and if no appeal has been lodged at the expiry of the time limit for an appeal, the ~~m~~ 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 ~~m~~ 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 ~~m~~ Municipality.
- (8) The ~~m~~ Municipality may determine an impoundment fee and designate a pound contemplated in this section.

45. Liability and Indemnity

Comment: It is well known that liability is the single largest financial risk associated with Nature Areas, its owners, visitors, contractors and other users.

- (1) The Municipality must take proactive steps to reduce and minimise its liability for wildfire damage under the National Veld and Forests Fire Act or any other pertinent legislation.**
- (2) A written report on measures taken to reduce and minimise liability for wildfire damage must be tabled in Council annually.**
- (3) By default and until proven otherwise, liability for death, injury, damage, theft or other loss of property of any and all persons rests jointly and severally with that person. Any person or organisation making use of a public amenity shall do so at his/her own risk. This liability must be prominently displayed at all access points to Nature Areas and in the text used in pertinent permits and authorisations.**

~~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.~~

Comment: The strikethrough text was originally section 45(2)

Comment: Mountain biking, tourism, casual visitors, contractors etc all risk injury or damage. To avoid the accusation of negligence as per National Veld and Forest Fire Act and related legislation, the Municipality must make clear that the liability rests with these parties.

- (4) Each tender, contract, agreement and Memorandum of Understanding pertaining to Nature Areas, as agreed between the Municipality and one or more other parties, must**

contain one or more section addressing the allocation of liability for various forms of damage, injury and loss incurred or caused by such other parties.

- (5) **Polluter pays: the perpetrator of any pollution or dumping listed in sections 19, 27, 33 and 34 is liable for the costs of removal and rehabilitation of such pollution.**
- (6) **One or more persons or organisations who acted in noncompliance with this By-law are jointly and severally liable for the costs incurred in the associated remedial and/or rehabilitation of the financial and/or environmental damage or loss incurred to the Municipality and/or Nature Area.**

Comment: This new 45(6) replaces section 36(d) which was deleted there.

- (7) **The Municipality may recover costs associated with remedial action undertaken due to noncompliance with this By-law.**

Comment: Moved from section 36(2).

- (8) The ~~m~~ **M**unicipality and appointed ~~r~~ **R**angers 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.

Comment: This was originally section 45(1)

CHAPTER 9: Offences and Penalties

41. 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;
- (c) fails to comply with the terms of any notice or signage displayed in terms of this By-Law;
- (d) contravenes a lawful instruction given by a **Staff Ranger or r Ranger** in terms of this By-Law;
- (e) threatens, obstructs, hinders or uses abusive language ~~to~~ **in communicating with a municipal employee, enforcement officer, r Ranger** or a person lawfully accompanying the **r Ranger** in the exercise of a power conferred in terms this By-Law;
- (f) when called upon by a **r Ranger** to furnish information, furnishes false or misleading information; or
- (g) falsely ~~holds~~ **pretends** himself or herself to be a **r Ranger** or a person authorised to act on behalf of the ~~m~~ **M**unicipality **or lawfully contracted external service provider** in terms of this By-Law;

commits an offence.

42. Penalties

- (1) Any person who commits an offence referred to in Section ~~40~~ **41** is liable to a corresponding fine as contemplated in terms of the NEMA Admission of Guilt Fines Regulations (Annexure B), or upon conviction to imprisonment for a period not exceeding 2 years or to such imprisonment without the option of a fine, or to both such fine and such imprisonment.

Comment: Annexure B must be annexed.

- (2) In addition to imposing a fine or imprisonment, a court may order any person convicted of an offence in terms of this By-Law —
 - (a) to rectify the harm caused;
 - (b) to forfeit to the ~~m~~ **M**unicipality a vehicle impounded in terms of Section 40;

- (c) to pay the costs incurred by the ~~m~~ Municipality as a consequence of the contravention; and
- (d) to pay damages for harm caused to another person or property within the ~~nature reserve or nature area~~ **Nature Area**, which order shall have the force and effect of a civil judgment.
- (3) The ~~m~~ Municipality may ban any person who fails to comply with any provisions of this By-Law from entering any ~~nature reserve(s) or nature area(s)~~ **Nature Area** for a determined period of time.
- (4) The ~~m~~ Municipality may restrict access to a vehicle that fails to comply with any provisions of this By-Law from entering a ~~nature reserve or nature area~~ **Nature Area** for a determined period of time.
- (5) A ban imposed in terms of subsections 41(3) and 41(4) must be reduced to writing and served on the person or owner of the vehicle.
- (6) The ~~m~~ Municipality must provide a person contemplated above with a written notice of its intention to ban such person in terms of section 41(3). Such a person has 7 days to provide reasons why the ~~m~~ Municipality should not ban such person.
- (7) A person who has been banned in terms of subsections **41(3)**42(3) and **41(4)**42(4) above may **within 48 hours of receipt thereof** make written representations to the Director: Community and Protection Services as to why the ban should be lifted or reduced in length ~~within 48 hours of the receipt thereof~~.

43. Appeals

Any person may appeal against an administrative decision taken by the ~~m~~ Municipality or ~~r~~ **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) **or any other provision in law**.

44. Delegation

A function, power or duty conferred on the ~~m~~ Municipality in terms of this By-Law may be delegated or sub-delegated to an employee of the ~~m~~ 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).

45. Indemnity

Comment: This has been moved to the end of Chapter 8

46. Repeal of by-laws

The provisions of any by-laws **pertaining to Nature Areas** previously promulgated by the ~~m~~ Municipality or by any of the disestablished municipalities now incorporated in the ~~m~~ Municipality are hereby repealed as far as they relate to matters provided for in this by-law.

47. Short title and Commencement

This By-Law is called the Stellenbosch Municipality: ~~Nature Reserve~~ **Nature Area** By-Law and comes into operation on promulgation in the Provincial Gazette.

ANNEXURE D

PARADYSKLOOF NATURE AREA ENVIRONMENTAL MANAGEMENT PLAN (SEPTEMBER 2018)**Comment on Draft Document**

Date	Comment	Response
Friends of Stellenbosch Mountain	A1. Thank you for the opportunity to comment on the Draft Stellenbosch Municipality Nature Reserve and Nature Area By-Law in the version of November 2024.	
22 Jan 2025	A2. Attached please find two copies of the November 2024 draft, one with detailed comments, text edits and suggested important additions, the other showing only the suggested new text omitting any editing information.	Noted. Recommended changes and additions considered and made were appropriate.
	B1. Principles had been entirely missing so far. Expanded definitions of the relevant Acts of Parliament as well as the new section 2(2) remedy this omission.	Agreed. A reference to NEMA and applicable EMP principles have been included in the revised By-Law.
	B2. Wildfires constitute the largest short-term risk and threat to the Municipality and its residents by far. The enormous risk and costs resulting from new-era wildfires, with winds far stronger than ever experienced before coupled to dry areas, have been illustrated by the recent Los Angeles fires. The Stellenbosch climate, topography, wind risk and settlement patterns closely resemble those of Southern California. A few lessons learnt so far in Los Angeles, which must now be applied to Stellenbosch and many other Western Cape settlements include:	Agree.
	B2.1 Nature Areas represent a source of fire and risk not just for adjacent residential areas. Burning embers can fly for kilometers and entire neighbourhoods can be set on fire even while the fire front is still far away.	Noted and agreed.
	B2.2 Conventional wisdom, methods and resources pertaining to firefighting must be revised fundamentally. Even helicopters and aircraft become powerless and useless under the conditions experienced in Los Angeles.	Noted and agreed.
	B2.3 More than 12,000 structures were destroyed so far in Los Angeles within a few days — equivalent to most of central Stellenbosch.	Noted.
	B2.4 The cost of loss and damage in Los Angeles was last estimated at 250 billion US Dollars, about 4 to 5 trillion Rand. These enormous numbers mean that Nature Areas now represent the single largest immediate threat to the Municipality and its residents. For these reasons, a new	Agree. However, prohibitions and restrictions related to fire in nature areas are already sufficiently covered elsewhere in the proposed By-Law and

	<p>section provisionally called “31A” has been added which collects all related provisions as well as introduce stricter ones. For example, even the possession of flammable material should now be prohibited, not just the laying of fires.</p> <p>B3. Liability is closely connected to Wildfires (through the National Veld and Forest Fire Act and common law) but also to personal injury. These liabilities were also not addressed adequately so far. The old section 45 (Indemnity) has been “promoted” to “Liability and Indemnity” and moved into Chapter 8.</p> <p>B4. Rangers: Both sections 5 and 37 originally had the same title “Rangers”. From the context, it appears that section 37 refers to Rangers (now termed “Staff Rangers”) who are permanent or temporary municipal employees, while section 5 refers to other persons who are not employees but accredited volunteers and maybe external service providers such as commercial security companies. This makes sense. However, the various powers and functions of eg section 38 must be disambiguated to make clear which powers and functions are reserved for Staff Rangers and which are also given to volunteer Rangers. Section 5(6) attempts to establish lines of communication between the later and municipal persons or structures.</p> <p>B5. Initiation schools have been a problem in the past. The issue should be considered and if necessary one or more additional sections added.</p> <p>B6. Consolidation and re-ordering of several sections and subsections has been carried out to bring related issues together. Where possible, language has been tightened and improved.</p> <p>B7. Definitions have been carefully updated and expanded. The suggested new provisions are closely tied to those definitions, so both must be read together.</p> <p>B8. For example: we suggest that the definitions “nature reserves” and “nature areas” are ambiguous in the use of “OR” and because the unnecessarily long five-word</p>	<p>Stellenbosch Municipality Fire Management Plan.</p> <p>In terms of Chapter 5 – Restricted Activities, no person may start or keep a fire or commit any acts whereby a fire may be caused within a nature area, except an official or person duly authorised to do so;</p> <p>Disagree. Current inclusions pertaining to indemnity and liability deemed sufficient.</p> <p>Noted.</p> <p>Lines of communication to be actioned as per the current system of delegations and organisational structure.</p> <p>This item has been considered and addressed under Chapter 3.</p> <p>Current layout deemed correct.</p> <p>Noted. Some changes and additions proposed were considered and made were appropriate.</p> <p>Agree. Recommended change to the By-Law title and content were made.</p>
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	<p>phrase “nature reserves OR nature areas” is used about 100 times in the By-Law. The modified definitions of “Nature Area” and “Nature Reserve” solve these problems.</p> <p>B9. We suggest that Agenda items needed to introduce a revised Nature Area By-Law in Mayco and Council should</p> <p>B9.1 emphasise the ballooning risk and role of Nature Areas in municipal affairs,</p> <p>B9.2 make clear that the By-Law itself is only a start and that comprehensive medium-term and long-term changes to current municipal practices and policies would be needed,</p> <p>B9.3 point out that, to avoid the charge of “negligence” as defined in the National Veld and Forest Fire Act, the Municipality must in future allocate a far larger share in funding and manpower to Nature Areas than the paltry amounts allocated so far to Nature Areas. The necessary additional budget allocations of a few million more Rand must be compared to the hundreds of millions or trillions in damage costs resulting from negligence.</p> <p>C1. The suggested changes have inevitably had an impact on section numbering. Even the original November 2024 version was in part inconsistent. Once final edits have been completed, the entire document must again be revised to ensure that section numbering and reference to them is consistent.</p> <p>C2. In general, section numbers in legislation do not normally have a full stop at the end. We therefore suggest that, for example, one should write “12” instead of “12.” and so on throughout the document. Also spelling variants must be consolidated. For example, use either “authorisation” or “authorization” but not both. Capitalised chapter headings are hard to read, so these were made lower-case as well as shortened in some cases.</p> <p>C3. The two attached PDF copies were generated from Latex. A Word version can be provided on request but that would need more work.</p>	<p>To be considered.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p>
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10.11	MUNICIPAL MANAGER (MS G METTLER)
10.11.1	ADOPTION OF THE REVISED STRATEGIC AND OPERATIONAL RISK REGISTER FOR THE 2024/2025 FINANCIAL YEAR

Collaborator No:

IDP KPA Ref No: Good Governance and Compliance

Meeting Date: 24 March 2025 and 31 March 2025

1. SUBJECT: ADOPTION OF THE REVISED STRATEGIC AND OPERATIONAL RISK REGISTER FOR THE 2024/2025 FINANCIAL YEAR

2. PURPOSE

To submit the Strategic and Operational Risk Register for the 2024/2025 financial year for Council approval.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

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

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

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

5. RECOMMENDATION

that Council approves the Strategic and Operational Risk Register (**ANNEXURE A**) for the 2024/2025 financial year.

6. DISCUSSION

The Municipal Finance Management Act (MFMA), Act 56 of 2003, and best practices for municipal governance both mandate that municipalities maintain an efficient risk management system in order to stay on top of emerging threats and assess risk appetite. A municipality must concentrate its resources and attention on the areas where stakeholders are most concerned and at risk in order to achieve effectiveness. In order to achieve this, the Stellenbosch Municipality has implemented a Strategic Risk Register, which identifies operational and strategic risks at the corporate level. This process makes sure that risks that could impair service delivery and the strategic objectives are recognized and connected to the necessary steps to reduce them.

In order to accomplish the municipality's vision, service delivery, and strategic goals and to guarantee suitable results for the community, the Stellenbosch Municipality is dedicated to efficient risk management.

To guarantee that the municipalities continue to be suitably responsive to the risk environment, changes to the Strategic Risk Register were required due to the shifting external environment dynamics that affect municipal services.

A cultural shift in favour of ongoing risk identification and mitigation is necessary for effective risk management. This necessitates the cultural mainstreaming of risk management at all levels of local government operations. The goal of this risk management policy is to offer a risk management framework that makes this possible. Risk evaluations were carried out in accordance with the law throughout the first and second quarters of the current financial year. These are done to make sure the Council is aware of the dangers that need to be reduced and that the risk register accurately reflects those risks.

6.1 **Background**

In terms of Section 60 of the MFMA the Municipal Manager must take reasonable steps to ensure that the municipality maintain effective financial and risk management as well as internal controls.

The principal aim of the risk assessments process is to:

- Identify the risks threatening the achievement of the IDP's objectives of each directorate;
- Assess the key risks facing each directorate; and
- Identify the processes / functions / directorates / persons the municipality and top management relies upon to manage the identified risks.
- Align the mentioned risk management process with processes as established by provincial and national government (as communicated to the municipality).

6.2 **Financial Implications**

The financial impact will be quantified as part of the 2024/2025 approved budget and adjustment budget.

6.3 **Legal Implications**

Section 62 of the MFMA

General Financial Management Functions

- (1) *The accounting officer of a municipality is responsible for the managing of financial administration of the municipality, and must for this purpose take all reasonable steps to ensure –*
 - (a) *that the resources of the municipality are used effectively, efficient and economically;*
 - (b) *that full and proper records of the financial affairs of the municipality are kept in accordance with any prescribed norms and standards;*
 - (c) *that the municipality has and maintains effective, efficient and transparent systems–*
 - (i) *of financial and risk management and internal control.*

6.4 Staff Implications

None.

6.5 Risk Implications

As indicated in the annexed Strategic and Operational Risk Register.

6.6 Comments from Senior Management:**6.6.1 Director: Infrastructure Services**

Supported.

6.6.2 Director: Planning and Economic Development

Supported.

6.6.3 Director: Community and Protection Services

Supported.

6.6.4 Director: Corporate Services

Supported.

6.6.5 Director: Planning and Economic development

Supported.

6.6.6 Chief Financial Officer:

Supported.

6.6.7 Municipal Manager:

Supported.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2025-03-24: ITEM 7.11.1

that Council approves the Strategic and Operational Risk Register (**ANNEXURE A**) for the 2024/2025 financial year.

ANNEXURES

Annexure A: Strategic and Operational Risk Register for the 2024/2025 financial year.

FOR FURTHER DETAILS CONTACT:

NAME	<i>Helena Priem</i>
POSITION	<i>Chief Risk Officer</i>
DIRECTORATE	<i>Office of the Municipal Manager</i>
CONTACT NUMBERS	<i>8157</i>
E-MAIL ADDRESS	<i>Helena.priem@ Stellenbosch.gov.za</i>
REPORT DATE	<i>3 March 2025</i>

ANNEXURE A

STELLENBOSCH MUNICIPALITY																	
REVISED STRATEGIC AND OPERATIONAL RISK REGISTER 2024/2025																	
Risk												Control	Action Plan				
Risk Title	Risk Description	Risk Category	Risk II	Risk IL	Risk IR	Risk IR Description	Risk RI	Risk RL	Risk RR	Risk RR Description	Control Title	Action Plan Title	Action Plan Description	Action Plan Current Status Summary	Action Plan Status	Action Plan Start Date	Action Plan Due Date
Availability and cost of electricity	Continuous loadshedding; sustainability of the national power supplier.	Strategic	9.00	9.00	81.00	Extreme Risk	7.79	7.79	60.75	High Risk	Alternative energy sources that flows in to network. Example: Wheeling of energy and pool buying of electricity						
												Advertise 50 Megawatt IPP tender and appoint Sevice Provider		50 Megawatt IPP tender approved by Council on 4 March 2025 for advertisement.	In Progress	2025/03/14	2025/12/31
												Alternative energy sources that flows in to network. Example Rooftop Solar Installations, and Municipal Energy Resilience Project with DEDAT.	Alternative Electricity Generation Initiative Underway. Resourced by Internal Project Manager. Energy Master Plan completed by CSIR (with funding from DEDAT). Electrical Master Plan underway. Cost of Supply Study underway (Consultant appointed). Feasibility study of battery storage underway at present via Stellenbosch University.		In Progress	2023/02/13	2025/06/30
												Encourage public to install rooftop PV's			In Progress	2023/06/21	2025/06/30
												Request proposals to generate own electricity.			In Progress	2023/06/21	2025/06/30
												Take part in Western Cape Energy resilient initiative			In Progress	2023/06/21	2025/06/30
Breakdown of Waste Water Treatment Plants	Breakdown of Waste Water Treatment Plants due to electricity outages	Strategic	7.00	7.00	49.00	Moderate Risk	4.43	4.43	19.60	Low Risk	A skilled and capable workforce that supports the growth objectives						
											Regular asset maintenance						
											Safeguarding infrastructure sites and equipment and ensure safe return of staff and contractors to enable continuation of capital projects.						
											Supply of goods and services in place						
												Constant monitoring of staff and the execution of projects.			In Progress	2024/06/11	2025/12/31
												Continuous maintenance at all plants.			In Progress	2025/03/14	2025/12/31
Business Continuity	Disasters, electricity outages; hacking of systems.	Strategic	8.00	5.00	40.00	Moderate Risk	6.93	4.33	30.00	Moderate Risk	Disaster Management Plan for overall service delivery, operational disaster recovery site, JOC, Integrated ERP						
											ICT employee usage tools implemented						
											Off site data center						
												Alternate client communication plan developed and ready to deal with possibilities that may trigger the disaster management plan.	Alternate client communication plan developed.	Alternate client communication plan developed and ready to deal with possibilities that may trigger the disaster management plan.	In Progress	2023/06/01	2025/12/31
												Ensure all staff have access to the necessary ICT equipment to perform functions remotely.	Directorate IT needs register implemented.	Directorate IT needs register implemented and in progress.	In Progress	2023/06/01	2025/12/31
												Ensure that the Directorates' Business Continuity Plan is reviewed at least annually.	Directorate Business Continuity Plan developed and implemented.	Directorate Business Continuity Plan has been developed and is being implemented.	In Progress	2023/06/01	2025/12/31
Climate Change and Infrastructure disasters	Changing weather patterns, unpredictabel rainfall/flash floods, drought and natural disasters, fires seasonal and other	Strategic	10.00	8.00	80.00	Extreme Risk	5.00	4.00	20.00	Low Risk	Boreholes completed to mitigate drought.						
											Drought management plan in place						
											Water demand meters						
											Water warriors						
												Climate Change Impact Assessments and mitigating planning			In Progress	2023/06/21	2025/12/31

Risk											Control	Action Plan					
Risk Title	Risk Description	Risk Category	Risk II	Risk IL	Risk IR	Risk IR Description	Risk RI	Risk RL	Risk RR	Risk RR Description	Control Title	Action Plan Title	Action Plan Description	Action Plan Current Status Summary	Action Plan Status	Action Plan Start Date	Action Plan Due Date
Cyber attacks. Cybersecurity risk is the probability of exposure or loss resulting from a cyber attack or data breach on your organization.	Cyber attacks and cyber safety /security has become essential in municipalities. Investigate security gaps. Users opening unsafe/infected attachments	Strategic	9.00	6.00	54.00	High Risk	7.79	5.20	40.50	Moderate Risk	New electronic system to monitor potential cyber threats is in place						
											Password Policy implemented						
											Staff awareness to not open suspicious email attachments						
												Awareness campaigns			In Progress	2023/05/25	2025/06/30
												Continuous security and penetration testing			In Progress	2023/06/21	2025/06/30
										IT to do gap analysis on security requirements			In Progress	2023/06/21	2025/06/30		
Differentiation in salary regimes and adjustments (increases) leads to inequality in remuneration to different levels of management in Local Government.	Section 56 employees salaries determined by minister, COGTA, while staff determined based on task evaluation system. As a result senior managers already earn more than directors and accounting officers, who have more responsibilities and accountability,	Strategic	8.00	8.00	64.00	High Risk	7.59	7.59	57.60	High Risk	As the Section 56 salaries are determined by COGTA and although recommendations and resolutions from a council can be forwarded to adress the risk in the form of motivation why a higher salary should be considered, the final approval of these salary						
												Ongoing liaison with COGTA			In Progress	2023/06/21	2025/12/31
Economic downturn due civil unrest, crime and the impact loadshedding.	Increase in criminal activities, civil unrest reputational risk due to perceived increase in the said activities.	Strategic	9.00	8.00	72.00	High Risk	5.69	5.06	28.80	Moderate Risk	Close relationships with SAPS and other law enforcement agencies						
											Combined control room						
											Combined SSI						
											Strategic camera placings						
										Frequent meeting interventions			In Progress	2023/06/21	2025/12/31		
Financial Sustainability.	Debt management; cashflow; changes patterns in revenue (more off the grid connections w.r.t water and electricity).	Strategic	10.00	5.00	50.00	Moderate Risk	6.32	3.16	20.00	Low Risk	Legal framework to lock in customer regarding off grid connections and fix cost charges						
High Vacancy Rate	A skilled and capable workforce is necessary to support growth objectives, quality and timeous service delivery needs to be provided by all departments.	Operational	8.00	4.00	32.00	Moderate Risk	5.06	2.53	12.80	Low Risk	Revenue enhancement strategy.						
											Communication between the user departments and human resources more stream lined and effective						
											Filling of posts in the recruitment and selection department to create capacity						
											Fully staffed Recruitment and Selection unit						
											Organsational and operational structure aligned and approved						
	Continious and advance planning to address staff shortages, as well as optimal use of staff and existing skills.	Vacant positions on Org to be funded and filled. A new org submission for consideration is in process	Submission of new Organogram, prioritising current vacancies within the department to be funded and advertised	Closed	2023/06/09	2024/12/31											
Increase in community unrest due to the fact that growth in demand for housing exceeds the resources available for development.	Lack of bulk infrastructure; lack of identified and suitable land, unrealistic eviction judgements, housing backlogs, migration.	Strategic	8.00	6.00	48.00	Moderate Risk	6.93	5.20	36.00	Moderate Risk	Emergency policy						
											Housing pipeline						
											Increased monitoring for illegal occupants.						
											TRA identification						
												Develop and implement an Integrated Human Settlement Communications Plan	Develop and implement an Integrated Human Settlement Communications Plan	Development of an Integrated Human Settlement Communications Plan has been initiated.	In Progress	2023/07/01	2025/06/30
												Ensure implementation of an annually reviewed Housing Communication Plan (Ensure that clarity is provided on the Municipality's Housing Delivery Strategy and Targets).			In Progress	2023/06/21	2025/06/30
	Improve internal buy-in to annual housing pipeline development process via scheduled internal discussions with the relevant Infrastructure Services, Spatial Planning and Financial Management colleague	Improve internal coordination and buy-in and comment on the annual housing pipeline development process.	Improved coordination and buy-in and comment on the annual housing pipeline development process facilitated via incorporation into the municipal CEF process and the annual review of the MSDF process. Improved consultation sessions with both internal Staff, Management and Councillors.	In Progress	2023/07/01	2025/06/30											

Risk											Control	Action Plan					
Risk Title	Risk Description	Risk Category	Risk II	Risk IL	Risk IR	Risk IR Description	Risk RI	Risk RL	Risk RR	Risk RR Description	Control Title	Action Plan Title	Action Plan Description	Action Plan Current Status Summary	Action Plan Status	Action Plan Start Date	Action Plan Due Date
Increased risk of land invasion.	Legal precedents set under disaster management declaration limiting municipal scope to evict. Illegal invasions and land grabs. Compromising housing development and housing opportunities	Strategic	9.00	10.00	90.00	Extreme Risk	5.69	6.32	36.00	Moderate Risk	Arms tender finalised and awarded						
											Close relationships with SAPS and other law enforcement agencies, combined control room						
											Combined control room						
											Housing development continuing in response to housing demand						
											Legal panel in place to respond to legal matters						
											Security tender in place						
											Utilisation of municipal drones to monitor areas of potential land invasion.						
												Action Plan for security/protecting municipal owned land.	Improve the security / protection of vacant municipal owned property, especially those that are earmarked for future housing development.	Action Plan to be driven by the Directorate: Community and Protection Services. Improvement of the security / protection of vacant municipal land being implemented as budget allows.	In Progress	2023/07/01	2025/06/30
												Annual revision and submission of the Housing Pipeline for Council approval	Annual review of the Municipal Housing Pipeline to be approved by Council	Annual Review in process.	In Progress	2023/07/01	2025/05/31
												Develop and implement a municipal specific land banking strategy			In Progress	2023/06/21	2025/06/30
												Ensure implementation of an annually reviewed Housing Communication Plan (Ensure that clarity is provided on the Municipality's Housing Delivery Strategy and Targets).			In Progress	2023/06/21	2025/06/30
												Ensure the Implementation of a specific Social Housing Programme			In Progress	2023/06/21	2025/06/30
												Implementation and annual review of the Municipal Land Invasion SOP	Improve the coordination with respect to illegal land invasions by annually reviewing and implementing the municipality's land invasion SOP (SOP to provide clarity on the municipality's approach to dealing with evictions). SOP to be reviewed annually.	Land Invasion SOP to be reviewed and implemented in conjunction with the Directorate: Community and Protection Services. Currently in process.	Closed	2023/07/01	2025/02/28
												Monitoring of all 29 Informal Settlements within the WC024 bi-weekly.	Bi-weekly monitoring of all 29 informal settlements within the WC024 with respect to informal settlement growth, demographics, and service levels. Submission of quarterly reports.	Bi-weekly monitoring of all 29 informal settlements in the WC024 is currently in process and ongoing.	In Progress	2023/07/01	2025/06/30
Ineffective service delivery due to geopolitical Instability	Global risk to commodities especially possible fuel rationing by government, energy related products, engineering services, certain food products. Possible communication infrastructure threats; possible deepening of world-wide recession. Current status in the Middle East and the ongoing conflict as part of the regional conflict in the Ukraine.	Strategic	9.00	7.00	63.00	High Risk	7.79	6.06	47.25	Moderate Risk	Business Continuity						
											Communication Plan						
											Effect on income						
											Energy Plan						
											Fuel reserves						
											SCM Plan addressing affected commodities						
											Develop and implement Working from home policy				Closed	2023/06/21	2025/06/30
Insufficient burial space in the greater Stellenbosch	Planning and funding; land availability. Insufficient funding. Compliance and impact of COVID-19 burials after experiencing a 2nd and 3rd wave.	Operational	8.00	8.00	64.00	High Risk	3.58	3.58	12.80	Low Risk	Land use application has been approved						
											Part of approved SDF						
											Project plan approved for implementation						
											Implementation of Calcutta Memorial Park				In Progress	2023/06/21	2025/12/31
Lack of integrated Information and Communication Technology	Disparite systems	Operational	6.00	4.00	24.00	Low Risk	5.20	3.46	18.00	Low Risk	New server room completed						
											Position paper on integration						
											Role of ICT SteerCom in managing acquisition of new system and integration						
												All ICT SLAs for software applications have been reviewed by the legal and contract management department			In Progress	2023/06/21	2025/06/30
												Centralised ICT Procurement & Hardware Standardisation			Closed	2023/06/21	2023/12/31
												ICT Management monitoring			In Progress	2023/06/21	2025/06/30
												Manual interface exception report monitoring by line management and ICT management			In Progress	2023/06/21	2025/06/30
												System status report to be presented to the ICT Steering Committee as a standing item in order to monitor system implementation. SAMRAS modules to be developed			In Progress	2023/06/21	2025/06/30

Risk											Control	Action Plan					
Risk Title	Risk Description	Risk Category	Risk II	Risk IL	Risk IR	Risk IR Description	Risk RI	Risk RL	Risk RR	Risk RR Description	Control Title	Action Plan Title	Action Plan Description	Action Plan Current Status Summary	Action Plan Status	Action Plan Start Date	Action Plan Due Date
Losing the historic status of Stellenbosch w.r.t environment (trees, biodiversity, buildings, rivers, etc.)	Keeping the balance - development and the historic status; occurance of natural disasters.	Operational	6.00	4.00	24.00	Low Risk	3.79	2.53	9.60	Low Risk	A tree management policy has been approved and implemented						
											Adherence to heritage planning legislation for developmental applications						
											Declared heritage zones						
											Heritage asset register completed						
											Maintenance heritage assets						
												Appoint more staff		x2 Operators was appointed last year, x2 General Workers posts are still vacant	In Progress	2023/06/09	2025/06/30
												Be part of any new developments and advise Engineering Services regarding tree characteristics		Section is part of the way-leave team, attending way-leave meetings	In Progress	2023/06/09	2025/05/30
												Encourage all stakeholder to continuously plant trees		Conduct awareness	In Progress	2023/06/09	2025/06/30
												Establish maintenance programme for Oak trees		As per the daily functioning	In Progress	2023/06/09	2025/06/30
												Identify possible courses for staff		Training courses has been identified in the Skills Audit Plan and PDP that was submitted to HR	In Progress	2023/06/09	2025/05/30
Loss off credibility and reputation due to perceived fraud and corruption.	Abuse of legislation; reputational risk and credibility; media statements and role of social media in reports etc.	Operational	6.00	4.00	24.00	Low Risk	2.68	1.79	4.80	Low Risk	Fraud prevention policy						
											Hotline						
											SALGA to address unintended consequence of regulations						
Material misstatements in the AFS that constitutes non-compliance with Section 122 of the MFMA.	System errors, transactions and events not recognised as they occur and accordingly nor recorded in the financial period it occurred.	Operational	6.00	4.00	24.00	Low Risk	3.79	2.53	9.60	Low Risk	8 month AFS, systems upgrade and alignment						
											Actions to be reflected in detail in Audit Action Plan						
											Audit readiness is essential with a need for an external audit prior to the formal audit from AGSA.						
Minimising the potential risks, negative effects and consequences of Artificial Intelligence on society.	*Consumer Privacy (privacy violations and data security concerns. *Biased programming. *Unclear legal regulation. *Existential Risks. *Intellectual property infringement. *Exponential algorithmic biases. *Job losses/potential to replace human workers. Malicious use. *Dependency.	Strategic	8.00	8.00	64.00	High Risk	6.93	6.93	48.00	Moderate Risk	Auditing and accountability.						
											Awareness						
											Develop regulations and standards.						
											Education.						
											Ethical Frameworks.						
												Basic Education and the transfer of skills and knowledge.		Discussion has started regarding the impact of AI.	In Progress	2024/11/20	2025/06/30
												Continuous evaluation and feedback to detect problems.			Started	2024/11/20	2025/06/30
Scarcity of landfill space.	Unavailability of suitable land; costs of SLA's and alternative waste disposal; legislative requirements i.e EIA applications and approvals etc.	Strategic	4.00	4.00	16.00	Low Risk	3.25	3.25	10.56	Low Risk	Cell four commissioned and in operation.						
											Consultant reappointed for resubmission of Licence Application and amended Basic Assessment Report.						
											Engagement with DEADP.						
											Waste management strategy						
												New cell for waste disposal being developed.			In Progress	2025/03/14	2025/12/31
Timeous Capital Spending	Steady increase in budget allocation, growing population and demand for services, demand management; unforeseen storms and wheather events; suppliers and contractors going into financial distress.	Operational	10.00	8.00	80.00	Extreme Risk	8.66	6.93	60.00	High Risk	Capex SDBIP indicators developed and monitored						
											Demand Management Plan and Committee						
												Financial Record keeping and Interventions	Reliable financial systems in place as well as reporting, good communication with user departments		In Progress	2023/06/21	2025/06/30

Risk											Control	Action Plan					
Risk Title	Risk Description	Risk Category	Risk II	Risk IL	Risk IR	Risk IR Description	Risk RI	Risk RL	Risk RR	Risk RR Description	Control Title	Action Plan Title	Action Plan Description	Action Plan Current Status Summary	Action Plan Status	Action Plan Start Date	Action Plan Due Date
Urbanisation and growth.	Comprehensive understanding of the developmental needs in the greater Stellenbosch area; rapid and continued urbanisation; changes in the needs of the community; masterplans; housing pipeline; IDP and SDF alignment.	Strategic	6.00	6.00	36.00	Moderate Risk	5.20	5.20	27.00	Moderate Risk	Approved housing pipeline						
											Approved SDF						
											DBSA funding will be utilised for updating new CEF with spatial demand quantification.						
												Develop a municipal policy / strategy on housing delivery, including type of delivery			In Progress	2023/06/21	2025/06/30
												Develop an internal strategy for expediting regulatory approvals for obtaining development rights (Planning & Environmental)			In Progress	2023/06/21	2025/06/30
												Develop and implement an Inclusionary Zoning (Housing) Policy	Develop, approve and implement a Council policy on Inclusionary Zoning (Housing).	Inclusionary Zoning policy developed, approved by Council and currently being implemented.	Closed	2023/06/21	2023/06/30
												Develop and implement an Integrated Human Settlement Communications Plan			In Progress	2023/06/21	2025/06/30
												Ensure Alignment between the Business Plan of PDoHS and the budget of the Municipality via at least quarterly technical engagements with PDoHS. (Municipality not appointing service providers if PDoHS	Ensure alignment between housing delivery programme and the MSDF, CEF and LTFP and PDoHS business plan. Ensure improved communication and coordination with the PDoHS.	Implemented improved coordination sessions with Spatial Planning for the MSDF and with the Capital Planning Forum for the CEF and LTFP. Improved communication with PDoHS ensured via the institution of Monthly engagements.	Closed	2021/07/01	2023/06/30
												Ensure Housing delivery programme is linked to MSDF, CEF and LTFP via the annual submission of the Municipality's Housing Pipeline and the annual review of the Municipality's SDF and CEF.	Ensure Housing delivery programme is linked to MSDF, CEF and LTFP	Implemented improved coordination sessions with Spatial Planning for the MSDF and with the Capital Planning Forum for the CEF and LTFP.	Closed	2022/07/01	2023/06/30
Water security	* Growing population and development growth * Polluted natural water sources * Dependency on external sources (CoC)	Strategic	5.00	5.00	25.00	Low Risk	2.24	2.24	5.00	Low Risk							
											Boreholes						
											Drought management plan in place						
											Ensure that there is sufficient generating power to stabilise water levels						
											Water demand meters						
											Water warriors						
												High Level mitigating action taken with drilling for water.			In Progress	2023/06/21	2025/12/31

10.11.2	ADOPTION OF THE REVISED ANTI FRAUD AND CORRUPTION PREVENTION PLAN FOR THE 2024/2025 FINANCIAL YEAR
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Collaborator No:

IDP KPA Ref No: Good Governance and Compliance

Meeting Date: 24 March 2025 and 31 March 2025

1. SUBJECT: ADOPTION OF THE REVISED ANTI FRAUD AND CORRUPTION PREVENTION PLAN FOR THE 2024/2025 FINANCIAL YEAR**2. PURPOSE**

To submit the Fraud and Corruption Prevention Plan for the 2024/2025 financial year to Council for approval.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

The Policy makes provision for an internal Fraud Response Unit and re-establishes the managerial duties to ensuring ethical behaviour at all levels of the municipality.

In terms of Section 79 of the Local Government Municipal Structures Act 117 of 1998, a Municipal Council may establish one or more committees necessary for the effective and efficient performance of its functions or the exercise of any of its powers. The Council appoints the members of these committees and may dissolve the committee or remove a member at any given time. The Council must determine the functions of a Section 79 Committee and may determine its procedures.

The Audit and Performance Committee assist the Executive Management and Council in advising and monitoring the Municipality's compliance with legislation and all other acts, codes of conduct etc. relevant to fraud risk management.

5. RECOMMENDATION

That Council adopts the Revised Anti-Fraud and Corruption Plan for the 2024/2025 **(ANNEXURE A)** financial year.

6. DISCUSSION / CONTENTS

Although Section 79 of the Local Government Municipal Structures Act 117 of 1998, allow Council to establish committees to assist in effective and efficient management, the Municipal Manager as the Accounting Officer is the responsible authority as defined in Sections 60 and 62 of the Municipal Financial Management Act no 56 of 2003.

6.1 Background

In terms of Section 60 of the MFMA the Municipal Manager must take reasonable steps to ensure that the municipality maintain effective financial and risk management as well as internal controls and therefor must:

- (a) *exercise the functions and powers assigned to an accounting officer in terms of this Act; and*
- (b) *provide guidance and advice on compliance with this Act to –*
 - (i) *the political structures, political office-bearers and officials of the municipality:*

In terms of Section 62 of the MFMA – General Financial Management Functions;

- (1) *The accounting officer of a municipality is responsible for the managing of financial administration of the municipality, and must for this purpose take all reasonable steps to ensure –*
- (c) *that the municipality has and maintains effective, efficient and transparent systems–*
 - (i) *of financial and risk management and internal control; and*
 - (ii) *of internal audit operating in accordance with any prescribed norms and standards;*
 - (d) *that unauthorised, irregular or fruitless and wasteful expenditure and other losses are prevented;*
 - (e) *that disciplinary or, when appropriate, criminal proceedings are instituted against any official of the municipality who has allegedly committed an act of financial misconduct or an offence in terms of Chapter 15.*

6.2 **Financial Implications**

The financial impact will be quantified as part of the 2024/2025 approved budget and adjustment budget.

