STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref no.3/4/2/5

2025-06-25

NOTICE OF A SPECIAL MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY WEDNESDAY, 2025-06-25 AT 10:00

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
J Andrews
Ald JC Anthony
R Cupido
MM Danana
JA Davids
I De Taillerfer
R Du Toit
A Ferns
E Groenewald
AJ Hanekom
RB Hendrikse
SC Heneke
J Joon
O Jooste
TO Kumm
JC Macfarlane
N Mananga-Gugushe
C Manuel
EP Masimini
NE Mcombring
XL Mdemka
NM Mkhontwana
NR Ndalasi
L Nkamisa
M Nkopane
N Ntsunguzi
N Olayi
Z Olayi
GA Petersen
WC Petersen
RO Pheiffer
WF Pietersen
MG Rataza
Ald JP Serdyn
SR Schäfer
A Tomose
RB Van Rooyen
M Van Stade
E Vermeulen
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 a **SPECIAL MEETING** of the **COUNCIL** of **STELLENBOSCH MUNICIPALITY** will be held in the **COUNCIL CHAMBER, PLEIN STREET, STELLENBOSCH** on **WEDNESDAY, 25 JUNE 2025** at **10:00** to consider the items on the Agenda.

SPEAKER
CLLR Q SMIT

A G E N D A
SPECIAL MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY
2025-06-25

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1.	**OPENING AND WELCOME**

2.	**COMMUNICATION BY THE EXECUTIVE MAYOR**

3.	**COMMUNICATION BY THE SPEAKER**

4.	**COMMUNICATION BY THE MUNICIPAL MANAGER**

5.	**DISCLOSURE OF INTERESTS**

6.	**APPLICATION FOR LEAVE OF ABSENCE**

7.	STATUTORY MATTERS

7.1	MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR MAY 2025

Collaborator No:
IDP KPA Ref No: **Good Governance**
Meeting Date: **18 June and 25 June 2025**

1. SUBJECT: MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR MAY 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 May 2025.

5. RECOMMENDATION

that the Council notes that there were no deviations approved for the month of May 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 May 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: 2025-06-18: ITEM 6.1

that the Council notes that there were no deviations approved for the month of May 2025.

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POSITION	***Senior Manager SCM***
DIRECTORATE	***Finance***
CONTACT NUMBERS	***021 808 8137***
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REPORT DATE	***03 June 2025***

8.	**CONSIDERATION OF ITEMS BY THE EXECUTIVE MAYOR: [ALD J FASSER]**

8.1	**PROTECTION SERVICES: [PC: CLLR J WILLIAMS]**

NONE

8.2	**SPORTS, YOUTH AND CULTURE: [PC: CLLR TO KUMM]**

NONE

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

8.3.1	**RETURN ITEM: POSSIBLE DISPOSAL OF A PORTION OF ERF 9190 PROTEA HOTEL**

Collaborator No:
IDP KPA Ref No: **Good Governance**
Meeting Date: **18 June 2025 and 25 June 2025**

1. SUBJECT: RETURN ITEM: POSSIBLE DISPOSAL OF A PORTION OF ERF 9190 PROTEA HOTEL

2. PURPOSE

To provide feedback after the public participation process and obtain Council's final approval for the disposal of a portion of erf 9190, Stellenbosch situated in Technopark, to Protea Hotel.

3. DELEGATED AUTHORITY

For decision by Municipal Council.

4. EXECUTIVE SUMMARY

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

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

The Planning Tribunal suggested that Protea Hotel request the adjustment of the common boundary and purchase the land from the Municipality that they are currently encroaching on. An application was then received from Protea Hotel.

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

The property management department appointed a valuator to determine the fair market value and a valuation report was provided to the applicant and is attached to the item.

After the applicant received the valuation report they submitted an amendment to their request wherein they only requested to purchase the section of the property where the function room was erected on Municipal land. This portion is only 488 square meters. They requested consent to purchase this portion of land and for council to consent to the sub-division of this portion of land and the consolidation thereof to their property, erf 9209. The amended application served before the Executive Mayoral Committee and Council during July 2024, and it was removed from the Council Agenda by the Speaker for the administration to enter further discussions with the applicant. These discussions took place, and the applicant then provided three alternative proposals on how to finalise this matter. Three alternative proposals submitted by Protea Hotel is attached to the item.

On 24 August 2024 Council resolved that they approve option 3 in principle and that the land can be sold to Protea Hotel, pending a public participation process and that the matter be brought back to Council for a final decision after the public participation process. This process has now been finalised, and no comments were received from the public. Council therefore needs to make a final decision on the sale of the land to Protea Hotel.

5. RECOMMENDATIONS

(a) that Council takes note of the Official Notice that was published on 15 May 2025;

(b) that Council takes note that no comments, inputs or alternative proposals were received from the public during the public participation process;

(c) that Council approves the sale of the portion of Erf 9190, Stellenbosch to Protea Hotel as per option 3 in the item;

(d) that the sales price for the portion of land is R12 069 021.00 (excluding VAT);

(e) that the Municipal Manager be authorised to sign the sales agreement and all necessary transfer documents;

(f) that the sales price be paid to the Municipality upon registration of the property into the name of the Municipality which registration will have to be finalised within 6 months from date of signing of the agreement, failing which the sales agreement will terminate; and

(g) that Protea Hotel pays for all the fees for the registration of the property into their name.

6. DISCUSSION / CONTENT

6.1 Background

6.1.1 Application for subdivision to land swap

During 2018 Friedlander, Burger & Volkman, on behalf of Protea Hotel, applied for a subdivision to rectify the encroachment of a structure that was constructed over the boundary of erf 9209 (Protea Hotel) onto Erf 9190 (Council property). A proposal has been submitted to facilitate a land swap with the Municipality to rectify the encroachment.

Since erf 9190 is municipal owned land, the application had to be submitted to the Planning Tribunal. The Planning Tribunal rejected this application.

Although the application was basically a boundary adjustment (±191m² of Protea Hotel land in exchange for ±191m² of Council owned land), and although no objections were received, the Planning Tribunal turned down the application and suggested that the common boundary line be realigned to facilitate the incorporation of the unauthorised structure in a manner that will ensure that the new boundary line does not create unusable space and also will not have a negative input on the existing amenities on erf 9209. A copy of the report that served before the Planning Tribunal, setting out the reasons for their decision, is attached as **APPENDIX 1**.

The Planning Tribunal suggested that Protea Hotel request the adjustment of the common boundary and purchase the land from the Municipality that they are currently encroaching on. An application was received from Protea Hotel – **APPENDICES 2 and 3**.

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

The department has appointed a valuator to determine the fair market value and a valuation report has been received which is attached hereto as **APPENDIX 5**.

After the applicant received the valuation report they submitted an amendment to their request wherein they only requested to purchase the section of the property where the function room was erected on Municipal land. This portion is only 488 square meters. They requested consent to purchase this portion of land and for council to consent to the sub-division of this portion of land and the consolidation thereof to their property, erf 9209. The amended application served before the Executive Mayoral Committee and Council during July 2024 and it was removed from the Council Agenda by the Speaker in order for the administration to enter into further discussions with the applicant. These discussions took place and the applicant then provided three alternative proposals on how to finalise this matter. Three alternative proposals submitted by Protea Hotel is attached hereto as **APPENDIX 8.**

On 24 August 2024 Council resolved that they approve option 3 in principle and that the land can be sold to Protea Hotel, pending a public participation process and that the matter be brought back to Council for a final decision after the public participation process.

6.1.2 Public Participation Process

An Official Notice was published in EikestadNuus on 15 May 2025 with a closing date for comments, inputs and alternative proposals on 13 June 2025. A copy of the published notice is attached hereto as **APPENDIX 9.** No comments, inputs or alternative proposals were received from the public after the publication of the Official Notice.

6.2. DISCUSSION

6.2.1 Location and context

Erven 9190 and 9209 are located in Techno Road, as shown on Fig 1 and 2 below.

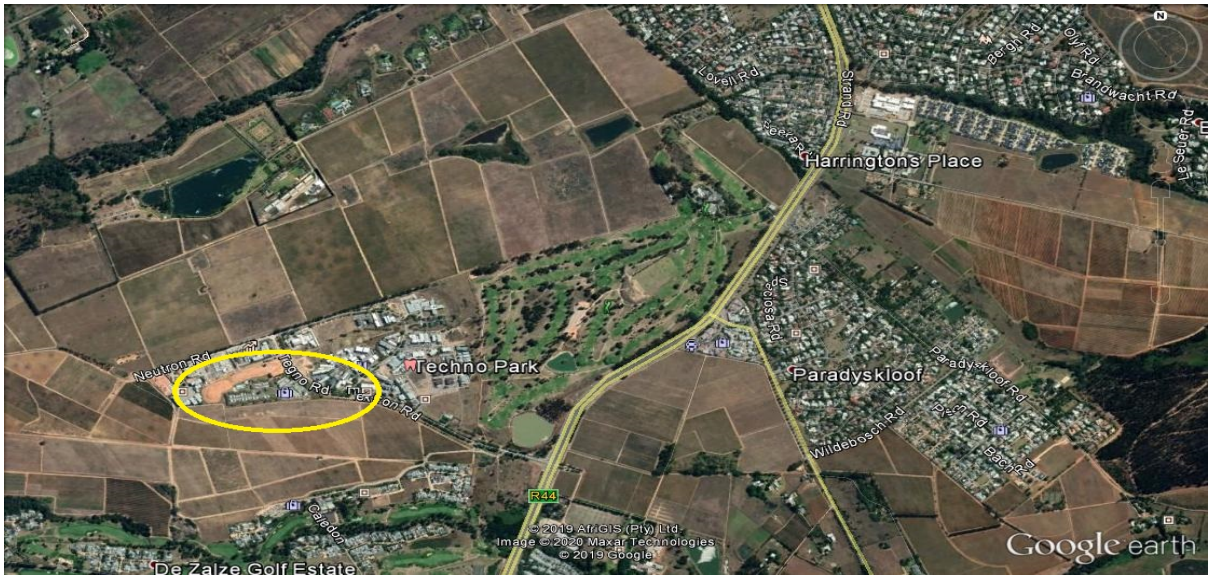

Fig 1: Location and context

Fig 2: Extent of land encroached on

6.2.2 Area description

The area(s) under discussion is shown on Fig 3, below.

Fig 3:

The area consists of three (3) portions:

- Erf 17341 : ±1971m²
- Erf 17340 : ±1094m²
- Erf 17339 : ±440m²

Total : ±3505m²

The erf numbers referred to here does not exist yet, and forms part of the bigger erf 9190.

Closer photographs of the areas encroached upon look as follows:

6.2.3 Ownership

The ownership of Erf 9190 vests with Stellenbosch Municipality by virtue of Title Deed T28901/1988. A Windeed record is attached as **APPENDIX 4**. Erf 9209 is owned by the applicant.

6.2.4 Application for adjustment of boundary between Remainder erf 9190 (Council owned land) and erf 9209 (Protea Hotel land), Stellenbosch

Following the decision by the Planning Tribunal, an application was submitted by Friedlander, Burger & Volkman, on behalf of Protea Hotel, requesting the adjustment of the common boundary between Protea Hotel and Stellenbosch Municipality's property (Erf 9190). A copy of their application is attached as **APPENDIX 2**.

Also hereto attached as **APPENDIX 3** is an application received from Protea Hotel for the purchasing of a portion of erf 9190, in order to adjust the common boundary, as to incorporate the unauthorised structure build on erf 9190.

A valuator was appointed to determine the land value of the areas encroached upon. It is important to note that the Land Use Rights of Erf 9190 are already in place, and it will not be necessary to apply for further Land Use Rights in the event that a portion of Erf 9190 had to be considered for selling. The valuation was based on the selling price per square meter of previous properties sold in Technopark. The valuation report is attached hereto as **APPENDIX 5**.

After receiving the valuation report the applicants amended their initial request to only apply to purchase a portion of the land being encroached upon. This is specifically the area where the function room is built over the building line onto municipal land and it's for 488 square meters. A copy of the amendment is attached hereto as **APPENDIX 6**.

The Planning Department was requested to provide a report on the background of the approval of the building plans as well as the issuing of an occupation certificate despite the fact that the applicant has such an extensive encroachment on municipal land. The report was submitted and is attached hereto as **APPENDIX 7**.

The matter served before the Executive Mayoral Committee in July 2024 and was supposed to serve before Council however it was removed from the agenda by the Speaker in order for the administration to have further negotiations with the applicant. These negotiations have now taken place and the applicant has provided three alternative proposals for consideration by Council. On 23 August 2024 Council resolved in principle that option 3 is accepted pending a public participation process, which has now been finalised.

6.2.5 Three alternative proposals submitted by Protea Hotel

The proposals submitted by the applicant for consideration by Council is attached hereto as **APPENDIX 8.** An aerial photograph depicting the three alternative proposals is supplied in the proposal and looks as follows:

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

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

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

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

Council resolved that Option 3 is approved in principle pending a public participation process which has now been finalised.

6.2.6 Legal Requirements

6.2.6.1 MFMA

In terms of Section 14 of the MFMFA a Municipality may not transfer ownership as a result of a sale or other transaction, or otherwise permanently dispose of a capital asset needed to provide the minimum level of basic services.

Further, in terms of Subsection (2), a municipality may dispose of land not needed to provide the main level of basic municipal services, but only if the Council, in a meeting open to the public, (a) has decided on reasonable grounds that the asset is not needed to provide the minimum level of basic municipal services; and (b) has considered the fair market value of the asset and the economic and community value to be received in exchange for the asset.

6.2.6.2 Asset Transfer Regulation (ATR)

6.2.6.1Transfer or disposal of non-exempted capital assets

In terms of Regulation 5(1)(b) a municipal Council may transfer or dispose of a non-exempted capital asset only after-

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

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

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

*Only applicable to high value properties, i.e. in excess of R50M

6.2.6.2 Consideration of proposals to transfer or dispose of non-exempted capital assets

In terms of Regulation 7 the municipal council must, when considering any proposed transfer or disposal of a non-exempted capital asset in terms of regulation 5(1)(b)(i) and (ii), take into account—

(a) whether the capital asset may be required for the municipality's own use at a later date;

(b) the expected loss or gain that is expected to result from the proposed transfer or disposal;

(c) the extent to which any compensation to be received in respect of the proposed transfer or disposal will result in a significant economic or financial cost or benefit to the municipality;

(d) the risks and rewards associated with the operation or control of the capital asset that is to be transferred or disposed of in relation to the municipality's interests;

(e) the effect that the proposed transfer or disposal will have on the credit rating of the municipality, its ability to raise long-term or short-term borrowings in the future and its financial position and cash flow;

(f) any limitations or conditions attached to the capital asset or the transfer or disposal of the asset, and the consequences of any potential non-compliance with those conditions;

(g) the estimated cost of the proposed transfer or disposal;

(h) the transfer of any liabilities and reserve funds associated with the capital asset;

(i) any comments or representations on the proposed transfer or disposal received from the local community and other interested persons; (if applicable)

(j) any written views and recommendations on the proposed transfer or disposal by the National Treasury and the relevant provincial treasury; (if applicable)

(k) the interests of any affected organ of state, the municipality's own strategic, legal and economic interests and the interests of the local community; and

(l) compliance with the legislative regime applicable to the proposed transfer or disposal.

6.2.6.3 Conditional approval of transfer or disposal of non-exempted capital assets

Further, in terms of Regulation 11, an **approval in principle** in terms of regulation 5(1)(b)(ii) or 8(1)(b)(ii) that a non-exempted capital asset may be transferred or disposed of, **may be given subject to any conditions**, including conditions specifying—

(a) the way in which the capital asset is to be sold or disposed of;

(b) a floor price or minimum compensation for the capital asset;

(c) whether the capital asset may be transferred or disposed of for less than its fair market value, in which case the municipal council must first consider the criteria set out in regulation 13(2); and

(d) a framework within which direct negotiations for the transfer or disposal of the capital asset must be conducted with another person, if transfer or disposal is subject to direct negotiations.

6.2.6.4 Transfer or disposal of non-exempted capital assets to be in accordance with disposal management system

In terms of Regulation 12(1); if approval has been given in terms of regulation 5(1)(b)(ii) that a non-exempted capital asset may be transferred or disposed of, the relevant municipality may transfer or dispose of the asset only in accordance with its disposal management system, irrespective of—

(a) the value of the capital asset; or

(b) whether the capital asset is to be transferred to a private sector party or an organ of state.

*In the case of Stellenbosch Municipality the Policy on the Management of Council-owned property is deemed to be the disposal management system.

6.2.6.5 Transfer agreements

In terms of Regulation 17, a municipality may transfer assets approved for transfer to a private sector party or organ of state, only by way of a written transfer agreement concluded between the transferring municipality and the receiving private sector party or organ of state.