6.3 **Legal Implications**

Section 62 of the MFMA

General Financial Management Functions

- (2) *The accounting officer of a municipality is responsible for the managing of financial administration of the municipality, and must for this purpose take all reasonable steps to ensure –*
- (c) *that the resources of the municipality are used effectively, efficient and economically;*
 - (d) *that full and proper records of the financial affairs of the municipality are kept in accordance with any prescribed norms and standards;*
 - (d) *that the municipality has and maintains effective, efficient and transparent systems–*
 - (ii) *of financial and risk management and internal control.*

6.4 **Staff Implications**

None.

6.5 **Risk Implications**

As indicated in the annexed Anti-Fraud and Corruption Prevention Plan.

6.6 **Comments from Senior Management:**

6.6.1 **Director: Infrastructure Services**

Supported.

6.6.2 **Director: Planning and Economic Development**

Supported.

6.6.3 Director: Community and Protection Services:

Supported.

6.6.4 Director: Corporate Services:

Supported.

6.6.5 Director: Planning and Economic development

Supported.

6.6.6 Chief Financial Officer

Supported.

6.6.7 Municipal Manager

Supported.

**RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE
EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2025-03-24: ITEM 7.11.2**

that Council adopts the Revised Anti-Fraud and Corruption Plan for the 2024/2025
(ANNEXURE A) financial year.

ANNEXURES

Annexure A: Revised Anti-Fraud and Corruption Prevention Plan for the 2024/2025 financial
year.

NAME	<i>Helena Priem</i>
POSITION	<i>Chief Risk Officer</i>
DIRECTORATE	<i>Office of the Municipal Manager</i>
CONTACT NUMBER/S	<i>8157</i>
E-MAIL ADDRESS	<i>helena.priem@ Stellenbosch.gov.za</i>
REPORT DATE	<i>3 March 2025</i>

ANNEXURE A



ANTI- FRAUD & CORRUPTION

PREVENTION

PLAN

Review ~~2023/24~~2024/2025



FOREWARD

Fraud, corruption, criminal activity, maladministration and/or negligence is an ever-present threat to public resources. Stellenbosch Municipality is committed to a process of ethical governance, fraud risk management and consequence management that is aligned to the principles of the Local Government: Municipal Finance Management Act 56 of 2003, Local Government Systems Act 32 of 2000 and other related legislative, regulatory and policy frameworks.

Stellenbosch Municipality subscribes to principles of good corporate governance underpinned by values of honesty, good ethics, and transparency. This municipality is therefore committed to creating and nurturing a culture of zero tolerance toward unethical conduct, corruption, and fraud.

The new Anti-Fraud and Corruption Prevention Plan which is aligned to the Consequence Management Policy aims to assist Stellenbosch Municipality in the prevention, detection, investigation and sanctioning of fraud, corruption, unethical behaviour, and instances of gross negligence that might result in damage or loss to the municipality. Methods will be continually explored to apply consequence management to deter such behaviour.

Through this new Anti-Fraud and Corruption Prevention Plan, Stellenbosch Municipality is recommitting itself to clean governance at all levels of the organisation which will be strictly applied with no discrimination or favour to any individual. All complaints received of fraud and corruption will be investigated to ensure that instances of fraud and corruption are reduced at all levels of Stellenbosch Municipality.

Stellenbosch Municipality encourages anyone who may suspect fraud, corruption, and unethical behaviour to inform their immediate supervisor, any member of management, the Municipal Manager, the Executive Mayor, the Speaker (in case of Councillors) or members of the Fraud and Risk Management team. We further encourage anyone to make use of the municipal fraud hotline (0800 111 027) to report fraud, corruption, or any forms of financial misconduct. All those involved are encouraged to do so responsibly.

MUNICIPAL MANAGER

Geraldine Mettler

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1 INTERPRETATION AND GLOSSARY OF TERMS

The headings of the clauses in this Plan are for the purpose of convenience and reference only and shall not be used in the interpretation of nor modify nor amplify the terms of this Policy, nor any clause hereof, unless a contrary intention clearly appears: -

- 1.1 Words importing: -
 - 1.1.1 Any one gender include the other gender;
 - 1.1.2 The singular includes the plural and vice versa; and
 - 1.1.3 Natural persons include created entities (corporate or unincorporated) and the state and vice versa.
- 1.2 When any number of days is prescribed in this Plan, same shall be reckoned exclusively of the first and inclusively of the last day unless the last day falls on a Saturday, Sunday or public holiday, in which case the last day shall be the next succeeding day which is not a Saturday, Sunday or public holiday;
- 1.3 When figures are referred to in numerals and in words, if there is any conflict between the two, the words shall prevail;
- 1.4 Expressions defined in this Plan shall bear the same meanings in schedules or annexures to this Plan which do not themselves contain their own definitions; and
- 1.5 Where any term is defined within the context of any clause in this Plan, the term so defined, unless it is clear from the clause in question that the term so defined has limited application to the relevant clause, shall bear the meanings ascribed to it for all purposes in terms of this Plan, notwithstanding that, that term has not been defined in this interpretation clause.
- 1.6 The following terms shall have the meanings assigned to them hereunder and cognate expressions shall have corresponding meanings, namely: -

<u>APACAG</u>	Audit and Performance <u>Audit</u> Committee established in terms of Section 166 of the MFMA
AO	Accounting Officer of the municipality; Municipal Manager
CAE	Chief Audit Executive of the Stellenbosch Municipality
CRO	Chief Risk Officer
Code of Conduct for Councillors	Code of Conduct for Councillors contained in Schedule 1 of the Local Government: Municipal Systems Act, Act 32 of 2000
Code of Conduct for Municipal Staff Members	Code of Conduct for Staff Members of the City contained in Schedule 2 of the Local Government Municipal Systems, Act 32 of 2000
Consequence Management	The process put in place to effectively deal with fraud, corruption, misconduct, and financial misconduct, which includes internal municipal processes and criminal proceedings
Consequence Management Policy	A defined, appropriate approach to address accountability and responsibility for, inter alia, non-compliance, financial misconduct, and codes of conduct/ethical dilemmas, required formalisation in the Municipality. While not designed to alter or add consequence to specific situations of non-compliance, this Policy aims to formalise and consolidate the principles of consequence management which encompasses remedial and recourse measures.
Corporate Governance	Corporate governance concerns the relationships among the management, Council, Stakeholders and employees or

workers of the municipality. Good corporate governance contributes to sustainable economic development by enhancing the performance of the municipality and increasing access to outside capital.

Corruption

Any conduct or behaviour where a person accepts, agrees, or offers any gratification for him/her or another person where the purpose is to act dishonestly or illegally. Such behaviour also includes the misuse of material or information, abuse a position of authority or a breach of trust or violation of duty

Council

Municipal Council of the municipality as referred to in section 157(1) of the Constitution.

Councillor

Councillor of the Municipal Council as elected.

Criminal Action

Legal proceeding in which the state prosecutes a person who is charged with an offence.

CRO

Chief Risk Officer of the Stellenbosch Municipality

Delegation

A power or function as determined by the municipality's approved System of Delegation.

**Department
Business Plan**

The plan at departmental level linking the department's Activities to the IDP and budget.

**Designated
Official/Body**

Means the official/body is the identified in a municipality to receive reports of allegations of fraud, corruption, or financial offences.

Director	A position created in terms of section 56 of the Municipal Systems Act on the approved managerial structure of Stellenbosch Municipality.
Executive Mayor	The Executive Mayor of the municipality as defined in the Structures Act, any successor-in-title, or any duly appointed nominee.
Financial Misconduct	Means any act of financial misconduct referred to in section 171 of the Municipal Finance Management Act (MFMA).
Financial Offence	Means any offence referred to in section 173 of the MFMA.
Fraud	Lawful and intentional false representation or concealment of a material fact with the aim of illegally obtaining financial and/or other benefit for personal enrichment.
Fraud Response Team	Will be deemed to include the Municipal Manager, Chief Risk Officer, Fraud Hotline; Legal Services Advisory Support.
Induce	To persuade, encourage, coerce, intimidate, or threaten or cause a person to commit an act against their will.
Integrated Development Plan	A plan envisaged in section 25 of the Municipal Systems Act
Investigator	Means the person, team, appointed service provider or law enforcement entity conducting a full investigation and misconduct.
Law	Means the common law, Constitution of the Republic of South Africa, any applicable statutes, proclamation, regulation, rule, notice, judgment or order and any interpretation of any of them by any Court or applicable

tribunal, and any applicable guidance, direction, code of practice or other determination by which the Municipality, municipal official, the public and business are bound.

Management

Includes all senior managers and managers

Municipal Council

Means municipal council as democratically elected as referred to in section 157 of the Constitution

MFMA

Local Government: Municipal Finance Management Act 56 of 2003, including any regulations made i.t.o. of this legislation

**Municipal
Manager**

Municipal Manager of the Stellenbosch Municipality i.t.o. section 55 of the Municipal Systems Act

Municipality

Stellenbosch Municipality, a local municipality established in terms of section 12 of the Structures Act

**Municipal
Structures Act**

Local Government: Municipal Structures Act No. 117 of 1998, as amended

**Municipal Systems
Act**

Local Government: Municipal Systems Act, 2000 (Act 32 of 2000), as amended

SDBIP

Service Delivery and Budget Implementation Plan - Detailed annual plan to implement the IDP and the budget

Senior Managers

Appointed Manager i.t.o. section 56 of the Municipal Systems Act; includes persons acting in the capacity of a section 56 manager.

Service Providers	specialised advisory services, external investigators, external audit services appointed to assist with the process of fraud, corruption, and consequence management
Strategic Focus Area	Medium term goal aligned to the long-term strategy
Remuneration	Duty to disclose remuneration

2 REGULATORY ENVIRONMENT

This Policy must be read together with, and be interpreted consistently with, the other relevant legislation and council approved documents, including but not restricted to the:

- (a) Prevention and Combating of Corrupt Activities Act (No. 12 of 2004)
- (b) Promotion of Access to Information Act (No. 2 of 2000)
- (c) Promotion of Administrative Justice Act (No. 3 of 2000)
- (d) Protected Disclosures Act (PDA) (No. 26 of 2000)
- (e) Public Finance Management Act (PFMA) (No. 1 of 1999)
- (f) Municipal Finance Management Act (MFMA) (No. 56 of 2003)
- (g) Financial Intelligence Centre Act (FICA) (No. 38 of 2001)
- (h) MFMA Regulation on Financial Misconduct (No. 430 of 2014)
- (i) Code of Conduct for Councilors in terms of Schedule 1 of the Municipal Structures Act (No. 32 of 2000)
- (j) Code of Conduct for Municipal Staff Members in terms of Schedule 2 of the Municipal Structures Act (No. 32 of 2000)
- (l) Stellenbosch Municipality Risk Management Policy.
- (m) Stellenbosch Municipality System of Delegations.

3 PRINCIPLES AND OBJECTIVES OF ANTI-CORRUPTION AND FRAUD PREVENTION

- 3.1 The Municipality's agenda is to focus its efforts on the following processes and objectives:
 - 3.1.1 Create and nurture a culture of ethical conduct in managing resources of the municipality and intolerance to fraud, corruption and financial misconduct;
 - 3.1.2 Understand the fraud risks that can undermine the institution's service delivery / business objectives;
 - 3.1.3 Encourage a culture within the Municipality where all municipal officials, members of the public and other stakeholders continuously behave with and promote integrity in their dealings with or on behalf of the Municipality;
- 3.2 Create a culture within the Municipality which is intolerant to unethical conduct, corruption, and fraud by:
 - 3.2.1 Strengthening community participation in the fight against corruption and fraud in the Municipality;
 - 3.2.2 Reduce exposure to liability, sanctions and litigation that may arise from violations of law or stakeholder expectations;
 - 3.2.3 Strengthening relationships with key stakeholders that are necessary to support actions required to combat corruption and fraud in the Municipality;
 - 3.2.4 Create an environment where all staff members and Councillors at all times act with honesty, integrity and to safeguard the Municipal resources for which they are responsible for;
 - 3.2.5 Appropriate action, including criminal action, will be taken against any person who attempts to or assists with committing fraud, corruption and other criminal activity including but not limited to:
 - 3.2.6 Putting measures in place to prevent and detect fraud as and when it occurs;
 - 3.2.7 Investigating instances of fraud, corruption and financial misconduct;
 - 3.2.8 Taking appropriate action in the event of such irregularities, e.g., disciplinary action, recovery of losses, prosecution, etcetera;

- 3.2.9 Developing a system of consequence management and apply appropriate sanctions;
- 3.2.10 Prohibition from further employment within the municipality and in the case of suppliers of goods and services, blacklisting in terms of the Supply Chain Management Policy and Regulations.

4 ETHICS

- 4.1 The ethical climate of an organisation is an essential element in establishing its credibility and furthering its mission. organisational culture that takes ethical considerations into account at every point and cannot be produced simply by having Council lay down a code; ethical principles must arise from consultation with and responsiveness of the municipality's council, municipal manager, senior managers, employees and stakeholders.

In addition, the processes to embed workplace ethics include, but are not limited to:

- ethics awareness for new employees;
 - anti-corruption and ethics awareness training for existing staff;
 - broad-based dialogue on ethics;
 - communication and articles on ethical matters;
 - mechanisms for confidential disclosure and reporting of ethical issues that require investigation;
 - advisory service on ethical dilemmas or matters requiring interpretation of ethics related policies and procedures;
 - collaboration on and sharing of best practices with other institutions;
 - monitoring the ethical culture, risk profile and the role of ethics;
- and • monitoring of and coordinating with role-players/stakeholders regarding the processes relating to declaration of interests, applications to undertake private work and gift receiving.

5 APPLICATION AND SCOPE

- 5.1 The Plan applies to all fraud, corruption, theft, financial misconduct, or suspected irregularities of this nature.
- 5.2 This Plan is applicable to the Stellenbosch Municipality and related joint ventures entered, which may involve the following persons or entities:
 - 5.2.1 All municipal staff;
 - 5.2.2 Consultants, suppliers, contractors and other providers of goods or services to the Municipality;
 - 5.2.3 Community structures, organisations' and other parties receiving services from the Municipality.
- 5.3 This Plan aims to provide a framework for consequence management, without excluding any sanctions that might be applicable through other forms of legislations.
- 5.4 Appropriate action, including criminal action, will be taken against any person employed by the municipality that is involved in, or assists with committing fraud, corruption and other criminal activity, maladministration and/or negligence.
- 5.5 Any allegations of fraud, corruption, theft financial misconduct or suspected irregularities of this nature against the Municipal Manager and section 56 Managers i.t.o. of the Municipal Systems Act of 2000, will be dealt with in terms of the Local Government Disciplinary Regulations for Senior Managers of 2010 and MFMA Municipal Regulations on Financial Misconduct Procedures and Criminal Proceedings of 2014 and not in terms of this strategy.

6 ANTI-CORRUPTION AND FRAUD PREVENTION

- 6.1 As instances of fraud, corruption and financial misconduct remain a constant threat to public trust and confidence, it becomes essential to recognise fraud risk management as an integral part of strategic management. Stellenbosch Municipality is therefore adopting a comprehensive approach to the management of fraud risks.

- 6.2 Failure by any employee, institution or individual within the service of the municipality to comply with this plan could result in disciplinary as well as criminal action being taken against that individual.
- 6.3 It is expected that all personnel will adhere to this Anti-~~Corruption and~~ Fraud-Fraud and Corruption Prevention Plan.
- 6.4 It is the intention that individual personnel, as well as business units will work together in a consistent and integrated manner, with the overall objective of reducing fraud risk.

7 RESPONSIBILITIES OF STAKEHOLDERS

7.1 Council

Council has a duty for setting the tone at the top by:

- (a) Considering and adopting an Anti-Fraud and Corruption Prevention Plan for the Municipality;
- (b) Regularly reviewing and amending, if necessary, the Anti-Fraud and Corruption Prevention Plan, if and when required;
- (c) Abiding by the code of conduct and code of ethics of the Council;
- (d) Performing oversight functions that support the implementation of the Anti-Fraud and Corruption Prevention Plan of the Municipality;
- (e) Providing support to the Municipal Manager and the efforts of the management team to implement the Anti-Fraud and Corruption Prevention Plan;

7.2 Councillors

Councillors have a fiduciary responsibility to the Municipality, including a duty to promote the reputation and business of the institution.

- (a) Councillors may not derive personal gain at the expense of or because of their relationship with the Municipality.
- (b) Councillors are further required to declare their interests in terms of the Systems Act.
- (c) It is the responsibility of every Councillor who suspects that fraud or corruption or irregularity has been attempted or committed, to immediately report their suspicion to the Speaker of Council.

7.3 Municipal Manager

The Municipal Manager, as the Accounting Officer, is responsible for ensuring that anti-corruption and fraud prevention measures are implemented within the Municipality by:

- (a) Ensuring that the Municipality develops and implements an Anti-Fraud and Corruption Prevention Plan;
- (b) Overseeing the implementation of prevention, detection, investigation of fraud and ensure appropriate resolution measures are implemented in respect of fraud and corruption within the Municipality;
- (c) The Municipal Manager is accountable for managing fraud and all the platforms required for the effective and efficient management of fraud prevention and consequence management in accordance with this plan.

7.4 Management

Management includes all Directors appointed i.t.o. section 56 of the Municipal Systems Act, Senior Managers and Managers.

- (a) The overall responsibility of managing fraud risk is vested with the Municipal Manager and the Directors of the municipality.
- (b) Management plays a key role in the prevention of fraud and corruption, and fulfills this responsibility through the establishment, implementation, and continued operation of suitable internal controls. Further to this Management plays a critical role in leading with the correct "tone at the top" by:
 - (c) Creating a corruption and fraud aware culture, where it is clear that corruption and fraud will not be tolerated, and that all instances of fraud and corruption will be dealt with swiftly and will be appropriately sanctioned;
 - (d) Implementing the Anti-~~Fraud and Corruption~~ Corruption and Fraud Prevention Plan of the municipality, as reviewed and amended from time to time;

- (e) Share the Municipality's strategies and policies in respect of fraud and corruption with all staff members;
- (f) Report incidents or suspicions of fraud, corruption or irregularities;
- (g) Ensuring the practical realisation of the principles of prevention, detection, investigation;
- (h) Ensure that adequate internal controls are implemented, and appropriate systems and processes are in place to prevent and detect fraud and corruption or any forms of irregularities;
- (i) Investigating all instances of fraud, corruption and financial misconduct brought to their attention with equal diligence and vigour;
- (j) Monitor the implementation and application of the Anti-Fraud and Corruption Prevention Plan and ensure adequate supervision and dynamism of the controls and procedures;
- (k) Review the process implemented by management in respect of anti-corruption and fraud prevention and ensure that all fraud, corruption and instances of irregularities have been followed up appropriately;
- (l) Ensure that an appropriate fraud and corruption risk assessment is completed;
- (m) Ensure that reports of fraud, corruption and misconduct are effectively handled and that consistent and appropriate action is taken on known incidents;
- (n) Ensure proper reporting in terms of applicable guidelines on all instances of fraud and fraud risks reported;
- (o) After an investigation is completed, submit a report to the Municipal Manager indicating the results of the investigation and whether there are cause to:
 - Dismiss such allegations as frivolous; or
 - Whether a need exists for a thorough disciplinary process to be undertaken.
- (p) Ensure adherence to all reporting requirements to ensure that instances

of fraud, corruption and irregularities are effectively investigated and resolved.

7.5 Fraud Response Team

- (a) The Fraud Response Team will consist of the Municipal Manager as Accounting Officer, the Chief Risk Officer, Legal Services Advisory Support.
- (b) The Fraud Response Team is authorized to assist in providing overall assurance to Council, the Audit and Performance Audit Committee and other combined assurance advisory bodies in a manner that is commensurate with this Plan and principles of Combined Assurance.
- (c) The Fraud Response Team ensures that reports on fraud, corruption and misconduct are effectively handled, and that consistent and appropriate action is taken. Review the Anti-Fraud and Corruption Prevention Plan ~~anti-corruption and fraud prevention plan~~ and recommend for approval by Council;
 - (a) Develops, together with other role players, the anti-corruption and fraud prevention policy, terms of reference and standard operating procedures;
 - (b) Include a focus on fraud and corruption risks during risk identification and assessments;
 - (c) Assist management in developing responses for fraud and corruption risks;
 - (d) Facilitate presentations and working sessions relating to fraud and corruption risks to promote awareness and the ethics and integrity standards required by the Municipality.
 - (e) Report identified incidents of fraud or corruption to Management, Directors, or the Municipal Manager.
 - (f) Evaluate the effectiveness of the implementation of the Anti-Fraud and Corruption Prevention Plan ~~anti-corruption and fraud prevention plan~~;
 - (g) Monitor the implementation of the plan and application of the plan and ensure adequate supervision and dynamism of the controls and procedures;

- (h) Review the process implemented by management in respect of anti-corruption and fraud prevention and ensure that all fraud and corruption related incidents have been followed up appropriately;
- (i) Ensure that an appropriate fraud and corruption risk assessment is completed;
- (j) Receive, review, process and manage all complaints from the fraud hotline, internal and external tip-offs received;
- (k) Report quarterly to ~~APAC~~the Audit Committee, summarising the Municipality's corruption and fraud prevention, detection, and action for the period.
- (l) Can appoint service providers when required.

7.6 Staff

- (a) The staff (permanent, contract and temporary) of the Municipality are responsible for:
- (b) Abiding by the code of conduct and code of ethics of the Municipality;
- (c) Reporting incidents or suspicions of fraud and corruption;
- (d) Participating in initiatives to prevent, minimise, detect and investigate fraud;
- (e) Avoiding and declaring conflicts of interest;
- (f) Abiding by the code of conduct of the municipality and the Anti-Fraud and Corruption Prevention Plan ~~Fraud Prevention and Anti-Corruption Plan~~ of the municipality.

7.7 Suppliers, Contractors, Service Providers and Consultants

- (a) Suppliers, contractors and consultants are expected to act honestly and fairly in all their dealings with Stellenbosch Municipality.
- (b) Failure to do so may result in one or more of the following:
 - (a) the cancellation or suspension of any tenders or contracts awarded to them;

- (b) restriction i.t.o. of the Combatting of Abuse in the Supply Chain Management System Policy; and
- (c) Being reported to the South African Police Services (SAPS).

7.8 Audit and Performance Audit Committee

The audit committee will be responsible for the following:

- (a) Advise the Municipal Council, political office bearers, the accounting officer and management staff of the Municipality on matters relating to good governance, fraud and corruption;
- (b) Review the progress made with the implementation of the Anti-Fraud and Corruption Prevention Plan ~~anti-corruption and fraud prevention plan~~ of the Municipality.

7.9 Internal Audit

Internal Audit will be responsible for the following:

- (a) Internal Audit is responsible for the provision of an independent and objective opinion on the adequacy and effectiveness of risk management, control and governance processes which includes the fraud and corruption management processes.
- (b) The adequacy of arrangements for managing the risk of fraud and ensuring that the Municipality promotes an anti-fraud culture is a fundamental element in arriving at an overall opinion.

7.10 Community

Role of the community:

- (a) The Municipality also recognizes the important role of the Greater Stellenbosch community and public at large to contribute to an environment that is free of corruption and other irregularities.
- (b) In the event that members of the community wish to remain anonymous, they may contact the external fraud Hotline (0800 111 027) to report the matter.

8 REPORTING

- 8.1 The Municipality commits itself to establish appropriate structures to enable reporting of fraud or corruption by municipal staff, Councillors, municipal service providers, consultants whilst delivering work on behalf of the municipality and the community, in accordance with applicable legislation.
- 8.2 Reporting Structures includes:
- 8.3 The Fraud Hotline
- 8.4 Tip offs officially reported to the Fraud Response Team, or the Management Team;
- 8.5 All instances of fraud, corruption and unethical behavior reported will be registered in the official municipal Fraud Register, which will be updated, managed and tracked by the Fraud Response Team;
- 8.6 Instances of fraud, corruption and unethical behavior reported against a Councillor will be reported to the Speaker of the Council and will be dealt with in terms of the Code of Conduct for Councillors;
- 8.7 Instances of fraud, corruption and unethical behavior reported against the Municipal Manager and Directors will be reported to Council, and will be dealt with in terms of the Local Government Disciplinary Regulations for Senior Managers of 2010 and MFMA Municipal Regulations on Financial Misconduct Procedures and Criminal Proceedings of 2014;
- 8.8 Instances of fraud, corruption and unethical behavior reported against a Senior Manager, or a manager will be reported to the relevant Director or Municipal Manager (depending on the reporting lines) and will be dealt with in terms of this Plan;
- 8.9 Instances of fraud, corruption and unethical behavior reported against staff members can be reported directly to the relevant Manager and/or Senior Manager, to the Fraud Response Team or through the fraud hotline and will be dealt with in terms of this Plan.

9 CONSEQUENCE MANAGEMENT – POLICY DIRECTIVES

The municipality must create an environment and culture that promotes ethical, transparent, effective, and efficient public administration that conforms to the Constitutional accountability principles.

In line with the municipalities zero-tolerance to fraud and corruption, culpable behaviour will not be tolerated and corrective measures, including disciplinary action, where merited, will be taken.

The phases of the Municipal's consequence management can be depicted as follows:

Phase 1: Risk/Issue Reporting

This phase deals with the reporting of issues (various incidents and red flags), risks and opportunities identified.

Reporting that can have a potential negative impact on the effectiveness and efficiency of the Municipality's operations, the reliability of its reporting (financial and non-financial) and compliance with the applicable laws and regulations, can be identified from various sources, including the following:

- Public complaints;
- Whistle Blowers;
- Declaration of interest councillors;
- Declaration of interest employees;
- Risk Registers
- Combined Assurance Plan
- Reports from the Municipality's combined assurance providers and;
- Reports from the Office of the Auditor – General of South Africa

Phase 2: Control Activities

This phase focus on the identification and implementation of remedial actions to be taken to curtail and prevent the issue, risk or opportunity from re-occurring. Remedial actions need to ensure control improvements to the Municipality's systems and processes as well as personnel conduct.

Remedial actions in the context of this consequence management efforts can be identified from documented processes of various existing management tools such as:

- Management actions included in Municipal Risk Registers;
- Management actions included on the Combined Assurance Plan;
- Recommendations and agreed management actions included in reports from second level assurance providers (i.e legal services, OH&S etc);
- Recommendations and agreed management actions included in assurance reports from 3rd and 4th level assurance providers (i.e. Internal Audit, Forensic Services – Investigations, Ethics – Investigations, Auditor-General of South Africa and other external assurance providers);
- Directives issued by the Office of the Municipal Manager or CFO;
- Municipal Manger correspondence directed to Executive Management team members;
- Recommendations included in reports from independent investigators appointed by the Municipal Manager (sourced service providers);
- Recommendations from advisory and oversight bodies – MPAC, Financial Misconduct Disciplinary Board, APAC etc;
- Resolutions by Council and Council Committees; and
- Directives and Instructions issued by Provincial and National Treasury.

The establishment and enforcement of control activities is the responsibility of line management, who have an intrinsic duty to fulfill their job function, powers, and delegations in a responsible manner.

Phase 3: Information and Communication

After issues (various incidents and red flags), risks and opportunities have been identified and reported to the first line of defence to action (refer to phase 1), key r significant cases may need to be reported or escalated to the relevant advisory or oversight bodies as per their specific terms of reference or delegations.

Important is to keep these bodies informed of:

- significant issues;
- emerging trends;
- escalating requirements;
- unresolved risk exposures.

Stakeholders have an expectation of the governance structures in the municipality to exercise good governance. Sometimes however, such governance structures could form part of the decision-making chain and thus are required to make the final decision or final recommendation to Council. Oversight bodies could include the Risk and Fraud Committee, APAC, MPAC, Financial Misconduct Disciplinary Board, Executive Mayor, Speaker and Council.

Phase 4: Monitoring and Reporting

Comprehensive systems must be implemented to track and follow-up the implementation of all remedial actions stemming from the various role players in the consequence management process.

This is to:

- Ensure that risk exposures have been adequately and timely addressed to curtail the impact and prevent the issue, risk and/or opportunity from re-occurring; and
- Assist the advisory and oversight bodies in their assessment of the effectiveness of consequence management in the municipality, enable them to provide assurance to the stakeholders in this regard.

It is therefore the responsibility of:

- Those recommending the remedial actions; and

- The Directors, in the case of the municipal manager issuing directives to ensure that;
- The implementation of corrective action is tracked and monitored; overdue actions are reported on; and
- Follow ups are performed to confirm/verify successful implementation of corrective action.

The following practices should be applied to ensure a comprehensive tracking and follow up processes are implemented:

- Registers should be maintained by each role-player responsible for making recommendations, documenting the issues (various incidents and red flags), risks and opportunities and related remedial actions, including the estimated implementation date and responsible action owners;
- Nominated representatives should be in each directorate to provide information with regards to the status of implementation of remedial actions relevant for their directorate;
- Role players should provide feedback to representatives in terms of the implementation status of remedial actions, and escalate those that are overdue to the next reporting level or delegated authority, if necessary;
- Perform follow-ups/checks to confirm whether remedial actions have indeed been implemented/actioned successfully to the responsible officials;
- Successful implementation of remedial actions can be measured in terms of a key operating indicator on Directors' and Directorate performance scorecards; and
- Progressive reporting to the appropriate delegated authority and advisory oversight bodies who can be tasked to act against management for tardiness (failure to implement the remedial action (s) successfully and timeously).

Phase 5: Conclusion/closure

This phase deals with the correct application and appropriate disclosure of remedial actions. Remedial actions impacting the control objectives i.e the efficiency and effectiveness of the municipality's operations, the reliability of the municipality's reporting (financial and non-financial), the municipality's compliance to legislation, regulations, policies, and procedures; will be disclosed in the following formats:

- ~~Second level combined assurance providers reports;~~
- Internal Audit ~~Assurance~~ reports (including quarterly reports to APACA&PC);
- AGSA report;
- Corporate Performance Scorecards;
- Municipal Manager and Directors' Personal Performance Scorecards;
- Municipality's Integrated Annual Report;
- Municipality's Annual Financial Statements;
- Municipality's Annual Oversight Report;
- ~~Management Responsibility Letter;~~
- Combined Assurance Reporting;
- ~~Internal Control Environment report;~~ and
- ~~Governance Committee Annual reports.~~

To ensure that Council and its officials take ownership and accountability for the good financial management of the municipality, the following corporate documents need be periodically updated to incorporate aspects of consequence management:

- Council – ~~accoutability~~accountability and/or responsibility in respect of oversight role and/or decision making role regarding consequence management to ensure good corporate governance;
- Integrated Development Plan~~IDP~~ – refer to consequence management as a key initiative under the strategic pillar;
- Directorate and department ~~business~~ plans – commitment in respect, responsibility and/or accountability regarding consequence management to ensure good corporate governance; and

- Service Delivery Budget and Implementation Plan – inclusion of a consequence management key performance indicator.

Managing compliance encompasses making appropriate rules that are known, understood and followed and for which consequences of non-compliance are clear and commensurate with risk and context.

10 RECOVERY OF LOSSES

- 10.1 The Municipal Manager must investigate the potential and cost implications for recovering losses suffered by the Municipality due to fraud and/or corruption and, depending on the outcome of the investigation, institute legal action against the offending parties to recover losses.

11 SANCTIONS

- 11.1 The sanction imposed may include any or a combination of the following, with or without conditions:

- 11.1.1 Suspension without pay for no longer than 3 months;
- 11.1.2 Demotion;
- 11.1.3 Transfer to another post;
- 11.1.4 Reduction in salary, allowances or other benefits
- 11.1.5 An appropriate fine;
- 11.1.6 Dismissal;
- 11.1.7 Repayment of losses to the municipality, as quantified.

~~12~~ PROTECTION OF WHISTLE BLOWERS

- ~~12.1~~ 11.2 ~~A person who reports suspected corruption and/or fraud may remain anonymous should he/she so desire. It must however be kept in mind though that the investigation could reveal the source of the information.~~

- ~~12.2~~ ~~The Municipality is committed to the highest standards of openness, ethical behaviour, integrity, and accountability. The Municipality aims to promote a culture in which employees feel able to raise genuine and valid concerns without fear of victimisation, discrimination, or disadvantage. Members of~~

Formatted

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~~the public and service providers are also encouraged to raise concerns about our activities so that we can investigate and take appropriate action.~~

~~12.3 It is the responsibility of all employees including management of the municipality to report all incidents of fraud, corruption, theft, maladministration, or any other dishonest activities of a similar nature to immediate supervisors or designated ethics and fraud officers. If the employee/s is not comfortable reporting such matters to his/her manager, he/she should report the matter to his/her manager's superior, with final recourse to the Municipal Manager. Employees may also report incidents by using the municipal hot line reporting facility, if they wish to remain anonymous or for any other reason.~~

~~12.411.3 All Managers are responsible for the detection, prevention and investigation of fraud, corruption, theft, maladministration, or any dishonest activities of a similar nature, within their areas of responsibility.~~

1312 CONFIDENTIALITY

~~13.112.1 To ensure that the identity of the whistleblower, whether it be a member of staff, or the community is protected, all information provided in connection with fraud and corruption allegations and suspicions will be treated as highly confidential.~~

1413 REVIEW

~~14.113.1 The Anti-Fraud and Corruption is~~ Anti-Corruption and Fraud Prevention Plan must be reviewed as and when required and be approved by Council.

1514 CONCLUSION

~~15.114.1~~ The Municipality encourages its personnel, members of the public as well as all other stakeholders as set out in this Plan to freely report any suspicion of fraud, corruption and any other irregularities that has been attempted or committed without fear or favour.

10.11.3	ADOPTION OF THE WHISTLEBLOWING POLICY
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Collaborator No:

IDP KPA Ref No:

Good Governance and Compliance

Meeting Date:

24 March 2025 and 31 March 2025

1. SUBJECT: ADOPTION OF THE WHISTLEBLOWING POLICY**2. PURPOSE**

To submit the Stellenbosch Municipality Whistleblowing policy to Council for adoption.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

Whistleblowing serves as an early warning system that can prevent potential risks to the organisation. By implementing an effective policy that promotes whistleblowing, the Municipality can identify when something is amiss and take the requisite corrective action in a timely manner. It also encourages effective communication within organisations.

5. RECOMMENDATION

that Council adopts the Whistleblowing Policy (**ANNEXURE A**).

6. DISCUSSION

The Protected Disclosures Act 26 of 2000 came into effect on 16 February 2001. This Act provides processes and protection to whistleblowers in both the public and private sectors who reveal information about illegal or irregular behaviour by their coworkers or employers. It promotes a culture of responsibility, openness, and sound governance.

A disclosure is a protected disclosure under the Protected Disclosures Act if:

- i. The disclosure contains information about impropriety and
- ii. The disclosure has been made to the right person, according to the scheme established by the Act (see The Four Doors to Legal Protection below).

The Protected Disclosures Act sets out a clear and simple framework to promote responsible whistleblowing by:

Reassuring workers that silence is not the only safe option;

- (ii) providing strong protection for workers who raise concerns internally;
- (iii) reinforcing and protecting the right to report concerns to public protection agencies such as the Public Protector and Auditor-General of South Africa, and
- (iv) Protecting more general disclosures if there is a valid reason for going wider and that the disclosure is a reasonable one.

Members of the public and service providers are also encouraged to raise concerns about activities within the Municipality regarding any irregular conduct that should be investigated. It is therefore recognised that –

- a) criminal conduct and other improprieties within the Municipality are detrimental to achieving good corporate governance;
- b) there is a need for procedures in terms of which employees and workers should, without fear of reprisals, disclose information relating to suspected or alleged criminal conduct and/or other improprieties in good faith; and
- c) every municipal employee and worker have a responsibility to disclose criminal conduct and/or other improprieties in the workplace.

An organization has a much higher possibility of proving that it is well managed and operated if it actively promotes whistleblowing. In court cases, having a functional whistleblower policy might be crucial.

One of the main challenges in the fight against corruption is that, despite possible obligations under their employment contracts, people are frequently too scared to speak up or report corrupt and illegal practices they witness taking place in the workplace.

Municipal employees and workers who disclose information relating to criminal conduct and other improprieties in good faith will be protected from any reprisals as a result of such disclosure.

6.1 Background

At Stellenbosch Municipality, whistle blowing guidelines were always part of the anti-fraud and corruption strategy. However, a decision to formulate a standalone Whistleblowing Policy were recently made by Management.

The municipality is committed to the highest standards of openness, integrity, and accountability and therefor promotes a culture in which its employees and workers can make disclosures to the Municipality without fear of victimisation, discrimination or being disadvantaged.

Members of the public and service providers are also encouraged to raise concerns about activities within the Municipality regarding any irregular conduct that should be investigated. It is therefore recognised that –

- 6.1.1 criminal conduct and other improprieties within the Municipality are detrimental to achieving good corporate governance;
- 6.1.2 there is a need for procedures in terms of which employees and workers should, without fear of reprisals, disclose information relating to suspected or alleged criminal conduct and/or other improprieties in good faith; and
- 6.1.3 every municipal employee and worker have a responsibility to disclose criminal conduct and/or other improprieties in the workplace.

6.2 Financial Implications

The financial impact will be quantified as part of the 2024/2025 approved budget and adjustment budget.

6.3 Legal Implications

Protected Disclosures Act 26 of 2000 and Protected Disclosures Amendment Act 5 of 2017.

6.4 Staff Implications

None.

6.5 Risk Implications

As indicated in the annexed Whistleblowing Policy.