A transfer agreement must set out the terms and conditions of the transfer, including, as a minimum—

(a) a sufficient description of the capital asset being transferred in order to identify the asset;

(b) particulars of any subsidiary assets that are transferred with the capital asset;

(c) particulars of any liabilities transferred with the asset;

(d) the amount of compensation payable to the municipality or municipal entity for the transfer of the asset or assets, and the terms and conditions of payment; and

(e) the effective date from which the risk and accountability for the asset or assets is transferred to the receiving private sector party or organ of state.

6.3 Financial Implications

Should Council give final approval a purchase price of R12 069 021.00 (excluding VAT) is payable by the applicant to the Municipality. The applicant will also have to pay the fees for the subdivision, consolidation and registration fees. There will be no further costs implications for the Municipality.

6.4 Legal Implications

The legal implications are discussed in the item.

6.5 Staff Implications

No additional staff implications

6.6 Previous / Relevant Council Resolutions

EXECUTIVE MAYORAL COMMITTEE: 2023-11-16: ITEM 7.3.2

RESOLVED

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

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2024-07-24: ITEM 7.3.11

That the item be referred to Council for consideration.

25TH COUNCIL MEETING: 2024-08-23: ITEM 10.3.2

RESOLVED (majority vote)

(a) that the land 2659 square meters is identified as land not required for basic municipal services;

(b) that Council approves option three (3) in principle;

(c) that a public participation process be followed in which council's intent to sell the land to the adjacent landowner, Protea Hotel, Technopark without any competitive process having been followed on the basis that no purpose would be served by a competitive process as only the adjacent owner can use the land;

(d) that the fair market value of R12 069 021.00 excluding VAT, as determined by a valuator, in principle be approved as the sales price; and

(e) that the item be brought back to Council after the public participation process for a final decision.

6.7 Risk Implications

Risks are addressed through the content of the report.

6.8 Comments from Senior Management

All Directorates provided comments on the previous item and as this is a return item after public participation no further comments were requested.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2025-06-18: ITEM 7.3.1

(a) that Council takes note of the Official Notice that was published on 15 May 2025;

(b) that Council takes note that no comments, inputs or alternative proposals were received from the public during the public participation process;

(c) that Council approves the sale of the portion of Erf 9190, Stellenbosch to Protea Hotel as per option 3 in the item;

(d) that the sales price for the portion of land is R12 069 021.00 (excluding VAT);

(e) that the Municipal Manager be authorised to sign the sales agreement and all necessary transfer documents;

(f) that the sales price be paid to the Municipality upon registration of the property into the name of the Municipality which registration will have to be finalised within 6 months from date of signing of the agreement, failing which the sales agreement will terminate; and

(g) that Protea Hotel pays for all the fees for the registration of the property into their name.

ANNEXURES

Appendix 1: Report that served before the Planning Tribunal
Appendix 2: Application from Friedlander. Burger & Volkmann
Appendix 3: Application from Protea Hotel
Appendix 4: Windeed report
Appendix 5: Valuation Report
Appendix 6: Amended application
Appendix 7: Report by Planning Department
Appendix 8: Three alternative proposals from applicant
Appendix 9: Official Notice

NAME	**Yolande van den Berg**
POSITION	***Head: Contract Management***
DIRECTORATE	***Corporate Services***
CONTACT NUMBERS	***021-8088073***
E-MAIL ADDRESS	**Yolande.vandenberg@stellenbosch.gov.za**
REPORT DATE	***2025/06/14***

APPENDIX 1

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LAND USE PLANNING REPORT TO THE MUNICIPAL PLANNING TRIBUNAL

APPLICATION IS HEREBY MADE IN TERMS OF THE STELLENBOSCH MUNICIPALITY LAND USE PLANNING BY-LAW, 2015 PERTAINING TO THE SUBDIVISION, REZONING AND CONSOLIDATION OF PORTIONS ERVEN 9190 AND 9209, STELLENBOSCH, TO RECTIFY ENCROACHMENTS.

Reference number	LU/6518 Erf file 9190	*Application submission date*	July 2017	*Date report finalized*	Nov 2018

INTRODUCTION

The subject properties form part of the Technopark development. All the properties with the exception of erf 9209 the Protea Hotel are zoned for Special Zone I including the open space areas and roads within the development. The Protea Hotel Stellenbosch was developed on Erf 9209, Technopark, Stellenbosch, which is a portion of erf 9190. The hotel is a sectional title scheme and the portion of this property under consideration forms part of the common property of the sectional title scheme of this property.

The proposal under consideration is to rectify the encroachment of a structure that was constructed over the boundary of Erf 9209 (The Protea Hotel) onto Erf 9190 (Council property). The proposal has been submitted to facilitate a land swop with the Municipality to rectify the encroachment. Due to the fact that Erf 9190 is a municipal owned property the applications under consideration needs to be referred to the Planning Tribunal for consideration and a decision in terms of the Stellenbosch Municipal Land Use Planning By-Law.

PART A: AUTHOR DETAILS

First name(s) and Surname	Robert Fooy
Job title	Senior Town Planner
SACPLAN registration number	N/A
Directorate/Department	Planning and Economic Development / Land Use Management
Contact details	021 808 8680 robert.fooy@stellenbosch.gov.za

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PART B: APPLICANT DETAILS							
First name(s) and Surname	Mark Straughan						
SACPLAN registration number	N/A						
Company name	Friedlaender, Burger and Volkmann			Is the applicant authorized to submit this application?	Y		
Registered owner(s)	The Protea Hotel Body Corporate (The area under discussion forms part of the common area within the sectional title scheme)						
PART C: PROPERTY DETAILS							
Property description (in accordance with Title Deed)	Erven 9190, and 9209, Stellenbosch						
Physical address	Techno Avenue			Town/City	Stellenbosch		
Current zoning	Erf 9190 Special Zone 1: Technology or Science Park & Erf 9209 Specific Business Zone for hotel purposes	Extent (m^2/ha)	Erf 9209 3.0ha 9190 33.28ha	Are there existing buildings on the property?	Y		
Applicable Zoning Scheme	Stellenbosch Municipality Zoning Scheme Regulations (1996)						
Current Land Use	Erf 9209 (Hotel purposes) and 9190 (Vacant)			Title Deed number & date	T28901/1988		
Any restrictive title conditions applicable?		N	If Yes, list condition number(s)	N/A			
Any third party conditions applicable?		N	If Yes, specify	N/A			
Any unauthorised land use/building work?	Y		If Yes, explain	A building has been constructed over the common boundary of erf 9190 and erf 9209.			

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PART D: APPLICATION DESCRIPTION

Application is made in terms of the Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015, dated 20 October 2015, for the following on Erf 9190 and Erf 9209, Technopark, Stellenbosch:

a) The subdivision of Portion A (±191m²) from Erf 9190 in terms of Section 15(2)(d));

b) The rezoning of unregistered Portion A (±191m²) from Special Zone I (Technology or Science Park) to Specific Business for Hotel purposes;

c) The subdivision of Portion B (±191m²) from Erf 9209 in terms of Section 15(2)(d));

d) The rezoning of unregistered Portion B (±191m²) from Specific Business for Hotel purposes to Special Zone I (Technology or Science Park);

e) The consolidation of unregisterred rezoned Portion A with Erf 9209 in terms of Section 15(2)(e));

f) The consolidation of unregisterred rezoned Portion B with Erf 9191 in terms of Section 15(2)(e)).

PART E: SUMMARY OF APPLICANTS MOTIVATION

The land use planning application has been submitted to formalise the structure that has been constructed over the common boundary line between Erf 9190 and Erf 9209. The proposal underconsider has been advertised as required and no objections or comments have been received on the proposal. The propsal was submitted after discussions with the Manager of the Property Management Department of the Municipality and has been submitted to facilitate a land swop as suggested by the Property Management Department.

PART F: SUMMARY OF PUBLIC PARTICIPATION

Methods of advertising				Date published	Closing date for objections
Press	Y	N	N/A	16 November 2017	15 December 2017
Notices	Y	N	N/A	16 November 2017	15 December 2017
Ward councillor	Y	N	N/A	16 November 2017	15 December 2017
On-site display	Y	N	N/A	16 November 2017	15 December 2017
Community organisation(s)	Y	N	N/A	16 November 2017	15 December 2017
Oth-er	Y	N	If yes, specify		

Was public participation undertaken in accordance with sections 44-49 of the Stellenbosch Land Use Planning By-law, October 2015	Y	

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PART G: SUMMARY OF COMMENTS DURING PUBLIC PARTICIPATION (INTERESTED AND AFFECTED PARTIES)			
FARM/ ERF NO.	ISSUES RAISED	APPLICANT'S RESPONSE	DEPARTEMENTAL REPONSE
	No Comments or Objections received on the application.		

PART H: SUMMARY OF COMMENTS FROM INTERNAL DEPARTMENTS AND/OR ORGANS OF STATE AND/OR COMMUNITY ORGANISATIONS AND/OR WARD COUNCILLOR					
NAME OF DEPARTMENT	DATE	SUMMARY OF COMMENTS	RECOMMENDATION		
Department of Environmental Affairs and Development Planning	06 December 2017	Support the application with standard conditions.	**Positive**	Nega-tive	No Com-ment
Stellenbosch Electrical Department	16 January 2017	Support the application with conditions.	**Positive**	Nega-tive	No Com-ment
Local Economic Development	21 November 2017	Support the application.	**Positive**	Nega-tive	No Com-ment
Directorate Infrastructure Services (Traffic Engineer)	08 November 2017	Support the application with conditions.	**Positive**	Nega-tive	No Com-ment
Manager: Property Management Department	11 November 2017	Support the application.	**Positive**	Nega-tive	No Com-ment

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Ward Councillor		No formal response was received from the Ward Councilor	Positive	Nega-tive	**No Com-ment**

PART I: MUNICIPAL PLANNING EVALUATION (REFER TO RELEVANT CONSIDERATIONS GUIDELINE)

Background

The application area (Erven 9190 and 9209) are located in Techno Avenue, Technopark, Stellenbosch and are surrounded by primarily office buildings, open area or undeveloped portion of land which forms part of Erf 9190 and are used for agricultural and open space purposes.

The application under consideration is to facilitate the formalization of the building which has been constructed over the common boundary between Erven 9190 and 9209. The area under consideration on Erf 9209 forms part of the common space of the Protea hotel which has been sectional titled. The proposal has also been submitted to facilitate a land swop between the Municipality (Erf 9190) and the Protea hotel (Erf 9209) as suggested by the Manager: Land Use Management.

The areas under consideration are currently being used by the Protea hotel to accommodate the building which is constructed over the common boundary of the two properties and as part of the common open space area within the sectional title scheme. The proposal as submitted will only facilitate a form of boundary adjustment which normally could be dealt with by the Municipality via the existing delegations, but due to the fact that the one property, Erf 9190 is owned by the Municipality the application needs to be referred to the tribunal for a decision in terms of the Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015, dated 20 October 2015.

(In)consistency with the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) and the principles referred to in Chapter VI of the Land Use Planning Act, 2014 (Act 3 of 2014)

a) Spatial Justice

N/A

b) Spatial Sustainability

The proposal will not have a detrimental impact on valuable agricultural land, environmentally sensitive and biodiversity rich areas or scenic and cultural landscapes as the subject property is located within the urban edge of Stellenbosch and the properties are not zoned for agricultural purposes.

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c) Efficiency

The proposed application will only facilitate the formalization of the existing building which was been constructed over the common property boundary between Erf 9090 and Erf 9209.

d) Spatial Resilience

N/A

e) Good Administration

The application was processed strictly in accordance with the prescribed application procedures as stipulated in the By-law on Municipal Land Use Planning, 2015.

(In)consistency with the IDP/Various levels of SDF's/Applicable policies

The proposal is supported by Spatial Planning, Heritage and Environment Department as it will have no impact on its surroundings.

(In)consistency with guidelines prepared by the Provincial Minister

This section has no bearing on the application as the subject property is loacted within the urban edge of Stellebenbosch town.

Outcomes of investigations/applications i.t.o other laws

The application complies with the relevant legislation applicable to the application.

Existing and proposed zoning comparisons and considerations

The change in zoning proposed will have no impact on the surrounding area as the subject properties are located within the existing urban area and the proposed zonings will only facilitate a form of boundary adjustment to accommodate the existing building which is located over the common boundary line between Erf 9190 and Erf 9209.

The need und desirability of the proposal

The subject properties are located within Techno Avenue, Technopark, Stellenbosch and the surrounding land uses are primarily offices, open space and agricultural purposes. The applications under consideration will only faciliate the movement of the common boundary line to accommodate the existing structure which is currently located over the common boundary line of Erf 9190 and Erf 9209, Technopark and to facilitate a land swop.

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As noted above the proposal is basically a boundary adjustment with the rezoning of the various subdivided portions being required to ensure that they have the applicable zoning prior to being consolidated with the respective erven.

The proposal as submitted will only facilitate the formalization of the unauthorized building work but will also result in unusable portions of land being formed (Portion B). The new boundary line that will be created by the proposal will also result in the fact that the unauthorized structure is now located on the common boundary between Erf 9190 and Erf 9209. As a result should the owners of the Hotel decide to enclose their property with a wall or fence the existing deck / stoep area which will be located on the erf boundary would be negatively affected due to the fact that the deck / stoep area is will be narrow due to the fact that the fence / wall will be located on the edge of the deck / stoep. The new boundary that will be created over erf 9209 has also not taken cognizance of the fact that the area being cut off and consolidated with erf 9190, will result in an unusable portion of land being created between the "Road" and erf 9209.

The two areas being subdivided, rezoned and consolidated have the same area to facilitate a land swop but would create unusable areas as a result of the new erf boundaries that will be created. The proposal as submitted is not supported as the applicant is in effect trying to facilitate the formalization of the unauthorized structure and a land swop without taking into consideration what impact the revised boundary will have on the two erven concerned.

PART J: ADDITIONAL PLANNING EVALUATION FOR REMOVAL OF RESTRICTIONS

Financial or other value of the rights affected

The proposal as submitted will create an area of unusable land due to the new shape of the subject properties.

Benefits to the holder of such rights in terms of the restrictive condition

This section is not applicable to the application under consideration.

Personal benefits which will accrue to the applicant

This section is not applicable to the application under consideration.

Social benefit of the restriction remaining in place

This section is not applicable to the application under consideration.

Social benefit of the proposal and whether the application will completely remove all rights enjoyed by the beneficiary or only some of those rights

This section is not applicable to the application under consideration.

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PART K: SUMMARY OF EVALUATION

The application as submitted is only to facilitate the formalization of the structure that has been constructed over the common boundary line between Erf 9209 and Erf 9190 and to facilitate in effect a land swop. The proposal as submitted will also result in an unusable area being created due to the irregular shape created by the "boundary adjustment" of the two erven and will also have a negative impact on the existing facilities located on erf 9209 such as the garden area with its facilities. The application submitted is purely to ensure or facilitate a land swop at all cost and has not taken cognizance of the impact of the revised boundary line between Erf 9209 and Erf 9190.

The new boundary line that will be created by the proposal will also result in the fact that the unauthorized structure is now located on the common boundary between Erf 9190 and Erf 9209. As a result should the owners of the Hotel decide to enclose their property with a wall or fence the existing deck / stoep area which will now be located on the erf boundary would be negatively impacted on due to the fact that the deck / stoep area will be narrow due to the fact that the fence / wall will be located on the edge of the deck / stoep. The new boundary that will be created over erf 9209 has also not taken cognizance of the fact that the area being cut off from Erf 9209 and consolidated with erf 9190, will result in an unusable portion of land being created between the "Road" and existing erf 9209.

The two areas being subdivided, rezoned and consolidated have the same area to facilitate a land swop but would create unusable areas as a result of the new erf boundaries as noted above. For this reason the proposal as submitted is not supported by the Land Use Planning Department, as the applicant is in effect trying to facilitate the formalization of the unauthorized structure and a land swop without taking into consideration what impact the revised boundary will have on the two erven concerned.

The proposal also only just incorporates the building that is currently located over the common boundary into Erf 9209 without taking cognizance of the fact that the new boundary line will have a negative impact on the existing facilities. As the proposal has not taken note of the fact that by realigning the common boundary as indicated / proposed it will have a negative impact on the facilities located in the common area on Erf 9209.

The Land Use Department is of the opinion that the common boundary line must be realigned to facilitate the incorporation of the unauthorized structure in a manner that will ensure that the new boundary line does not create unusable space and also will not have a negative impact on the existing amenities on Erf 9209.