6.6 Comments from Senior Management:**6.6.1 Director: Infrastructure Services**

Supported.

6.6.2 Director: Planning and Economic Development

Supported.

6.6.3 Director: Community and Protection Services

Supported.

6.6.4 Director: Corporate Services

Supported.

6.6.5 Director: Planning and Economic development

Supported.

6.6.6 Chief Financial Officer:

Supported.

6.6.7 Municipal Manager:

Supported.

ANNEXURES

Annexure A: Draft Whistleblowing Policy

FOR FURTHER DETAILS CONTACT:

NAME	<i>Helena Priem</i>
POSITION	<i>Chief Risk Officer</i>
DIRECTORATE	<i>Office of the Municipal Manager</i>
CONTACT NUMBERS	<i>8157</i>
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REPORT DATE	<i>3 March 2025</i>

ANNEXURE A



STELLENBOSCH

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WHISTLE BLOWING POLICY

2024/2025

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1. PURPOSE

This Policy is intended to encourage employees and others to make good faith reports of suspected fraud, corruption, or other improper municipal activity, and to describe the process that will be followed by the Municipality in evaluating and investigating such reports.

The focus of the policy is on the reporting of suspected fraud, corruption and other improper government activities, the investigation of which is outlined in the approved Anti-Fraud and Corruption Prevention Plan.

2. DEFINITION OF WHISTLEBLOWING

Whistleblowing is not about informing in a negative, anonymous sense but rather about reporting malpractice within an organization. The bravery of being prepared to blow the whistle is directly related to the cultural resistance in many organisations' transparency and accountability.

Whistleblowing is therefore a key tool for promoting individual responsibility and organizational accountability. Whistleblowers act in good faith and in the public interest to raise concerns around suspected impropriety within their place of employment. However, they often risk victimisation, recrimination and sometimes dismissal.

3. POLICY OBJECTIVES

This Policy has been formulated to achieve the following:

- (i) To encourage employees to disclose any malpractice or misconduct which they become aware of;
- (ii) To ensure that allegations are thoroughly investigated, and appropriate action be taken accordingly;
- (iii) To protect the whistle-blowing employee from adverse employment actions, victimization or other forms of discrimination, even if the allegations are proven to be incorrect or unsubstantiated; and
- (iv) To take all steps necessary to preserve the anonymity of the whistle-blower, although there may be unavoidable situations where this cannot be achieved.

4. POLICY STATEMENT

In instances where unethical conduct, fraud and corruption have been reported, Stellenbosch Municipality will pursue a Zero Tolerance approach. Such reported conduct will be investigated and followed up by the application of all remedies available to the full extent of the law and the implementation of appropriate prevention and detection controls. These

controls include the existing financial and other controls and checking mechanisms as prescribed in legislation, policies and procedures.

Stellenbosch Municipality takes all malpractice very seriously, whether it is committed by an employee or service provider.

This policy statement applies to all permanent and temporary employees. The

following examples demonstrate what is meant by serious malpractice:

1. Fraud, corruption, bribery or other malpractice which could lead to a financial loss to the Municipality;
2. Criminal offences, e.g. theft;
3. Failure to comply with legal obligations; and
4. Actions which are intended to conceal any of the above.

If you become aware of any such activities or other possible malpractices, you are encouraged to follow the procedures set out in the approved as per the approved Anti-Fraud and Corruption Prevention Plan. It will not always be clear that a particular action falls within one of these categories and you will need to use your own judgment. However, if you believe the matter to be serious, Stellenbosch Municipality would prefer you to report your concerns rather than keep them to yourself.

5. WHO CAN REPORT?

- (i) Any Employee who has a reasonable belief that there is corruption or misconduct relating to any of the protected matters specified above, may report under the procedure detailed in the Anti-Fraud and Corruption Prevention Plan.
- (ii) Reporting must be without malice, in good faith and not for personal gain and the individual must reasonably believe that the information disclosed, and any allegations contained in it, are substantially true. The issues raised may relate to a Manager, another Employee, a group of Employees, the individual's own directorate or a different directorate of the Municipality. The perpetrator can be an employee, a manager, a member of the public or an ex-employee.

6. IMPORTANCE OF WHISTLEBLOWING TO STELLENBOSCH MUNICIPALITY

Whistleblowing is an early warning system to avert possible risks to the organization. An effective policy to encourage whistleblowing enables the Municipality to find out when something is going wrong, in time, to take necessary corrective action. A positive whistleblowing culture is a critical element in the success of any risk management system.

An organisation that positively encourages whistleblowing stands a far better chance of demonstrating that it is properly managed. The existence of a working whistleblowing policy

can be important in legal and disciplinary proceedings.

Press reports can fuel fears, and it is not surprising that most employees who find themselves in this position speak only to friends or family - rather than to their Employer, which is the best equipped to investigate the issue.

The result of this communication breakdown is that the Employer loses a valuable opportunity to avert what might become an emerging crisis or to reassure employees that their concerns are mistaken and loses access to a valuable pool of information.

7. PROTECTED DISCLOSURE ACT 2000

In South Africa the Protected Disclosures Act (no 26 of 2000) makes provision for procedures in terms of which employees in both the public and private sector who disclose information of unlawful or corrupt conduct by their employers or fellow employees are protected from occupational detriment.

This law aims to encourage honest employees to raise their concerns and report wrongdoing within the workplace without fear. This law should be welcomed as a crucial corporate governance tool to promote safe, accountable and responsive work environments.

The Protected Disclosures Act sets out a clear and simple framework to promote responsible whistleblowing by:

- (i) Reassuring workers that silence is not the only safe option;
- (ii) providing strong protection for workers who raise concerns internally;
- (iii) reinforcing and protecting the right to report concerns to public protection agencies such as the Public Protector and Auditor-General of South Africa, and
- (iv) Protecting more general disclosures if there is a valid reason for going wider and that the disclosure is a reasonable one.

If a disclosure is protected it means that any "occupational detriment" that the employee who made the disclosure subsequently suffers because of the disclosure will attract a legal remedy. "Occupational detriment" is very widely defined by the Protected Disclosures Act and includes harassment, dismissal, transfer against the will of the employee, non-promotion, a denial of appointment, or "otherwise adversely affected".

People who are victimized in breach of the Act, whether they are dismissed or not, can refer a dispute to the Commission for Conciliation, Mediation and Arbitration for reconciliation and thereafter to the Labour Court. People who are dismissed for making a protected disclosure can claim either compensation, up to a maximum amount of two years' salary, or reinstatement.

People who are not dismissed, but who are disadvantaged in some other way because of making a protected disclosure, can claim compensation or ask the court for any other appropriate order.

A disclosure is a protected disclosure under the Protected Disclosures Act if:

- i. The disclosure contains information about impropriety; and
- ii. The disclosure has been made to the right person, according to the scheme established by the Act (see The Four Doors to Legal Protection at 10.1).

8. PREVENTION & COMBATING OF CORRUPT ACTIVITIES (PRECCA)

PRECCA was approved on the 27 April 2004 to provide for the strengthening of measures to prevent and combat fraud and corruption.

It outlines the following:

- a. General offence of corruption - S3;
- b. Relating to specific people (Public Officers) - S4;
- c. Receiving unauthorized gratification - S10;
- d. Contracts - S12;
- e. Procurement and tenders - S13;
- f. Conflict of interest - S17; and
- g. Duty to report - S34.

It also emphasizes that any person who knows or ought reasonably to have known or suspected that any other person has committed fraud or any activity relating to malpractice needs to report to the relevant authorities as explained below:

9. REPORTING PROCESS

Employees must report the suspected fraud through one of the following:

(i) Non-Anonymous Reporting:

- (a) Report in writing, verbally or telephonically to a line Manager;
- (b) Report in writing, verbally or telephonically to the Chief Risk Officer;
- (c) Report in writing to the Municipal Manager; and
- (d) Report in writing to the office of the Executive Mayor.

(ii) Anonymous Reporting:

- (a) Fraud Hotline: **0800 111 027** alternatively, SMS to 30916 or e-mail: stellenbosch@thehotline.co.za;
- (b) Correspondence to a Manager, Chief Risk Officer, Municipal Manager; and

- (c) Correspondence to the Office of the Executive Mayor.

10. THE FOUR DOORS TO LEGAL PROTECTION

10.1 Legal Advice

A disclosure made by a Whistle-blower to someone for the purpose of getting legal advice about the disclosure is a protected disclosure. This would include the Employee's attorney or Shop Steward.

10.2 Internal Disclosure

The Protected Disclosures Act signals that it is safest if concerns are raised internally. A disclosure to the employer will be protected if the whistle-blower acts in good faith, and follows the process set out for such disclosures by the employer. They should have a reason to believe that there is a problem of some sort, including the law being broken, the health or safety of people being endangered, or discrimination taking place. This is the door that the Protected Disclosures Act wants the potential whistle-blower to walk through, in everyone's interest. But it assumes that the employer will take the disclosure seriously and respond appropriately.

10.3 Regulatory Disclosures

The Act reinforces and strengthens the right to make disclosures to specified regulatory bodies.

These currently include:

- The office of the Public Protector.
- The office of the Auditor-General. Disclosures to these bodies will be protected where the whistleblower makes the disclosure in good faith and the employee reasonably believes the Public Protector or Auditor General would usually deal with the kind of problem that the whistleblower wants to talk about. There is no requirement that the concern should first be raised with the employer.

10.4 Wider Disclosures

Employees can also be protected under the Act if they make wider disclosures (e.g., to the police, Member of Parliament, and even the media). This is known as a general protected disclosure. This protection applies where the whistleblower honestly and reasonably believes that the information and any allegation contained in it are substantially true and that the disclosure

is not made for personal gain. Crucially to be protected there must also be a good cause for going outside and the disclosure must be reasonable.

11. MANAGEMENT'S ASSURANCE

Management is committed to this policy. Stellenbosch Municipality will ensure that any Employees who make a disclosure in the abovementioned circumstances will not be penalized or suffer any occupational detriment for doing so.

Once the Whistleblower has told management of their concern, the Municipality will investigate it to assess initially what action should be taken. This may involve an internal inquiry or a more formal investigation. The issue raised will be acknowledged within 7 working days. If requested, an indication of how the Municipality proposes to deal with the matter and a likely time scale could be provided. If the decision is made not to investigate the matter, reasons will be given. The Municipality will tell the whistleblower who will be handling the matter, how the whistleblower can contact him / her and whether the whistleblower's further assistance may or will be needed.

While the purpose of this policy is to enable the Municipality to investigate possible malpractice and take appropriate steps to deal with it, the Municipality will give the whistleblower as much feedback as possible. If requested, the Municipality will confirm its response to the whistleblower in writing. Please note, however, that the Municipality may not be able to tell the whistleblower the precise action to be taken where this could infringe a duty of confidence owed by the Municipality to someone else.

12. POLICY REVIEW

The custodian of this Policy is the Risk and Fraud Management Committee. The policy will be reviewed if and when required and submitted for approval to Council.

10.11.4	2025/2026 GRANT IN AID APPLICATIONS AND RECOMMENDED DONATIONS
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Collaborator No: 782136

IDP KPA Ref No: Good Governance and Compliance

Meeting Date: 24 March 2025 and 31 March 2025

1. SUBJECT: 2025/2026 GRANT IN AID APPLICATIONS AND RECOMMENDED DONATIONS

2. PURPOSE

To obtain Council's approval for Grant-in-Aid (GiA) applications and recommended donations for the financial year 2025-2026.

3. DELEGATED AUTHORITY

FOR DECISION BY MUNICIPAL COUNCIL

In terms of Municipal Finance Management Act (MFMA), Act (56 of 2003) Section 17. (3) (e) relating to content of annual budgets and supporting documents.

4. EXECUTIVE SUMMARY

The Grant-in-Aid policy aims to provide a framework for Grant-in-Aid to non-governmental organisations (NGOs), community-based organisations (CBOs), non-profit organisations (NPOs) or non-profit companies (NPC), Public Benefit Organisations (PBO's) and bodies that are used by government as an agency to serve the poor, marginalised or otherwise vulnerable as envisaged by the Grant in Aid Policy approved at the Council Meeting in May 2024.

In terms of Council's Grant-in-Aid Policy, proposals were called for by means of advertisement in the press on 19 September 2024 (Eikestad Nuus) and on the municipal website and Facebook page.

The advertisement included an invitation to attend one of three compulsory workshops on either 14-16 October 2024 to assist and give guidance on the policy and application procedure. One hundred and sixty-two (162) persons attended the workshops.

A workshop to assist with capacity building of small, emerging organisations was conducted during October 2024 focussing on financial management. The workshop was attended by ninety (90) persons.

By the closing date (22 November 2024), 95 applications were received of which one was withdrawn.

5. RECOMMENDATIONS

- (a) that Council notes the organisations that are receiving funding are organisations or bodies serving the poor;
- (b) that Council support the continuation of the food garden project and approve the donation to SA Institute for Entrepreneurship to conclude the final year of the three-year Cat B donation;

- (c) that Council support the implementation of day services for persons who are homeless and approve the deferment of the approved 2024/2025 Cat B application to commence in 2025/2026.
- (d) that Council notes that the Cat A donation allows for a maximum amount of R40 000 to be allocated per organisation.
- (e) that Council consider and approve the recommended donations to organizations as per attached detailed register for public participation as part of the draft budget.
- (f) that the Accounting Officer certifies to the Auditor General that the compliance requirements in terms of section 67 (1) (a) of the MFMA are uneconomical and unreasonable for organisations receiving Cat A donation.

6. DISCUSSION / CONTENTS

6.1 Background

Grant in Aid donations are considered on an annual basis and has over the years contributed to valuable services in vulnerable communities. The programme allows Stellenbosch Municipality to demonstrate that it is a caring municipality which supports civil society to render services that contribute to the municipal Dignified Living strategic pillar.

6.2 Discussion

The Department Community Development and the Sport and Recreation Department scrutinized and evaluated ninety-five (94) applications representing the following categories:

CATEGORY	SUB CATEGORY	APP's RECEIVED	APP's RECOMMENDED/ CONDITIONALLY RECOMMENDED	WARDS SERVED THROUGH THE ORGANIZATIONS	RECOMMENDED AMOUNT (2025-2026)
Social Development	General	7	3	1-3, 6-11, 13, 16, 19, 22	120 000.00
	Partial Care	36	21	ALL	817 000.00
	Disability	3	3	ALL	120 000.00
	Elderly	6	2	1, 2 and 4	80 000.00
	Youth	8	5	ALL	200 000.00
	Substance Abuse	2	1	5-7, 9, 10, 12, 16, 17, 20	40 000.00
	Gender	1	0		0.00
	Food Security	4	2	ALL	2 575 300.00
	People Living on the Street	1	1	ALL	1 646 121.12
	Safety	1	0		0.00
	Skills Development	3	2	ALL	80 000.00
Environment	Environment	1	1	3-4	40 000.00
Health	Physical and Psychological	3	1	ALL	40 000.00
Sport, Art and Culture	Sport Clubs	14	3	6, 18	120 000.00
	Art and Culture	4	2	14, 15	80 000.00
Total		94	47		5 958 421.12

Table 1: Applications received and draft grant recommendations per category

Communication received from U Turn Homeless Ministries relating to the approved Grant in Aid Category B application for 2024/2025 – 2026/2027. The communication request that their approved application be deferred to start in 2025/2026 as they were not able to meet the condition to obtain access to a facility within WC024 from where they can deliver services. The organisation is, however, still committed to deliver the much-needed day services to persons on the street and submitted updated audited financial reports to support their request. A new application was not submitted as the proposal is to simply defer an existing approved application to the following year.

Table 2 contains the complete list of donations under consideration and can be found below.

CATEGORY	SUB CATEGORY	APP's RECEIVED	APP's RECOMMENDED/ CONDITIONALLY RECOMMENDED	WARDS SERVED THROUGH THE ORGANIZATIONS	RECOMMENDED AMOUNT (2025-2026)
Social Development	General	7	3	1-3, 6-11, 13, 16, 19, 22	120 000.00
	Partial Care	36	21	ALL	817 000.00
	Disability	3	3	ALL	120 000.00
	Elderly	6	2	1, 2 and 4	80 000.00
	Youth	8	5	ALL	200 000.00
	Substance Abuse	2	1	5-7, 9, 10, 12, 16, 17, 20	40 000.00
	Gender	1	0		0.00
	Food Security	4	2	ALL	2 575 300.00
	People Living on the Street	2	2	ALL	2 741 160.12
	Safety	1	0		0.00
	Skills Development	3	2	ALL	80 000.00
Environment	Environment	1	1	3-4	40 000.00
Health	Physical and Psychological	3	1	ALL	40 000.00
Sport, Art and Culture	Sport Clubs	14	3	6, 18	120 000.00
	Art and Culture	4	2	14, 15	80 000.00
Total		95	47		7 053 901.12

Table 2: Complete list of donations under consideration for Draft Budget purposes.

The detailed register of applications and requests received and assessed can be found at the end of the item. Reason for not recommending organizations is contained in the notes column of said register.

The Municipality would like to support as many as possible organizations delivering valuable services within our communities but cannot disregard requirements of the MFMA (56 of 2003) Section 67 stipulating the responsibility of council to ensure donations are made to organizations who has the capacity to govern itself according to accepted financial practises and who can deliver the services for which the donation is required and benefiting the intended target audience.

Declarations of Interest:

Where officials were indicated as linked to an applicant, either directly or indirectly and said official formed part of the Grant in Aid assessment team, the official was excused

from any assessment or discussions relating to the application in question. The following declarations relating to municipal officials and councillors are noted:

Applicant	Person	Organisation Capacity	Municipal Capacity
Abba Stellenbosch	Portia Jansen	Vice Chairperson	Community Development Coordinator (Daughter of Chairperson)
	Wilfred Frederick Pietersen	Chairperson	PR Councillor
Blue Stars United RFC	JC Anthony	Patron	Ward 18 Councillor
Cape Winelands Farm Workers Sport and Recreation Association	Tanya Carstens	Vice Chairman	Snr Clerk: Administration Infrastructure Services
	Adele Wagenaar	Vice Secretary	Administrative Officer, Financial Services
Celtic United FC	Adele Wagenaar	Secretary	Administrative Officer, Financial Services
Christian Dependency Ministry	Wilfred Frederick Pietersen	Chairperson	PR Councillor
Family in Focus	JC Anthony	Patron	Ward 18 Councillor
Hospice NPC	Wilfred Frederick Pietersen	Director	PR Councillor
Isibane Sempumelelo	Mary Nkopane	Chairperson	Ward 13 Councillor
Klapmuts Sport Forum	JC Anthony	Patron	Ward 18 Councillor
Kylemore Secondary School	Gerrit Africa	Additional Member	General Worker, Community and Protection Services
	Franklin Peceur	Additional Member	Fire Fighter, Community and Protection Services
La Motte Wanderers	Reginald Pheiffer	Secretary	Ward 1 Councillor
Legacy Community Development	Nono Khulela	Director	
Pniel Villagers RFC	Bradley Williams	Additional Member	Technician, Infrastructure Services
Stellenbosch en Distrikte Coronation RFC	Richard Seconds	Match and Registration Secretary	Sr Clerk Credit Control
Stellenbosch Muslem Helping Hands	Emaan Galphie		General Worker, Housing Stock
Stellenbosch Work Centre for Adult Persons with Disabilities	Portia Jansen	Manager	Community Development Coordinator (Niece of Manager)
Stellemploy	Portia Jansen	Director	Community Development Coordinator (Daughter of Director)
Wemmershoek Buurtwag	Charles Manuel	Unclear	Ward 3 Councillor
	Greg Viljoen	Unclear	Ward Administrator

Policy Directive: Paragraph 7.12

The policy in paragraph 7.12 states that “...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”.

Minimum requirements are interpreted as all prescribes of the approved Grant in Aid policy.

1. Requirement to submit audited financial statements if the applicant is older than 5 years:

Auditing fees are very expensive and have in the past contributed to applicants not being approved for a Grant in Aid donation. The department sourced two accounting firms who indicated their willingness to perform independent reviews at a reduced cost for those applicants who cannot afford auditing fees. The firms participated in the financial management and compulsory clarification workshops and introduced their services. Applicants were advised that they can include the cost of the review as part of their GiA application.

Prospective applicants were also invited to a workshop on governance training to further capacitate them to comply with the requirements of the Grant in Aid policy and MFMA regulations. These efforts assisted 27 organisations who would otherwise not have been able to qualify for financial assistance.

2. Requirement to attend the compulsory clarification meeting:

Applicants are required to RSVP by a due date to attend a compulsory clarification meeting. The SA Institute for Entrepreneurship is delivering a flagship GiA project as the first Cat B application to focus on addressing ward priorities which cannot be addressed by the municipality alone. In so doing they have trained 720 individuals in home food gardens, have started with the development of community food gardens by eliciting support from schools, churches and started with food gardens at ECD centres. 2025/2026 will be the final year of their three year application. The applicant missed the call for proposals and contacted the department after the closing date for the RSVP's to attend the compulsory clarification meeting. The applicant submitted their application with a specific appeal in relation to par 7.12 of the GiA policy. Due to the successful implementation and reporting of the initial years of the project, the department is supportive of the request to approve the application for the final year of the project.

3. Request to defer the approved 2024/2025 GiA U Turn Homeless Ministries donation to the 2025/2026 financial year:

The GiA Policy requires Cat B applications to be re-submitted on an annual basis. U Turn Homeless Ministries did not submit a new application, but requested that their existing approved application be re-considered for funding in the 2025/26 funding cycle.

U Turn Homeless Ministries have launched repeated attempts to access a Stellenbosch based venue from where day services can be rendered to persons on the street. All these efforts were however unsuccessful and as such no GiA payment has been made to the organisation during 2024/25.

The planned day services remains the same as per the original application and include serving 250 unique individuals per year through the following services in year 1:

Meals provided:	6 000
Showers and Ablutions:	3 000
Group Sessions:	2 000
Individual Sessions:	300
Individuals starting rehab:	20
Referrals to shelters:	25
Referrals to Work Readiness:	10

Due to the high demand (included as Ward 23 priority) for an appropriate response to the increasing homelessness within Stellenbosch and in recognition of the fact that a Night Shelter only provides limited services, the department is in support of the request to defer the existing approved application to the 2025/2026 financial year.

Below applicants did not comply with the requirements for audited financial statements and/or other policy requirements as discussed above. However, where applicable, financial statements which were independently reviewed by a registered accountant were submitted to the satisfaction of the department. The names will be included in the MFMA 67 (4)(b)(ii) Certificate should their applications be approved in terms of par 7.12 of the GiA Policy.

Applicant	Type of Statement	Amount	Recommendation
GENERAL			
FRANCO	Independent review by registered Accountant	40 000,00	Conditional – committed to provide final feedback.
PARTIAL CARE			
ABC 99 Educare Centre	Independent review by registered Accountant	40 000,00	Conditional – committed to provide final feedback.
Anganathi Educare	Independent review by registered Accountant	40 000,00	Recommended
Isibane Sempumelelo	Independent review by registered Accountant	40 000,00	Recommended
Liyema Creche	Independent review by registered Accountant	40 000,00	Recommended
Lubabalo Creche	Independent review by registered Accountant	40 000,00	Recommended
Luthando Educare	Independent review by registered Accountant	40 000,00	Recommended
Noxolo Educare	Independent review by registered Accountant	40 000,00	Recommended
Okuhle Connie's Educare	Independent review by registered Accountant	40 000,00	Conditional – committed to provide final feedback.
Phakamani Educare	Independent review by registered Accountant	40 000,00	Recommended
Sibongumusa ECD	Independent review by registered Accountant	40 000,00	Conditional – committed to provide final feedback.
Simni Educare Centre	Independent review by registered Accountant	30 000,00	Conditional – committed to provide final feedback.
Sivuyise Creche	Independent review by registered Accountant	40 000,00	Recommended
Unakho Daycare	Independent review by registered Accountant	40 000,00	Recommended
Wielie Walie Pre School	Independent review by registered Accountant	40 000,00	Recommended
Woelwater Dagsorg	Independent review by registered Accountant	40 000,00	Recommended
Zenzele Educare Centre	Independent review by registered Accountant	40 000,00	Conditional – committed to provide final feedback.

YOUTH			
Kylemore Secondary School	Independent review by registered Accountant	40 000,00	Recommended
Training for Changes	Independent review by registered Accountant	40 000,00	Recommended
ELDERLY			
Pniel Simonsberg Elderly Club	Independent review by registered Accountant	40 000,00	Recommended
FOOD SECURITY			
SA Institute for Entrepreneurship	Audited AFS - did not attend compulsory clarification	2 535 300,00	Recommended
PEOPLE LIVING ON THE STREETS			
U Turn Homeless Ministries	Audited AFS Request to defer approved application to 2025/2026 financial year.	1 095 480,00	Conditional on proof of access to local facility from where to render services.
SPORT			
Kingdom Development Projects	Established 2022. Signed by Treasurer and Chairperson	40 000,00	Recommended
Klapmuts Hill Primary School	Independent review by registered Accountant	40 000,00	Recommended
Stellenbosch and District Coronation RFC	Independent review by registered Accountant	40 000,00	Recommended
ARTS AND CULTURE			
Celebration Gospel Choir	Independent review by registered Accountant	40 000,00	Recommended
Siph'impundulo Youth Development	Independent review by registered Accountant	40 000,00	Recommended

6.3 Financial Implications

This report has the following financial implications:

2025-2026 (Cat A)
1 777 000.00

2025-2026 (Cat B)	2026-2027 (Cat B)	2027-2028 (Cat B)
5 276 901.12	3 025 160.11	1 277 900.00

DRAFT BUDGET TOTAL	7 053 901.12
2025-2026	

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:**SPECIAL COUNCIL MEETING: 2024-05-31: ITEM 7.2**

The Speaker afforded the Executive Mayor the opportunity to deliver her Budget Speech (attached as an **APPENDIX**).

RESOLVED (majority vote)

- (a) that the Draft High Level Budget Summary, as set out in **APPENDIX 1 – PART 1 – SECTION C**; be approved;
- (b) that the Annual Budget Tables as prescribed by the Budgeting and Reporting Regulations, as set out in **APPENDIX 1 – PART 1 – SECTION D**, be approved;
- (c) that the Grants-In-Aid allocations as set out in **APPENDIX 1 – PART 2 – SECTION J**, be approved;
- (d) that the three-year Capital Budget for 2024/2025, 2025/2026 and 2026/2027, as set out in **APPENDIX 1 – PART 2 – SECTION N**, be approved;
- (e) that the proposed draft rates on properties in WCO24, tariffs, tariff structures and service charges for water, electricity, refuse, sewerage and other municipal services, as set out in **APPENDIX 3**, be approved;
- (f) that the proposed amendments to existing budget related policies and other policies as set out in **APPENDICES 4 - 34**, be approved;
- (g) that Council specifically note and consider the need to take up an external loan, needed for investment in income generating infrastructure to the amount of R600 million of which R200 million will be required in year one, R200 million in year two and R200 million in year three (refer to Section G: High Level Budget Overview and Table A1 Budget Summary) and confirm approval of same;
- (h) that Council specifically take note of the fact that the proposed electricity charges and tariff structure is subject to NERSA approval that could change materially;
- (i) that Council takes note of MFMA circulars 126 and 128 that was published to guide the MTREF for 2024/2025 to 2026/2027 as set out in **APPENDICES 35 – 36**;
- (j) that Council takes note of the Long-Term Financial Plan that contains the financial management principles for sound financial management that was considered with the compilation of the final budget as set out in **APPENDIX 37**;
- (k) that Council takes note of the Capital Investment Plan as set out in **APPENDIX 38**; and

- (l) that Council takes note that the public comments and submissions were considered with the compilation of the final budget.

6.7 Risk Implications

Risks are addressed through the content of the report.

6.8 Comments from Senior Management

6.8.1 Chief Financial Officer:

Financial Services agree with the recommendations. The funding for the Grant in Aid donations will be provided for in the Medium-Term Revenue and Expenditure Framework (MTREF/Budget).

ANNEXURES

ANNEXURE A: Grant in Aid 2025-2026 Register of applications and recommended donations

ANNEXURE B: Minutes Grants Committee 2025-03-03

FOR FURTHER DETAILS CONTACT:

NAME	<i>Michelle Aalbers</i>
POSITION	<i>Manager: Community Development</i>
DIRECTORATE	<i>Community and Protection Services</i>
CONTACT NUMBERS	<i>8408</i>
E-MAIL ADDRESS	<i>Michelle.aalbers@ Stellenbosch.gov.za</i>
REPORT DATE	<i>14-03-2025</i>

ANNEXURE A

2025/26 GRANT-IN-AID APPLICATIONS					Category A	Category B		
No	Workshop Attendance Ref no	Applicant Name	Notes	Recommendation	Funds proposed	Funds proposed YEAR 1 (2025-2026)	Funds proposed YEAR 2 (2026-2027)	Funds proposed YEAR 3 (2027-2028)
SOCIAL DEVELOPMENT								
GENERAL								
1	01_15	ACVV Franschhoek	AFS AUDITED WITH NO OPINION AS APPROPRIATE AUDIT EVIDENCE COULD NOT BE PROVIDED TO THE AUDITORS.	NOT RECOMMENDED	0,00	0,00	0,00	0,00
2	03_14	ACVV Stellenbosch		RECOMMENDED	40 000,00	0,00	0,00	0,00
3	22/15	FRANCO	COMMIT TO PROVIDE FEEDBACK BY APRIL 2025. AFS INDEPENDENTLY REVIEWED.	CONDITIONAL	40 000,00	0,00	0,00	0,00
4	18/16	God the King Ministries	CONSTITUTION INDICATE NOT LESS THAN 5 BOARD MEMBERS. LIST ONLY 4. NO AFS SUBMITTED.	NOT RECOMMENDED	0,00	0,00	0,00	0,00
5	23/14	LORD'S ACRE CHRISTIAN COMMUNITY CENTRE	LIST 11 BOARD MEMBERS, CONSITUTION ALLOW A MAX OF 9. NOT LATEST AFS WITH NO REVIEW OR AUDIT OPINION. BANK FORM IN DIFFERENT NAME. PROJECT PROPOSAL NOT ALIGNED WITH FUNDING PERIOD. NO OVERALL BUDGET AS IS REQUIRED FOR GENERAL APPLICATIONS.	NOT RECOMMENDED	0,00	0,00	0,00	0,00
6	55/15	StellCare Stellenbosch		RECOMMENDED	40 000,00	0,00	0,00	0,00
7	50/16	Stellenbosch Muslim Helping Hands	CONSTITUTION INDICATE 4 BOARD MEMBERS, LIST 3. NO AFS.	NOT RECOMMENDED	0,00	0,00	0,00	0,00
					120 000,00	0,00	0,00	0,00
PARTIAL CARE								
8	02_16	ABC 99 Educare Centre	SECOND YEAR APPLICATION WITHOUT C REG. DID NOT INDICATE SPECIFIC VS GENERAL APPLICATION. COMMIT TO PROVIDE FINAL FEEDBACK. AFS ARE INDEPENDENTLY REVIEWED. SPECIFIC PROPOSAL SUBMITTED.	CONDITIONAL	40 000,00	0,00	0,00	0,00
9	01_14	Acorn Christian Daycare	AFS DOES NOT SPEAK TO ANY SPECIFIC REPORTING PERIOD. NO PROOF OF REGISTRATION.	NOT RECOMMENDED	0,00	0,00	0,00	0,00
10	02_15	AKKERLAND DAYCARE CENTRE	AFS: WE HAVE PERFORMED THE DUTIES OF ACCOUNTING OFFICER TO THE GOVERNING BODY OF AKKERLAND ACCORDING TO SECT 43 OF THE SA SCHOOLS ACT 84 OF 1996. APPLICATION NOT SIGNED. NO BANK DETAILS.	NOT RECOMMENDED	0,00	0,00	0,00	0,00
11	4_14	Anganathi Educare	YEAR 2 OF APPLICATION WITHOUT C REG. AFS: INDEPENDETNLY REVIEWED.	RECOMMENDED	40 000,00	0,00	0,00	0,00
12	49/14	Early Education Centre, The	C REGISTRATION NOT REQUIRED. (ECD SERVICE PROVIDER)	RECOMMENDED	40 000,00	0,00	0,00	0,00
13	19_15	Early Learning Resource Unit	APPLICATION FOR 6 MOVABLE HOMES TO OPPERATE AS ECD FACILITIES WITH NO INDICATION OF WHERE IT WILL BE SITUATED NOR CONFIRMATION OF BUILDING AND ZONING REQUIREMENTS. PICTURES PROVIDED = PREFAB STRUCTURES.	NOT RECOMMENDED	0,00	0,00	0,00	0,00
14	21_15	FAMILY IN FOCUS	REMAIN IN YEAR 1 OF APPLICATION WITHOUT C REGISTRATION. DID NOT INDICATE SPECIFIC VS GENERAL APPLICATION. NOT LATEST AFS.	NOT RECOMMENDED	0,00	0,00	0,00	0,00
15		Froggies Aftercare	YEAR 2 OF APPLICATION WITHOUTH C REG. DID NOT SUBMIT AN APPLICATION. SUBMITTED FEEDBACK REPORT ON FUNDING PREVIOUSLY RECEIVED.	NA	0,00	0,00	0,00	0,00
16	27/15	Imizekeliso Educare	AFS NOT RELIABLE AND NOT ALIGNED TO FINANCIAL REPORTING PERIOD.	NOT RECOMMENDED	0,00	0,00	0,00	0,00

17	69_14	Isibane Sempumelelo	AFS = INDEPENDENT REVIEW.	RECOMMENDED	40 000,00	0,00	0,00	0,00
18	29_15	Jessie Keet Early Childhood Development	AFS: "A CRECHE OF STELLCARE" POLICY ONLY ALLOWS ONE APPLICATION PER ORGANISATION. CONSTITUTION READS: "PROGRAMME OF STELLCARE"	NOT RECOMMENDED	0,00	0,00	0,00	0,00
19	30_16	Khanyisa Creche	DID NOT INDICATE SPECIFIC VS GENERAL APPLICATION. CONSTITUTION INTERNET TEMPLATE. AFS NOT AUDITED OR REVIEWED. APPLICATION FORM (P4, 7) INCOMPLETE. NO PROPOSAL.	NOT RECOMMENDED	0,00	0,00	0,00	0,00
20	38/15	Kylemore Early Childhood Development	AFS: "A CRECHE OF STELLCARE" POLICY ONLY ALLOWS ONE APPLICATION PER ORGANISATION. CONSTITUTION READS: "PROGRAMME OF STELLCARE"	NOT RECOMMENDED	0,00	0,00	0,00	0,00
21	43/15	Little Angels Educare	DID NOT INDICATE SPECIFIC VS GENERAL APPLICATION. AFS NOT FOR COMPLETED FINANCIAL YEAR.	NOT RECOMMENDED	0,00	0,00	0,00	0,00
22	22/14	Liyema Creche	YEAR 1 OF APPLICATION WITHOUT C REGISTRATION. AFS: INDEPENDENTLY REVIEWED. ONLY ITEMS CONTRIBUTING TOWARDS REGISTRATION APPROVED.	RECOMMENDED	27 000,00	0,00	0,00	0,00
23	25/14	Lubabalo Creche Centre	AFS INDEPENDENTLY REVIEWED	RECOMMENDED	40 000,00	0,00	0,00	0,00
24	38_16	Luthando Educare	AFS: INDEPENDENTLY REVIEWED.	RECOMMENDED	40 000,00	0,00	0,00	0,00
25	44/15	Nora Tyres ECD	AFS: "A CRECHE OF STELLCARE" POLICY ONLY ALLOWS ONE APPLICATION PER ORGANISATION. CONSTITUTION READS: "PROGRAMME OF STELLCARE"	NOT RECOMMENDED	0,00	0,00	0,00	0,00
26	40_16	Noxolo Educare	YEAR 2 OF APPLICATION WITHOUT C REGISTRATION. AFS: INDEPENDENTLY REVIEWED.	RECOMMENDED	40 000,00	0,00	0,00	0,00
27	41/16	Okuhle Connie's Educare	DID NOT INDICATE SPECIFIC VS GENERAL APPLICATION. AFS INDEPENDENTLY REVIEWED. COMMIT TO PROVIDE FINAL FEEDBACK.	CONDITIONAL	40 000,00	0,00	0,00	0,00
28	50/14	Pebbles Project		RECOMMENDED	40 000,00	0,00	0,00	0,00
29	32/14	Phakamani Educare	AFS INDEPENDENTLY REVIEWED.	RECOMMENDED	40 000,00	0,00	0,00	0,00
30	34/14	Prochorus Community Development		RECOMMENDED	40 000,00	0,00	0,00	0,00
31	35/14	Samnkies Creche	NO AFS. REMAIN IN YEAR 1 OF APPLICATION WITHOUT C REG.	NOT RECOMMENDED	0,00	0,00	0,00	0,00
32	51/15	Sibongumusa ECD Centre	AFS INDEPENDENTLY REVIEWED BY REGISTERED ACCOUNTANT. COMMIT TO PROVIDE FINAL FEEDBACK.	CONDITIONAL	40 000,00	0,00	0,00	0,00
33	37/14	Simni Educare Centre	YEAR 2 OF APPLICATION WITHOUT C REGISTRATION. AFS: INDEPENDENTLY REVIEWED. FUNDING APPROVED FOR ITEMS IN LINE WITH REGISTRATION REQUIREMENTS. COMMIT TO PROVIDE FINAL FEEDBACK.	CONDITIONAL	30 000,00	0,00	0,00	0,00
34	39/14	Sivuyise Creche	YEAR 2 OF APPLICATION WITHOUT C REG. AFS: INDEPENDENTLY REVIEWED.	RECOMMENDED	40 000,00	0,00	0,00	0,00
35	53/15	Sizamile Child Care Facility	AFS: "A CRECHE OF STELLCARE" POLICY ONLY ALLOWS ONE APPLICATION PER ORGANISATION. CONSTITUTION READS: "PROGRAMME OF STELLCARE"	NOT RECOMMENDED	0,00	0,00	0,00	0,00
36	49/16	Stellenbosch Kindergarten		RECOMMENDED	40 000,00	0,00	0,00	0,00
37	64/14	Thanduxolo Daycare	NO PROPOSAL/BUDGET	NOT RECOMMENDED	0,00	0,00	0,00	0,00
38	54/14	Unakho Day Care for Disable	AFS: INDEPENDENTLY REVIEWED.	RECOMMENDED	40 000,00	0,00	0,00	0,00
39	62/15	Vinyard Houses	AFS INDEPENDENTLY REVIEWED BY REGISTERED ACCOUNTANT, BUT NOT SIGNED OFF BY ORG REPRESENTATIVE. COMMIT TO PROVIDE FINAL FEEDBACK.	NOT RECOMMENDED	0,00	0,00	0,00	0,00
40	63/15	Vision Africa	COMMIT TO PROVIDE FINAL FEEDBACK.	CONDITIONAL	40 000,00	0,00	0,00	0,00
41	65/15	Wielie Walie Pre School	AFS: INDEPENDENTLY REVIEWED.	RECOMMENDED	40 000,00	0,00	0,00	0,00
42	62/16	Woelwater Dagsorg	AFS: INDEPENDENTLY REVIEWED.	RECOMMENDED	40 000,00	0,00	0,00	0,00