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PART L: RECOMMENDATION

That **a roval not be ranted** in terms of Section 60 of the Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015, dated 20 October 2015, for the following applications:

a) The subdivision of Portion A (±191m²) from Erf 9190 in terms of Section 15(2)(d));

b) The rezoning of unregistered Portion A (±191m²) from Special Zone I (Technology or Science Park) to Specific Business for Hotel purposes;

c) The subdivision of Portion B (±191m²) from Erf 9209 in terms of Section 15(2)(d)),

d) The rezoning of unregistered Portion B (±191m²) from Specific Business for Hotel purposes to Special Zone I (Technology or Science Park);

e) The consolidation of unregisterred rezoned Portion A with Erf 9209 in terms of Section 15(2)(e)),

f) The consolidation of unregisterred rezoned Portion B with Erf 9191 in terms of Section 15(2)(e))

PART M: REASONS FOR RECOMMENDATION

a) The proposed subdivision, rezoning and consolidation of Portion A (±191m²) and Portion B (±191m²) with Erf 9209 and Erf 9190 will result in the creation of irregular shaped property with unusable sections due to the shape created by the subdivision and consolidation of the various portions.

b) The proposal has not taken into consideration the fact that the approval of the application will have a negative impact on the common area in terms of the sectional title plan on Erf 9209, due to the fact that the existing facilities located on the Hotel property will be negatively impacted on.

c) The proposals main objective is to facilitate a land swop by incorporating the unauthorized building into Erf 9209 and ensuring that both portions to be subdivided and consolidated are of equal size without taking into account what the negative impact of the proposal will be on both erven 9209 and 9190.

PART N: ANNEXURES

Annexure A Locality and Zoning map.
Annexure B Proposed Subdivisions and consolidation plan.
Annexure C Title deed.
Annexure D Motivation of Applicant.
Annexure E Portfolio of Evidence/ Affidavit.

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Annexure F	Copy of Notices sent to Interested and Affected parties/ Organs of state.
Annexure G	Comments received from Internal Departments.
Annexure H	Comments received from External Departments.
Annexure I	Power of Attorney from both property owners.

PART T P: SIGNATURES

REPORT COMPILED AND ASSESSED BY:

RFooy

ROBERT FOOY
SENIOR TOWN PLANNER

30/11/2018
DATE

RECOMMENDED BY:

H Dednam

H. DEDNAM
MANAGER: LAND USE MANAGEMENT
(Pr.Pln A/ 846/1995)

03/12/2018.
DATE

PART U: DECISION IN TERMS OF SECTION 60 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW, OCTOBER 2015:

APPROVE		APPROVE IN PART		REFUSE	

Tick the appropriate box:

SIGNATURE: _____

DATE: _____

CHAIRPERSON OF THE MUNICIPAL PLANNING TRIBUNAL
ADV. MANDLA MDLUDLU

IF REASON/S FOR DECISION:

_____

_____

_____

_____

APPENDIX 2

friedlaender, burger & volkmann
PROFESSIONAL LAND SURVEYORS. SECTIONAL TITLE CONSULTANTS. MAPPING CONSULTANTS

39 Herte Str, Stellenbosch, 7600
PO Box 154, Stellenbosch, 7599
+27 21 8864004
+27 21 8878088
info@fbvsurvey.co.za
www.fbvsurvey.co.za

Our ref: ERF9209F

Friday, 18 October 2019

The Director

Human Settlements and Property Management

Town House Complex

Plein Street

Stellenbosch

7600

By email to Piet.Smit@stellenbosch.gov.za

Dear Mr. Smit

ADJUSTMENT OF BOUNDARY BETWEEN THE REMAINDER OF ERF 9190 AND ERF 9209, STELLENBOSCH (THE PROTEA HOTEL, STELLENBOSCH, AT TECHNOPARK)

I refer to the above matter and our telephone conversation this morning.

Erf 9209 is the property on which the Protea Hotel, Stellenbosch is constructed. The remainder of Erf 9190 is Municipal property and is the parent erf of the Technopark development.

The background to the matter as discussed, is that we applied for subdivision, rezoning and consolidation of the above erven to give effect to a land swap involving each party relinquishing, and gaining 191m² of land. This was undertaken to rectify an encroachment by a building of the hotel over Erf 9190.

The application was made with power of attorney by your office and the Protea Hotel.

The Land Use Planning recommendation to the Municipal Planning Tribunal ("MPT") was that the application is not approved as it did not deal fully with the area of encroachment by the hotel over Municipal land. The subsequent recommendation to us from the Municipal Land Use Planning department

was that the application be withdrawn and resubmitted as a request for exemption to adjust a common boundary. The recommendation was further that the Municipality will rezone the affected land.

We have therefore surveyed the area fenced in and used by the Protea Hotel. As advised by you this area is subject to an encroachment agreement with the Municipality. Please see our plan attached as Annexure A.

We will to commence the application process for the subdivision exemption of the area encroached. It will save time if this is done simultaneously with the process in your office to alienate Municipal land.

Kindly confirm that we may proceed based on the attached plan. Please call us should any matters require clarification. We are happy to meet at your convenience if necessary.

Your sincerely

M.B. Straughan

pp. Friedlaender, Burger and Volkmann

Land unit	Figure description	Area	Current Use	Current Zone
Existing properties				
Remainder Erf 9190, Stellenbosch		33.0865 ha	Technopark	
Protea Hotel Stellenbosch: Sectional title units and common property of Protea Hotel Stellenbosch Sectional Title Scheme (Previously Erf 9209, Stellenbosch)	A, B, C, D, E, F, G, H, J, K	3.0000 ha	Protea Hotel	Specific Business: Hotel and offices

Land unit	Figure description	Area
Final layout		
Protea Hotel Stellenbosch: Notarial tie of erven 17339, 17340 and 17341 with Protea Hotel Stellenbosch Sectional Title Scheme	K, L, M, P, Q, R, S, T, D, U, V, W, X, Y, Z, A1, B1, C1, D1, E1, F1, G1, H1, J1, K1, L1, M1, N1, P1	±3.3505 ha
Remainder of erf 9190		±32.7361 ha

Land unit	Figure description	Area	Current Use	Current Zone	Rezoning
Proposed subdivisions and rezonings of parts of erf 9190, Stellenbosch					
Erf 17339: proposed portion of erf 9190	K, L, M, N, P, Q, R, S, T, D, C, B, A	±440m²	Protea Hotel	Special Zone 1: Technology or Science Park	To be rezoned to Specific Business: Hotel and offices, transferred to Protea Hotel Stellenbosch Body Corporate and included in common property of Protea Hotel Sectional Title Scheme
Erf 17340: proposed portion of erf 9190	D, U, V, W, X, Y, Z, A1, B1, N, G, F, E	±1094m²	Protea Hotel	Special Zone 1: Technology or Science Park	To be rezoned to Specific Business: Hotel and offices, transferred to Protea Hotel Stellenbosch Body Corporate and included in common property of Protea Hotel Sectional Title Scheme
Erf 17341: proposed portion of erf 9190	C1, D1, E1, F1, G1, H1, I1, K1, L1, M1, N1, P1,	±1971m²	Protea Hotel (building encroachment)	Special Zone 1: Technology or Science Park	To be rezoned to Specific Business: Hotel and offices, transferred to Protea Hotel Stellenbosch Body Corporate and included in common property of Protea Hotel Sectional Title Scheme

Note
Erven 17339, 17340 and 17341 to be subdivided from remainder erf 9190 and included in sectional title scheme Protea Hotel Stellenbosch by notarial tie and not by consolidation.

TN

Caveat
1. Any areas and dimensions are provisional and will be finalised at time of subdivision survey.
2. All levels are to be confirmed prior to construction.

Scale 1:1000	Date:27 Sept 2019	Contours: n/a	System: WG 19

Adjustment of Boundaries and Rezoning
Protea Hotel Stellenbosch

Ref:erf9209f | Dwg:pr-on-rev3.dwg a3

fbv friedlaender, burger & volkmann

APPENDIX 3

PROTEA HOTEL
MARRIOTT
Stellenbosch

INITIATIVE SA INVESTMENTS 159 (PTY) LTD
Company Registration: 2003/009691/07, VAT Registration: 4360217345
Directors: K. Jankowitz, B. Venter, A. Malan, C. Visagie, D. Pretorius

RODASH 125 (PTY) LTD
Company Registration: 2009/017174/07, VAT Registration: 4810254518
Directors: K. Jankowitz, B. Venter, A. Malan, C. Visagie, D. Pretorius

35 Techno Avenue, Techno Park
Stellenbosch 7600
South Africa
P.O. Box 12450, Die Boord
Stellenbosch 7613
South Africa

T +27 (0) 21 880 9500
F +27 (0) 21 880 9505
E info@phstellenbosch.com
W marriott.com/cptst

Date: 17 November 2019

For Attention:

Mr Piet Smit
Stellenbosch Municipality

Good day Sir,

Application for the Purchase of certain pieces of land of the Stellenbosch Municipality by the Protea Hotel by Marriott Stellenbosch in Techno Park.

We hereby make application to purchase pieces of land from the Municipal which the Protea Hotel Stellenbosch is using currently.

This means that Erven 17339, 17340 and 17341, all portions of the Remainder of erf 9190, shall have to be subdivided and rezoned as per the attached Plan.

Once subdivided these erven will be included by Notarial Tie in the Common Property of the Protea Hotel Stellenbosch Sectional Title Scheme.

We had previously made Application for a Land Swap of the pieces of land being used by the Hotel coupled with an Encroachment Agreement which Application was not acceptable to the MPT. The MPT suggested that we follow this route to make Application to realign our boundaries.

Please inform us if there is any further information that you need in order to consider our Application.

Kind regards,

Riaan Malan

Protea Hotel by Marriott Stellenbosch

APPENDIX 4

Printed: 2019/12/12 10:27

WinDeed Database Deeds Office Property

windeed
A LexisNexis® Product

STELLENBOSCH, 9190, 0 (REMAINING EXTENT) (CAPE TOWN)

GENERAL INFORMATION

Date Requested	2019/12/12 10:24
Deeds Office	CAPE TOWN
Information Source	WINDEED DATABASE
Reference	-

Activated SearchInsure Activated

PROPERTY INFORMATION

Property Type	ERF
Erf Number	9190
Portion Number	0 (REMAINING EXTENT)
Township	STELLENBOSCH
Local Authority	STELLENBOSCH MUN
Registration Division	STELLENBOSCH RD
Province	WESTERN CAPE
Diagram Deed	T28901/1988
Extent	31.9688H
Previous Description	PTN OF ST RD 377
LPI Code	C06700220000919000000

OWNER INFORMATION

Owner 1 of 2

Type	LOCAL AUTHORITY
Name	MUN STELLENBOSCH
ID / Reg. Number	-
Title Deed	T28901/1988
Registration Date	1988/06/02
Purchase Price (R)	UNKNOWN
Purchase Date	-
Share	0.00
Microfilm	2007 0556 3308
Multiple Properties	NO
Multiple Owners	NO

Owner 2 of 2

Type	LOCAL AUTHORITY
Name	MUN STELLENBOSCH
ID / Reg. Number	-
Title Deed	T76566/2002
Registration Date	-
Purchase Price (R)	TRANSFER BY ENDORSEMENT
Purchase Date	-
Share	0.00
Microfilm	2002 0736 5098
Multiple Properties	NO
Multiple Owners	NO

ENDORSEMENTS (6)

#	Document	Institution	Amount (R)	Microfilm
1	K199/1995L	GOLF CLUB-STELLENBOSCH	UNKNOWN	1995 0286 2058
2	K331/1998S	-	UNKNOWN	1998 0272 4942
3	NOW SUBDIVISION	TOWN STELLENBOSCH ,ERF 13168 ,PRTN 0	UNKNOWN	-
4	NOW SUBDIVISION	TOWN STELLENBOSCH ,ERF 13166 ,PRTN 0	UNKNOWN	-
5	NOW SUBDIVISION	TOWN STELLENBOSCH ,ERF 17317 ,PRTN 0	UNKNOWN	-
6	VA3757/2019	MUN STELLENBOSCH	UNKNOWN	-

Printed: 2019/12/12 10:27

HISTORIC DOCUMENTS (1)

#	Document	Owner	Amount (R)	Microfilm
1	STF5-34/1883	MUN STELLENBOSCH	0	2006 1881 1465

DISCLAIMER

This report contains information gathered from the WinDeed database and we do not make any representations about the accuracy of the data displayed nor do we accept responsibility for inaccurate data. LexisNexis will not be liable for any damage caused by reliance on this report and for legal purposes encourage validation on ownership details with the Deeds Office. This report is subject to the terms and conditions of the WinDeed End User Licence Agreement (EULA).

APPENDIX 5

VALUATION REPORT

PORTION OF ERF 9190, TECHNOPARK

STELLENBOSCH

HCB Property Valuations
38 Long Street
Moorreesburg
7310
Tel: 022 433 2035
Email: admin@hcb.co.za

LIMITATIONS AND RESTRICTIONS

This valuation report has been made with the following general assumptions:

1. No responsibility is assumed for the legal description or for matters including legal or title considerations. Title to the property is assumed to be good and marketable unless otherwise stated.
2. The property is valued free and clear of any or all liens or encumbrances unless otherwise stated.
3. Responsible ownership and competent property management are assumed.
4. The information furnished by others is believed to be reliable. However, no warranty is given for its accuracy.
5. All engineering information is assumed to be correct. The plans and illustrative material in this report are included only to assist the reader in visualizing the property.
6. It is assumed that there are no hidden or unapparent conditions of the property, subsoil, or structures that render it valuable. No responsibility is assumed for such conditions or for arranging for engineering studies that may be required to discover them.
7. It is assumed that there is full compliance with all applicable state and local environmental regulations and laws unless non-compliance is stated, defined, and considered in the valuation report.
8. It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless non-compliance is stated, defined, and considered in the valuation report.
9. It is assumed that all required licenses, certificates of occupancy, consents or other legislative or administrative authority from any local or national government or private entity or organization have been or can be obtained or renewed for any use on which the value estimate contained in this report is based.
10. It is assumed that the utilization of the land and improvements is within the boundaries or property lines of the property described and that there is no encroachment or trespassing unless noted in this report.

Signature

LIMITATIONS AND RESTRICTIONS

This valuation report has been made with the following general limiting conditions.

1. The apportionment, if any, of the total valuation figure in this report between land and improvements applies only under the stated client instructions and is hypothetical. The separate allocations for land and buildings must not be used in conjunction with any other valuation and are invalid if so used.
2. Possession of this report, or a copy thereof, does not carry with it the right of publication. It may not be used for any purpose by any person other than the party to whom it is addressed without the written consent of the valuer, and in any event only with proper written qualification and only in its entirety.
3. The valuer herein by reason of this valuation is not required to give further consultation, testimony, or be in attendance in court with reference to the property in question unless arrangements have been previously made.
4. Neither all nor part of the contents of this report (especially conclusions as the value, the identity of the valuer, or the firm with which the valuer is connected) shall be disseminated to the public through advertising, public relations, news, sales, or other media without the prior written consent and approval of the valuer.
5. Neither the whole nor any part of this valuation report or certificate or any reference thereto may be included in any published document, circular or statement, or published in any way without the valuer's written approval of the form and context in which it may appear. The publication shall deem to include references in company accounts and/or director's reports or any other company statement or circular.
6. The valuation is prepared on the basis that full disclosure of all information and facts which may affect the valuation, has been made to the valuer and no liability or responsibility will be accepted whatsoever for the valuation unless such full disclosure has been made.
7. This valuation is solely for the use of the party to whom it is addressed in accordance with the instructions. Reliance on it by any third party cannot be regarded as reasonable and no responsibility to any third party is or will be accepted for the whole or any part of the valuation.
8. The valuer has no personal interest in the property.
9. In the unlikely event of the client incurring any losses due to negligence of the valuers, valuers in training and assistants, the aggregate amount of the damages recoverable against the valuer shall not exceed the fee for providing the service.

Signature

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1. INTRODUCTION

I, Coenraad Botha, registered as a Professional Valuer in terms of the Property Valuers Profession Act 47 of 2000, do hereby certify that I have identified and inspected the subject property referred to in this report and have obtained all the necessary information to determine the market value thereof.

- *See Annexure 1 for Valuer Certificates*

1.1 Instruction

An instruction was received from Yolande van den Berg of Stellenbosch Municipality to attend to the valuation of a Portion of Erf 9190, situated in Stellenbosch. The purpose of the valuation is to determine the open market valuation of the property as on 1 November 2023.

- *See Annexure 2 for Instruction*

1.2 Date of Valuation

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

1.3 Date of Inspection

A Desktop Valuation was done.

2. LOCAL, PROVINCIAL AND CENTRAL GOVERNMENT INFORMATION

2.1 Local Authority

This property falls under the jurisdiction of the Stellenbosch Municipality, situated in the Western Cape.