43	63/16	Zenzele Educare Centre	DID NOT CONFIRM SPECIFIC VS GENERAL APPLICATION. PROVIDED SPECIFIC PROPOSAL WITH BUDGET. AFS: INDEPENDENTLY REVIEWED. COMMIT TO PROVIDE FINAL FEEDBACK.	CONDITIONAL	40 000,00	0,00	0,00	0,00
					817 000,00	0,00	0,00	0,00
DISABILITY								
44	12_15	ChangeAbility	INTERIM FEEDBACK PROVIDED. COMMIT TO PROVIDE FINAL FEEDBACK.	CONDITIONAL	40 000,00	0,00	0,00	0,00
45	23/16	Huis Horison		RECOMMENDED	40 000,00	0,00	0,00	0,00
46	57/15	Stellenbosch Work Centre for Adult Persons with Disabilities	COMMIT TO SUBMIT FEEDBACK	CONDITIONAL	40 000,00	0,00	0,00	0,00
					120 000,00	0,00	0,00	0,00
ELDERLY								
47	02_14	Azaleahof	PROJECT BUSINESS PLAN/PROPOSAL DOES NOT INCLUDE A COST BREAKDOWN OF THE ACTIVITIES AND OR OUTINGS.	NOT RECOMMENDED	0,00	0,00	0,00	0,00
48	14/15	De Tuine Bejaarde Klub	NO PROOF OF REGISTRATION OR BANK DETAILS. AFS: NOT SIGNED OFF WITHOUT OPINION.	NOT RECOMMENDED	0,00	0,00	0,00	0,00
49	16_16	Franschhoek Elderly Club		RECOMMENDED	40 000,00	0,00	0,00	0,00
50	15/14	Idas Valley Golden Boys and Girls	AFS CONSIST OF MANAGEMENT REPORTS WITH NO AUDIT OR INDEPENDENTLY REVIEWED RESULTS. NO OVERALL BUDGET AS REQUIRED PER GENERAL APPLICATION. PROPOSAL FOR INCORRECT PERIOD.	NOT RECOMMENDED	0,00	0,00	0,00	0,00
51	42/16	Pniel Simonsberg Elderly Club	AFS INDEPENDENTLY REVIEWED BY REGISTERED ACCOUNTANT	RECOMMENDED	40 000,00	0,00	0,00	0,00
52	75/15	Wemmershoek Bejaarde Klub	REQUEST FUNDING FOR ACTIVITIES OUTSIDE THE FUNDING PERIOD. APPLICATION LIST TWO POSITIONS NOT ON APPROVED POSITIONS AS PER CONSTITUTION. AFS NOT ACCORDING TO THE FINANIAL YEAR.	NOT RECOMMENDED	0,00	0,00	0,00	0,00
					80 000,00	0,00	0,00	0,00
YOUTH								
53	07_16	Dwarsrivier Valley Initiative t/a Aitsa! Aftercare	AFS INDEPENDENTLY REVIEWED BY REGISTERED ACCOUNTANT. NO OVERALL BUDGET AS REQUIRED PER GENERAL APPLICATION.	NOT RECOMMENDED	0,00	0,00	0,00	0,00
54	11_16	Embrace Community Outreach	APPLICATION NOT SIGNED.NO AFS OR PROOF OF REGISTRATION.GENERAL APPLICATION WITHOUT OVERALL BUDGET. REQUEST FUNDS FOR ACTIVITIES OUTSIDE THE FUNDING PERIOD.	NOT RECOMMENDED	0,00	0,00	0,00	0,00
55	24_15	Help2read NPC		RECOMMENDED	40 000,00	0,00	0,00	0,00
56	39/15	Kylemore Secondary School	AFS INDEPENDENTLY REVIEWED BY REGISTERED ACCOUNTANT	RECOMMENDED	40 000,00	0,00	0,00	0,00
57	41/15	Legacy Community Development		RECOMMENDED	40 000,00	0,00	0,00	0,00
58	14/14	Sports for Life	NO OVERALL BUDGET SUBMITTED AS PER REQUIREMENT FOR GENERAL APPLICATIONS.	NOT RECOMMENDED	0,00	0,00	0,00	0,00
59	52/14	Training 4 Changes NPC	AFS INDEPENDENTLY REVIEWED BY REGISTERED ACCOUNTANT	RECOMMENDED	40 000,00	0,00	0,00	0,00
60	29_16	Youth Outreach		RECOMMENDED	40 000,00	0,00	0,00	0,00
					200 000,00	0,00	0,00	0,00
SUBSTANCE ABUSE								
61	63/14	ABBA Stellenbosch a project of BADISA Stellenbosch	COMMIT TO PROVIDE FINAL FEEDBACK BY APRIL 2025. NOT ALL EXP PROVIDED IS SUPPORTED BY PROOF OF EXPENDITURE. MUST SUBMIT SAME.	CONDITIONAL	40 000,00	0,00	0,00	0,00
62	08_14	Christian Dependency Ministry	AFS INDEPENDENTLY REVIEWED. BANK FORM NOT SIGNED. DID NOT INDICATE WHETHER IT IS SPECIFIC OR GENERAL APPLICATION.	NOT RECOMMENDED	0,00	0,00	0,00	0,00
					40 000,00	0,00	0,00	0,00
GENDER								

63	26/16	iGentlemen's Club NPC	NO OVERALL BUDGET AS REQUIRED FOR GENERAL APPLICATIONS. NO AFS.	NOT RECOMMENDED	0,00	0,00	0,00	0,00
					0,00	0,00	0,00	0,00
FOOD SECURITY								
64	13_16	EPJ Boerdery	CONSTITUTION INDICATES NOT FOR PROFIT. REGISTRATION CERTIFICATE INDICATE PTY(LTD) WITH PRIVATE COMPANY STATUS. AFS NOT SIGNED. UNSURE WHAT THE PURPOSE OF THE ENTITY IS ITO A BUSINESS VS NOT FOR PROFIT. DID NOT INDICATE SPECIFIC VS GENERAL APPLICATION.	NOT RECOMMENDED	0,00	0,00	0,00	0,00
65	05_15	Maranatha Christian Church	AFS: NOT LATEST STATEMENTS AND ONLY SIGNED BY THE CHAIRMAN. ONE OF THE DIRECTOR'S IS THE COMPILER OF THE REPORT. CONSTITUTION: NPC CERT INDICATE 3 DIRECTORS WITH THE SAME SURNAME. BANK FORM NOT SUBMITTED. INDICATE BOTH GENERAL AND SPECIFIC APPLICATION. NO OVERALL BUDGET	NOT RECOMMENDED	0,00	0,00	0,00	0,00
66		SA Institute for Entrepreneurship	APPLICANT DID NOT ATTEND THE COMPULSORY CLARIFICATION MEETING, BUT SUBMITTED A PAR 7.12 PLEA FOR ATTENTION SR MANAGEMENT.	RECOMMENDED	0,00	2 535 300,00	0,00	0,00
67	56/15	Stellenbosch Feeding In Action		RECOMMENDED	40 000,00	0,00	0,00	0,00
					40 000,00	2 535 300,00	0,00	0,00
PEOPLE LIVING ON THE STREET								
68	45/14	Stellenbosch Night Shelter	PROVIDE MONTHLY FEEDBACK REPORTS	RECOMMENDED	0,00	1 646 121,12	1 840 880,11	0,00
69	55/14	U Turn Homeless Ministries	REQUEST TO DEFER APPROVED 2024/2025 APPLICATION TO 2025/2026.	CONDITIONAL ON PROOF OF LOCAL FACILITY FROM WHERE SERVICES WILL BE RENDERED.	0,00	1 095 480,00	1 184 280,00	1 277 900,00
					0,00	2 741 601,12	3 025 160,11	1 277 900,00
SAFETY								
70	59/14	Wemmershoek Buurtwag	CONSTITUTION: NOT LEGAL ENTITY AND CONTAINS PARTS THAT REFLECTS THE GUIDELINES FOR THE COMPLETION OF THE CONSTITUTION WITHOUT GROUPS OWN INTERPRETATION. GIA POLICY: MUST OPERATE AS SEPARATE LEGAL ENTITY AND ARE RECOGNISED AS SUCH BY SA LEGISLATION. (WC COMMUNITY SAFETY ACT 3 OF 2013). REGISTRATION/ACCREDITATION: ACCREDITED BY POCS, CLAIM NPO REGISTRATION WITHOUT PROOF. AFS: NOTHING SUBMITTED. BUSINESS PLAN: NOTHING SUBMITTED	NOT RECOMMENDED	0,00	0,00	0,00	0,00
					0,00	0,00	0,00	0,00
SKILLS DEVELOPMENT								
71	06_15	Bergzicht Training	PARTIAL FEEDBACK. COMMIT TO PROVIDE FINAL FEEDBACK BY APRIL 2024	CONDITIONAL	40 000,00	0,00	0,00	0,00
72	66/16	Franschhoek Hospitality Academy and Learning Centre	APPLICATION NOT SIGNED	NOT RECOMMENDED	0,00	0,00	0,00	0,00
73	42/14	Stellemploy		RECOMMENDED	40 000,00	0,00	0,00	0,00
					80 000,00	0,00	0,00	0,00
SUBTOTAL SOCIAL DEVELOPMENT					R 1 497 000,00	R 5 276 901,12	R 3 025 160,11	R 1 277 900,00
ENVIRONMENT								
74	27_14	More Recycling	IN PROCESS TO REGISTER, NOT YET LEGAL ENTITY. CONDITIONAL RECOMMENDATION. APPLICANT MUST PROVIDE PROOF OF REGISTRATION BY END APRIL 2025.	CONDITIONAL	40 000,00	R 0,00	R 0,00	R 0,00
SUBTOTAL ENVIRONMENT					R 40 000,00	R 0,00	R 0,00	R 0,00

HEALTH								
75	22/16	Health House Centre	NO AFS SUBMITTED	NOT RECOMMENDED	0,00	0,00	0,00	0,00
76	47/15	Real Sister's Cancer Group	CONSTITUTION INDICATE FIN YEAR TO END NOV. AFS INDEPENDENTLY REVIEWED FOR DEC 2023-FEBR 2024. ONLY LISTED 5 OF THE REQUIRED 6 BOARD MEMBERS. DID NOT INDICATE SPECIFIC OR GENERAL APPLICATION.	NOT RECOMMENDED	0,00	0,00	0,00	0,00
77	14/44	Stellenbosch Hospice NPC		RECOMMENDED	40 000,00	0,00	0,00	0,00

SUBTOTAL HEALTH					R 40 000,00	R 0,00	R 0,00	R 0,00
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SPORT ARTS AND CULTURE								
SPORT CLUBS								
78	04_14	Blue Stars United	GENERAL APPLICATION WITHOUT REQUIRED OVERALL BUDGET. BOARD MEMBERS LISTED IN APPLICATION DOES NOT ALIGN WITH APPROVED BOARD MEMBERS IN CONSITUION.	NOT RECOMMENDED	0,00	0,00	0,00	0,00
79	08_15	Burnley FC	BOARD MEMBERS LISTED DOES NOT ALIGN WITH THE APPROVED POSITIONS IN CONSTITUTION. NO AFFILIATION. NO AFS.	NOT RECOMMENDED	0,00	0,00	0,00	0,00
80	10_15	Cape Winelands Farmworkers Sport & Recreation Ass	GENERAL APPLICATION WITHOUT OVERALL BUDGET. AFS NOT SIGNED BY MANAGEMENT, AUDITOR REG NO NOT INDICATED. BOARD MEMBERS IN APPLICATION NOT ALIGNED WITH APPROVED LIST OF BOARD MEMBERS IN CONSTITUTION.	NOT RECOMMENDED	0,00	0,00	0,00	0,00
81	11_15	Celtic United FC	BOARD MEMBERS LISTED DOES NOT ALIGN WITH THE APPROVED POSITIONS IN CONSTITUTION.	NOT RECOMMENDED	0,00	0,00	0,00	0,00
82	13/15	Coronation Cricket Club	> 5 YEARS. APPLICATION DOES NOT LIST ALL POSITIONS OF BOARD MEMBERS AS DETERMINED BY CONSTITUTION. AFS NOT AUDITED AND WITHOUT REVIEWED OPINION.	NOT RECOMMENDED	0,00	0,00	0,00	0,00
83	31/15	Kingdom Development Projects	<5 YEARS. AFS SIGNED BY TREASURER AND CHAIR PERSON	RECOMMENDED	40 000,00	0,00	0,00	0,00
84	34/15	Klapmuts Hill Primary School	APPLICATION AND CONSTITUTION IN NAME OF "KLAPMUTS HILL PRIMARY SCHOOL". BANK STATEMENTS AND ACCOUNT AND AFS IN NAME OF "KLAPMUTS NO 2 PRIMARY SCHOOL". PROCESS OF CHANGING NAMES HAS BEEN CONFIRMED BY THE WCED.	RECOMMENDED	40 000,00	0,00	0,00	0,00
85	36/15	Klapmuts Sport Forum	DID NOT INDICATE SPECIFIC VS GENERAL APPLICATION. PROPOSAL DOES NOT INCLUDE A COST BREAKDOWN.	NOT RECOMMENDED	0,00	0,00	0,00	0,00
86	32/16	Kylemore Football Club	BOARD MEMBERS IN APPLICATION DOES NOT ALIGN WITH APPROVED BOARD MEMBERS IN CONSITUION. NO AFS	NOT RECOMMENDED	0,00	0,00	0,00	0,00
87	40/15	La Motte Wanderers RFC	BOARD MEMBERS NOT ALIGNED WITH STIPULATIONS IN CONSTITUTION. AFS COMPILED WITHOUT AN AUDIT OPINION OR REVIEW EXPRESSED. >5YEARS	NOT RECOMMENDED	0,00	0,00	0,00	0,00
88	65/16	Pniel Villagers RFC	THE BOARD MEMBERS ON THE APPLICATION DOES NOT ALIGN WITH THE REQUIREMENTS IN CONSTITUTION. AFS INDEPENDENTLY REVIEWED.	NOT RECOMMENDED	0,00	0,00	0,00	0,00
89	74/15	Stellenbosch & Distrikte Coronation RFC	AFS INDEPENDENTLY REVIEWED.	RECOMMENDED	40 000,00	0,00	0,00	0,00

90	46/14	Stellenbosch United Football Club	GENERAL APPLICATION WITHOUT REQUIRED OVERALL BUDGET. BOARD MEMBERS LISTED IN APPLICATION DOES NOT ALIGN WITH APPROVED BOARD MEMBERS IN CONSITUION. NO AFS: ONLY EXPENDITURE REPORT.	NOT RECOMMENDED	0,00	0,00	0,00	0,00
91	64/15	Wemmershoek Cricket Club	CONSTITUTION SILENT ON BOARD MEMBERS AND DOES NOT ADHERE TO REQUIREMENTS OF A CONSTITUTION. NO AFS.	NOT RECOMMENDED	0,00	0,00	0,00	0,00
					120 000,00	0,00	0,00	0,00
ARTS AND CULTURE								
92	67/16	Amagoduka Traditional Group	DID NOT INDICATE WHETHER IT IS A SPECIFIC OR GENERAL APPLICATION. AFS NOT SIGNED AND ONLY FOR 9 MONTH.	NOT RECOMMENDED	0,00	0,00	0,00	0,00
93	07_14	Celebration Gospel Choir	AFS: SUBMITTED INDEPENDENTLY REVIEWED STATEMENTS	RECOMMENDED	40 000,00	0,00	0,00	0,00
94	11_14	eBosch	DID NOT COMMIT TO PROVIDE FINAL FEEDBACK	NOT RECOMMENDED	0,00	0,00	0,00	0,00
95	38/14	Siph'impendulo Youth Development	AFS INDEPENDENTLY REVIEWED BY REGISTERED ACCOUNTANT	RECOMMENDED	40 000,00	0,00	0,00	0,00
96	16_15	Stellenbosch Heemkring	AFS: LAST STATEMENT READS THAT AN OVERVIEW WAS CONDUCTED AND THAT NOTHING UNTOWARD WAS FOUND. GENERAL APPLICATION WITHOUT OVERALL BUDGET FOR THE DONATION PERIOD. NO FEEDBACK REPORTS CAN BE FOUND FOR FUNDING RECEIVED IN PREVIOUS YEARS. WITHDREW APPLICATION ON 22/11/2024.	NA	0,00	0,00	0,00	0,00
					80 000,00	0,00	0,00	0,00
SUTOTAL SPORT ARTS AND CULTURE					R 200 000,00	R 0,00	R 0,00	R 0,00
					R 1 777 000,00	R 5 276 901,12	R 3 025 160,11	R 1 277 900,00
					R7 053 901,12			

ANNEXURE B



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref no.

2025-02-27

MINUTES

GRANTS COMMITTEE MEETING

2025-03-03 AT 12:00

MINUTES**GRANTS COMMITTEE MEETING****2025-03-03****TABLE OF CONTENTS**

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3.	ITEMS FOR CONSIDERATION	
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1.	OPENING AND WELCOME
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The Chairperson welcomed all present at the meeting of Grants Committee meeting.

1.1	COMMUNICATION BY THE CHAIRPERSON
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NONE

1.2	DISCLOSURE OF INTERESTS
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NONE

2.1	APPLICATIONS FOR LEAVE OF ABSENCE
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NONE

2.2	MINUTES OF PREVIOUS GRANTS COMMITTEE MEETING
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2.2.	MINUTES OF THE GRANTS COMMITTEE MEETING HELD ON 2025-01-27
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GRANTS COMMITTEE MEETING: 2025-01-27: ITEM: 2.2.1

RESOLVED

that the Minutes of a Grants Committee Meeting held on 2025-01-27 were confirmed as correct.

3.	ITEMS FOR CONSIDERATION
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3.1	2025/2026 GRANT IN AID APPLICATIONS AND RECOMMENDED DONATIONS
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Collaborator No: 763267

IDP KPA Ref No:

File Plan:

Meeting Date: 03 MARCH 2025

1. SUBJECT:

2025/2026 GRANT IN AID APPLICATIONS AND RECOMMENDED DONATIONS

2 PURPOSE

To obtain Council's approval for Grant-in-Aid (GiA) applications and recommended donations for the financial year 2025-2026.

3. DELEGATED AUTHORITY

FOR DECISION BY MUNICIPAL COUNCIL

In terms of Municipal Finance Management Act (MFMA), Act (56 of 2003) Section 17. (3) (e) relating to content of annual budgets and supporting documents.

4. EXECUTIVE SUMMARY

The Grant-in-Aid policy aims to provide a framework for Grant-in-Aid to non-governmental organisations (NGOs), community-based organisations (CBOs), non-profit organisations (NPOs) or non-profit companies (NPC), Public Benefit Organisations (PBO's) and bodies that are used by government as an agency to serve the poor, marginalised or otherwise vulnerable as envisaged by the Grant in Aid Policy approved at the Council Meeting in May 2024.

In terms of Council's Grant-in-Aid Policy, proposals were called for by means of advertisement in the press on 19 September 2024 (Eikestad Nuus) and on the municipal website and Facebook page.

The advertisement included an invitation to attend one of three compulsory workshops on either 14-16 October 2024 to assist and give guidance on the policy and application procedure. One hundred and sixty two (162) persons attended the workshops.

A workshop to assist with capacity building of small, emerging organisations was conducted during October 2024 focussing on financial management. The workshop was attended by ninety (90) persons.

By the closing date (22 November 2024), 95 applications were received of which one was withdrawn.

GRANTS COMMITTEE: 2025-03-03 ITEM 3.1

RESOLVED

- a) That Council notes the organisations that are receiving funding are organisations or bodies serving the poor;
- b) That Council support the continuation of the food garden project and approve the donation to SA Institute for Entrepreneurship to conclude the final year of the three-year Cat B donation.
- c) That Council support the implementation of day services for persons who are homeless and approve the deferment of the approved 2024/2025 Cat B application to commence in 2025/2026.
- d) That Council notes that the Cat A donation allows for a maximum amount of R40 000 to be allocated per organisation.
- e) That Council consider and approve the recommended donations to organizations as per attached detailed register for public participation as part of the draft budget.
- f) That the Accounting Officer certifies to the Auditor General that the compliance requirements in terms of section 67 (1) (a) of the MFMA are uneconomical and unreasonable for organisations receiving Cat A donation.

4.**REPORTS SUBMITTED BY THE MUNICIPAL MANAGER**

NONE

5.**NOTICES OF MOTIONS AND NOTICES OF QUESTIONS RECEIVED
BY THE MUNICIPAL MANAGER**

NONE

6.**URGENT MATTERS**

NONE

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

NONE

The meeting adjourned at **12:30**

CHAIRPERSON:

DATE:

Confirmed on **with/without amendments.**

11.	CONSIDERATION OF ITEMS, REPORTS, COMMUNICATIONS, PETITIONS AND APPLICATIONS SUBMITTED VIA THE OFFICE OF THE MUNICIPAL MANAGER
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11.1	MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC): [CLLR WF PIETERSEN]
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NONE

12.	REPORTS BY THE MUNICIPAL MANAGER (G METTLER)
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12.1	TASK EVALUATION PROCESS AND WAY FORWARD
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

31 March 2025

1. SUBJECT: TASK EVALUATION PROCESS AND WAY FORWARD**2. PURPOSE**

To inform Council on the current developments regarding the TASK Job Evaluation system and the way forward.

3. DELEGATED AUTHORITY

The delegated authority is Council.

4. EXECUTIVE SUMMARY

The Municipality accepted its micro-structure in 2017 and reviewed it in 2019. As part of the process of placement of staff into the new structure, Council also approved that the posts be evaluated through the TASK Job evaluation system applicable in Local Government. The Municipality submitted its job descriptions to the Cape Winelands Job Evaluation Unit (CWJEU) who evaluated some of our posts, but in June 2024 SALGA National informed the municipalities in the Western Cape that the Deloitte licence fees were becoming too expensive and that due to non-payment by certain municipalities posts will only be benchmarked.

Previously the **benchmarking** process led to many dissatisfactions amongst staff and Council eventually had to appoint a Forensic firm to investigate the process and outcomes that were implemented. The Municipal Manager (MM) thus require Council to express itself around the proposed recommendations of the MM's Forum meeting held on 21 February 2025 (see annexure 1) in which the HR Practitioners' made recommendations to continue with the TASK evaluation under the benchmarking process. The relevant extract from the practitioner's forum is as follows:

- Municipalities submit the job descriptions to the District JE Committees to be evaluated through a benchmarking process, using the history of posts evaluated and audited for the District, SALGA Master List, Deloitte Job Catalogue, and Western Cape PAC document.
- District JE Committee outcomes be sent to the PAC to be audited, also in terms of the benchmarking process.
- If a District JE Committee receives a post that cannot be benchmarked, the other District JE Committees, PAC, or the City of Cape Town should be approached to support the benchmarking of that post.

Furthermore, it must be noted that the Municipal Systems Act (MSA) 32 of 2000 in section 66(1)(b) requires the Municipal Manager to provide job descriptions for the posts. The 2021 promulgated Municipal Staffing Regulations (MSR) section (4) and the approved Recruitment and Selection (R&S) Policy of June 2022, clause 6.2.1.2(b) both requires that all posts that are advertised must be evaluated through the TASK system.

5. RECOMMENDATION

- (a) that Council notes the developments surrounding the TASK Job evaluation process thus far;
- (b) that Council gives guidance or express a view on the proposed benchmarking of posts; and
- (c) that Council authorises and mandates the Municipal Manager to ensure compliance with the Municipal Systems Act (MSA), Municipal Staffing Regulations (MSR) and Recruitment and Selection (R&S) Policy provisions.

6. DISCUSSION / CONTENTS

6.1 Background

- 6.1.1 The Municipality accepted its micro-structure in 2017 and reviewed it in 2019. As part of the process of placement of staff into the new structure, Council also approved that the posts be evaluated through the TASK Job evaluation system applicable in Local Government. The Municipality submitted its job descriptions to the Cape Winelands Job Evaluation Unit (CWJEU) who evaluated some of our posts but in June 2024 SALGA National informed the municipalities in the Western Cape that the Deloitte licence fees were becoming too expensive and that due to non-payment by certain municipalities posts will only be benchmarked.
- 6.1.2 The Municipal Manager (MM) and Senior Staff do not support the benchmarking process. Furthermore, it must be noted that the Municipal Systems Act (MSA) 32 of 2000 in section 66(1)(b) requires the MM to provide job descriptions for the posts. The 2021 promulgated Municipal Staffing Regulations (MSR) Section (4) and the approved Recruitment and Selection (R&S) Policy of June 2022, clause 6.2.1.2(b) both requires that all posts that are being advertised must be evaluated through the TASK system.
- 6.1.3 During June 2024 the JEU and PAC evaluations came to a halt due to SALGA National not paying Deloitte and citing the outstanding balances from Municipalities as a reason for non-payment. Simultaneously, SALGA surveyed all Municipalities about the continuation of the Deloitte license or benchmarking

of job descriptions in view of the Master List that was compiled. After placing this before the SALGA NEC on 2 October 2024 it was resolved that:

- a. Approve the final Job Evaluation Master List Report on the evaluated jobs for the municipal sector.
- b. Approve the revised Job Evaluation Policy Guidelines that guide the JE process post the development of the JE Master List.
- c. Approve that the renewal of the Deloitte/SALGA contract should only focus on the TASK licence and only minor administrative processes.

6.1.4 Noting this, SALGA WC resolved to request a review of the decision and in the meantime (22 November 2024) also decided to continue with job evaluations based on the current process and procedure by benchmarking posts against the Master List and job evaluation results already made by JEU's in the Western Cape. The Municipal Manager, Senior Manager HR and other Senior Managers expressed concerns and risks which could arise for the Municipality and resolved that the Municipal Manager would address this at the next MM's forum meeting.

6.1.5 A MM's forum meeting was held on 21 February 2025 where the following was resolved.

The Municipal Managers' Forum after discussion resolved that:

1. The MM Forum support the HR Practitioners' Forum recommendations.
2. The MM Forum adopt the draft Job Evaluation Policy as a policy for Western Cape municipalities, excluding the City of Cape Town, and that municipalities adopt the policy in terms of Section 66 of the Municipal Systems Act.
3. The MM Forum adopt the second licensing option as per the above, i.e. five licenses for Western Cape, namely one for the City of Cape Town and one each for Cape Winelands, Overberg, West Coast and combined Garden Route/Central Karoo Districts.
4. SALGA facilitate a meeting between Deloitte, the City of Cape Town, and the four Districts to discuss purchasing the Deloitte licensing.

6.1.6 Notwithstanding the above decision, the Municipal Manager is of the view that the process of acquiring the Deloitte licence and the evaluation in terms of a benchmarking process may still produce a risk or take too long and therefore the need exists to immediately address the Municipality's immediate evaluation of critical vacant posts.

6.2 Financial Implications

There may be incidental financial implications attached to the evaluation, but these will be covered by the budgeted operational costs within the staff cost budget.

6.3 Legal Implications

There are no legal implications at this stage as the revision of the micro-structures were done in line with legislative prescripts and based on what is operationally more efficient and effective for the Municipality.

6.4 Staff Implications

There are no staff implications.

6.5 Previous / Relevant Council Approval

None

6.6 Risk Implications

There are no risks foreseen.

6.7 Comments from Senior Management

This item is supported by Senior Management.

APPENDIX

Annexure 1 – SALGA Task Job Evaluation: The way forward (25 February 2025)

FOR FURTHER DETAILS CONTACT:

NAME	Alexander Kannemeyer
POSITION	Senior Manager: HR
DIRECTORATE	Corporate Services
CONTACT NUMBERS	021 808 8056
E-MAIL ADDRESS	Alexander.Kannemeyer@ Stellenbosch.gov.za
REPORT DATE	20 March 2025

ANNEXURE 1

MEMORANDUM

TO : MUNICIPAL MANAGERS
DIRECTORS: CORPORATE SERVICES
HUMAN RESOURCE MANAGERS

DATE : 25 FEBRUARY 2025

TASK JOB EVALUATION: THE WAY FORWARD – MUNICIPAL MANAGERS' FORUM OUTCOMES

A draft job evaluation policy for the Western Cape municipalities as well as non-binding pricing for purchasing the Deloitte TASK system license served before the Municipal Managers' Forum on 21 February 2025.

Dr Hugo Brand, Chairperson of the TASK JE Provincial Audit Committee (PAC), made a presentation, which covered the following:

Summary of Job Evaluation 2001–2024

In 2001, parties in the National Bargaining Council (SALGA, IMATU and SAMWU) resolved to regulate job evaluation in the sector through a collective agreement. Various full-time job evaluation district committees were established across the country with two in the Western Cape. All evaluated posts were audited by a committee appointed by the Bargaining Council. The Collective Agreement expired in 2010. SALGA then resolved that job evaluation was an employer-driven process that should not be regulated through a collective agreement. In 2012, after consultation with municipalities, SALGA NEC approved a TASK Job Evaluation (JE) Policy for municipalities. SALGA entered into a licensing agreement with the owner of the TASK Job Evaluation System, Deloitte, on behalf of municipalities.

Four District Job Evaluation Units, West Coast, Overberg, Cape Winelands and Garden Route/Central Karoo combined, were established in the Western Cape. Because of its size, the City of Cape Town continued in terms of its own processes. SALGA renewed the Deloitte license three times, with the last license expiring on 31 May 2024.

SALGA National Municipal Capabilities and Institutional Resilience Working Group: 2 October 2024

The Working Group recommended that:

- SALGA should not pursue contracting on the TASK JE License as this would not be beneficial to most municipalities and SALGA as an institution.
- SALGA officials should popularise the JE Master List.
- SALGA should develop a Panel of Job Evaluation Specialists who would be contracted on an ad hoc basis to evaluate unique posts.

SALGA NEC approved the Working Group recommendations. SALGA issued Circular 28 of 2024, Reviewed Approach to Job Evaluation Implementation in Municipalities, to municipalities to convey the decisions.

Western Cape HR Practitioners' Forum Meeting: 22 October 2024

The purpose of the meeting was to discuss the implications of the SALGA Circular.

The HR Managers raised the following issues:

- The Municipal Staff Regulations required municipalities to have an evaluated job description before a post could be advertised.
- If the current process of posts being evaluated by the District JE Committee and audited by the PAC was put aside and each municipality did its own benchmarking, the current objectivity and consistency of job evaluation outcomes would be lost.
- To ensure objectivity and consistency the current process of evaluation and auditing should remain in place even if it was as a benchmarking process.
- The current process in terms of the SALGA policy brought a measure of control and consistency in the job evaluation process and outcomes, which would be lost if it was up to a municipality to only benchmark a post, and which could then lead to municipalities doing what they wanted. This could result in similar posts being on different levels.
- The job descriptions attached to the SALGA Master List were not in the format as required by the Municipal Staff Regulations, and the competency requirements were not included. In many instances, the qualifications and experience differed from the Municipal Staff Regulations requirements.
- Municipalities or officials should have a certain amount of respect for the TASK JE process. When a job description had been submitted and an outcome was received, there was general acceptance. If the benchmarking concept was retained in the long run, the objectivity of the process and the integrity of the people who must take responsibility for doing the evaluations might also be influenced.
- Municipalities or a group of municipalities would now be able to buy a TASK JE license from Deloitte, and this should be investigated.
- It was important that all municipalities supported the process whereby the Western Cape municipalities would continue with District JE Committees and the PAC.

The HR Managers recommended that:

- Municipalities use the SALGA Master List to identify similar posts on their structures and develop their own job descriptions in line with the organisational structure.
- Municipalities submit the job descriptions to the District JE Committees to be evaluated through a benchmarking process, using the history of posts evaluated and audited for the District, SALGA Master List, Deloitte Job Catalogue, and Western Cape PAC document.
- District JE Committee outcomes be sent to the PAC to be audited, also in terms of the benchmarking process.
- If a District JE Committee receives a post that cannot be benchmarked, the other District JE Committees, PAC, or the City of Cape Town should be approached to support the benchmarking of that post.

- The current Western Cape process remains in place, namely that Provisional and Final Outcome Reports are issued by the PAC; objections are considered by the Objections Committee; and reviews are considered by the Review Committee.
- A Task Team be appointed to develop a TASK Job Evaluation Policy for the Western Cape, taking the above points into consideration.
- The Task Team consist of Joe Amansure, Hugo Brand, Gerda van Zyl, Gail Julie, Michelle Smit, Rochelle Dames and Jasper van der Westhuizen.
- The Task Team make recommendations and submit a draft policy to Municipal Managers for consideration.
- The municipalities in the different Districts consider purchasing the Deloitte License based on shared services.

Job evaluation by the District Job Evaluation Committees and the auditing of evaluated posts should continue as per these recommendations. The Task Team developed a draft Job Evaluation Policy for Western Cape municipalities, which was shared with HR Managers for input. The Policy is attached to the Memorandum.

Deloitte License

Deloitte was requested to provide for two options:

1. One license for all 30 municipalities. One willing municipality enter into a licensing agreement with Deloitte and the 29 municipalities refund the said municipality.
2. Five licences for the 30 municipalities, i.e. one each for the City of Cape Town and the four Job Evaluation Districts – Cape Winelands, Overberg, West Coast and Garden Route/Central Karoo combined. The City and one Municipality in each District will then enter into a licensing agreement with Deloitte.

Deloitte provided the following non-binding pricing:

As requested, please find below an indicative/non-binding pricing for the two options you are looking at from a licensing perspective.

Option 1	Option 2
<ul style="list-style-type: none"> • 1 License to cover 30 Municipalities • 12 users 	<ul style="list-style-type: none"> • 5 Licences to cover 4 districts + City of Cape Town • 12 users
<ul style="list-style-type: none"> • Pricing considers 3 tiers of municipalities linked to the current SALGA system – size 1 (large), size 2 (medium) and size 3 (small), each with their own pricing range 	
<ul style="list-style-type: none"> • R646 000 (excl. VAT) per annum 	<ul style="list-style-type: none"> • R742 900 (excl. VAT) per annum

Deloitte was then requested to do a breakdown per district and per municipality and provided the following pricing per municipality:

Seq	Name	Region	Size	Ind. Annual Cost (excl. VAT)	Annual Cost per District (excl. VAT)
1	City of Cape Town Metropolitan Municipality	8	1	R28 200	R28 200
2	Cape Winelands District Municipality	5	3	R23 000	R151 250
3	Witzenberg Local Municipality	5	2	R25 650	
4	Langeberg Local Municipality	5	2	R25 650	
5	Stellenbosch Local Municipality	5	2	R25 650	
6	Breede Valley Local Municipality	5	2	R25 650	
7	Drakenstein Local Municipality	5	2	R25 650	
8	Garden Route District Municipality	13	2	R25 650	R294 550
9	Central Karoo District Municipality	13	3	R23 000	
10	Laingsburg	13	3	R23 000	
11	Prince Albert Local Municipality	13	3	R23 000	
12	Kannaland Local Municipality	13	3	R23 000	
13	Beaufort West Local Municipality	13	3	R23 000	
14	Hessequa Local Municipality	13	2	R25 650	
15	Oudtshoorn Local Municipality	13	2	R25 650	
16	Knysna Local Municipality	13	2	R25 650	
17	Bitou Local Municipality	13	2	R25 650	
18	Mossel Bay Local Municipality	13	2	R25 650	
19	George Local Municipality	13	2	R25 650	
20	West Coast District Municipality	43	3	R23 000	R151 250
21	Bergvliet Local Municipality	43	2	R25 650	
22	Matzikama Local Municipality	43	2	R25 650	
23	Cederberg Local Municipality	43	2	R25 650	
25	Saldanha Bay Local Municipality	43	2	R25 650	
26	Overberg District Municipality	55	3	R23 000	R117 650
27	Theewaterskloof Local Municipality	55	2	R25 650	
28	Cape Agulhas Local Municipality	55	3	R23 000	
29	Swellendam Local Municipality	55	3	R23 000	
30	Overstrand Municipality	55	3	R23 000	
34	Swartland Local Municipality	43	2	R25 650	
				R742 900	

Deloitte indicated that the sizing was based on the initial category classifications received when setting up SALGA, based on the A, B, C classification provided at that time, and allocated a reasonable pricing according to the classifications.

The MM Forum considered the following recommendations:

1. That the MM Forum consider adopting the draft Job Evaluation Policy as a policy for Western Cape municipalities, excluding the City of Cape Town.
2. That the MM Forum consider adopting the second licensing option. Although this option is more expensive, the risk for the municipality entering into a licensing agreement with

Deloitte to recover payment of the fees from the other municipalities within a District will be less.