2.2 Zoning

Zoning was not supplied by Stellenbosch Municipality, thus HCB used commercial zoning as reference. Should this be incorrect, HCB reserves the right to amend this valuation report.

92. Land use within this zone

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

Primary Uses	Additional Uses (Technical approval)	Consent Uses (Application required)
• Business premises (including a shop, market, restaurant, office) • Clinic • Flats • Medical consulting rooms • Public parking area • Private road • Occasional use (one event/year)	• Tourist dwelling unit (in flat) • Commune (in flat)	• Commercial gymnasium • Community residential building • Conference facility • Day care Centre • Extramural facility • Filling station • Guest house • Hostel • Hotel • Liquor store • Occasional use (more than one) • Parking garage • Place of education • Place of entertainment • Renewable energy structure • Rooftop base telecommunication station • Tourist accommodation establishment • Welfare institution

3.3 Municipal Valuation

Municipal Valuation is not applicable as only a Portion of Erf 9190 is being valued in this report.

3. PHYSICAL DESCRIPTION

3.1 Location

The subject portions referred to in the order from Stellenbosch Municipality refers to portions of erf 9190 adjacent to the Protea Hotel in Techno Park, an established neighbourhood in Stellenbosch.

- *See Annexure 3 for Locality Plan*

3.2 Infrastructure

It was noted that all infrastructure is available to the surrounding erven and services are available.

3.3 Land

Subject property is flat and ground conditions are good, therefore our findings that the topography will not affect market value.

3.4 Improvements

The Protea Hotel encroaches on Municipal Land.

4. MARKET ANALYSIS

The definition “Market Value” as laid down by the International Valuation Standards Committee is: *“The estimated amount for which an asset should exchange, on the date of valuation, between a willing buyer and a willing seller, in an arms-length transaction, after proper marketing, wherein the parties had each acted knowledgeably, prudently and without compulsion.”*

5. METHOD OF VALUATION

The Comparable Method of valuation is the most suitable method to apply to establish the market value of the subject property. In applying the Comparable Method, it is necessary to investigate the sales of similar types of properties that have been sold.
The below information (see 7.2) is compared to the subject property, which involves judgments as to the degree of similarity regarding value factors such as location, shape of erf and use to which the subject property can be put.
The comparable method was applied to determine a land valuation.
Construction costs for the pavilion and clubhouse was determined and used with the land value to get to a value for the subject portion.

6. ESTABLISHMENT OF COMPARABLES

6.1 Highest and Best use

Definition*: "The most probable use of a property which is physically possible, appropriately justified, legally permissible, financially feasible and which result in the highest value of the property being valued".* Therefore, it could be argued that the highest and best use of a property is, which is physically possible, appropriately justified, legal permissible, financially feasible and which result in the best value of the property to be valued.

It is my opinion that the highest and best use is commercial.

6.2 Comparable Properties

Erf	Area	Extent	Sale Date	Sale Price
9194	Stellenbosch	3 800m²	2019/07/04	R17 250 000-00
263	Stellenbosch	1 218m²	2021/03/02	R10 750 000-00

Vacant Commercial Sales are not readily available in Techno Park. Stellenbosch Municipality bought Erf 9194 for R 17 250 000-00 in 2019. This sale calculates to R4 539-00/m².
There are no other recent sales available in Techno Park.

Vacant Commercial Sales in Stellenbosch are also rare to find, with only Erf 263 available. This sold at a rate of R8 825-00/m². This erf is in central Stellenbosch on 43 Alexander Road and could be seen as premium property. It is thus not 100% comparable with the Techno Park area.

The property Market of Techno Park slowed down after the covid pandemic and the sales in the area regarding commercial property are struggling to recover.

It is my opinion to use erf 9194 and the tariff of R4 539-00/m² as a base price to calculate a rate/m² tariff for the applicable portion as determined by a Land Surveyor.

Erf 9209 is the Protea Hotel, other two erven indicated on the above imagery are the applicable sales.

6.3 Conclusion

It is my opinion that the Open Market Value of the subject property on 1 November 2023 is R4 539-00/m², taking into consideration sales and after adjusting for time, location, zoning, and usage.

7. CERTIFYING OF VALUE

I hereby certify that I have identified the subject property and obtained all the necessary information to determine the market related value thereof.

Accordingly, I hereby certify that in my opinion, to the best of my knowledge, skill and expertise, the Market Value of the subject property on 1 November 2023 to be R4 539-00/m² (Four Thousand Five Hundred and Thirty-Nine Rand per Square Meter). VAT Excluded.

Hendrik Coenraad Botha
Professional Valuer
Registration Number: 5601

1 November 2023
Date of Signature

8. CAVEATS

This valuation has been prepared on the basis that full disclosure of all Information and factors which may affect the valuation have been made to ourselves and we cannot accept any liability or responsibility whatsoever for the Valuation unless such full disclosure has been made.

8.1 Valuation Standard

This valuation has been prepared in accordance with the guidelines of the South African Institute of Valuers for valuation reports.

8.2 Statutory Notices and Unlawful Use

We have assumed that the property and its value are unaffected by any statutory notice or condition of Title where Title Deeds have not been inspected, and that neither the property nor its condition, nor its use, nor its intended use, is or will be unlawful.

8.3 Confidentiality

This valuation is produced exclusively for Stellenbosch Municipality and for the specific purpose to which it refers. It may be disclosed to your other professional advisers assisting you in respect of that purpose. We accept no responsibility whatsoever to any parties other than yourselves who make use of this valuation.

8.4 Non-Publication

Kindly note that neither the whole nor any part of this report, nor any reference thereto maybe included in any published document, circular or statement, nor published in any way without our prior written approval at to the form or context in which it may appear.

9. ANNEXURES

9.1 Annexure 1 – Valuer Certificates

SOUTH AFRICAN COUNCIL FOR THE
PROPERTY VALUERS PROFESSION

This is to certify that

HENDRIK COENRAAD BOTHA

is registered as

Professional Valuer

In terms of section 20(2)(a) of the Property Valuers Profession Act, 2000

DATE OF REGISTRATION AS: Professional Valuer: 28 January 2020
DATE OF ISSUE: 13 February 2020
PERIOD OF VALIDITY: 28 January 2020 - 30 June 2024

JF Cloete
President

REGISTRATION No: 5601

MC Seola
Registrar

9.2 Annexure 2 – Instruction

Beste Helen,

Vind hierby aangeheg.

Ek het die zoning aangevra en sal laat weet sodra ek ontvang het.

Vriendelike Groete,

Kind regards,
Yolande van den Berg
Head: Contract Management
Corporate Services

T: +27 21 808 8073| Fax 021-886 7319
Plein Street, Stellenbosch, 7600
www.stellenbosch.gov.za

Dear Helen,

I hereby confirm that we accept the following quotations:

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

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

Kind regards,
Yolande van den Berg
Head: Contract Management
Corporate Services

T: +27 21 808 8073| Fax 021-886 7319
Plein Street, Stellenbosch, 7600
www.stellenbosch.gov.za

HCB
Valuations and Services (Pty) Ltd
HEAD OFFICE
38 Long Street, Moorreesburg, 7310
T: +27(0)22 433 2035 M: +27(0)83 663 2140 E: admin@hcb.co.za