The Municipal Managers' Forum after discussion resolved that:

1. The MM Forum support the HR Practitioners' Forum recommendations.
2. The MM Forum adopt the draft Job Evaluation Policy as a policy for Western Cape municipalities, excluding the City of Cape Town, and that municipalities adopt the policy in terms of Section 66 of the Municipal Systems Act.
3. The MM Forum adopt the second licensing option as per the above, i.e. five licenses for Western Cape, namely one for the City of Cape Town and one each for Cape Winelands, Overberg, West Coast and combined Garden Route/Central Karoo Districts.
4. SALGA facilitate a meeting between Deloitte, the City of Cape Town, and the four Districts to discuss purchasing the Deloitte licensing.

Yours sincerely



KHALIL MULLAGIE
PROVINCIAL DIRECTOR OF OPERATIONS

12.2	RETURN ITEM: CONSIDERATION OF THE IN-PRINCIPAL DISPOSAL OF THE VAN DER STEL SPORT FACILITY TO THE PREFERRED BIDDER AFTER A FORMAL TENDER PROCESS WAS FOLLOWED
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Collaborator No:

IDP KPA Ref No: Good Governance

Meeting Date: 31 March 2025

1. SUBJECT: RETURN ITEM: CONSIDERATION OF THE IN-PRINCIPAL DISPOSAL OF THE VAN DER STEL SPORT FACILITY TO THE PREFERRED BIDDER AFTER A FORMAL TENDER PROCESS WAS FOLLOWED

2. PURPOSE

To provide feedback to Council on the comments received from the public on the intentions of Council to approve a 30 (thirty) year lease of the Van Der Stel Sport Complex to the STELLENBOSCH FOOTBALL CLUB for the management and development of Erf 235 and to inform Council about the comments received from Provincial and National Treasury.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

At the 27th Council Meeting: 2024-11-27, Council resolved that the item be returned to Council after the public participation process has been concluded and the views solicited from Provincial and National Treasury before a final resolution is taken by Council.

5. RECOMMENDATIONS

- (a) that Council approves a 30 (thirty year) lease of the Van der Stel Sport Complex to STELLENBOSCH FOOTBALL CLUB for the management and development of Erf 235; and
- (b) that Council note that although the following two entities are situated on Erf 235 namely, World Tennis Foundation and Van der Stel Bowling Club, they are excluded from the lease agreement.

6. DISCUSSION

6.1 Background

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

Furthermore, the Stellenbosch Bowling Club and Stellenbosch Tennis Club, as well as other facilities such as the taxi rank, parking area and other buildings are situated on Erf 235. This information statement is only relevant to the Sport Complex, excluding the Stellenbosch Bowling Club, Stellenbosch Tennis Club and the facilities mentioned above.

A public participation process was followed to get the input/comments from the public. After receiving the public comments, a decision was taken to follow the route of a tender process to appoint a service provider to manage the facility and invest capital into the

Van der Stel Sport Complex to improve and maintain the facility, over a period of 30 years.

The tender was advertised, but no compliant bidders tendered. The tender was re-advertised and only one bid was received from STELLENBOSCH FOOTBALL CLUB.

The bidder submitted a bid with a proposed capital investment to the value of R395m. The amount represents the estimated capital outlay which will form part of the upgrade to the capital assets on the property and become Council property when the lease agreement expires after 30 years. It also includes all maintenance of the facility over the next 30 years as part of the responsibility to manage the property. This amount was used for bid evaluation purposes after the responsiveness was evaluated, as per the tender specifications. The bidder indicated that the full amount would be spent within the first five years after awarding the tender. A lease agreement must be entered into with the bidder in which all the provisions of the capital spending will be included.

The process was followed through an advertisement that was placed in the Eikestad and "Die Burger" newspapers for the public to provide input/comments on the intention of Council to provide a 30-year lease agreement to Stellenbosch Football Club. **(see annexure A).**

These comments will be discussed in more detail under paragraph 6.2.

6.2 Discussion

6.2.1 General

Comments received from sport clubs/codes, organizations and individuals were as follows:

TABLE 1

INSTITUTION	AMOUNT	NAME OF INSTITUTION
Sport clubs/codes	12	(see detail list below)
Sport Councils	2	1.Van der Stel Sports Council 2.Stellenbosch Sport & Recreation Association
Organizations	3	1.Stellenbosch Interest group 2.Friends of Stellenbosch Mountains (2 doc's) 3. e'Bosch
Individuals	13	(see detail list below)
Petition Signatures/comments	1340 signatures	

Sport clubs/codes

Most of these clubs are affiliated to Van der Stel Sport Council.

1. Van der Stel Baseball
2. Van der Stel Blind Cricket
3. Van der Stel Vineyard Dog Club
4. Vander Stel Football Club
5. Van der Stel Gymnastics Club
6. Van der Stel Squash Club
7. Van der Stel Karate Club
8. Van der Stel Training4Changes
9. Van der Stel Fynbos Gymnastics Club
10. Van der Stel CrossFitt
11. Van der Stel Evergreens Rugby Club
12. Van der Stel Cricket Club

Individuals/residents

1. Nastassja Adonis
2. Earnest Niki Mlindwa
3. Elizma Smit
4. Cathleen Booysen
5. Romario Da Silva
6. Charles Booysen
7. Emma Leerkamp
8. Coco Bellarius
9. Sias Mostert
10. Luke Magerman
11. Roger Noades
12. Sam Elle
13. Lionel Samuels

6.2.2 Summary of comments

The attached documents contain various stakeholder comments regarding the proposed 30-year lease agreement of the Van der Stel Sport Complex to Stellenbosch Football Club (SFC). The feedback is a mix of strong support and firm opposition to the proposal. **(See annexure B for detail comments)**

6.2.2.1 Support for the lease agreement

Several individuals and groups expressed enthusiasm for the project, citing the following reasons:

- **Community Upliftment**
The development would provide better access to football for local youth and fans, eliminating transportation barriers.
- **Economic & Infrastructure Benefits**
The proposed R395 million investment is seen as a way to improve local infrastructure, boost sport tourism, and reduce municipal maintenance costs.
- **Better Facilities**
A dedicated stadium for SFC is expected to improve infrastructure and create a world-class venue.
- **Pride & Identity**
Having a permanent home for Stellenbosch FC will boost local pride and inspire future players.
- **Development of Football & Sports Excellence**
Supporters highlight that the lease would enable Stellenbosch FC to grow and develop local football talent.
- **Community Accessibility**
Some supporters back the lease under the condition that the community retains access to the facilities.

6.2.2.2 Objections to the Lease Agreement (General)

The comments received highlight strong opposition to the proposed long-term leasing of the Van der Stel Sport Complex. The clubs and organizations oppose the proposed changes, citing concerns over accessibility, inclusivity, financial sustainability, and the preservation of Stellenbosch's sporting heritage. They urge the

municipality to reconsider the decision and maintain the facility as a shared community sport hub. The following is a summarize of the objections:

- Lack of Public Consultation & Transparency
- Negative Impact on Community Sports
- Environmental & Social Impact
- Traffic & Infrastructure Issues
- Conflict of Interest & Fair Bidding Process
- Environmental & Urban Planning Concerns
- Risk of Privatization & Reduced Public Access
- Exclusion of Various Sports & Clubs
- Loss of Accessibility for Marginalized Groups
- Historical & Community Significance
- Financial & Logistical Concerns
- Alternative Proposals.

6.2.2.3 Objections from Van der Stel Sport Council

The document is a formal objection from the Van der Stel Sport Club to the Stellenbosch Municipality regarding the proposed long-term leasing of the Van der Stel Sport Complex. The key concerns raised in the objection include:

- Lack of Transparency
The public participation process has been criticized for not providing full access to relevant documents and information.
- Limited Access to Proposed Plans
The proposal from Stellenbosch FC has not been made easily accessible for public review.
- Significant Changes Without Adequate Notice
Changes were made to the proposal without giving the public sufficient time to respond.
- Community Support for a Multi-Sport Facility
The club argues that the community favours a facility that supports multiple sports rather than prioritizing a single entity.
- Deviation from Original Plans
The current proposal does not align with the initial vision set in 2019, which included a management structure supporting multiple sports. Additionally, the document outlines 22 key concerns, including financial viability, accessibility for lower-income residents, future ownership risks, and maintenance responsibilities. It also raises questions about the feasibility of relocating over 20 sports clubs, the fairness of the decision-making process, and the impact on Stellenbosch's sports heritage. The objection concludes by warning that failing to address these issues will erode public confidence in the municipality's leadership and governance. The club urges the authorities to reconsider and work towards a more inclusive and transparent alternative.

6.2.2.4 Objections from friends of Stellenbosch Mountain

The document is an objection by the Friends of Stellenbosch Mountain (FSM). FSM argues that the lease would hinder the sustainable restructuring of central Stellenbosch, particularly the Adam Tas Corridor (ATC) and mobility corridor projects.

Key points of their objection:

- Conflict with Urban Planning
Contradicts the Municipal Spatial Development Framework (MSDF), which envisions the area for public benefit and strategic town planning.
- Traffic Congestion
A stadium for SFC would worsen already severe traffic issues along the R44.
- Public vs Private Interest
The land should be used for the broader public, not private commercial benefit.
- Financial and Legal Risks
The lease poses risks under the Municipal Finance Management Act (MFMA) by potentially leading to long-term financial losses and litigation.
- Alternative Locations
FSM suggests that SFC could relocate west of Stellenbosch to better integrate with transport systems.
- Objections from Sports Users
Local sports organizations oppose the lease as it would disrupt current usage.
FSM calls for the unconditional withdrawal of the lease proposal and revocation of the council resolution approving it.

6.3 CONCLUSION

Supporters see the project as a major boost for local football, youth development, and economic growth, while opponents worry about public exclusion, lack of transparency, and the impact on infrastructure and heritage. While some see the lease as a chance to elevate SFC and local football, others fear the loss of an inclusive, multi-sport facility and the disruption of urban development plans.

6.4 TENDER SPECIFICATIONS

1. The existing swimming pool must be upgraded to full working condition, or it can be relocated to alternative location.
2. A minimum of two written references/ testimonials confirming successful facility management for the last 10 years. (May include partners).
3. Proof of a bank guarantee to the value of your tender amount must be attached as proof of your financial backing.
4. The proposal must include a plan of spending 50% of the tendered amount within first 5 years after awarding of tender.
5. Tender must include a commitment to spend the rest of the tender amount within the next 5 years.
6. Proof must be provided of a sustainable capital investment of a minimum of 50 million rand on the upgrade at the Van der Stel Sport Complex.
7. A detailed management plan must be submitted as part of the offer.
8. An annual facility maintenance plan must be submitted as part of the offer.

7. COMMENTS FROM PROVINCIAL AND NATIONAL TREASURY

The department of Provincial and National Treasury were informed of the proposed plan of the Stellenbosch Municipality. There comments were requested, but no comments were received from National Treasury. Attached are the comments from Provincial Treasury. The process has been explained to Provincial Treasury.

8. FINANCIAL IMPLICATIONS

The successful bidder will invest a capital amount to the value of R395m into the facility over the next 5 (five) to 10 (ten) years. Maintenance cost to the facility will be for the bidder's responsibility. This will result in a saving for Stellenbosch Municipality. All rights and developments will be for the cost of the management company.

9. LEGAL IMPLICATIONS

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

- "(1) (a) *The accounting officer has, in terms of Regulation 35, concluded a public participation process regarding the proposed granting of the right; and*
- (b) *The municipal Council has approved in principle that the right may be granted.*
- (2) *Sub-regulation (1)(a) must be complied with only if:*
 - (a) *the capital asset in respect of which the proposed right is to be granted has a value in excess of R10m; and*
 - (b) *a long-term right is proposed".*
- "3) (a) *Only a Municipal Council may authorise the public participation process referred to in sub-regulation (a)*
- (b) *a request to the Municipal Council for the authorisation of a public participation process must be accompanied by an Information Statement*, stating:*
 - (i) *the reason for the proposal to grant a long term right to use, control or manage the relevant capital asset.*
 - (ii) *any expected benefit to the municipality that may result from the granting of the right.*
 - (iii) *any expected proceeds to be received by the municipality from the granting of the right; and*
 - (iv) *any expected gain or loss that will be realised or incurred by the municipality arising from the granting of the right".*

10. STAFF IMPLICATIONS

The current municipal staff that maintain the facility will be deployed at other municipal sport facilities. This will also reduce the shortage of staff at the municipal sport facilities.

11. PREVIOUS / RELEVANT COUNCIL RESOLUTIONS

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

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

27TH COUNCIL MEETING: 2024-11-27: ITEM 10.2.1 RESOLVED (majority vote with 2 abstentions)

- (a) that Council in principle approves a 30 (thirty year) lease of the van der Stel Sport Complex to STELLENBOSCH FOOTBALL CLUB for the management and development of Erf 235.
- (b) that Council notes that although the following three entities are situated on erf 235 namely World Tennis Foundation, Van der Stel Bowling Club, and parking for Medi-Clinic, these entities are excluded from the lease agreement.
- (c) that Council notes that the views of National and Provincial Treasury needs to be solicited before a final decision to the awarding of the tender can be made.
- (d) that Council approves the Information statement attached as APPENDIX A for public participation process; and
- (e) that the item return to Council after the public participation process and the views from National and Provincial treasury has been solicited for consideration before a final resolution by Council.

12. RISK IMPLICATIONS

The risks of non-performance by the successful bidder will be addressed in the Service Level Agreement that will be drawn up by the Municipal Legal department.

13. COMMENTS FROM SENIOR MANAGEMENT

The item was not distributed for comments.

ANNEXURES:

Annexure A: The second information statement in relation to Erf 235, currently known as Van der Stel Sport Complex, Stellenbosch, for the public participation process.

Annexure B: Comments received from the community.

Annexure C: Comments from Provincial and National Treasury

FOR FURTHER DETAILS CONTACT:

NAME	Albert van der Merwe
POSITION	Senior Manager Community Services
DIRECTORATE	Community and Protection Services
CONTACT NUMBERS	021-808 8165
E-MAIL ADDRESS	albertvandermerwe@ Stellenbosch.gov.za
REPORT DATE	19 March 2025

ANNEXURE A:

The second information statement in relation to erf 235, currently known as Van der Stel Sport Complex, Stellenbosch, for the public participation process.



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

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

1. PURPOSE

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

2. BACKGROUND

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

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

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

3. DISCUSSION

3.1 Public Participation Process

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

At the 27th COUNCIL MEETING: 2024-11-27, Council in principle approve a 30 (thirty year) lease of the Van der Stel Sport Grounds to STELLENBOSCH FOOTBALL CLUB for the management and development of erf 235.

Council notes that the following three entities, who is situated on erf 235 namely World Tennis Foundation, Van der Stel Bowling Club and parking for Medi-Clinic are excluded from the lease agreement.

3.2 Information Statement

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

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

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

right.

- c) any expected proceeds to be received by the municipality from the granting of the right; and
- d) any expected gain or loss that will be realised or incurred by the municipality arising from the granting of the right.

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

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

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

- a) The management and development of the Van der Stel Sport facility will result in savings on maintenance costs and staff, while at the same time providing the broader Stellenbosch Community with a world class sport facility.
- b) The optimal utilization of the properties may produce additional income for the municipality which may enable the municipality to repair and maintain the properties to an acceptable standard.
- c) The professional management of this facility may attract potential investors.
- d) capital investment will improve the facility and raise the service offerings to potential customers.
- e) The facility will have the ability to attract world class sportsmen and women.
- f) A facility of international standard will attract more sport tourists to Stellenbosch.

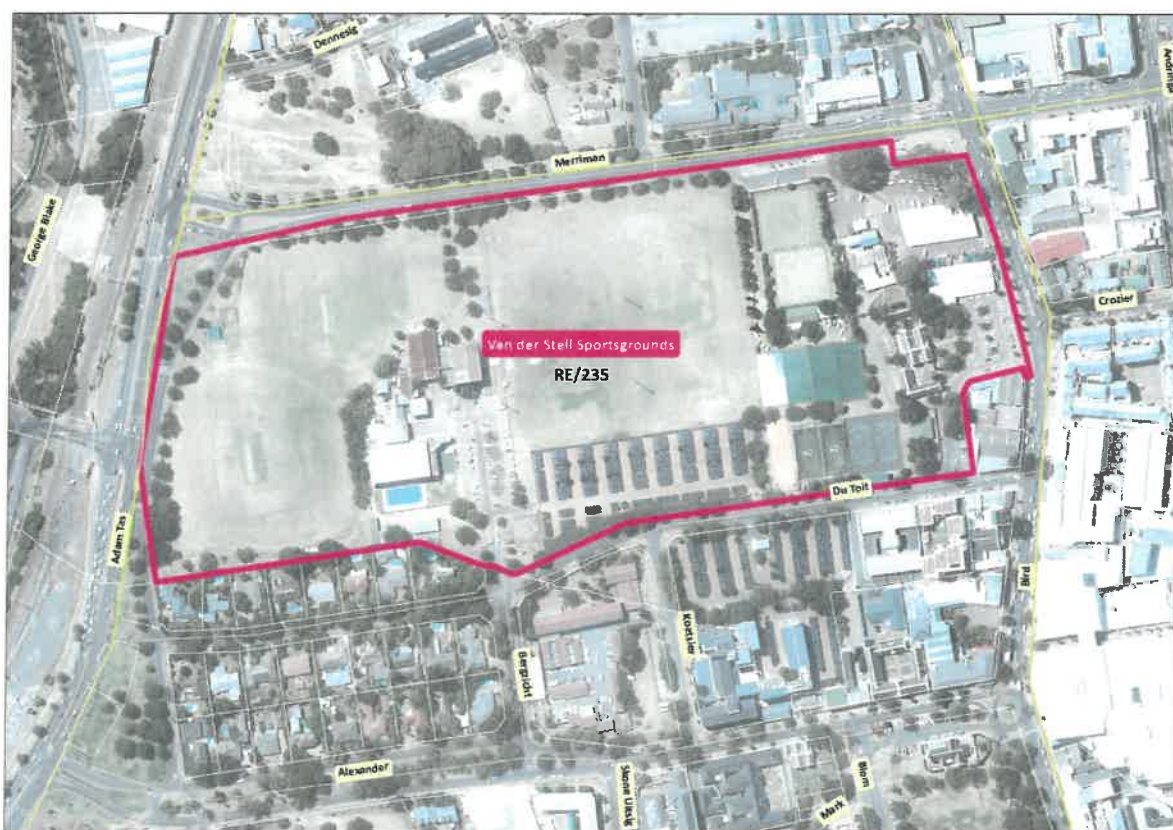
3.2.3 Expected proceeds to be received by the Municipality form the granting of the rights

- a) A capital investment to the value of R395 million will be invested over the next 5 to 10 years in the facility
- b) The facility will be maintained as part of the agreement.
- c) Economic activities will be encouraged and stimulated.
- d) There will be an opportunity to stimulate sport tourism.
- e) Funds currently budgeted for the maintenance of Van der Stel Sport Complex will be moved to the maintenance of other municipal sport facilities.
- f) Staff, currently working at Van der Stel Sport Facility will be deployed at other municipal sport facilities.

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

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

3.3 Location and context





3.4 Public comment invited

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

Comment must reach the offices of the Municipality on or before **20 February 2025** and must be addressed to the Municipal Manager. Comments can be sent via email to Municipal.Manager@ Stellenbosch.gov.za or delivered to the 3rd Floor, Main Office Building, 17 Plein Street, Stellenbosch.

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

GERALDINE METTLER
MUNICIPAL MANAGER: STELLENBOSCH MUNICIPALITY

DATE: _____

ANNEXURE B:
**Comments received from
the community.**



VAN DER STEL SPORTS CLUB

Est. 1921

1 Du Toit Street, Stellenbosch

20 February 2025

To:

The Municipal Manager
Stellenbosch Municipality
P.O. Box 17
Stellenbosch, 7599

Cc:

The Mayor of Stellenbosch
Cllr Jeremy Fasser
Stellenbosch Municipality
P.O. Box 17
Stellenbosch, 7599

Cc:

The Mayoral Committee
Stellenbosch Municipality
P.O. Box 17
Stellenbosch, 7599

Dear Municipal Manager, Mayor Fasser, and Members of the Mayoral Committee,

As part of the public participation process, we hereby wish to formally object to the proposed long-term leasing of the Van der Stel property. This objection is based on a number of critical concerns that we believe undermine the integrity of the process and the alignment of the proposal with the needs and expectations of the broader community. These concerns are detailed below and reflect our commitment to ensuring that this matter is handled transparently and in a manner that respects public input.

Below are other sources of objections that have been shared, sent and supplied to your office. For clarity and transparency, the below listed documents should have reached you:

1. Friends of Stellenbosch Mountain – Prof Hans Eggar
2. Van der Stel Dog Agility Club
3. The Centre of Kindness
4. Van der Stel Evergreens Rugby Club
5. Van der Stel Gymnastics Club
6. Van der Stel Football Club
7. Van der Stel Squash
8. Van der Stel Blind Cricket Club
9. Van der Stel Baseball
10. Van der Stel Crossfit and Gym



VAN DER STEL SPORTS CLUB

Est. 1921

1 Du Toit Street, Stellenbosch

11. Van der Stel Karate
12. Van der Stel Rhythmic Gymnastics Club
13. Petition from Public (1331 signatures)
14. Serious Comments from the public submissions
15. Stellenbosch Sport and Recreation Association (SSRA)
16. Trainin4Change Soccer NGO
17. Van der Stel Exco – Objections and Recommended Alternatives

Our arguments are explained below, followed by a feasible and very realistic alternative to this proposed “lease-to-own” plan:

LACK OF GOOD FAITH IN PUBLIC PARTICIPATION

Firstly, we are deeply concerned that the public participation process has not been conducted in good faith. Despite submitting a formal request for information under the Promotion of Access to Information Act (PAIA), full disclosure of relevant details has not been provided. This lack of transparency raises serious questions about whether the public has been given a fair opportunity to engage meaningfully with the proposal. Without access to all necessary information, it is impossible for stakeholders to provide informed feedback or fully understand the implications of the proposed lease.



LIMITED ACCESS TO PROPOSED PLANS

Secondly, we have noted that the proposed plans are not open and accessible to the public in a manner that allows for meaningful engagement. The limited availability and clarity of these plans significantly restricts our ability to comment on them effectively. Specifically, the plans presented by Stellenbosch FC, as referenced in your public notice, have not been made easily available for public scrutiny. This lack of accessibility undermines one of the fundamental principles of public participation, which is to ensure that all stakeholders have an equal opportunity to engage with and respond to proposals that affect their community.





VAN DER STEL SPORTS CLUB

Est. 1921

1 Du Toit Street, Stellenbosch

SUBSTANTIAL CHANGES WITHOUT ADEQUATE NOTICE

Furthermore, we are deeply troubled by the substantial and material changes made between the initial public notice and the second notice. These changes were introduced without providing the public with an adequate two-week period to comment on the final version of the proposal. In fact, despite these significant revisions, the initial deadline for submissions remained unchanged after a reworded notice was published during the first week. This approach has effectively curtailed public input and further eroded confidence in the fairness and inclusivity of this process.



COMMUNITY SUPPORT FOR COMMON PURPOSE FACILITY

In addition to these procedural concerns, we wish to emphasize that there is strong community support for a common purpose facility that would serve as a hub for all sports and recreational activities in our area. Such a facility would align with our shared vision for fostering inclusivity, promoting active lifestyles, and supporting diverse community needs. Unfortunately, this vision appears to be at odds with the current proposal, which seems narrowly focused on serving specific interests rather than accommodating a broader range of activities and stakeholders.

MISALIGNMENT WITH INITIAL INTENTIONS

Finally, we must point out that this new proposed plan deviates significantly from what was initially envisioned in 2019. At that time, there was a clear intention to appoint a management agent or company tasked with supporting the commercial viability of the facility while prioritizing collaboration with and support for the sporting community. The current proposal fails to align with these original intentions and instead appears to prioritize objectives that are inconsistent with what was initially promised.



In light of these concerns, we respectfully request that you take our objections into serious consideration and address them transparently as part of this process. We believe it is essential to ensure that any decision regarding the Van der Stel property reflects both procedural

fairness and alignment with community needs.



VAN DER STEL SPORTS CLUB

Est. 1921

1 Du Toit Street, Stellenbosch

KEY QUESTIONS THAT NEED TO BE ADDRESSED:

1. **Investment and Cost Concerns:** Why is there a plan to relocate over 20 sports clubs when it may be more cost-effective to construct a new stadium on alternative land, such as purchasing and rezoning agricultural land for example at Middelvlei for R38 million?
2. **Ongoing Maintenance Should the Sport Codes be Forced to be Reallocated:** Will the Municipality maintain 8-12 different sport sites including but not limited to cutting of grass, fencing, security, clubhouses, bathrooms, floodlights etc.? Who will be responsible for these costs for the next 100 years?
3. **Future Ownership Risks:** What will happen if another entity, such as a private company, acquires the facility from Stellenbosch FC in the future?
4. **Financial Viability:** Which business would invest R400 million in a facility and only regain their development costs after 30 years? Is this not akin to the current situation where the university and interested parties built the Van der Stel facility, only for it to be taken away after a 99-year contract expires?
5. **Accessibility of Sports:** How will the proposed changes affect the affordability of sports for less privileged communities? The municipality claims to support accessible sports, yet there are concerns about rising costs.
6. **Development Restrictions:** Why did our management have to decline developments like the R17 million swimming pool or Padel courts due to a lack of long-term contracts? The municipality cited that these facilities would not be accessible to less privileged groups, yet they have allowed private developers to take over tennis and Padel facilities, making them unaffordable for most.
7. **Maintenance Responsibilities:** Our management team has been responsible for most upkeep tasks, including painting and gardening. What will happen to these responsibilities if the management model changes?
8. **Utility Costs:** We have repeatedly requested clarity on electricity bills, as all buildings operate on a pay-as-you-go basis. How will utility costs be managed under the new plan?
9. **Legal Issues:** The municipality's failure to maintain properties has led to legal disputes, such as the gym case where we had to repair the roof ourselves. How will future maintenance issues be addressed under new management?
10. **Management Options:** What options are available for our management team moving forward, especially given our uncertainty over the past five years since development plans were rejected in Idasvallei?



VAN DER STEL SPORTS CLUB

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1 Du Toit Street, Stellenbosch

11. **Long-Term Commitment:** How can we make long-term investments when we have faced uncertainty for five years? We have evidence of ongoing discussions since 2019 regarding our facility's future.
12. **Collaboration Possibilities:** Are there opportunities for us to work collaboratively with the municipality while honoring our existing agreement? We are willing to adhere to a 60/40 revenue-sharing agreement that has not been confirmed by the municipality.
13. **Interim Management Readiness:** Our interim management is prepared to stand for re-election and is committed to making this work. We can sign agreements for at least five years without any compensation for our roles.
14. **Impact on Local Sports:** With top local teams in rugby, cricket, and soccer thriving, how will their futures be affected if Van der Stel becomes inaccessible? What identity will our teams have if they are forced to play in subpar conditions?
15. **Traffic and Development Studies:** Has an impact study been conducted regarding the proposed developments in the central business district? Many businesses are struggling due to traffic issues that prevent customers from accessing the area.
16. **Seriousness of Concerns:** We take these issues very seriously and will not remain silent; we will escalate our concerns to higher authorities if necessary.
17. **Community Representation:** The community has already expressed their opinions and grievances, and we represent all sports interests fairly.
18. **Parking and Maintenance Issues:** The municipality has reduced our parking spaces by leasing them out, which affects our ability to sustain operations independently. We also pay monthly fees for site management but can maintain the premises ourselves effectively.
19. **Affordability of Sports Memberships:** Our current membership fee of R350 per year makes sports accessible for all Stellenbosch residents. Where does the assumption come from that sports will become affordable under private management?
20. **Clubhouse Operations:** We effectively manage a sports bar/clubhouse that serves as an important social hub among various sports codes.
21. **Financial Transparency:** Our financial statements are up-to-date and audited; we are open to negotiating a workable plan with the municipality.
22. **Historical Context of Van der Stel Grounds:** The grounds have a rich history as a community facility built by local investors who now face losing their investment after many years of dedication.



VAN DER STEL SPORTS CLUB

Est. 1921

1 Du Toit Street, Stellenbosch

These questions reflect serious concerns about transparency, sustainability, and community engagement regarding the proposed plan for Van der Stel Sports Grounds and its impact on local sports clubs and their members.

The proposed plan for the Van der Stel Sports Grounds raises profound concerns about transparency, sustainability, and community engagement, threatening to undermine the trust and faith placed in our democratically elected leaders in Stellenbosch.

This is particularly troubling given the Democratic Alliance's responsibility as the governing body tasked with prioritizing the welfare of all residents. If these issues are not addressed with clarity, fairness, and inclusivity, it will erode public confidence in their leadership and commitment to serve the community equitably. The **lack of transparency** in this process, coupled with the potential **exclusion** of longstanding multi-sport clubs and the prioritization of **commercial interests** over community needs, represents a betrayal of Stellenbosch's sporting heritage.

Such actions not only **jeopardize the future of accessible** sports facilities but also risk **alienating a community** that has long relied on these grounds as a unifying space.

The people of Stellenbosch deserve leaders who honor their mandate to act in the best interests of all citizens, and failure to do so will cast a shadow over their integrity and governance.

Yours in good faith, working towards a suitable alternative,

PIETER LOTZ

CHAIRMAN: VAN DER STEL SPORTS CLUB

On behalf of the Van der Stel Sports Council & Stellenbosch Sport and Recreation Association (SSRA)

2/26/25, 3:00 PM

Petition VDS Sportsclub: People over Profits

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Van der Stel Sports Club Stellenbosch

VDS Sportsclub: People over Profits

1340 people have signed this petition. Add your name now!

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27%

Dahli van der Stel signed recently

Please do not donate - skip (it is automatically added) - We only need your support (vote).

**VAN DER STEL SPORTS CLUB : PEOPLE OVER PROFITS!
URGENT: CLARIFICATION REGARDING PUBLIC NOTICE AND COMMUNITY
ENGAGEMENT ON THE VAN DER STEL FACILITY AND THE SECRECY BEHIND THE
PROPOSED TAKEOVER – KILLING A MULTI-SPORTS GROUND THAT EXISTED SINCE
1921.**

To: The Greater Stellenbosch Community, Sport Supporters, Players, Affiliated Clubs,
and General Members of the Public, the Municipality and the Democratic Alliance as
governing Party.

A public notice was published in the Eikestad Nuus on Thursday, 30 January 2025,
inviting public comment on a proposed 30-year long-term lease agreement for the
development and exclusive use of the VDS facility by a private company (Stellenbosch
Football Club). However, the notice lacks critical details, leading to widespread
concern and uncertainty among the Stellenbosch community.

The sporting community of Stellenbosch **will not stand by** while Van der Stel Sports
Grounds—or any other municipal sports facility—is **taken over for the exclusive use**
of a single sport or private entity. We **reject** any process that lacks transparency,
violates fair public consultation, and **dismisses the rights of the many sporting codes**
and athletes who have called these grounds home for generations. We will **not accept**
secrecy within the Municipality while critical decisions about our shared sporting
future are made **behind closed doors**.

The people of Stellenbosch demand honesty, inclusivity, and a fair process—anything
less is an outright betrayal of our community and its sporting heritage.

The original public participation notice stated, "Gemeenskapsgebaseerde sport sal
toegang tot die verbeterde sportinfrastruktuur by Van der Stel gewaarborg word."

SIGN PETITION

2/26/25, 3:00 PM

Petition VDS Sportsclub: People over Profits

serious concerns about the shift in focus from guaranteeing community sports access to prioritizing commercial interests.

Concerns Regarding the Proposed Lease

Key issues include:

- There is **no transparency** regarding the intended use of the facility, which is centrally located and has been an integral part of Stellenbosch's sporting and community heritage.
- The **impact on current sports codes** that have used VDS as their home ground for decades has not been addressed, and no clear plan has been provided to affected stakeholders, including homeowners, sports clubs, players, surrounding businesses, and the wider community.

Despite prior requests for transparency, no official commitment has been made regarding the **continued inclusion of multiple sporting codes at VDS**. This raises serious concerns about potential **exclusivity** and the broader implications for Stellenbosch's sporting and community landscape.

The issue is receiving increasing attention from affected sports communities and their supporters.

Furthermore, we urgently seek clarity on:

- Whether the facility's usage will be subject to an **exclusive agreement** (benefiting only one entity "Stellenbosch Football Club"), or
- Whether other sporting codes will **retain rights to exist** and operate within the **multi-function** facility if the lease agreement proceeds.

Given the significance of this decision, it is imperative that these questions and commitments be addressed before any final decisions are made. The lack of clarity will likely result in strong opposition from the broader Stellenbosch community.

The Legacy of Van der Stel Sports Grounds

For over 85 years, Van der Stel Sports Grounds has been a cornerstone of Stellenbosch's sporting heritage, serving as a common municipal facility that has provided a home to multiple sporting codes, including rugby, soccer, cricket, athletics, and hockey. The grounds have played a pivotal role in the development of future sporting legends, many of whom have gone on to achieve national and international success. It has been a training ground for local talent, fostering an environment where sportspeople from diverse backgrounds could compete and excel. The facility's historical significance extends beyond sport, as it has been a unifying space for the greater Stellenbosch community, bringing together schools, clubs, and supporters in the true spirit of South African sport.

We cannot participate in a public process without full transparency.

The sporting community of Stellenbosch **will not stand by** while Van der Stel Sports Grounds—or any other municipal sports facility—is **taken over for the exclusive use** of a single sport or private entity. We **reject** any process that lacks transparency, violates fair public consultation, and **dismisses the rights of the many sporting codes** and athletes who have called these grounds home for generations. We will **not accept secrecy** within the Municipality while critical decisions about our shared sporting future are made **behind closed doors**.

The people of Stellenbosch demand honesty, inclusivity, and a fair process—anything less is an outright betrayal of our community and its sporting heritage.

Van der Stel Sports will continue!

For further enquiries please contact Chairperson of Van der Stel ExCo: Pieter Lotz at facilities@vdssport.co.za

Share for Success

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2/26/25, 3:00 PM

Petition VDS Sportsclub: People over Profits

[Start your own petition](#)

COMMENT

Peny Olivier South Africa, Birmingham

Feb 25, 2025



Feb 25, 2025

[upvote](#) [reply](#) [show](#)

The grounds should not be for exclusive use for one sport only !!

Kathleen Garrity South Africa

Feb 20, 2025



Feb 20, 2025

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Loss of this venue will create difficult situation for our sport as suitable trial grounds for the sport are very scarce. It has been used for many years for club trials in which members from the western cape participate as well as annual regional trials which draws members from all over South Africa.

Gino South Africa, Birmingham

Feb 20, 2025



Feb

[upvote](#) [reply](#) [show](#)

20, 2025

Stand together for VDS

Lesli-Anne Smith South Africa, Birmingham

Feb 20, 2025



Feb 20, 2025

[upvote](#) [reply](#) [show](#)

VDE rugby to be continued on the field and all the other activities to take place there

Michelle Roman South Africa, Birmingham

Feb 20, 2025



Feb 20, 2025

[upvote](#) [reply](#) [show](#)

This is not just a sports ground but a community foundation

Velda Williams South Africa, Birmingham

Feb 20, 2025



Feb 20, 2025

[upvote](#) [reply](#) [show](#)

I'm the Pastor of Destiny Church and been in this building for a number of years. Destiny church is in Stellenbosch for 20 years now and we need this space. Please consider this.

Rozenate Arnolds South Africa

Feb 20, 2025



[upvote](#) [reply](#) [show](#)

Feb 20, 2025

None

Wainia Jack South Africa, Birmingham

[SIGN PETITION](#)

2/26/25, 3:00 PM

Petition VDS Sportsclub: People over Profits

Van der Stel belongs to the community!!!

Tommy dietommygun South Africa
Feb 19, 2025

Feb 19, 2025
upvote reply show

I Tommy cloete sign this petition for the use of the facilities at the vds sports ground to allow us as a rugby team to live out our passion and dream in rugby

Anonymous South Africa, Annandale
Feb 19, 2025

Feb 19, 2025
upvote reply show

The wall is essential to the community of Stellenbosch.

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SIGN PETITION



Van Der Stel Sports Grounds

VAT Reg No: 4380127342

TO: GERALDINE METTLER, MUNICIPAL MANAGER, STELLENBOSCH MUNICIPALITY
RE: URGENT APPEAL REGARDING THE FUTURE OF VAN DER STEL SPORTS GROUNDS
AND THE IMPACT ON VAN DER STEL BASEBALL

Dear Municipal Manager

This letter serves as an urgent notice from Van Der Stel Baseball Club concerning the proposed changes to the Van Der Stel Sports Grounds (VDS).

Van der Stel is the only sports club for the residents of Stellenbosch to play Baseball.

Baseball started in the early 1932, when doc. Craven asked for Baseball in the district.

Van der Stel Baseball club therefore started and founded in 1956.

In the late 1970s there were significant growth for Baseball In Stellenbosch and competed against teams such as Sanlam, Maties and Somerset West.

At that stage the facilities were the Rugby Pavilion and clubhouse with snooker, bar and committee room. Baseball was played on, these days, the current cricket B field.

After the new VDS Building with hall, bar and restaurant was in place, Baseball moved to the A Rugby field to play in summer and the rugby in winter.

In 2020, with the help of the Municipality, a backstop was put up in the corner of the A rugby field at a cost of +- R 38 000.00.

Since then Baseball are using the new diamond.

As a background, we played in the top league of Western Province and a lot of Van der Stellers represent WP little and seniors and also Springboks.

To name a few ,Bobbie Pieterse, Bobbie Lofthouse, Mark van Noordwyk and Bles Kemp as SA players.

At present a few players of color also play, some of them ex South Africa players and in October 2024 most of VDS players represent a Cape Wineland Masters team

In the inter provincial tournament held in Athlone Cape Town.

For almost 70 years, Van der Stel Sport Grounds have been a cornerstone of Stellenbosch sporting heritage and for Van der Stel Baseball.

The VDS Sportsclub is thus of great importance to VDS Baseball to get the community together.

Kind Regards

T de Villiers

Committee

Van der Stel Baseball



VAN DER STEL

BLIND CRICKET Ψ BLINDE KRIEKET
NPO 311-382
DU TOIT STREET
STELLENBOSCH
7600

Cell: 0833815249

Email: vdsblindcc@gmail.com

10 February 2025

TO: GERALDINE METTLER, MUNICIPAL MANAGER, STELLENBOSCH MUNICIPALITY

RE: URGENT APPEAL REGARDING THE FUTURE OF VAN DER STEL SPORTS GROUNDS
 AND THE IMPACT ON VAN DER STEL BLIND CRICKET

Dear Municipal Manager,

This letter serves as an urgent communication from Van Der Stel Blind Cricket regarding the proposed changes to the Van Der Stel Sports Grounds (VDS) and the potentially devastating impact on our club and its visually impaired members. We are writing to bring to your attention the critical importance of VDS to our continued operation and to emphasize the severe challenges we would face should access to these facilities be lost.

Van Der Stel Blind Cricket provides a safe and inclusive sporting environment for visually impaired individuals in the Stellenbosch area. Our members face significant challenges in accessing sporting facilities due to their visual impairment. The central location of VDS is absolutely crucial to our club's operation. Its proximity to the central Stellenbosch train station and taxi rank is essential for our players who rely on public transportation. The ability to walk safely and independently from these transport hubs to the grounds is paramount for our members' well-being. Without this accessibility, our players would be effectively excluded from participating in blind cricket. There are no other venues within reasonable and safe walking distance from public transport.

The VDS Sports Grounds offer a world-class sporting environment that we are privileged to share. The quality of the facilities and the overall safety of the venue are essential for our players, allowing them to focus on their sport without undue concern for their surroundings. This safe and supportive environment has fostered the growth of our club and enabled our members to thrive both on and off the field. The grounds are specifically designed to cater for various sporting codes and are well maintained.

We must emphasize in the strongest possible terms that the loss of access to VDS would likely mean the end of Van Der Stel Blind Cricket. There is no other suitable venue in the area that offers the same accessibility and safety for our visually impaired players. Relocation is simply not a viable option for us, due to transport challenges for our members. The closure of our club would have a devastating impact on our members, depriving them of not only

President: Frankford Williams, **Vice president:** Melrick February, **Secretary:** Ernest Nyatela
Treasurer: Rudeon Davids, **Additional Member:** Riaan Serfontein,
Additional Member: Moira Serfontein



VAN DER STEL

BLIND CRICKET Ψ BLINDE KRIEKET
NPO 311-382
DU TOIT STREET
STELLENBOSCH
7600

Cell: 0833815249

Email: vdsblindcc@gmail.com

a sporting outlet but also a vital social support network. This would isolate our members and severely limit their opportunities for physical activity and social interaction.

Since joining the greater VDS Sports family, Van Der Stel Blind Cricket has become a breeding ground for talent, producing numerous players for the Boland Blind Cricket Team. We are incredibly proud that three of our players have represented South Africa at the 2022 and 2024 World Cups, as well as in bilateral series against Pakistan and New Zealand. Van Der Stel is a vital part of the development pathway for blind cricket in South Africa. It would be devastating if this successful and impactful club were forced to close.

We are affiliated with VDS Cricket Club, which in turn is affiliated with the broader VDS Sport Club. As such, we have a vested interest in the future of the VDS Sports Grounds and the proposed developments. We believe that any plans for the grounds should prioritize the needs of all existing user groups, including those with disabilities. We urge the Municipality to carefully consider the impact of any changes on community-based sport and to ensure that the needs of all user groups are met.

We are not at this stage requesting a meeting, but rather highlighting the critical challenges that the loss of access to VDS would create for Van Der Stel Blind Cricket. We trust that the Municipality will take our concerns into serious consideration when making decisions regarding the future of the VDS Sports Grounds.

Sincerely,

Frankford Williams

Frankford Williams
 President
 Van Der Stel Blind Cricket
 083 715 7546



Van Der Stel Sports Grounds

VATRegNo: 4380127342

18 February 2025

Att: GERALDINE METTLER, MUNICIPAL MANAGER, STELLENBOSCH MUNICIPALITY

**Re: APPEAL REGARDING THE FUTURE OF VAN DER STEL SPORTS GROUNDS AND
IMPACT ON VINEYARD DOG AGILITY**

Dear Municipal Manager

We are writing to you to today in light of the proposed changes to the management of Van der Stel Sports Club (VDS) and the apparent risk that our Club might be refused continued membership by the new management.

Vineyard Dog Agility (VDA) applied for and was grateful to join Van der Stel (VDS) as a sub-club in 2019. Prior to this, we struggled enormously and exhausted all options to find a suitable place in Stellenbosch to practise our sport, as the sport has some unique requirements including space (for practising, competing and storing of equipment) that is safe (fenced) and dogs that tend to bark (potential nuisance if close to residential areas).

Van der Stel is therefore a perfect fit for our club. Moreover, our club utilizes an otherwise unused part of the VDS grounds (between cricket and rugby areas) for training and competitions.

Our club has enjoyed continued growth due to our trainer expertise in "Positive Reinforcement Based training" and due to our flexible programs tailored for a wide range of dog owners – from complete newcomers to expert handlers.

The sport requires dogs to have a set of complicated skills (on average it takes 1-2 years and more to train a dog to competition level) that cannot be learnt unless the animal is in an emotional and behavioural space to learn. On our team we have a certified animal behaviourist (DipCABT) assisting many of our members, where other clubs or trainers have turned them away. Without this help, they would not have been able to become members at VDS. Members report improved relationships and communication with their dogs, dogs having better behaviour and ultimately quality of life for them and their dogs, even away from the sports field.

Apart from the obvious benefits for dogs, working with animals is widely acknowledged for its therapeutical value since owners engage with dogs on substantially deeper levels using the modern and advanced techniques we deploy.

In 2024 our club was involved in a pilot community project helping vulnerable children and their dogs from underserved communities. The aim of this program is to instill kindness, compassion and responsibility in children towards animals to counteract the cycle of violence they so often face, thereby making strides towards a safer and healthier community for both dogs and people. They have since received a sponsor to continue this programme and the plan is for Vineyard Dog Agility to be their partner in Stellenbosch, offering our expertise and time to work with vulnerable children and their dogs in Stellenbosch. (Similar programs are *Funda Nenja* in KZN and *The Underdog Project* in Hout Bay.) I have attached a letter from The Centre for Kindness (they are in the final stages of being registered) that gives some background.

Our equipment is low impact, and we have a strict "leave no trace" policy to clean up after dogs, which is composted, plastic-free. Our members are exceptionally dedicated and have a high camaraderie, drawing handlers from as far as Somerset West, Cape Town, Paarl/Wellington and Northern Suburbs.

Even though Dog Agility is still relatively small in South Africa, it is a well-established international sport. Vineyard Dog Agility club is a member of SADAA (The South African Dog Agility Association) which is affiliated to IFCS (International Federation of Cynological Sports). We actively represent Boland region, and host regular competitions to other regions at Van der Stel which regularly draws new interest. We also host judging courses to train up new judges in response to the sport expanding.

In summary – for Vineyard Dog Agility to lose affiliation as a sport club at Van der Stel would render us unable to:

- 1. Satisfy the demand for dog training in Stellenbosch**
- 2. Help people with challenging dog behaviour**
- 3. Help children and their dogs from undeserved communities**
- 4. Continue the existence of SADAA Boland.**

We appeal to the decision makers in this process to consider our plight, as the proposed changes will very likely mean the end of our club, the sport in our region, and our ability to make an impact in the Stellenbosch dog community. We welcome any further questions or enquiries.

Yours sincerely,



Elzabi van Wyk
Vineyard Dog Agility | SADAA Boland Regional Director
083 281 7802 | boland@sadaa.co.za



Letter in support of Vineyard Dog Agility.

To whom it may concern.

Elzabi and her team assisted us last year when we ran a pilot project with the dual aim of helping animals and vulnerable children from underserved communities. Our beneficiaries had the pleasure of attending a dog agility event at their home grounds, Van der Stel Sports grounds, in March 2024. We have since secured a major sponsor and are in the final stages of registering our new NPO, The Centre for Kindness.

Project Background

Statistically, children in poor urban areas in Cape Town experience at least 8 traumatic/adverse events *per year* (e.g. seeing someone being shot, hunger or no food at home, some form of emotional or physical abuse or neglect, some form of bereavement, caregiver substance abuse, and family economic hardship), in comparison to, for example, children in the USA that experience 5 traumatic events over the course of their entire childhood. Children in these areas also report not being or feeling safe in their neighbourhoods.

Experiencing chronic adversity or trauma (toxic stress), negatively affects a child's brain, specifically the hippocampus, prefrontal cortex and amygdala. These brain regions in turn affect how the rest of the child's body responds to and regulates stress. It can negatively impact decision-making, self-regulation, fear-processing, memory and stress management. It also leads to an increase in depression, anxiety, behavioural disorders as well as poor performance at school.

We create safe-space clubs for children and their dogs; We promote kindness and compassion by offering interactive dog training programmes that help children build deep and meaningful emotional bonds with their pets, as well as compassion for other animals. We use trained youth mentors and dog trainers who teach children how to train their own dogs using positive reinforcement (kind) training methods. Children learn how to treat their animals with gentleness and kindness and they learn how to be responsible pet owners. This builds bridges of friendship and love between children and their pets.

The safe-space model provides a number of therapeutic benefits to the child; it provides a safe place for children to be after school. Access to a caring and sympathetic adult reduces stress and increases feeling of safety. Physically touching an animal in a gentle way reduces cortisol and regulates the nervous system of the child, increasing feelings of well-being and aiding positive self-regulation.

Animals benefit by being spayed, by receiving veterinary care and treatment, by improved living conditions and by being treated with kindness. The aim is for animals to become valued and cared-for members of the family.

Our hope is that by addressing trauma in communities and by instilling kindness, compassion and responsibility in children towards animals, we can break the cycle of violence and create safe communities for all.

Vineyard Dog Agility has agreed to be our partner in Stellenbosch, offering their expertise and time to work with vulnerable children and their dogs in Stellenbosch.

Please feel free to reach out if you require any additional information.

Kind regards

Marisa van Tonder

Marisa van Tonder, Founder

The Centre for Kindness

082 626 0925 | marisavtonder@gmail.com



Van der Stel Football Club

Du Toit Street

Stellenbosch

7600

Email: vanderstelfc23@gmail.com

Contact number: 0724767040

12 February 2025

TO: GERALDINE METTLER, MUNICIPAL MANAGER, STELLENBOSCH MUNICIPALITY

RE: URGENT APPEAL REGARDING THE FUTURE OF VAN DER STEL SPORTS GROUNDS AND THE IMPACT ON VAN DER STEL FOOTBALL CLUB

Dear Municipal Manager,

We are writing to address our concerns about the proposed changes to Van der Stel Sport Grounds (VDS) and how it will impact Van der Stel Football Club. The continued operation of Van der Stel Football Club, as well as all other sports codes calling VDS home, is being threatened by the fear of losing access to these facilities.

Van der Stel Football Club re-opened in September 2023 with the goal to create a safe and productive space where people can come together and enjoy football. Football is not only a sport, but a mechanism to engage in physical activity, practice discipline and socialise with a diverse group of people. It is more than a sport or a mere sports club; it is an institution which brings together people with a shared interest in football and one that creates long-lasting friendships.

Van der Stel Football Club is not built on exclusivity. We have a diverse range of members in age, walks of life, nationalities, languages and races. We are affiliated with the Stellenbosch Local Football Association during our league season. We have opportunities for our members to play competitively against other Stellenbosch-based football clubs and often rely on VDS to facilitate such opportunities. The loss of VDS will serve as a severe challenge for our involvement in the league season starting in March/April 2025.

Though we are still a young club, we have had many developments approximating to on-going future growth of the club. The growth we have seen in membership will mean more teams can partake in competitive leagues. The qualifications of our coaches will mean improvements in the technical aspects of football. The ever-increasing support from friends, family and the Stellenbosch community will provide motivation for the players. However, the loss of VDS will erase all the aforementioned, as VDS is where our members train, where our coaches can do their work, and where the supporters stand on the sidelines and cheer for the team.

Van der Stel Football Club is affiliated with VDS not only in name, but in existence and execution. The proposed changes to VDS could very well mean the end of Van der Stel Football Club. We believe that any proposed changes to ownership of VDS should firstly be to the benefit of existing

President: Jack Swart

Vice-President: Crissio Roberts

Secretary: Kara Ekkerd

Treasurer: Marcell Meyer

Additional member: Jan West

Van der Stel clubs. We urge the Municipality to carefully consider both the short- and long-term implications of any changes and take into consideration the existing clubs' needs.

We trust that the Municipality will take our communication into serious consideration, thus we are not requesting a meeting as of now. We hope that any decision further will be made with due regard to existing sports codes at VDS and the greater Stellenbosch community.

Sincerely,

[

Jack Swart

Van der Stel Football Club President

0762999366

President: Jack Swart

Vice-President: Crissio Roberts

Secretary: Kara Ekkerd

Treasurer: Marcell Meyer

Additional member: Jan West

Van der Stel Gymnastics Club

Club of Opportunity
Since 1975

Annette Nel

Corner of Bergzicht and Du Toit Street, Stellenbosch, 7600

Cell: 082 499 0860

Email: vdsgymnastics@gmail.com / elsieannette46@gmail.com



19 February 2025

To: The Stellenbosch Municipal Manager and DA Council Members

Subject: Urgent Appeal for Lenience to Continue Gymnastics at Van der Stel

Dear Municipal Manager and DA Council Members,

I hope this letter finds you well. I am writing to make a heartfelt appeal for leniency in ensuring that Van der Stel Gymnastics Club can continue its operations and provide a safe, nurturing environment for young athletes in our community.

Van der Stel Gymnastics Club was founded in 1975 by Annette Nel and Karien Verster under the chairmanship of Dr. Jan Jurgens. Starting with just 200 members, 10 volunteer coaches, and minimal equipment, the club has grown into a well-established institution, producing numerous national and international gymnasts over the years. Despite limited support from the municipality, we have persevered, developing world-class athletes and fostering a sense of community and excellence in gymnastics.

The club has played an integral role in South African gymnastics history, producing Springbok and later Protea gymnasts in Artistic, Tumbling, and Rhythmic gymnastics. Competitions at Van der Stel have welcomed athletes from across the world, and our facilities have hosted international events, once proudly supported by the municipality. However, in recent years, the club has faced increasing challenges, including the loss of its primary training hall in 2010, forcing a move to a less suitable space under the rugby pavilion. Despite these setbacks, our dedicated coaches and gymnasts continue to strive for excellence.

In 2015, Van der Stel launched an outreach program with Ikaya Primary School in Kayamandi, offering free training to underprivileged children. Today, 25 gymnasts benefit from this initiative, gaining access to high-quality coaching and the opportunity to participate in competitions. For many of these children, gymnastics is not just a sport but a life-changing opportunity, providing them with discipline, confidence, and a safe space away from the challenges of daily life.

We urge the municipality to prioritize the value of sport and community development over financial considerations. Without support, these young athletes will lose access to the only structured and quality gymnastics coaching available to them. Sport is more than just physical activity—it is a crucial tool for personal and psychological growth, providing stability and purpose in young lives. Van der Stel Gymnastics Club is more than just a facility; it is a home, a safe haven, and a beacon of hope for many.

We implore you to reconsider any decisions that may negatively impact the club and its athletes. Instead, we seek your support in ensuring that Van der Stel remains a place where children and young adults can continue to thrive, grow, and achieve their dreams.

Thank you for your time and consideration. We sincerely hope for a positive response that reflects a commitment to the well-being of our community.

Yours in Sport

Annette Nel



Van Der Stel Sports Grounds

VAT Reg No: 4380127342

Subject: Objection to the 30-Year Lease of Van Der Stel Municipal Grounds to Stellenbosch Football Club

Dear Municipal Manager,

This letter serves as an urgent notice from Van Der Stel Squash concerning the proposed changes to the Van Der Stel Sports Grounds (VDS).

Van der Stel is the only sports club for the residents of Stellenbosch to play squash.

We would like to highlight that the members, and by extension the residents of Stellenbosch, have invested significant amounts of money to improve the courts at their own expense, including upgrades such as computer systems, new flooring, glass, and furniture. We have produced top SA players over the years and provide a service to the schools and Boland to expand the sport.

We play in various leagues such as the WP League and Country Districts. The squash club also makes an effort to connect with the rest of VDS and thus builds up good relations.

This club has grown over the years from 2 courts to 4 courts. It would surely be a tragic day to shut down a growing sport. We, therefore, draw your attention to the fact that we provide a service to the community and will do everything in our power to continue doing so.

Yours sincerely,
Squash Committee

Mari - 0536606367

George Murray -

Mogari. Oettrich 071 326 7237

Lynn Nelmarus 082 799 3500

An-Suzanne Schoeman 084 548 1924

Gail J. Tansley 083 658 3889

G.L. Craus 082 624 6899

Annelie van Tonder 081 0233956
Hennie Voor 082 084 2311



Van Der Stel Sports Grounds

VATRegNo:4380127342

To whom it may concern,

19th February 2025

I am writing this letter on behalf of the the Van der Stel Sports Grounds Karate Club.

We the Karate Club, have been teaching and practicing Karate to kids, students and adults at Van der Stel for the last 25 years. The community hall that we use at Van der Stel has provided the perfect venue for us to learn the very important skills of self-defence that the student learns through practicing the art of Karate . The sport teaches the practitioner; self defence skills, discipline, focus and self-confidence while maintaining a healthy body/mind.

With the recent developments that have taken place with regards to the proposed lease and management changes at Van der Stel, the Karate Club strongly agrees with the ongoing use of The Van der Stel Sports Grounds by all sport codes that currently utilise this venue.

This is a public community facility that was built for this specific purpose of providing sporting opportunities to all the people of Stellenbosch for all sport codes.

We urge that this continues indefinitely for the exact reasons that the club was founded on.

Regards,

Sensei Tony Edwards,

Van der Stel Karate Club (Code 13)



20 February 2025

To Whom It May Concern:

training4changeS is a Stellenbosch-based NGO that was established in 2013 to educate and equip the next generation of changemakers. We create antiracist, intercultural safe spaces for empowering young changemakers through healing-centred sport, innovative quality education, purposeful play, and mentorship. We also provide bursaries to help at-risk learners access top quality high school education. Our innovative relationship-based approach has helped us become a global leader in using sport for good. Over the years we have served almost 2000 Stellenbosch children through sport, and created over 40 jobs for local youth leaders.

Since 2018 Van Der Stel Sports Ground has been the home of our soccer Academy, which has gained recognition for excellence on the pitch alongside holistic development of young people. During this time, we have invested hundreds of thousands of Rand into the facility through our rental agreement. The venue has played a critical role in our efforts to serve young people and bridge Stellenbosch's socioeconomic divides through sport.

We are excited that Stellenbosch has an excellent professional soccer team of its own, and that already some young people from Stellenbosch have been successful in navigating the pathway from LFA football to the PSL. We are strong believers that sport has a central role to play in socioeconomic development; as an organisation, we aim to continue making a positive contribution to Stellenbosch and its residents for decades to come.

Although we have not been included in the discussion around the planned developments of Van Der Stel Sports Ground, as an important stakeholder in the sport for good sector we wish to voice our concern about any further restriction of access to quality sports facilities for at-risk young people in Stellenbosch. It is our sincere belief that every collective effort should be made to increase equitable access to high-quality sporting facilities for at-risk young people across Stellenbosch Municipality. Furthermore, special attention must be paid to providing young people who have been persistently marginalised by the town's historic divides with access to top quality development opportunities through sport. training4changeS reaffirms our long-term commitment to empowering the next generation of changemakers through sport; it is our sincere hope that we, and like-minded role players, will not find access to quality facilities, including Van Der Stel Sports Ground, restricted in the years to come.

Sincerely,

Daniel Thomae
training4changeS International Director

TRAINING4CHANGES NPC
Non Profit Company Reg No. 2013/036724/08 | B-BBEE Level 2
NPO Reg No. 135-324 NPO | PBO Ref No. 930049182 | S18A Approved | VAT Reg No. 4590315141
PO Box 2302 | Dennesig, Stellenbosch 7601 | SOUTH AFRICA
Phone: +27 71 474 6554 | Email: info@training4changes.org | Web: training4changeS.org



Fynbos Gymnastics
Kuils River & Stellenbosch
Email: simone@fynbosgymnastics.co.za
Contact number: 072 378 8677

19 February 2025

To Whom It May Concern,

Fynbos Gymnastics would like to express our sincere concern regarding the possibility of the Van der Stel Sports Grounds becoming the exclusive facility of the Stellenbosch Football Club (SFC).

As one of the many sports codes that utilize the sporting facility's main hall for Rhythmic Gymnastics, allowing SFC to be the sole users of the facility—which essentially belongs to the greater community of Stellenbosch—would not only have a direct impact on the many gymnasts who have been training at Van der Stel *for years*, but also a local business. These gymnasts include athletes from Stellenbosch and surrounding areas, and the facility has become the home of District and Provincial Rhythmic Gymnasts.

Our town has a growing demand for a sporting facility that can accommodate a sport with widespread popularity, serving a community of gymnasts across all ages and backgrounds. Van der Stel is the only facility in Stellenbosch that can support the ongoing development of our sport. The main hall at Van der Stel Sports Grounds is not merely a training facility for our gymnasts but also hosts yearly events such as the Rhythmic Gymnastics Cape Winelands District Competitions, Rhythmic Gymnastics workshops, and several courses that are crucial to the Rhythmic Gymnastics community. Allowing the space to be used by only one sport code will impact the development and growth of our sport in many ways, as Stellenbosch does not have any other sporting facility that can host such significant events.

Should this proposal proceed, we fear that the local gymnasts will lose access to their only available facility and their ability to continue training, competing, and developing their skills. The impact of such a decision would not only affect current athletes but also future gymnasts who rely on this space for their growth and success in the sport.

A municipal sporting facility should be open and inclusive to all sport codes in our community, rather than prioritizing a single code. Prioritizing the needs of local athletes, including gymnasts, is vital to the health and success of our community. We ask that you take into account the value of supporting all sports and their unique requirements, ensuring that every sport has the opportunity to keep their establishment in a town that serves so many.

We kindly request that you reconsider the proposal for exclusive use of the Van der Stel facility and take the needs of the Rhythmic Gymnastics community into consideration and the equal use of the sporting facility by those who have been based at Van der Stel for years.

We thank you in advance for your consideration.

Yours sincerely
Fynbos Gymnastics



Van Der Stel Sports Grounds

VATRegNo:4380127342

Municipal manager: Stellenbosch Municipality.

I hope this letter finds you well. I am writing to express my strong opposition to the proposal for the exclusive use of the multi-sport facility currently accessible to various sports, which is being earmarked for FC and certain sports only.

Our community greatly values this facility as a hub for multiple sports, including crossfit, MMA, boxing, and sport-specific training. These activities serve as vital outlets for individuals of all ages and skill levels, promoting health, wellness, and a sense of belonging within our community. By restricting the facility's use solely to a single sport, we risk alienating many passionate athletes who currently benefit from this diverse environment.

Adopting a single-sport focus not only undermines the spirit of community engagement but also diminishes the opportunity for cross-training and collaboration among different sports. The rich variety of activities at this facility fosters not only athletic versatility but also camaraderie among participants.

I urge you to consider the broader impact of this decision on our community's athletic landscape. Let us work together to ensure that this facility remains a vibrant, inclusive space where individuals of all interests and abilities can pursue their sporting passions.

Thank you for your attention to this matter. I hope that we can advocate for a solution that reflects the diverse needs of our community.

Sincerely,

Ielsje Malan

Crossfit Eikestad



Van Der Stel Sports Grounds

The Municipal Manager
Stellenbosch Municipality
Stellenbosch

Subject: Objection to the 30-Year Lease of Van Der Stel Municipal Grounds to Stellenbosch Football Club

Dear Municipal Manager,

The Van der Stel- Evergreens Rugby Club wishes to formally object to the proposed awarding of a 30-year lease of the Van Der Stel municipal grounds to Stellenbosch Football Club. This decision raises significant concerns regarding procedural fairness, stakeholder consultation, and the future of existing sports activities at the facility.

Our primary objections are as follows:

1. Irregular Changes to Tender Specifications

It has come to our attention that the tender specifications have been altered on multiple occasions without due consultation with the relevant sports bodies. According to the Municipal Systems Act, any modifications affecting stakeholders should involve transparent discussions with affected parties. The failure to engage with these bodies constitutes a breach of procedural fairness and excludes important stakeholders from having a say in the future of the grounds.

2. Lack of an Alternative Plan for Existing Sports Codes

The Van Der Stel grounds currently accommodate multiple sporting codes that serve the broader community. However, no alternative plan has been presented to ensure that these sporting activities will continue should the lease be awarded to Stellenbosch Football Club. This omission disregards the interests of other athletes, clubs, and community members who rely on these facilities.

3. Flimsy Justifications for the Lease Agreement

The reasons put forward for pursuing this lease agreement appear weak and unconvincing. A long-term lease of this nature, which will significantly alter the availability of municipal sporting infrastructure, requires a solid, evidence-based justification. To date, the explanations provided lack the necessary depth and fail to substantiate why such an agreement is in the best interest of the broader community.

4. Absence of a Substantive Justification

Despite repeated concerns from the community and stakeholders, no substantial reason has been provided to justify the need for such a lengthy lease agreement. The decision appears to prioritize a single entity at the expense of broader community use, raising concerns about fairness and transparency in municipal decision-making.

Given these concerns, we urge the Stellenbosch Municipality to halt the lease process until proper consultation has been conducted, a viable plan for existing sports codes is presented, and a clear, well-substantiated rationale is provided to justify the necessity of this agreement. I also request that the Municipality provides a detailed response addressing these objections and clarifies how it intends to comply with the required legal and consultative frameworks.

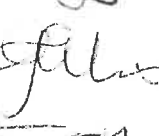
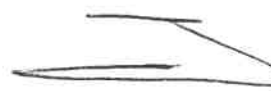
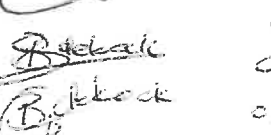
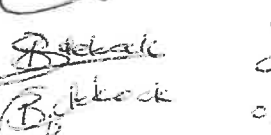
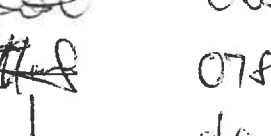
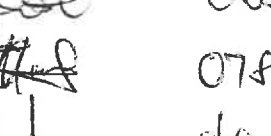
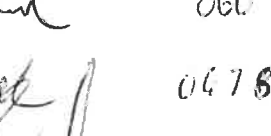
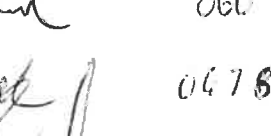
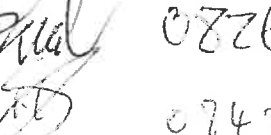
I appreciate your attention to this urgent matter and look forward to your response.

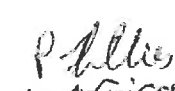
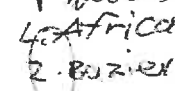
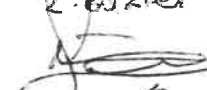
Yours sincerely,

Van der Stel – Evergreens Rugby club

Signed by;

1. **John Ruiters** johnr@sun.ac.za
2. *[Signature]* 054 718 1113
3. **Ando** *[Signature]* 0853814364
4. **Alastair** *[Signature]*
5. **MARTHA ALEXANDER** *[Signature]* 0733260724
6. **SECHYN RUITERS** *[Signature]* 0845667777
7. **GALARD MATROOS** *[Signature]* 0728876460
8. **ELIAS JACOBS** *[Signature]* 063 379 9958
9. **Lyle Hendricks** *[Signature]* 083 423 0085
10. **EAGAN MATROOS** *[Signature]*
11. **Conig Snyders** *[Signature]* 065 978 4044
12. **Orren Kruger** *[Signature]*
13. **Lyle Jacobs** *[Signature]* 081531887
14. **Diane Hine-Sedera** *[Signature]* 0826180850

- 15 Kelly Goff  0828791177
16. KOSIE LEWIS  0823220814
- 17 GILROY FILLIES  0711216789
- 18 PAMELA BOOYS  063 980 8873
- 19 Lionel Carstens  0824593229.
- 20 S. Brooks  0795554221
- 21 A. Hoffmann  061 992 8632
22. Thayne Brooks  ~~079 551~~ 7750.
23. Peter Odeh  065 567 5412
24. Brandon De kock  084 779 0201
25. Bernice De kock  084 556 6027
26. Quinen Beunten  082 3221941
27. Robyn Brooks  083 766 3108
- 28 ALVIN BRANDT  084 652 6991
- 29 ENVER BRANDT  071 071 3240
- 30 Liam Sampson  066 419 6507
- 31 Lance Hartnick  076 753 5720
- 32 Jason Cloete  081 314 6771
- 33 THURISTAN VAKENTIN  073 3671153
34. Colin LAMBERT  0717241716
- 35 EARL ROSE  0659333229
- 36 THEODORE MARINUS  078 3307719
- 37 Kyle Bender  060 466 5180
- 38 Judon Hael  0478140033
- 39 DUNCAN SAAK  0826092712
- 40 HEINRICH SILVERNS  0743184431

- 41 John ENGELSKLETT  060 587 9046
- 42 Xolisa Mchlo 078 069 5839
43. Choollee Lokez Day 081 820 3482
44. Louan de Lange  083 268 6744
45. Jaen-Louis de Lange  071 876 3456
46. Kyle Milford  061 536 8064
47. Mitchell Nicolson  072 365 3736
48. Sergio Kroger  083 783 4400
49. REGAN MARCUS  072 013 4272
50. Edmund KIMM  083 578 7034
60. Xavier Hine  076 922 3765
61. Maffhage September  078 075 0115
62. Zaahier Bazier  084 353 7078
63. Patrick Filles
64. Liam Africa  079 717 0123
65. Zakir Bazier  081 738 6666
66. Liaan Timmie  074 728 1835
67. Lyle Jacobs  076 607 0667
68. Honour Mubaiwa  061 034 3471
69. Dr-Andre Mawers  071 561 0112
70. Achen Smith  060 381 7750
71. Dale Volarius  082 800 78112
72. Threese Janork  062 164 6270
73. Barnardt Cloete  079 675 5500
74. Janno Neethling  062 690 7040
75. Arlo Viljens  066 232 3877
76. Calem Alexander  061 004 3093
-  069 875 7071

77. Stefan van der Haven ~~Selknam~~ 072 337 4123
78. Roderick Seeman 082 376 71 98
79. Zaiden King 069 401 0417
80. Eorick Hansen 065 107 1218
81. Mag. Yusuf Adams 083 269 8467
82. Marshall Jullies 074 730 9780
83. Zepho Bico 072 426 7709
84. Kieran Southgate 074 672 6288
85. Tyron Gibbers 074 683 5609
86. Jimmy Croft 065 568 3573
87. Hillario Dennis 065 133 0489
88. Cairin Kayser 665 688 7740
89. Raphael Justin Van Rynveld 078 587 7912
90. Duval Swartz 067 037 7914
91. CARIS CROSBIE 068 702 6284
92. Juf Tsoka 062 585 4692
93. Willem Jordaan 079 712 0678
94. Errol Jagers 071 040 0359
95. Ewan Gahrick 087 728 2600
96. Kyle Alexander 079 875 1579 ~~A Kyle~~
97. Celwyn Murchison 02D 251 200
98. Nathan Alva 061 572 9495
99. Keshrey October 061 42 2990
100. Brandon Smith 084 073 7826
101. Tristan Lutch 026 553 3621
102. Ashwin Dube 078 351 9985
103. Kyle Milford 069 901 9191
104. Brandon Volen 076 640 3233

- 105 Jayvin Rhode ~~074 376 6643~~
 106 Matthew Cipico M. ~~079 119 8685~~
- 107 Jerome Daniels ~~073 061 7689~~
 108 Emile Toffa ~~060 640 4057~~
 109 Damian HARMSE 074 663 3822
 110 Patrick Goliath 060 813 4718
 111 JERMAINE ARNOLDS 073 554 1650
 112 Igelson Seelie 082 803 5018
- 113 Markham September 061 091 6015
 114 Sebastian Johnson 076 724 4260
 115 Elrico Zepharic 072 684 189
 Torque Proccson 066 226 9071
- 116 Grand Titus 073 246 9509 ~~Seitel~~
- 117 LEROY Ruiters 061 461 3449 ~~See~~
 118 AUSTIN FREATZENBURG 072 857 3943 ~~See~~
 119 DENNIS VAN Wyk 062 374 5904 ~~See~~
 120 Hughson Engellbrecht 083 531 6259 ~~See~~
 121 Kelvin Fikster 071 936 0020 ~~See~~
 122 JERANO WILLIAMS 073 540 5283 ~~See~~
 123 Andre Carsons 076 496 0000 ~~See~~
 124 Cullen Hendrikse 062 682 270 ~~See~~
 125 Franck Kalonyi 074 297 2761 ~~See~~
 126 Nathan Barry 071 192 7048 ~~See~~
 127 Doriano Claassen 084 045 4601 ~~See~~



VAN DER STEL

KRIEKETKLUB

/

CRICKET CLUB

Posbus / PO Box 1
STELLENBOSCH

7599

Date: 20 February 2025

Dear Stellenbosch Municipality and Esteemed Members of the Council,

I am writing to you today on behalf of the Van der Stel Cricket Club, a cornerstone of Stellenbosch's sporting heritage for decades. Our club has been an integral part of the Van der Stel Sports Grounds, contributing to the rich tapestry of sporting excellence and community spirit that defines our town.

For over 85 years, the Van der Stel Sports Grounds have served as a common municipal facility, fostering the development of sporting legends and providing a unifying space for the greater Stellenbosch community. The grounds have been home to multiple sporting codes, including rugby, soccer, cricket, athletics, and hockey.

Van der Stel Cricket Club has consistently performed at the top level in Cricket Boland leagues in recent years. Our success is a testament to the dedication of our players, the quality of our coaching, and the unwavering support of our community.

The use of the multi-sport facility is vital to our continued success. The sourcing of new or other fields in central Stellenbosch is impossible. Our club fosters a diverse range of players from all spheres of the community. This inclusivity is showcased throughout the year, with games played in the true spirit of professional sportsmanship.

Community members cherish the sight of the mountain, the green grass, and the teams that practice and play on weekends, a welcome distraction from the daily congestion on the R44 and Merriman Road. The Van der Stel Sports Grounds are more than just a sports facility; they are a symbol of Stellenbosch's vibrant community and its commitment to a healthy, active lifestyle.

We understand that the municipality is considering a long-term lease agreement for the development and exclusive use of the VDS facility by a private company. We are deeply concerned that this decision would jeopardize the value our sport brings to the broader Stellenbosch community.

We urge you to consider the impact of this decision on the Van der Stel Cricket Club and the wider Stellenbosch community. We ask that you reject any process that lacks transparency,



violates fair public consultation, and dismisses the rights of the many sporting codes and athletes who have called these grounds home for generations.

We believe that the Van der Stel Sports Grounds should remain a multi-functional facility, accessible to all sporting codes and members of the community. We ask that you ensure the continued inclusion of multiple sporting codes at VDS and that other sporting codes retain the right to exist and operate within the facility if the lease agreement proceeds.

We are committed to working with the municipality to find a solution that ensures the long-term sustainability of the Van der Stel Sports Grounds while preserving its historical significance and community value. We believe that by working together, we can ensure that the Van der Stel Sports Grounds continue to be a source of pride and inspiration for generations to come.

Sincerely,

Andre Cilliers

Chairman, Van der Stel Cricket Club

OBJECTIONS WITH FAIR AND VALID REASONS AND CONCERNS:**INDEX AS AT 20 FEBRUARY 2025**

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Public online comments received:

Audrey Van Wyk	Against the development for a single sports ownership. This is community grounds for different sport codes.
Rochelle Ueckermann	All existing sport enjoyed at Van der Stel must be accommodated to reach different communities. Sport bring people together.
John Ruiters	Never thought I'd see this happen in our democracy. Sies Stellenbosch Municipality! Sies!
Babsiev Zyl	Daar is reeds fasiliteite in Kayamandi....ontwikkel dit!!
Hilton Brian Africa	Decisions made behind closed doors by stakeholders without involving the affected community is reminiscent of apartheid style tactics of forced removals and relocation, and must cease with immediate effect. It's seems that decisions are influenced in favour of those with bulging wallets, while communities who enjoyed watching rugby, is uprooted. VDE is a Club that has progressed tremendously over the last 5 years and is a Club that the entire of Stellenbosch is be proud of as it is evident by it's recent progress that is uniting citizens from all sectors of the population. Stellenbosch Municipality officials who sanctioned the lease to Stellenbosch FC, thus forcibly resulting in the relocation of the homeground of VDE, should be ashamed of themselves. Where to from here for VDE? The answer is NOWHERE! VDE will only move if a facility that is equal or better than the current one, which is centrally located, is offered. If not, VDE SHALL NOT BE MOVED!
Cecilia Steinberg	Die publiek eis deursigtigheid van die Stellenbosch Munisipaliteit en die eienaars van SFC.
Pierre Blake	Dit wat nou beplan word deur stadsraad is heeltemal teen die doel waarvoor die fasiliteit opgerig is. Was bevoorreg om vir 4jaar vir die VDS rugby klub te speel.
Kees van der Waal	Ek maak sterk beswaar teen die uitsluiting van sportsoorte wat reeds by vdStel gevestig is. Ek versoek n oop konsultasieproses en die stop van n eksklusiewe verhuring vir geldelike voordeel.
Dominique	Guys this is going to be tough coz Rupert is the sole sponsor of Stellenbosch FC he knows people who know people but the slim chance we as the broader community of Stellenbosch and a die hard VDE supporter i know that we can overcome this takeover by Rupert
Jack Swart	History of Stellenbosch must remain !!
Estelle de Villiers	I agree that full transparency is necessary if stakeholders at vd Stel is to be impacted by a decision being made. Whether these stakeholders have a choice in the decision or not, I believe that the necessary information should be shared with them to be able to plan the future of the sports grounds and facilities utilized.
Tyron Daniels	I feel that the club VDE just reached peak since 15 years ago it's a community team and their home will be taken by a professional team that has investors that can buy any piece of land but takes interest in a community club it's gonna hurt the development of rugby in the community including small surrounding towns interested in the club VDE
Pinkie yolisa	I have been using van der stel for about 15 years or more for ikaya primary school gymnastics
Velda Williams	I'm.the Pastor of Destiny Church and been in this building for a number of years.Destiny church is in Stellenbosch for 20 years now and we need this space. Please consider this.
Derryn Holliday	Inclusivity for greater stellenbosch community and the right for all sporting codes to co exist!
Yanik van der Veen	It is of the utmost importance to protect an institution that provides affordable and accessible opportunities for various sports and activities.
Wihan	It would be idiotic to close down VDS
Frankford Williams	I've been playing blind cricket at VDS from 2000 - 2007. Since 2019 blind cricket has returned to these grounds. Where will we go if there is no access???

Dawid Botha	Keep VDS open to all in Stellenbosch, it belongs to the community of Stellenbosch.
Gato	Leave us alone. Kayamandi sportfields a joke. Not used in 12 years. What a waste.
JH Malan	Munisipaliteit wil van die Administratiewe en Finansiële verantwoordelikhede teenoor sy belastingbetalers ontslae raak onder die dekmantel van privatisering. Voel vere vir die gemeenskap. Waar is ons nuwe Burgemeester??
Tyron Meadon	No sports club should ever be closed down, think about the future of sports for children, have a heart
Melodie Claassen	No transparency regarding the intended use of the VDS facility
Earl Ingram	Nog nooit kan n klub en gemeenskap se erfins net so afvat nie.
Mariana Du Toit	Ons kan nie toelaat dat die gemeenskap van Stellenbosch ontnem word van hul sportgeriewe (22 verskillende sporte) met 'n verskuilde agenda wat nie openbaar gemaak word nie. Dit klink onderduims en ongrondwetlik!
Pablo Korkie	Simply stay away from privatization - period.
Mike-Junior Mavovana	Stellenbosch is officially up for grabs to the highest bidder right now
Ryno	Stellenbosch is the richest municipality and they can build a new stadium for the soccer why wanting use a sports ground which houses so many young under privilege rugby stars that has joined VDE for a better future. This will cause many youngsters falling into other wrong activities.
Heidi Semone Sauls	The time frame given for public participation is not sufficient and giving this tender to 1 entity whilst so many other sport codes are being affected negatively and disadvantaged is unacceptable
Tayo Jon Allerton	The VDS sports grounds uphold the community ethos of Stellenbosch to be inclusive, available, and maintained facilities for the recreational purposes of the community. The commercial interests of any one entity do not supercede the interests of the community, as enshrined in the constitution of South Africa.
Wesley Seconds	They planing to take away the only safe sports facility in Stellenbosch. We are home owners and parents use this space to go kick ball and practice sport. Taking this facility away will have a very big negative impact on our Stellenbosch community, on the current generation and generations to come.
Jaco Vosloo	Transparency is mandatory where the public is affected, especially when municipal decision making is involved.
Marykw	Van der stel is the heart of Stellenbosch. It can not be removed or replaced.
Stephanie Molly Emma Sandler	Van der stel sports club is part of how I got to the Olympic Games in Athens, 2004.
Dewald Nel	VDS is for all I played Rugby and baseball there. A people orientated club
Tania Verheem	We have been using the Vds multisport facility for more than 20 years for gymnastics, karate, soccer, squash, gym. It is integral part of our lives. No to single use sport and private companies who can do as they please under veils of secrecy.
Erik Coetzee	We prefer to continue operating as things are. We are happy working towards our respective goals independently. The current clubs are all complimentary to each other and allow the public to train and develop in the sport or discipline they prefer.
Chad Damon	We shall not give in to private take over , we will stand with the History and values of VDS
Mike Uys	Why money needs to change all the old traditions I don't know. That facility has been the backbone of many enjoyable events in the past and will do so it the future as well
Fidealina Adams	You want to take our field away from us now we went up the to super A you as the municipality haven't even congratulate us on our achievements now Anton Rupert comes with his millions and you want to sell our history to him and tell me how many players from Stellenbosch is in that fc club come on DA why do we vote for you every time and then this happen come hold a meeting with us so we the people can tell you what is on our heart

Marni Thomas	100% support and agree with this petition. I worked there from 2019 to 2020 and it was a disgrace and disappointment of the way the Municipality dealt with VDS committee members, staff and matters. No "community service" was part of my experience. Always had this feeling of hidden agendas. Seems like the trend hasn't changed. Very sad and something should be done. Stand strong and firm (with respect) VDS community. What is right is right.
Renaldo	A well build established sports ground for all sport codes that has been years in Stellies, they just want to throw down it's really sad....
Christopher smallbone	Absolutely ridiculous that other sports must suffer for one sport
Charl Prins	Against 3rd party
Jennifer Visser	Agree
Karin Coetzee	All sports must have equal rights to use fields
Luke Adams	Although no longer residing in Stellenbosch, I was born and raised there and have many fond memories on these grounds with all sports I played. To only provide exclusive right to one entity spits on the legacy of all previous generations.
Jo Lombard	Any training grounds should welcome community, with certain strictness regarding times due to field capacities. Creating a single focused sporting ground discourages community development, as the smallest percentage of people receive focus while the rest are left behind. Every community in Stellenbosch and the neighboring areas, from poor to rich enjoy one thing and that is sports stopping access to sporting grounds will destroy any future community growth.
Gregory van rooy	As what layout above
Louise2 Van der Merwe	Boo
Kenny Spangenberg	Can remember VDS having boxing club, darts, gymnastics, netball, baseball and rugby to mention a few for the towns people. The younger people of Stellenbosch have a place to go participate in sport for a healthy town.
LY Mouton	Clarity
John Bekker	Closure please
Zane Anthony	Coloured sports will be negatively affected
Stefan	Comments
Gerhard Beukes	Deursigtigheid asb
Daniël	Die sport klub moet bly soos hy is. Die klub het gans te veel geskiedenis om te verloor
Abraham Williams	Dis kommerwend dat alles gaan oor n bord lensie sop
Shivano	DON'T CLOSE BC VDS IS A PLACE WEER PEOPLE GO TO LEARN HOW TO DO SPORTS
Milan Luzipo	Don't do it we love sport
Botha Pretorius	Ek teken dis nie reg nie, groete
Milissa Malamba	Equal rights for everyone. Inclusive not exclusive. The rich get richer and poor get poorer. Stellenbosch is painting a picture based on lies
Solomon Nkanyane	Ex rugby player of VDS RUGBY
Jeffrey Stalmeester	Field exist many years
Johan Horn	For the community and no exclusive deals meaning exclusion!
Shaun Daniels	For this reason I cannot play there with my girls soccer team.
Franco Duminy	Free the field
Amanda Botha	Full transparency and thorough proposals are required. No ambiguity is acceptable

Grant Absalom	Fully agree with the above concerns raised
Gretha	G.Schoonraad
John Lakey	Gemeenskap klub en veral die omliggende Plase wat geen Sport Fasiliteite het nie.
Akbur Kassim musitafu	Get In! Kit Konnect is the best!
Anneline Taljaard	Giving rights to only one sporting code is to discriminate against all other. This is not fair.
Jordan	Have been there many times and have good memories there
Johan H Stander	Histories vir die inwoners van Stellenbosch geskep !!
Minnaar Carinus	Hou Van der Stel uit verkeerde hamde.
Ryno Janse van Rensburg	I Agree
Anna-Marie Breedt	I agree please send closure.
Gean Boegman	I agree, wee need clear consultation and an open opportunity for engagement
Taffryn Truter	I am against having this property sold to a soccer club.
Peter October	I am against that Stellenbosch FC to take over VDS sports ground, This Sports club has a rich History.
Francois etson	I am saying no to this project
Roleen Carstens	I am strongly opposing commercialisation or giving the grounds for the use of a private entity
Tony Edwards	I am the Karate coach at Van der Stel Sports Club. This is a valuable sport for the community of Stellenbosch and we hereby endorses this petition regarding the transparency of the future of the club.
Abraham	I back Van Der Stel sport club .
Matthys Walters	I doubt the legality of the proposed changes, Van der Stel club has a long lease agreement for the property which would require that the municipality provide equitable facilities should any part of the sports grounds be repurposed.
Layton Beukes	I fully support VDS
Jack Swart	I have been apart of Van Der Stel Sports club since I was very young.
Albertus Johannes Basson	I have been making use of these facilities in various ways for the last 20 years!
Danie vd Westhuizen	I have fond memories of having been a member of Vd Stel Sports Club way back i. 1978. Lot of heritage there
Thomas van Wyk	I have signed this petition
AJ Basson	I play cricket at the club
Charn	I played there at a child and want my kids to play of safe open spaces
Estelle Aspelng	I say NO for only one sport at Van Der Stel!
Corne	I say that vanderstel sports club must be for the local cominity not for making money.
Alzette Bronkhorst	I strongly oppose.
Karen Ekkerd	I strongly support this petition.
Zelda Simon	I support this petition
Sugnet Lubbe	I support this petition.
M Pienaar	I SUPPORT THIS, VDSTEL IS FOR ALL STB SPORT LOVERS
Tommy dietommygun	I Tommy cloete sign this petition for the use of the facilities at the vds sports ground to allow us as a rugby team to live out our passion and dream in rugby
Paul henning	I train mma there I'm not playing bloody soccer.
Craig Brown	I want more clarity on the future access of other sporting codes

Troy daniels	I want vds to stay because iam a rugby player and i belong to the club and and i have memories that i have there by playing there its just wrong
Danie Obermeyer	I would like to continue doing MMA at the gym
Aviwe Tshotso	I would love for Van DER stel to continue using this play ground
Philip Parrock	If these rich pigs want to just buy a sports facility. Why don't they just build one in Mostertsdrift where all their empty mansions take up space.
Hanre	In support of the petition for more clarity regarding the privatization of VDS Sports Club (remaining a multi-functional/multi-code sporting facility)
Leslie Siegelaar	In support of this motion
Zubeida Baron	It is important for the sport to develop at grassroots level, keeping many disadvantaged learners off the streets.
Carla Pieterse	It is important to the community that we retain space for multi sport disciplines. This is a safe space that has also guarantee a place regional trials for dog agility can be held.
Helena Moller	It must be open for other sport, not only soccer.
Linda Meiring	It will be appalling if the community loses access.
Megan Conrad	It would be cruel to deprive the many people who use this facility for a multitude of sports without proper explanation and consultation
Johnwin	it's a very good club.
Isabella van Niekerk	Its enables a community.
John Sutherland	Keep it a multi sport facility. There is not enough soccer events to justify the change to an only soccer facility
Dominic Di Nicola	Keep it open
Jurie Van Vuuren	Keep the existing activities
Nikki vd Westhuizen	Keep the sports grounds open for public use. I trained there all of my childhood and have the best memories ever. Don't take it away from children only to be used for a private club.
Conita	Keep the VDS sport grounds and all the current sporting codes that operates from there
Anthony Barker	Keep them out...
Johan Latsky	Keep Van Der Stel a multi sports community
Hercules	Keep vanderstel open to everybody for all sports usage
Anneke Fourie	Keep VDS
Duncan Shaw	Keep VDS a multi sport facility!
Scott Blackwell	Keep VDS as is
Tanja Scholtz	Keep VDS as it is
Leitania Zietsman	Keep VDS sports club going as is
Carol-Ann Rohrmuller	Let sports be played on sports fields
Henry Steel	Let us save the beloved Van der Stel and all the sport teams representing this Club!
Bongi	Let's be fair to the Stellenbosch community and support all sporting codes that use the Van der Stel facilities.
Johan Breedts	Let's do it
Betty	Moenie iets wat werk, verander nie
Tessa Roux	More clarity required.
Rob Byrne	More information required
Nicholas Heins	Multi use sports centers are a key part of any community
D Reid	Municipality needs to work for the people not businesses only. Provide proper and complete information and not just hand over public interest for private gain.

Adriaan Fourie	Must be a club for all sport codes
Laetitia Viljoen	Must have transparency
Patrick Fray	must stay in the community thanks
Tertius de Villiers	My family is known to VDS, my farher a honor member and ou 3 brothers the same, this is not acceptable.
Edith Kennedy	My father played rugby there in the 70s and my friends did gymnastics and wrestling there. It was always a multi sport facility which served the whole community. A home for people who could express their talents!
Julian KrÃ¼ger	My Vrou het vir jare geoefen by die gimnasium wat by Van Der Stel was. Nadat hul die ondergebruikte saal op gegradeer het op hul eie koste asook in dir proses was om n swembad te bou, is die kontrak gekanselleer. Dit was n sinnelose besluit deur die Munisipaliteit, 10-1 deur n boontjie teller in n kantoor wat nie eers in Stb bly nie
Jaco pieterse	Myself played for Van Der Stel Rugby club from 2003. This is part of my and Stellenbosch heritage. This must be kept for future generations.
PJ	N/A
Jannes	Nice boys
Lamees louise De klerk	No
JM stephens Tina	No
Ettienne de wee	No
Shane Waugh	No deal
Chadlee	No for the changes
Viola	No it must be available to all community of WCO24
Janine Der Kinderen	No one sport should have Van der Stel
Jurina	No private of exclusive use of the sport facility
Maryna Cilliers	No single monopoly. All sports to be accomodated
Eugene Booysen	No to one sided decisions and the destruction of our towns history
Jenashton january	No to stellies using vdstel
Adri van Zyl	No! Stop this nonsense in stelleis
Hein Steenkamp	No, keep it for the public
Rozenate Arnolds	None
Marcel Le Roux	None, just needs to be done
Elroy	Not happy with the desetion of selling the sports ground.to rich well our people must worry again where are they going next
jp carstens	Old club player
Bjorn	Onbillik
L Schickerling	Ondersteun
Ludwig Fechter	Only for soccer !! Absolutely ridiculous. What about all the other sports !!!
Moneeb Levy	Other sporting codes will suffer which means no sport will be available to our youth resulting in boredom and an increase in gangsterism for the youth has nothing else to do
Lyle	People over profit
Marc Ruiters	People over profits
Carmen	Petition signed!
Hertzel	Played Cricket there in Seventies...absolutely necessary for locals to have access to the numerous Sporting Codes...

Winston	Please do not sell our field our colored communities have nothing here
Pieter Pretorius	Please do the right thing!
Marietha Smith	Please don't close the doors of Cross Fit!!!! There is a lot of students exercise there and keep them motivated.
Tanya Neethling	Please don't take our gym!!! It's been our Home for 8years. Some many people enjoy this space and train there.
Adri katts	Please save our community field.
Jan Scannell	Proper public participation with total transparency is required.
George Murray	Public entities are to be protected and developed for the community, nit rented out for profit and blocking community use
Clayton Robyn	Re
Mariaan	Rugby plays a vital role in this community, uplifting an entire community.
Kit Konnect	Save the lads
Dant@ George	save vde !!!
junior engelbrecht	SAVE VDE !!!!
Sinead de Villiers	SAVE VDE !!!!!!!!!!!!!!!
Meagon Morris	Save vde
Ashletah Gallie	Save VDS
Ryan	Save VDS
Alexander Matiesie	Segregation is alive and well!
Kim Wiese	Signed
Fabian Nicholls	Signed
Francois Carstens	Signing petition
Winnie lombard	Sport is for all!
Gino	Stand together for VDS
Richard	Stop
Karin Burger	Stop these people from ruining Van der Stel Sportsgrounds.
arne cedervall	Stop this
Louisa Viljoen	Stop this action.
Babette van Eeden	Stop this nonsense
Elnita Bruwer	Stop this nonsins!!!
Hennie Smal	Stop this now
Mariette Van Rensburg	Stop this. Landgrab.
Clifton	Support
Pieter Carinus	Support fully.
JJ van Tonder	Support petition
Jacques Taljard	The grounds should be exclusively for the use of all sports people!
Dirk Lamprecht	The more variety of sports the better. Keep the existing sports.
PHILIP ROBINSON	The multi sport complex is an icon of Stellenbosch and it would be a shame if it was lost to a single sport only
Christina van Wyk	The municipal sports grounds belong to all the people of the Stellenbosch community , and should remain available to ALL the town's different sport disciplines.
Sadulla Karjiker	The municipality must ensure that the existing sports clubs and facilities used by those clubs are maintained.

Robert	The sport facilities should be available for all. Giving a multisport facility to one sport will be unfair towards the greater sport community
Esmari	The van der Stel sport grounds should be available for all sports, not just an exclusive private soccer club.
Elrico	The wall is essential to the community of Stellenbosch.
Sinan Baburoglu	There are already more than enough space for the football community, and I personally use VDS sports for various activities- MMA, Crossfi and gymnastics. It is such a convenience for there to be many activities at one location. It would be a disgrace to see that change
Simon Wilson	There must be transparency, and the lessee must be shared with the community.
Sharon Smallbone	These grounds are used for dog agility too and it would be very unfair to push them out.
Cecil Adams	They can't take a community club and build it for a soccer club and there is no benefit in for the community and the business of the Greater Stellenbosch
Lizelle Moses	They need to be Transcend
andre	they will not do that
Anita du Toit	This cannot happen to Van Der Stel sports complex
Carina Baguley	This is a community facility.
Braam Coetzee	This is and always was a Stellenbosch community site not reserved for one specific group.
Michelle Roman	This is not just a sports ground but a community foundation
Johann Joubert	This is not right. You can't just take control over something that's been there this long and for only one sport.
John Engelbrecht	This is our ground
Carlin Sinkfontein	This is ridiculous as this is one of the few community facilities left for people in the area.
Renzel Botman	This is unfair to these sporting codes wanting to change lives within our communities and their athletes.
Shadrack sobashe	This place belongs to the community...nxaa
Deon Esau	This should remain a municipal property to the benefit of the community. The idea that one rich family can own and control this place is disheartening and should be treated with contempt.
Keaton Petersen	This unfair from Stellenbosch they have the necessary funds to build their own
Ethan Voigts	Transparency
Pieter la Grange	Transparency required!
Carl Blake	unacceptable, Stellenbosch FC is a professional club with significant financial backing, why are they targeting a municipal facility for amateur sport. Something smells bad. They could easily build their own facility
Arina Barnard	Ure se genot langs daai krieketveld! NEE NEE NEE!!+
Elsie Nel	Van der Stel belongs to the community not rich soccer clubs
Heinie Jack	Van der Stel belongs to the community!!!
Jaco Lello	Van der stel bly net Waar hy is.
Annette Nel	Van der Stel for 85 years has served the community and the youth. Municipality hasn't the right to take this away.
Ellen Dreyer	Van der stel for the youth and sporting community
Elmien Taljard	Van Der Stel has been a part of my history. Gymnastics is a big part of my life since childhood
Lucian van Rooyen	Van der stel has been my home since 2019 i started playing soccer for the club and started playing rugby since 2021 for the club and stayed with them till 2025
Neil	Van der stel moet bly.
Mario Benjamin	Van der stel sport ground is Stellenbosch history

Christine Maree	Van der Stel Sport grounds should remain available for various sports and not allocated to just one sport. We should encourage diversity and participation
Leon Uys	Van Der Stel Sportgronde sal daar bly.
Wilmour Hendrikse	Van Der Stel Sportgrounds must remain in the hands of the general public of Stellenbosch
Lawson Eksteen	Van der was nog altyd bedoel vir die hele gemeenskap. Nie net een sport nie.
Eduard Swart	VD Stel Sports Club must stay
Mario	VDE is ar home
Lesli-Anne Smith	VDE rugby to be continued on the field and all the other activities to take place there
Jaco ECKLEY	VDS Cricket and Squash Dearest Memories
Martino	VDS has brought so much joy and happiness to many club players and people outside and inside Stellen
Daniel Spangenberg	VDS has housed sports as diverse as baseball, bowls to Mainstream rugby and must continue unhindered.
Logan Julius	VDS is a prestige and well known sports ground that has stood for years and made it's name well known to the eyes of many including those with many many interests in what this amazing establishment has provided for many
Hans Hugo	VDS is die tuiste van verskeie sportkodes. Dit is die munisipaleit se plig en verantwoordelikheid as regs persoon om sulke geriewe te verskaf en te onderhou. Dit is tog een van die funksies van 'n munisipaliteit.
Dr Freda Kemp	VDS is for all sport codes!!!!
Rina de Wit	VDS is there for the bigger community and NOT just for soccer !
Enrico Nel	VDS Sport Grounds should be kept as a mixed sport facility which benefits the whole community and allows multiple sporting disciplines to come together and share their love for sport and fitness. Any other development of the grounds will lead to further gentrification in Stellenbosch Central.
Chadlin	VDS sports ground is for the community and not for private use
S Weerdenburg	We can't afford to alienate our sports facilities within Stellenbosch. We already lack decent sports amenities for all.
Bruwer Engelbrecht	We need community based sports ground, open to any and all. The municipality should do proper maintenance and upgrade the facility to benefit the whole community. Build places where the community can come together.
Evelyn Visser	We need more housing for our less privilege people in Stellenbosch and surrounding areas. Our children need space to study and get educated
Inge Buitendag	We need our sports!
Danie Janse van Rensburg	We should treasure our old sport clubs.
Pamela Jacobs	We want all sport clubs to remain in operation.
Wim Human	We're trained and later I trained Judo at VDS. We cannot conniving killing the smaller sports which were always embraced by VDS
Gerrit Pretorius	What about the other sports ?
Gary Baumgarten	What travisity. Do not do this
Liam	what's happening is completely wrong and the club of vde rugby is the home of many people.
Somdangar	You shall be saved!

From: Nastassja Adonis <adonisnastassja@gmail.com>
Sent: Thursday, 20 February 2025 16:53
To: Geraldine Mettler <Geraldine.Mettler@stellenbosch.gov.za>
Subject: [EX] Stellenbosch FC Sports ground

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

Dear Mrs. Mettler,

I trust this email finds you well.

I would like to take a moment to highlight how wonderful the new Stellenbosch FC sports ground will be. This development will undoubtedly be uplifting, particularly for the youth in our communities, as it will provide more accessible opportunities to watch and support the games taking place.

Having the SFC home ground right here in Stellenbosch means that fans no longer have to miss out on games due to transportation issues or high travel costs to the Cape. The fact that our talented Stellenbosch soccer players, who are truly the cream of the crop, will have a designated home in the heart of our town is an incredible opportunity for both the team and our community.

Thank you for your time and consideration.

Warm regards,

Nastassja Adonis



From: Earnest Niki Mlindwa <mlindwaeearnestniki@gmail.com>

Sent: Thursday, 20 February 2025 14:43

To: Geraldine Mettler <Geraldine.Mettler@stellenbosch.gov.za>

Subject: [EX] Development in our area will brings more positive results in our economy.

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

Good Afternoon to the leaders.

My name is Earnest Mlindwa From Cape Winelands region. I'm writing this message as proudly Stellenbosch FC supporter. I just want to express myself for happiness Stellies brings to us. To see Stellenbosch FC wants to use your facility make me more proud. I wish you can conceder it as I know it will benefit our community and you as well with economy growths.

Thank you

From Earnest Mlindwa

From: Elizma B <elizmasmit4@gmail.com>
Sent: Thursday, 20 February 2025 13:33
To: mm <Municipal.Manager@ Stellenbosch.gov.za>
Subject: [EX] Van der Stel Development

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

Dear Sir/Madam,

I am writing to express my family's enthusiasm for the proposed development of the Van der Stel Sport Complex into the new home of the Stellenbosch Football Club. This exciting project will not only elevate our team to the next level but also become a beacon of hope for our community.

As a loyal supporter, I have fond memories of attending matches at Danie Craven Stadium. However, having our own stadium will be a game-changer. It will inspire our youth, provide a sense of pride and belonging, and offer a world-class facility for our team to thrive. They will know where their hero's are, know where their next games would be and will be able to dream of perhaps, someday, also running out as part of the SFC team or even be the next Stellenbosch Bafana Bafana/Banyana Banyana player.

The new complex will also address logistical challenges, such as traffic congestion and taxi parking, making it a more enjoyable experience for spectators. Furthermore, I am confident that the new management will ensure the grounds are well-maintained, enhancing the overall aesthetic and safety of the area.

I am thrilled to be part of this monumental change and look forward to witnessing the positive impact it will have on our community.

Kind regards,

Elizma Smit

From: Sias Mostert <mostertsias@gmail.com>
Sent: Thursday, 20 February 2025 18:20
To: mm <Municipal.Manager@stellenbosch.gov.za>
Cc: Jose Cabral <josecabralucrista@gmail.com>
Subject: [EX] Responding to Invitation for Response to Van der Stel Sport Terrain

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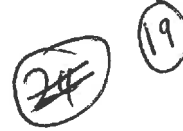
Dear Municipality Manager,

Please find input to the invitation to respond to public participation on the Van der Stel Sports Terrain for SFC.

Kind regards,

dr Sias Mostert

Chairman of e'Bosch Board of Directors



From: Cathleen Booysen <cathleenbooyesen908@gmail.com>

Sent: Wednesday, 19 February 2025 21:29

To: mm <Municipal.Manager@ Stellenbosch.gov.za>

Subject: [EX] Re: Public Participation Process: Objection to Disposal/Long term lease of Municipal Property

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

This objection has reference to:

CONSIDERATION OF IN PRINCIPAL DISPOSAL OF VAN DER STEL SPORTS FACILITY (Erf 235) ON A THIRTY (30) YEAR LEASE AGREEMENT TO STELLENBOSCH FOOTBALL CLUB

Dear Municipal Manager

I'm writing to formally express my disapproval of the recent request for CONSIDERATION OF IN PRINCIPAL DISPOSAL OF VAN DER STEL SPORTS FACILITY (Erf 235) ON A THIRTY (30) YEAR LEASE AGREEMENT TO STELLENBOSCH FOOTBALL CLUB.

The following grounds form the basis of this objection:

1. Lack of Public Consultation and Transparency

There has been a lack of transparency in the call for proposals and/or lease agreement process. Fair participation from interested parties has been limited as a result of insufficient public consultation and disclosure of important information pertaining to the land in question.

2. Inexcusable granting of Lease Agreement

There is no explicit justification for the proposed lease agreement. To guarantee the most advantageous use of public land, proper due diligence should be carried out before entering into any lease agreement, including public participation and a competitive bidding procedure.

3. Social and Environmental Issues

The land in question might be important to society and culture, or it might have environmental significance. Long-term harm could result from any lease agreement or allocation that does not include comprehensive environmental impact evaluations and stakeholder involvement.

The fourth is a possible conflict of interest.

There are worries that there might be conflicts of interest or partiality in the selection process for the proposals and/or lease agreement. To guarantee accountability and justice, a transparent and impartial review process should be put in place.

5. A Different and More Helpful Use

There may be a more advantageous use for the land that would meet the needs of the community, including allowing the sporting codes currently using the facility to continue as is, public amenities, or conservation. A reassessment should be carried out before proceeding with any decision.

Based on these concerns, I urge your office to: - Halt any further action regarding the call for proposals or lease agreements until a thorough and transparent review is conducted.

- Conduct meaningful public participation and consider alternative options that best serve the interest of the community.
- Ensure fair and competitive processes in the allocation or lease of public land.

I appreciate your prompt attention to this matter and look forward to your response. Kindly acknowledge receipt of this objection and advise on the next steps to address these concerns.

Kind Regards

Cathleen Booysen

0738863136

On Fri, Feb 7, 2025 at 11:05 AM Cathleen Booysen <cathleenbooyesen908@gmail.com> wrote:

This objection has reference to:

1. DISPOSAL: MOUNTAIN BREEZE- CARAVAN PARK. ERVEN 528, 529C
2. LONG TERM LEASE: FARM 502L, STELLENBOSCH
3. LONG TERM LEASE: PORTIONS OF THE TRANSVALIA COMPLEX (ERVEN 825, 1123, 1125, 1130, 1133, 1128, 1129, 1124, 1134, 1142 AND 1160 STELLENBOSCH)

Dear Municipal Manager

I'm writing to formally express my disapproval of the recent request for proposals and/or lease extensions for several parcels of property that fall within your purview. The following grounds form the basis of this objection:

1. Lack of Public Consultation and Transparency

There has been a lack of transparency in the call for proposals and/or lease extension process. Fair participation from interested parties has been limited as a result of insufficient public consultation and disclosure of important information pertaining to the land in question.

2. Inexcusable Extension of Lease

There is no explicit justification for the proposed lease extension. To guarantee the most advantageous use of public land, proper due diligence should be carried out before granting any lease extension, including public participation and a competitive bidding procedure.

3. Social and Environmental Issues

The land in question might be important to society and culture, or it might have environmental significance. Long-term harm could result from any lease renewal or allocation that does not include comprehensive environmental impact evaluations and stakeholder involvement.

The fourth is a possible conflict of interest.

There are worries that there might be conflicts of interest or partiality in the selection process for the proposals and/or lease renewal. To guarantee accountability and justice, a transparent and impartial review process should be put in place.

5. A Different and More Helpful Use

There may be a more advantageous use for the land that would meet the needs of the community, including housing, public amenities, or conservation. A reassessment should be carried out before proceeding with any decision.

Based on these concerns, I urge your office to: - Halt any further action regarding the call for proposals or lease extension until a thorough and transparent review is conducted.

- Conduct meaningful public participation and consider alternative options that best serve the interest of the community.
- Ensure fair and competitive processes in the allocation or lease of public land.

I appreciate your prompt attention to this matter and look forward to your response. Kindly acknowledge receipt of this objection and advise on the next steps to address these concerns.

Kind Regards

Cathleen Booysen

0738863136

ReplyForward

Add reaction

From: Romario Da Silva <dasilvaromario08@gmail.com>

Sent: Thursday, 20 February 2025 16:09

To: mm <Municipal.Manager@ Stellenbosch.gov.za>

Subject: [EX] SFC Van Der Stel Tender

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

Hi there,

With word of a potential Van Der Stel tender for Stellenbosch Football Club, I fully support this backing as Stellenbosch has gone from a small local club to powerhouse in the South African football scene in a few years.

Stellenbosch FC have done this in a healthy organic matter and have woken the sleeping giant that is South African football.

An investment into SFC will potentially provide an upliftment into the amazing culture of Stellenbosch and potential for future generations to be involved in such an esteemed organisation.

Thank you,

Romario Da Silva

From: S Elle <samantha01.leite@gmail.com>
Sent: Thursday, 20 February 2025 14:33
To: mm <Municipal.Manager@ Stellenbosch.gov.za>
Subject: [EX] SUPPORT - SFC DVS TENDER

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

Hello,

I hope you are well.

I am writing in connection with SFC's tender process to acquire Van der Stel. I would just like to state the following in support of the tender:

- 1.) That type of investment would mean that a world class venue can be built and well-maintained, benefitting not only the players but also the supporters who attend the venue.
- 3.) A football home for SFC in that part of Stellenbosch will be so much easier for supporters in terms of access.
- 4.) The club has done incredibly well. They deserve a home where they can hone the skills of all of their players and, hopefully, develop some more Bafana and Banyana players!!!

I'll be crossing fingers that the ultimate decision is in SFC's favour.

Kind regards

Sam



Belangegroep Stellenbosch Interest Group

interestgroupstellenbosch@gmail.com

19 February 2025

The Municipal Manager mm@stellenbosch.gov.za
Stellenbosch Municipality

ERF 235 STELLENBOSCH: VAN DER STEL SPORTS COMPLEX: COMMENT ON AND OBJECTION TO THE PROPOSED LONG TERM LEASE OF THE PROPERTY

1. The Stellenbosch Interest Group (SIG) has noted the proposal to lease the Van der Stel Sport Complex (excluding certain areas) to the Stellenbosch Football Club (SFC) for thirty years. The notice calling for public participation was posted in the *Eikestadnuus* of 30 January 2025. For the record, this is the second time that comment has been called for and you may recall that on 15 December 2022 SIG commented briefly as follows: **"In light of the uncertainties relating to the Adam Tas Corridor SDF, it appears unwise to enter into any long-term lease agreements at this stage."** As the future of the Van der Stel Sports Complex, in relation to the Adam Tas Corridor, is no clearer today than it was in 2022, SIG is most concerned that this issue is once again being considered.

2. The year 1919 saw the establishment of the Van der Stel Sports Club where residents of Stellenbosch and farms workers from the surrounding areas would play rugby against various teams. In 1924 the first facilities were built to accommodate the various teams and supporters. Since then, the Van der Stel Sports Club grounds have seen multiple physical changes of growth on that property to accommodate the many needs of its users. This property is a prime example of growth and development in a heritage area, where the community can use and enjoy a space, while maintaining culturally relevant heritage and adapting to suit the needs of the current time. The Van der Stel Club is an

excellent example of living heritage, as a daily practice of cultural heritage is performed by all that use that property. Barrère (2016) describes long standing cultural traditions (such as sports) becoming heritage. A new owner and possibly a new name for the complex will effectively destroy this example of living heritage.

3. The SIG has taken note of several objections to the proposal, from the current management of the complex, from sporting codes that fear they may be excluded and, from other concerned IAPs. Unfortunately, very little detailed information has been made available, and the SIG has had to rely to some extent on articles in the press, which may or may not be reliable. **It appears that there will be many more negative consequences, especially in terms of traffic congestion, than would arise if the current status quo were to be observed for at least the next five years. It is essential that the possible impact of the proposal in relation to the future of the Adam Tas Corridor should be properly quantified.**

4. The SIG is not in principle opposed to lease agreements of this nature. It is of the utmost importance that proposed developments do not contravene spatial planning documents, and do not have the potential to exacerbate existing traffic problems. The town cannot afford to have a property that could play a critical role in ameliorating our biggest problem be put to a use that has the potential to make the problem worse.

Furthermore, in order to enable meaningful comments, information regarding the following is important:

- Once a private business enterprise (professional soccer clubs are business enterprises) has full control over the complex for thirty years, it may well be that sporting codes and other citizens of Stellenbosch that currently use the complex will lose this privilege either now or in future. A public facility will have been privatized. The notice states that a few of the current agreements with users have not been authorized by the Municipality. Should such users be disadvantaged because this is so? And if alternative facilities are provided in, say, Klapmuts, would that not disadvantage them greatly?
- The benefits of the lease agreement to the broader public are not made clear in the notice. Is no rent whatsoever to be paid? Certainly, it seems that the Municipality would save on the upkeep of the property. There is

the promise of a considerable capital investment in the property, presumable in the infrastructure (a new stadium?). Would this necessarily be to the benefit of anyone except the SFC, a business enterprise? Other listed benefits are stated to be *possible* ones. Nothing is definite.

- Increased sport tourism is mentioned twice as a possible benefit. If the complex should attract many *new* “sport tourists” – very many already attend sporting events at, for instance, Coetzenburg – where will the cars park? Will part of the property, currently “green”, be sacrificed for unsightly parking facilities to be used once or twice a month?
- It is, indeed, not clear that the lessors will not be entitled to use the property for commercial purposes to the detriment of various sporting codes. The notice states that economic activity will be promoted. The municipal spokesperson reportedly said that disadvantaged communities have been excluded from the opportunities provided by the complex. If this is so, how exactly will this be addressed by a lease agreement that is intended to promote economic activity?
- How will the living heritage be protected?

5. Apparently, many of the questions listed above may be addressed in a detailed management plan. The SIG does not, however, have access to this plan. We believe that a PAIA application would have to be submitted to get access. Should citizens of Stellenbosch not automatically have access to information pertaining to the use and disposal of public property? Placing the document on the municipal website will be easy. In any case, given the short time permitted for public participation – less than thirty days – a PAIA application at this stage would be a waste of time.

6. In view of the above, the SIG makes the following requests:

- That *all* the information regarding the proposed lease be posted on the municipal website.
- That the time allocated for public participation be extended to enable I&APs to peruse the documents and respond to them.
- That the Council (not the executives) formulate and publish a policy regarding access to information of public interest, stating, for instance,

that a PAIA application will be required only in highly exceptional circumstances.

- That emphasis be placed on the livening heritage of the club.

Kind regards

Ronnie Donaldson

Chairperson

From: Charles Booysen <charlesjdbooyesen@gmail.com>

Sent: Wednesday, 19 February 2025 21:26

To: mm <Municipal.Manager@ Stellenbosch.gov.za>

Subject: [EX] Re: Public Participation Process: Objection to Disposal/Long Term Leases of Municipal Properties

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

This objection has reference to:

CONSIDERATION OF IN PRINCIPAL DISPOSAL OF VAN DER STEL SPORTS FACILITY (Erf 235) ON A THIRTY (30) YEAR LEASE AGREEMENT TO STELLENBOSCH FOOTBALL CLUB

Dear Municipal Manager

I'm writing to formally express my disapproval of the recent request for CONSIDERATION OF IN PRINCIPAL DISPOSAL OF VAN DER STEL SPORTS FACILITY (Erf 235) ON A THIRTY (30) YEAR LEASE AGREEMENT TO STELLENBOSCH FOOTBALL CLUB.

The following grounds form the basis of this objection:

1. Lack of Public Consultation and Transparency

There has been a lack of transparency in the call for proposals and/or lease agreement process. Fair participation from interested parties has been limited as a result of insufficient public consultation and disclosure of important information pertaining to the land in question.

2. Inexcusable granting of Lease Agreement

There is no explicit justification for the proposed lease agreement. To guarantee the most advantageous use of public land, proper due diligence should be carried out before entering into any lease agreement, including public participation and a competitive bidding procedure.

3. Social and Environmental Issues

The land in question might be important to society and culture, or it might have environmental significance. Long-term harm could result from any lease agreement or allocation that does not include comprehensive environmental impact evaluations and stakeholder involvement.

The fourth is a possible conflict of interest.

There are worries that there might be conflicts of interest or partiality in the selection process for the proposals and/or lease agreement. To guarantee accountability and justice, a transparent and impartial review process should be put in place.

5. A Different and More Helpful Use

There may be a more advantageous use for the land that would meet the needs of the community, including allowing the sporting codes currently using the facility to continue as is, public amenities, or conservation. A reassessment should be carried out before proceeding with any decision.

Based on these concerns, I urge your office to: - Halt any further action regarding the call for proposals or lease agreements until a thorough and transparent review is conducted.

- Conduct meaningful public participation and consider alternative options that best serve the interest of the community.
- Ensure fair and competitive processes in the allocation or lease of public land.

I appreciate your prompt attention to this matter and look forward to your response. Kindly acknowledge receipt of this objection and advise on the next steps to address these concerns.

Kind Regards

Charles Booysen

0783235606

Virus-free.www.avast.com

On Fri, Feb 7, 2025 at 10:28 AM Charles Booysen <charlesjdbooyesen@gmail.com> wrote:

This objection has reference to:

1. DISPOSAL: MOUNTAIN BREEZE- CARAVAN PARK. ERVEN 528, 529C
2. LONG TERM LEASE: FARM 502L, STELLENBOSCH
3. LONG TERM LEASE: PORTIONS OF THE TRANSVALIA COMPLEX (ERVEN 825, 1123, 1125, 1130, 1133, 1128, 1129, 1124, 1134, 1142 AND 1160 STELLENBOSCH)

Dear Municipal Manager

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- Ensure fair and competitive processes in the allocation or lease of public land.

I appreciate your prompt attention to this matter and look forward to your response. Kindly acknowledge receipt of this objection and advise on the next steps to address these concerns.

Kind Regards

Charles Booysen

0783235606

From: Emma Leerkamp <emmaleerkamp@gmail.com>

Sent: Thursday, 20 February 2025 14:09

To: mm <Municipal.Manager@ Stellenbosch.gov.za>

Subject: [EX] Stellenbosch FC tender to acquire Van Der Stel

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

Good afternoon,

With regards to the Stellenbosch FC tender to acquire Van Der Stel the club has really done so well and deserves a home where they can develop more Bafana and Banyana players and I truly believe acquiring Van Der Stel will enable them to do so.

Kind regards,

Emma Leerkamp

From: Coco Bellarius Bellarius <cocobellarius@gmail.com>

Sent: Thursday, 20 February 2025 19:51

To: mm <Municipal.Manager@ Stellenbosch.gov.za>; Geraldine Mettler
<Geraldine.Mettler@ Stellenbosch.gov.za>

Subject: [EX]

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

The Municipal Manager

Stellenbosch Municipality

3rd Floor, Main Office Building

Plein Street

Stellenbosch

Email: Municipal.Manager@ Stellenbosch.gov.za

Subject: Letter of Support for the Proposed Lease of Van der Stel Sports Facility

Dear Municipal Manager,

I am writing to express my strong support for the proposed lease of the Van der Stel Sports Facility (Erf 235) to Stellenbosch Football Club for the management and development of this vital sports asset.

The Van der Stel Sports Facility plays an essential role in Stellenbosch's sporting and community life, and I believe that professionally managed oversight, as outlined in the public notice, will bring significant benefits to the town and its residents. The proposed lease presents an excellent opportunity to enhance the facility's sustainability, improve infrastructure, and create a high-quality sports environment that benefits both local and international athletes.

The anticipated R395 million investment over the next 5 to 10 years will bring world-class facilities to Stellenbosch, reducing the financial burden on the municipality while stimulating economic activity, job creation, and sport tourism. Additionally, the professional management of the facility will ensure its upkeep and long-term viability, allowing funds previously allocated for maintenance to be redirected to other municipal sports infrastructure.

This initiative aligns with Stellenbosch's broader vision of promoting sports excellence, community engagement, and tourism growth. By attracting elite athletes, hosting international events, and enhancing local participation in sports, the project will reinforce Stellenbosch's position as a leading sports destination in South Africa.

I fully support this proposal and encourage the municipality to proceed with the lease agreement to Stellenbosch Football Club, ensuring the sustainable development of this key community asset.

Yours sincerely,

Stellenbosch FC Fan

Cell: 0615197279



STELLENBOSCH SPORT AND RECREATION ASSOCIATION

Stellenbosch, 7600
ssrastellenbosch@gmail.com

19 February 2025

The Municipal Manager
Stellenbosch Municipality
Stellenbosch
7600

Dear Ms. Mettler

Tender Process: Van Der Stel Sports Facility

The SSRA wishes to hereby submit her input with regards the Tender process currently open for public commentary. As the custodian of Sport within the WCO 24 we wish submit our stance stated below.

The SSRA notes the Municipalities motivation to follow the specific route in terms of the Van Der Stel complex, however, these operational challenges should have and had to be addressed in a manner which suited all role-players. The idea is not to putt blame on structures/individuals, but rather to emphasize the need for accountability and desiveness. From an SSRA perspective, the organization, members must adhere to the do's and dont's within the ambit of managing Municipal facilities as set out in the individual User Agreements.

Community Sport in Stellenbosch cannot afford to lose a multi-faceted facility. The affect it will have will undoubtedly be a massive negative for various reasons.

The financial impact on the Municipality, albeit positive, will not be able to offset the displacement effect it will have on the numerous sporting codes, in this case the VDS Sport Codes. This in the absence of clarity with regards the planning of the prospective Hirer.

The SSRA hereby strongly submits her conclusion that the process of leasing out the VDS Facility to an entity cannot be supported, as such a process will cause major disruptions within the general sport operations within Stellenbosch. We strongly urge the Stellenbosch Municipal Council to

Executive Committee

B Minnis (Chairperson), J Saaiman (Vice-Chairperson)
P October (Secretary) B Robyn (Vice-Secretary) D Josephs (Treasurer)

Additional Executive Members

F Stubbs, R Steyn, J Adonis



rethink the decision made and revert back to a position of investigation to how more effectively all Sport Facilities within WCO 24 can be managed.

Please note that this position is one of consensus as well as allowance to our member Sport Councils to submit their stance on the matter.

Regards

Brian Minnis

Brian Minnis

SSRA Chairperson



20 February 2025

Municipal Manager
Stellenbosch

Dear Manager

VAN DER STEL SPORT CLUB FOR STELLENBOSCH FOOTBALL CLUB

I fully support the proposal of the SFC to utilise the Van de Stel Sport Club.

An important is that the community may have access to the facilities.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Mostert', followed by a period.

Dr Sias Mostert

082 894 0908

From: luke Magerman <magerman.luke01@gmail.com>

Sent: Thursday, 20 February 2025 13:43

To: mm <Municipal.Manager@stellenbosch.gov.za>

Subject: [EX] Stellenbosch FC Van Der Stel tender

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

Good afternoon

Over the past few months, we (as supporters) have had to travel far to watch Stellenbosch FC (SFC) play due to factors outside of the club's control. This has resulted in fewer fans attending games as they are not as accessible.

Watching SFC on Thursday at the Danie Craven reminded me of how joyous it is to watch them play at home in Stellenbosch and the atmosphere that the club attracts at home games. If SFC had a stadium to call home, this would mean that it could control the uncontrollable and that supporters would always be in close proximity to home games. As a growing club in the South African football landscape, it would only be right that it has its own stadium where the local communities in the surrounding areas can come together to enjoy the games and continue creating a lively atmosphere, which will push the club onward to more success.

Please make this a reality. For the club, its supporters and the community.

--

Kind Regards,



From: Roger Noades <roger@lcs.co.za>

Sent: Thursday, 20 February 2025 18:38

To: mm <Municipal.Manager@ Stellenbosch.gov.za>

Subject: [EX] Van der Stel SFC (VDS) Facility

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

As a Stellenbosch resident this I believe would lay the foundation to a 'world class facility and venue' and surely becoming the foundation of so much positivity in our community!

Think of the all the kids and our future generations who surely would benefit – I'm pretty sure with the way SFC embraces all in excellence this can only be something we should all support!

Football's the number #1 supported sporting code in our country and Stellenbosch shines bright when thinking of the game

From: Lionel Samuels <lionelsamuels79@gmail.com>

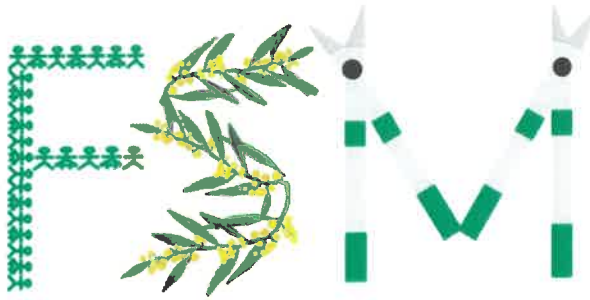
Sent: Thursday, 20 February 2025 14:40

To: Geraldine Mettler <Geraldine.Mettler@stellenbosch.gov.za>

Subject: [EX]

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

Halo from mi side it will be a great opportunity for ore kids to be part of SFC because mi hole family is supporter's of stellenbosch FC so if can help us we can grow in stellenbosch



FRIENDS OF STELLENBOSCH MOUNTAIN

Chairperson: HC Eggers

fsm.spring474@passfwd.com

fsmountain.org

11 Grandiceps Rd, 7600 Stellenbosch

Public Benefit Organisation No. 930049434

Comment and Second Objection to proposed long-term lease of Erf 235 (van der Stel) in whole or in part 19 February 2025

Interest in application: The locus standi of Friends of Stellenbosch Mountain (FSM) in environmental, transport and town planning matters in Stellenbosch is long established. FSM has been active in Stellenbosch since 2008.

Reason for objection and comments: The proposed long-term lease would seriously impede or even make impossible the sustainable restructuring of the emerging central Stellenbosch urban area between Andringa Street and Papegaaiberg, which will encompass the Adam Tas Corridor, the railway station and the old Stellenbosch business centre as well as the mobility corridor linking them.

The Municipal Manager
Stellenbosch Municipality

1. This Second Objection pertains to the Information Statement as published in the Eikestadnuus on 2025-01-30 and the Addendum published on 2025-02-06, which we shall refer to collectively as the "Second Proposal".
2. A "First Proposal" on the same Erf 235, also in the form of an Information Statement, was subject to a Public Participation Process in late 2022. FSM submitted detailed comments and criticism on 2022-12-15 which we shall call the "First Objection" (FO1).
3. FSM objects to the proposed long-term lease of Erf 235 or any part thereof to the Stellenbosch Football Club (SFC) for the reasons set out here and in the First Objection.
4. Since almost all of the arguments and criticism set out in the First Objection remain valid, the First Objection is here appended in Appendix A but without its original appendices which can be found in the original First Objection.
5. The present "Second Objection" must be read as including *verbatim* Items 1 to 8 and 10 made of the First Objections which can be read in Appendix A below. Very briefly, those First Objection Items are (using the First Objection item numbering):

FO1 Item 2. The Adam Tas Corridor (ATC) project is crucial to the future of Stellenbosch town structure, along with the mobility link which must run in part on Erf 235. Erf 235 is also crucial for a modern and sustainable modal interchange near the railway station.

- FO1 Item 3.** The First Proposal (and by implication the Second Proposal) are incompatible with the Municipal Spatial Development Framework (MSDF) and its strategy.
- FO1 Item 4.** The success or failure of the entire new central town structure depends on the long-term availability of Erf 235.
- FO1 Item 5.** A long-term lease would obstruct and perhaps even render impossible this restructuring.
- FO1 Item 6.** Arguments in terms of the Municipal Finance Management Act (MFMA) re purported “benefits” are invalid because they would entail significant risk to the Municipality which outweigh any purported “benefits”, including financial benefits.
- FO1 Item 7.** Signing a long-term lease would be **irrational** under these considerations.
- FO1 Item 8.** A detailed analysis of purported benefits, losses and risks in terms of MFMA Regulations appears in the Table in the First Objection below its Item 8.
- FO1 Item 10.** The van der Stel land must be used for public benefit, not private benefit. The ATC and mobility corridor provide greater benefit to the public than a lease to the SFC.
6. By implication, the Council decision of 2024-11-27 is also irrational and not compliant with the MFMA Act and Regulations and the Asset Transfer Regulations.
 7. Given the large crowds watching soccer matches, the Second Proposal would be far worse than the First Proposal in terms of traffic impact, specifically of motor vehicles. Instead of creating synergy with ATC plans to reduce congestion, this Second Proposal would worsen the already catastrophic motor traffic congestion along the R44 between Dorp Street and Merriman Rd. Just for that reason alone, a lease of Erf 235 to the SFC is irrational.
 8. Alternative sites for lease to the SFC are available. The most logical site for use by the Stellenbosch Football Club would be somewhere along the western approaches to Stellenbosch, where a park-and-ride facility would easily integrate a SFC facility with the railway station and (via the future mobility corridor) the Stellenbosch town centre as well as facilitate motor access from Cape Town with minimal impact on the Stellenbosch town centre.
 9. A site on the western approaches for the SFC thereby contributes to the sustainable restructuring of Stellenbosch rather than sabotaging it.
 10. We note the vehement opposition of all current sportsmen and sports organisations making use of the van der Stel grounds and support these conditionally. The condition is that the proposed mobility corridor between the railway station and Bergzicht terrain must be accommodated at some future stage when the mobility link is implemented. Such mobility corridor would, however, impact only a fraction of the existing van der Stel sportsgrounds instead of completely wiping them out.
 11. For reasons set out, FSM submits that the Second Proposal must be withdrawn unconditionally and the pertinent Council resolution must be revoked. A future proposal for Erf 235 should take all the considerations re ATC, public benefit and mobility corridor into account.

A First Objection by FSM (December 2022)



Chairperson: H Koekemoer
hanneskoekemoer@proton.me

Secretary: HC Eggers
076-785-3514 heggers@pm.me

P.O. Box 3218, 7602 Matieland
11 Grandiceps Rd, 7600 Stellenbosch

Public Benefit Organisation No. 930049434
fsmountain.org

FRIENDS OF STELLENBOSCH MOUNTAIN

Comment and objection to proposed long-term lease of Erf 235 (van der Stel) in whole or in part 15 December 2022

Interest in application: The locus standi of FSM in environmental, transport and town planning matters in Stellenbosch is long established. FSM has been active in Stellenbosch since 2008 and a SARS-accredited Public Benefit Organisation.

Reason for comments: The proposed long-term lease would seriously impede or even make impossible the sustainable restructuring of the central Stellenbosch urban area between Andringa Street and Papegaaiberg, including the Adam Tas Corridor and the old Stellenbosch business centre.

The Municipal Manager
Stellenbosch Municipality

1. Friends of Stellenbosch Mountain (FSM) objects to the proposed long term lease of the "Van Der Stel Sports Complex" (VDS) in its entirety and strongly recommends that the entire proposal be withdrawn immediately.
2. Various short-term leases are currently in place for parts of Erf 235 (van der Stel, "VDS"), and we have no objection in principle to short-term leases. Any long-term lease, however, would obstruct and complicate the crucial town planning and restructuring issues and resulting decisions which must be made for this area. These issues include:
 - 2.1 Council has already approved the Adam Tas Corridor (ATC), a game-changing initiative which will create a highly desirable package of developments in the area immediately west of Erf 235. The ATC project is a major step towards transit-oriented development (railway, public transport, NMT) and densification, as required by law.
 - 2.2 It is obvious that the new town core taking shape in the ATC must establish strong links to connect to the existing town centre around Bird Street and the university. Erf 235 is exactly such a link.
 - 2.3 In particular, there must be a strong **mobility link** between the railway station and adjacent modal interchange which will form part of the new ATC complex in the west, and the Bergzicht Taxi Rank and surrounding municipal land in the east. Merriman Road forms part of that strong mobility link, but its current capacity will have to be augmented at a future date by an eastwards extension of the light

rail system whose first phase is being planned to run westwards and northwards from Stellenbosch railway station.

- 2.4 The strip of land between the railway line and Papegaaiberg Nature Reserve is narrow. Crucial parts of the road system (consisting of Adam Tas Rd, the R44, Merriman Rd and George Blake Rd) will have to be redesigned and realigned, and a major modal interchange is needed at the station, in exactly this area. NMT bridges have to be built over these roads. All of these will need space also east of the R44, ie on the western extremities of Erf 235.
3. The **Municipal Spatial Development Framework** clearly sees the Van Der Stel complex as part of the strategic planning. The long-term lease proposal is therefore also in conflict with the strategic thinking of the MSDF.
4. In summary, **the success or the failure of the entire central town structure between Andringa Street and Papegaaiberg depends on the long-term availability of the land taken up by Erf 235 and other nearby erven.**
5. **The conclusion of a long-term lease agreement with regard to Erf 235 would obstruct and perhaps even render impossible this restructuring in all the aspects set out above. A long-term lease agreement on any part of Erf 235 would de facto sabotage central town planning.**
6. We now repeat the above arguments in the language of the Municipal Finance Management Act (MFMA) and the associated MFMA Asset Transfer Regulations:
- 6.1 Any perceived “benefit” which purportedly would result to Stellenbosch Municipality from a long-term lease agreement would be far outweighed by the long-term costs and risks associated with a long-term lease.
- 6.2 It would be very costly to reverse any lease agreement should the need for the van der Stel land arise later. In the long term, there is therefore **no net financial benefit** associated with a long-term lease but rather the prospect of significant financial loss.
- 6.3 By contrast, the direct **economic or financial benefit** which would be derived from such a lease would be minimal.
- 6.4 A long-term lease would also entail significant **risk**, for example by risking protracted litigation should Stellenbosch Municipality want to resile from such a lease agreement when this land is needed to link ATC with the town centre.
7. The conclusion of a long-term lease **would be irrational** under these circumstances.
8. **Benefit, loss and risk not properly taken into account**
- For the reasons set out above, we contend that the conclusion of a long-term lease agreement at this stage **would be in contravention of section 36 of the MFMA Asset Transfer Regulations of 2008** as follows:

MFMA Regulation 36	Comment
<i>The municipal council must, when considering ... approval ... take into account:</i>	
<i>(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;</i>	As set out, it is likely that this municipal asset of Erf 235 will be required for its own municipal use in the next few years

<i>(b) the extent to which any compensation to be received for the right together with the estimated value of any improvements or enhancements to the capital asset that the private sector party or organ of state to whom the right is granted will be required to make, will result in a significant economic or financial benefit to the municipality;</i>	The economic and/or financial benefits likely to accrue to the municipality for sports-related activities will be minimal compared to the likely loss and damage suffered by the premature granting of a long-term lease
<i>(c) the risks and rewards associated with the use, control or management of the capital asset in relation to the municipality's interests;</i>	A long-term lease would increase the legal and financial risks associated with the future necessity to utilise the land of Erf 235 for urban restructuring purposes.
<i>(f) the interests of any affected organ of state, the municipality's own strategic, legal and economic interests and the interests of the local community</i>	As set out, the municipality's own interests are also not served by the proposed lease. The interests of the local community include both those of current sports teams and those who would benefit from the planned mobility, education and centrally-located housing for which Erf 235 would be ideal.

9. Information statement vague and deficient

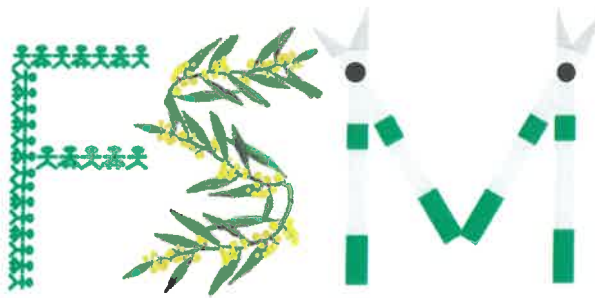
- 9.1 The Information Statement (IS) fails to make a distinction between "Erf 235" on the one hand and the "Van der Stel Sport Complex" on the other. It merely lists some of the sports facilities in Section 2 (BACKGROUND). It fails to even mention that Erf 235 encompasses not only these sports facilities, but also the Bergzicht Taxi Ranks, an adjacent parking and historical buildings.
- 9.2 The IS is completely silent on these other parts of Erf 235. It would seem that they will not be included in the proposed lease, but then the IS fails to specify the boundaries between the leased area and those other facilities which would be excluded. The IS is therefore insufficient to judge the matter.
- 9.3 We have already pointed out the crucial role of the Bergzicht Taxi Ranks as a critical modal interchange and future public transport hub. It is quite possible that it may have to be expanded in future. The Information Statement has not taken this possible future westwards expansion of the Bergzicht facility into account. This constitutes an additional risk as defined by Regulation 36(c).
- 9.4 The IS does not even mention the MSDF. Again, the author of this proposal seems quite ignorant of the town planning context or even the existence of the MSDF.

10. Private enterprise will maximise private profit, not public benefit

Any private enterprise willing to enter into a long-term lease agreement with Stellenbosch Municipality would do so with a profit motive. There is no doubt that, to generate such profits, the lessee will have to increase access and sublease prices, plus possible major additional building developments such as restaurants etc. These price increases would disadvantage the poor and benefit the rich. That is the message sent to the public by Stellenbosch Municipality by this proposal.

The van der Stel sports complex has for decades been central to upliftment and of direct benefit of the poorer sections of society. It should not become yet another exclusive country club-style facility.

11. “Sports tourism” is mentioned in the Information Statement. This, too, sends the message that profits are considered more important than the well-being of the local sportsmen, who would have to compete for the facilities with rich overseas tourists.
12. Section 3.2.3 on the “expected proceeds” is unacceptably vague. There is not even an estimate of the kinds of financial benefits which could be expected. No judgement on “benefits” is possible based on these vague statements.
13. **Important information missing:** Appendix B shows the single page which constitutes Item 13.6 of the agenda of the Council meeting of 26 October 2022. This means that the public at large has no insight into what was actually presented to Council before the resolution was taken. As the Information Statement itself was vague as shown above, the process of public participation was not effective or truthful.
14. **Inconsistency with approved “Hybrid Sport Facilities Management Plan”**
The proposal for a long-term lease is furthermore inconsistent with the Hybrid Sport Facilities Management Plan, which was tabled and approved by Council just a few months earlier, in May 2022: see Appendix A. That management model is based on direct agreements between Stellenbosch Municipality and the individual sports councils. The Information Statement is therefore misleading since it makes no mention of the HSFM Plan at all, nor does it explain why a plan and policy which was submitted just months ago should suddenly now be turned on its head.



Chairperson: HC Eggers
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 Public Benefit Organisation No. 930049434

FRIENDS OF STELLENBOSCH MOUNTAIN

Comment and Second Objection to proposed long-term lease of Erf 235 (van der Stel) in whole or in part 19 February 2025

Interest in application: The locus standi of Friends of Stellenbosch Mountain (FSM) in environmental, transport and town planning matters in Stellenbosch is long established. FSM has been active in Stellenbosch since 2008.

Reason for objection and comments: The proposed long-term lease would seriously impede or even make impossible the sustainable restructuring of the emerging central Stellenbosch urban area between Andringa Street and Papegaaiberg, which will encompass the Adam Tas Corridor, the railway station and the old Stellenbosch business centre as well as the mobility corridor linking them.

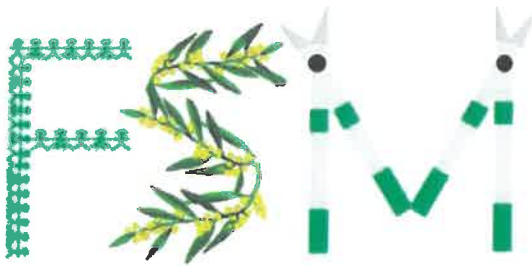
The Municipal Manager
 Stellenbosch Municipality

1. This Second Objection pertains to the Information Statement as published in the Eikestadnuus on 2025-01-30 and the Addendum published on 2025-02-06, which we shall refer to collectively as the "Second Proposal".
2. A "First Proposal" on the same Erf 235, also in the form of an Information Statement, was subject to a Public Participation Process in late 2022. FSM submitted detailed comments and criticism on 2022-12-15 which we shall call the "First Objection" (FO1).
3. FSM objects to the proposed long-term lease of Erf 235 or any part thereof to the Stellenbosch Football Club (SFC) for the reasons set out here and in the First Objection.
4. Since almost all of the arguments and criticism set out in the First Objection remain valid, the First Objection is here appended in Appendix A but without its original appendices which can be found in the original First Objection.
5. The present "Second Objection" must be read as including *verbatim* Items 1 to 8 and 10 made of the First Objections which can be read in Appendix A below. Very briefly, those First Objection Items are (using the First Objection item numbering):

FO1 Item 2. The Adam Tas Corridor (ATC) project is crucial to the future of Stellenbosch town structure, along with the mobility link which must run in part on Erf 235. Erf 235 is also crucial for a modern and sustainable modal interchange near the railway station.

- FO1 Item 3.** The First Proposal (and by implication the Second Proposal) are incompatible with the Municipal Spatial Development Framework (MSDF) and its strategy.
- FO1 Item 4.** The success or failure of the entire new central town structure depends on the long-term availability of Erf 235.
- FO1 Item 5.** A long-term lease would obstruct and perhaps even render impossible this restructuring.
- FO1 Item 6.** Arguments in terms of the Municipal Finance Management Act (MFMA) re purported “benefits” are invalid because they would entail significant risk to the Municipality which outweigh any purported “benefits”, including financial benefits.
- FO1 Item 7.** Signing a long-term lease would be **irrational** under these considerations.
- FO1 Item 8.** A detailed analysis of purported benefits, losses and risks in terms of MFMA Regulations appears in the Table in the First Objection below its Item 8.
- FO1 Item 10.** The van der Stel land must be used for public benefit, not private benefit. The ATC and mobility corridor provide greater benefit to the public than a lease to the SFC.
6. By implication, the Council decision of 2024-11-27 is also irrational and not compliant with the MFMA Act and Regulations and the Asset Transfer Regulations.
 7. Given the large crowds watching soccer matches, the Second Proposal would be far worse than the First Proposal in terms of traffic impact, specifically of motor vehicles. Instead of creating synergy with ATC plans to reduce congestion, this Second Proposal would worsen the already catastrophic motor traffic congestion along the R44 between Dorp Street and Merriman Rd. Just for that reason alone, a lease of Erf 235 to the SFC is irrational.
 8. Alternative sites for lease to the SFC are available. The most logical site for use by the Stellenbosch Football Club would be somewhere along the western approaches to Stellenbosch, where a park-and-ride facility would easily integrate a SFC facility with the railway station and (via the future mobility corridor) the Stellenbosch town centre as well as facilitate motor access from Cape Town with minimal impact on the Stellenbosch town centre.
 9. A site on the western approaches for the SFC thereby contributes to the sustainable restructuring of Stellenbosch rather than sabotaging it.
 10. We note the vehement opposition of all current sportsmen and sports organisations making use of the van der Stel grounds and support these conditionally. The condition is that the proposed mobility corridor between the railway station and Bergzicht terrain must be accommodated at some future stage when the mobility link is implemented. Such mobility corridor would, however, impact only a fraction of the existing van der Stel sportsgrounds instead of completely wiping them out.
 11. For reasons set out, FSM submits that the Second Proposal must be withdrawn unconditionally and the pertinent Council resolution must be revoked. A future proposal for Erf 235 should take all the considerations re ATC, public benefit and mobility corridor into account.

A First Objection by FSM (December 2022)



FRIENDS OF STELLENBOSCH MOUNTAIN

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Secretary: HC Eggers
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11 Grandiceps Rd, 7600 Stellenbosch

Public Benefit Organisation No. 930049434
fsmountain.org

Comment and objection to proposed long-term lease of Erf 235 (van der Stel) in whole or in part 15 December 2022

Interest in application: The locus standi of FSM in environmental, transport and town planning matters in Stellenbosch is long established. FSM has been active in Stellenbosch since 2008 and a SARS-accredited Public Benefit Organisation.

Reason for comments: The proposed long-term lease would seriously impede or even make impossible the sustainable restructuring of the central Stellenbosch urban area between An- dringa Street and Papegaaiberg, including the Adam Tas Corridor and the old Stellenbosch business centre.

The Municipal Manager
Stellenbosch Municipality

1. Friends of Stellenbosch Mountain (FSM) objects to the proposed long term lease of the “Van Der Stel Sports Complex” (VDS) in its entirety and strongly recommends that the entire proposal be withdrawn immediately.
2. Various short-term leases are currently in place for parts of Erf 235 (van der Stel, “VDS”), and we have no objection in principle to short-term leases. Any long-term lease, however, would obstruct and complicate the crucial town planning and restructuring issues and resulting decisions which must be made for this area. These issues include:
 - 2.1 Council has already approved the Adam Tas Corridor (ATC), a game-changing initiative which will create a highly desirable package of developments in the area immediately west of Erf 235. The ATC project is a major step towards transit-oriented development (railway, public transport, NMT) and densification, as required by law.
 - 2.2 It is obvious that the new town core taking shape in the ATC must establish strong links to connect to the existing town centre around Bird Street and the university. Erf 235 is exactly such a link.
 - 2.3 In particular, there must be a strong **mobility link** between the railway station and adjacent modal interchange which will form part of the new ATC complex in the west, and the Bergzicht Taxi Rank and surrounding municipal land in the east. Merriman Road forms part of that strong mobility link, but its current capacity will have to be augmented at a future date by an eastwards extension of the light

rail system whose first phase is being planned to run westwards and northwards from Stellenbosch railway station.

- 2.4 The strip of land between the railway line and Papegaaiberg Nature Reserve is narrow. Crucial parts of the road system (consisting of Adam Tas Rd, the R44, Merriman Rd and George Blake Rd) will have to be redesigned and realigned, and a major modal interchange is needed at the station, in exactly this area. NMT bridges have to be built over these roads. All of these will need space also east of the R44, ie on the western extremities of Erf 235.
3. The **Municipal Spatial Development Framework** clearly sees the Van Der Stel complex as part of the strategic planning. The long-term lease proposal is therefore also in conflict with the strategic thinking of the MSDF.
4. In summary, **the success or the failure of the entire central town structure between Andringa Street and Papegaaiberg depends on the long-term availability of the land taken up by Erf 235 and other nearby erven.**
5. **The conclusion of a long-term lease agreement with regard to Erf 235 would obstruct and perhaps even render impossible this restructuring in all the aspects set out above. A long-term lease agreement on any part of Erf 235 would de facto sabotage central town planning.**
6. We now repeat the above arguments in the language of the Municipal Finance Management Act (MFMA) and the associated MFMA Asset Transfer Regulations:
- 6.1 Any perceived “benefit” which purportedly would result to Stellenbosch Municipality from a long-term lease agreement would be far outweighed by the long-term costs and risks associated with a long-term lease.
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- 9.1 The Information Statement (IS) fails to make a distinction between "Erf 235" on the one hand and the "Van der Stel Sport Complex" on the other. It merely lists some of the sports facilities in Section 2 (BACKGROUND). It fails to even mention that Erf 235 encompasses not only these sports facilities, but also the Bergzicht Taxi Ranks, an adjacent parking and historical buildings.
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 The proposal for a long-term lease is furthermore inconsistent with the Hybrid Sport Facilities Management Plan, which was tabled and approved by Council just a few months earlier, in May 2022: see Appendix A. That management model is based on direct agreements between Stellenbosch Municipality and the individual sports councils. The Information Statement is therefore misleading since it makes no mention of the HSFM Plan at all, nor does it explain why a plan and policy which was submitted just months ago should suddenly now be turned on its head.



ANNEXURE C:

Comments from Provincial and National Treasury

Reference number: 24/2/1/5**Enquiries:** Umar Salie

Stellenbosch Municipality
Plein Street, Stellenbosch
PO Box 17, Stellenbosch
7599

Tower Block Building,
2nd Floor,
4 Dorp Street,
Cape Town
8001

Dear Municipal Manager, Mr. Geraldine Mettler

Attention:

The Chief Financial Officer: Rochelle Nichols

The Head of Supply Chain Management: Mr. Dalleel Jacobs

Property Management

PROPOSED LEASE OF MUNICIPAL PROPERTY ERF 235, VAN DER STEL SPORT COMPLEX, STELLENBOSCH**1. PURPOSE**

- 1.1. To provide comments and recommendations to the City of Cape Town in regard to an application for the lease of a municipal property in terms of Chapter 4 of the Municipal Asset Transfer Regulation (MATR) and Section 14 of the Municipal Finance Management Act, 2003, (MFMA).

2. BACKGROUND

- 2.1 Stellenbosch Municipality submitted a memorandum to the Provincial Treasury seeking comments and recommendations in respect of the leasing of **Municipal Property**, being **ERF 235, Van Der Stel Sport Complex, Stellenbosch**, to **Stellenbosch Football Club**, with the objective to manage the facility, **for a period of 30 years**, in terms of MATR.
- 2.2 As per communication by the Stellenbosch Municipality, the following documentation was made available to PT:
- 2.2.1 Information statement.
 - 2.2.2 Public invitation notice
- 2.3 In terms of Regulation 35(b) of the MATR, the relevant Provincial Treasury should provide comments and/or recommendations on municipal assets that **exceeds R10 million** and/or **if the asset will be leased for a long-term period**.
- 2.4 Stellenbosch Municipality has disclosed a proposed capital investment of **R395 million**. This amount represents the estimated expenditure **for upgrading the capital asset**, which will remain under Council ownership. Additionally, the investment includes **provisions for maintaining the facility** over the next **30 years**, as part of the Municipality's commitment to managing the property responsibly.

- 2.5 It should be noted that a copy of the draft lease agreement was not submitted to Provincial Treasury and therefore could not establish if the draft lease agreement meets the criteria highlighted in Regulation 45 of the MATR.

3. ISSUE

- 3.1 Stellenbosch Municipality is seeking comments and recommendations from the Provincial Treasury regarding the proposed leasing of Municipal Land, specifically **ERF 235**, located at the **Van Der Stel Sport Complex** to **Stellenbosch Football Club**. The objective of this lease is to ensure the effective management of the facility over a 30-year period, in compliance with the Municipal Asset Transfer Regulations (MATR).

4. LEGISLATIVE PRESCRIPTS

- 4.1 From a Supply Chain Management perspective, PT advises Stellenbosch Municipality to be cognisant of the following legislative frameworks:
- 4.1.1 Section 217 of the Constitution.
 - 4.1.2 Section 112 of the Municipal Finance Management Act 56, 2003.
 - 4.1.3 Section 90 of the Municipal Finance Management Act 56, 2003.
 - 4.1.4 Municipal Asset Regulations 32, 2008, Chapter 4.
 - 4.1.5 Section 21 (a) of the Municipal Systems Act 32, 2000.
 - 4.1.7 SCM Regulations 40, 2005.
 - 4.1.7 Stellenbosch Municipality's own SCM Policy
 - 4.1.8 Municipal System Act Section 21 - Communication to Local Community

5. COMMENTS

- 5.1. Chapter 4 of the MATR and Regulation 40 of the SCM Regulations applies to the leasing of municipal property, which should be done in terms of a process that is fair, equitable, transparent, competitive, and cost-effective.
- 5.2. Council should be aware of the mandatory requirements as set out in Regulation 36 of the MATR before making an in-principal decision on leasing of municipal property to an individual.
- 5.3. The Municipality need to take cognisance of the following when considering leasing a property:
- 5.3.1. The type of usage required.
 - 5.3.2. The period of the lease agreement.
 - 5.3.3. The manner in which it is to be granted.
 - 5.3.4. The minimum compensation to be paid; and
 - 5.3.5. A framework within which direct negotiations for the granting of the right must be conducted.
- 5.4. If Council decides to grant approval in-principle for the leasing of the municipal property, the Municipality need to have assurance that, **Stellenbosch Football Club** or their **Successors in Title** will provide adequate maintenance and safeguarding of the asset as stipulated in Regulation 41(4) of MATR.
- 5.5. A draft copy of the lease agreement needs to be submitted to Provincial Treasury to establish if the proposed lease agreement will meet the criteria outlined in Regulation 45 of the MATR. Unfortunately, no comments could be provided in regard to the criteria outlined in Regulation 45 of the MATR.

- 5.6. Stellenbosch Municipality need to ensure that the processes followed are in accordance with the disposal management system that makes provision for leasing of the asset and ensure that all other processes are followed as stipulated in Chapter 4 after approval has been granted in-principle by council.
- 5.7. Stellenbosch Municipality should also consider if the asset should continue being leased for a long-term period by conducting a study, taking all future plans in consideration (e.g. *property in a road reserve*) to determine whether it will be more beneficial to dispose of the asset, instead of leasing the property. If the Stellenbosch Municipality decides to dispose of the asset, to ensure that the disposing process is followed in terms of Regulation 40 of the MFMA Supply Chain Management Regulation.

6. RECOMMENDATIONS

- 6.1. In conclusion, the Stellenbosch Municipality must take cognisance of the above-mentioned comments and relevant pieces of legislation for the leasing of municipal Property, **being ERF 235, Van Der Stel Sport Complex, Stellenbosch, to Stellenbosch Football Club**, with the objective to manage the facility, **for a period of 30 years**, in terms of MATR.
- 6.2. The Accounting Officer needs to be satisfied that all due processes and procedures stipulated in the legislative prescripts and in the SCM and Asset Management policies have been followed.

We trust that you find the above in order.

Yours Sincerely,



Digitally signed by
Reginald Clarke
Date: 2025.03.13
13:11:46 +02'00'

MR. REGINALD CLARKE
DEPUTY DIRECTOR: LOCAL GOVERNMENT SUPPLY CHAIN MANAGEMENT
PROVINCIAL TREASURY
DATE:

13.	CONSIDERATION OF NOTICES OF QUESTIONS AND NOTICES OF MOTIONS RECEIVED BY THE SPEAKER
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NONE

14.	CONSIDERATION OF URGENT MOTIONS
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15.	URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER
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16.	REPORTS SUBMITTED BY THE SPEAKER
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NONE

17.	REPORTS SUBMITTED BY THE EXECUTIVE MAYOR
-----	--

NONE

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

THE AGENDA HAS BEEN DISCUSSED WITH THE SPEAKER, CLLR Q SMIT AND HE AGREES WITH THE CONTENT.