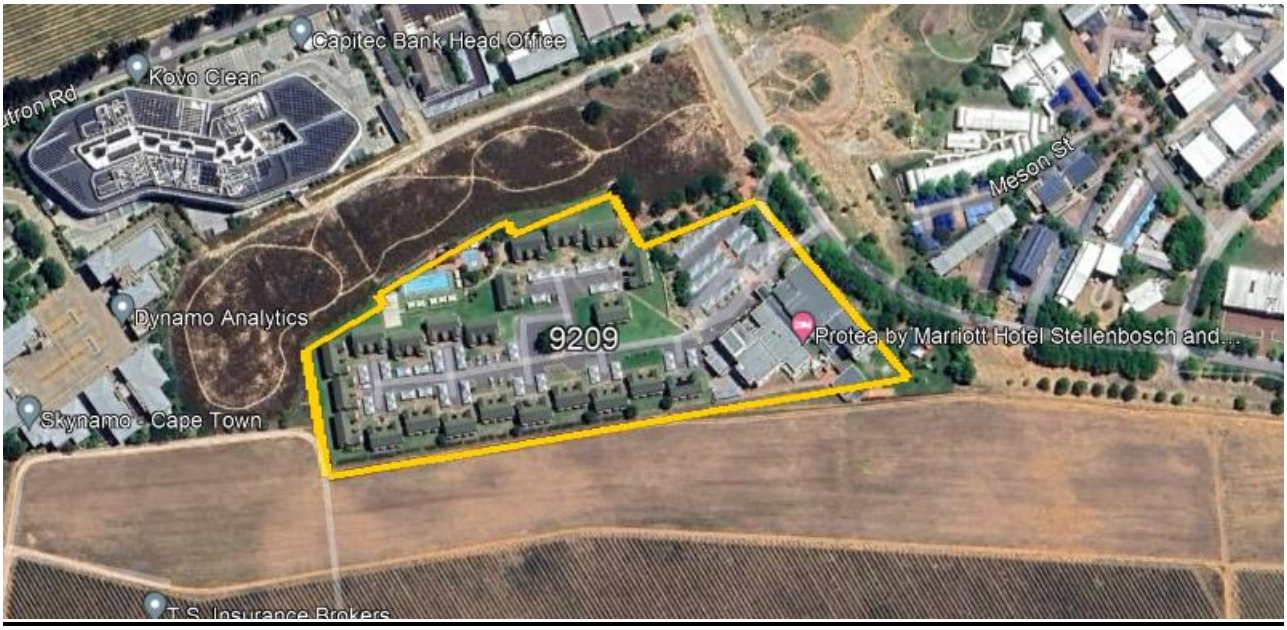
HCB would like to assist with you valuation request.
Kindly complete below to the best of your ability in order for us to provide you with a quotation and subsequent valuation report.

Erf/Farm Number:	ERF 9190 Stellenbosch (TechnoPark)
Town/Region:	Stellenbosch (TechnoPark)
Owner:	Stellenbosch Municipality
Zoning and Usage:	TBC
Date of Valuation:	14/11/2023
Reason for valuation:	Protea Hotel built over their erf line onto our property and Council needs to consider possibly selling these portions to the Hotel.
Any other information you feel is pertinent to the valuation:	
Expected Delivery Date:	As soon as possible.

Should you have any questions or concerns contact:
Helen: 081 4733 707 / helen@hcbval.co.za
Coenraad: 083 663 2140 / coenraad@hcb.co.za

9.3 Annexure 3 - Locality Map

Please note no indication was provided as to what areas of Protea Hotel are encroaching on municipal land, thus this is a general aerial photography to indicate locality of the hotel in proximity to municipal land.



9.4 Annexure 4 – Valuation Certificate

HCB
Valuations and Services (Pty) Ltd

HEAD OFFICE
38 Long Street, Moorreesburg, 7310
T: +27(0)22 433 2035 **M**: +27(0)83 663 2140 **E**: admin@hcb.co.za

Valuation Certificate

Client:	Stellenbosch Municipality
Erf Number:	Portion of Erf 9190
Title Deed Number:	Unavailable
Area/Town:	Stellenbosch
Owner:	Mun Stellenbosch
Erf Extent:	N/A
Date of Valuation:	1 November 2023
Reference Number:	STELL/PTN/9190
Valuation Amount:	R4 539-00/m² (VAT excluded)
Zoning:	Commercial/Business Zone 1

Comments:

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

Hendrik Coenraad Botha
Professional Valuer
Registration Number: 5601

APPENDIX 6

Virdus Works (Pty) Ltd (Reg. No. 2018/585747/07)
Development Management Consultants and
Environmental Assessment Practitioners
Managing Director: DUPRÉ LOMBAARD
3rd Floor, Time Square, Elektron Street, Techno Park, Stellenbosch, 7600, South Africa
Mobile: +27 82 895 6362 // Email: dupre.lombaard@virdus.com

12 April 2024

The Municipal Manager
PO Box 17
STELLENBOSCH
7600
Per email: Yolande.vandenBerg@stellenbosch.gov.za

Dear Madam

AMENDED APPLICATION FOR THE CONSIDERATION OF THE SUBDIVISION AND TRANSFER OF PORTIONS OF ERF 9190, STELLENBOSCH (TECHNOPARK)

The application on behalf of the Protea Hotel Stellenbosch Body Corporate, Sectional Title Scheme 480/2002 dated 28 June 2022 for approval of a land transaction entailing a subdivision and consolidation of council-owned land and subsequent interaction and consultation between the parties refer. The purpose of this submission is to amend the aforementioned application, for which purpose a new plan of proposed subdivision and consolidation is submitted herewith in Annexure A.

In summary, and as detailed in the initial application, the Protea Hotel submitted building plans for extension of the Sectional Title Scheme by addition of a function room in 2010 (BP/10/2274 – under Annexure C of the June 2022 application). The building plan was approved on 15 June 2010 and the development completed. The function room encroaches on Erf 9190, which is municipal property, as indicated on the approved building plan by roughly 1 971m².

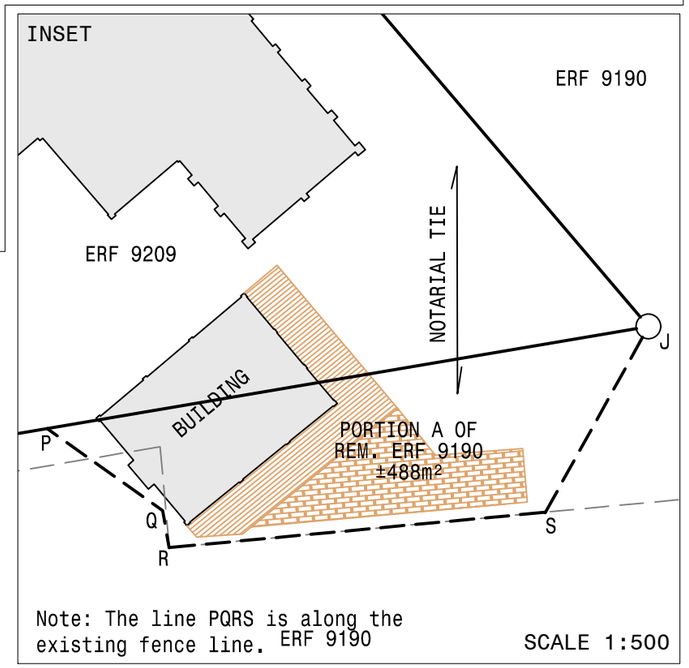
The purpose of this application is to request Council to approve of the subdivision of only that portion of Erf 9190 on which the function room has been constructed, and disposal thereof to the Protea Hotel Stellenbosch Body Corporate, and to permit the consolidation thereof with Erf 9209 (Annexure A).

Following an approval of this application for a land transaction by Council, the rezoning, subdivision and consolidation of the land would have to be addressed in an application in terms of the Stellenbosch Municipality: Municipal Land Use Planning Bylaw, 2023.

Yours faithfully

DUPRé LOMBAARD

Annexure A - Subdivision and consolidation plan



Land unit	Figure description	Area	Current Use	Current Zone	Rezoning
Existing properties					
Remainder erf 9190, Stellenbosch	See plan of proposed subdivision	33.0866 ha	Technopark	Special Zone 1: Technology or Science Park	
Protea Hotel Stellenbosch: Sectional title units and common property of Protea Hotel Stellenbosch Sectional Title Scheme (Previously Erf 9209, Stellenbosch)	A, B, C, D, E, F, G, H, J, K	3.0000 ha	Protea Hotel	Specific Business: Hotel and offices	
Proposal					
Portion A: a portion of remainder erf 9190	P, S, R, Q, J	±488m²	Protea Hotel (building encroachment)	Special Zone 1: Technology or Science Park	To be rezoned to Specific Business: Hotel and offices, transferred to Protea Hotel Body Corporate and included in common property of Protea Hotel Sectional Title Scheme by notarial tie
Final layout					
Protea Hotel Stellenbosch: Notarial tie of Portion A with Sectional Title Scheme Protea Hotel Stellenbosch: Proposed total area of Protea Hotel non-building common property	A, B, C, D, E, F, G, H, J, S, R, Q, P, K	±3.0488 ha			
Remainder of erf 9190 after deduction of Portion A	See plan of proposed consolidation	±33.0378 ha			

building

pergola

paving

boundary line

proposed subdivision

TN

Caveat

1. Any areas and dimensions are provisional and will be finalised at time of subdivision survey.
2. All levels are to be confirmed prior to construction.

Scale 1:1000	Date: 15 Mar 2024	Contours: n/a	System: WG 19

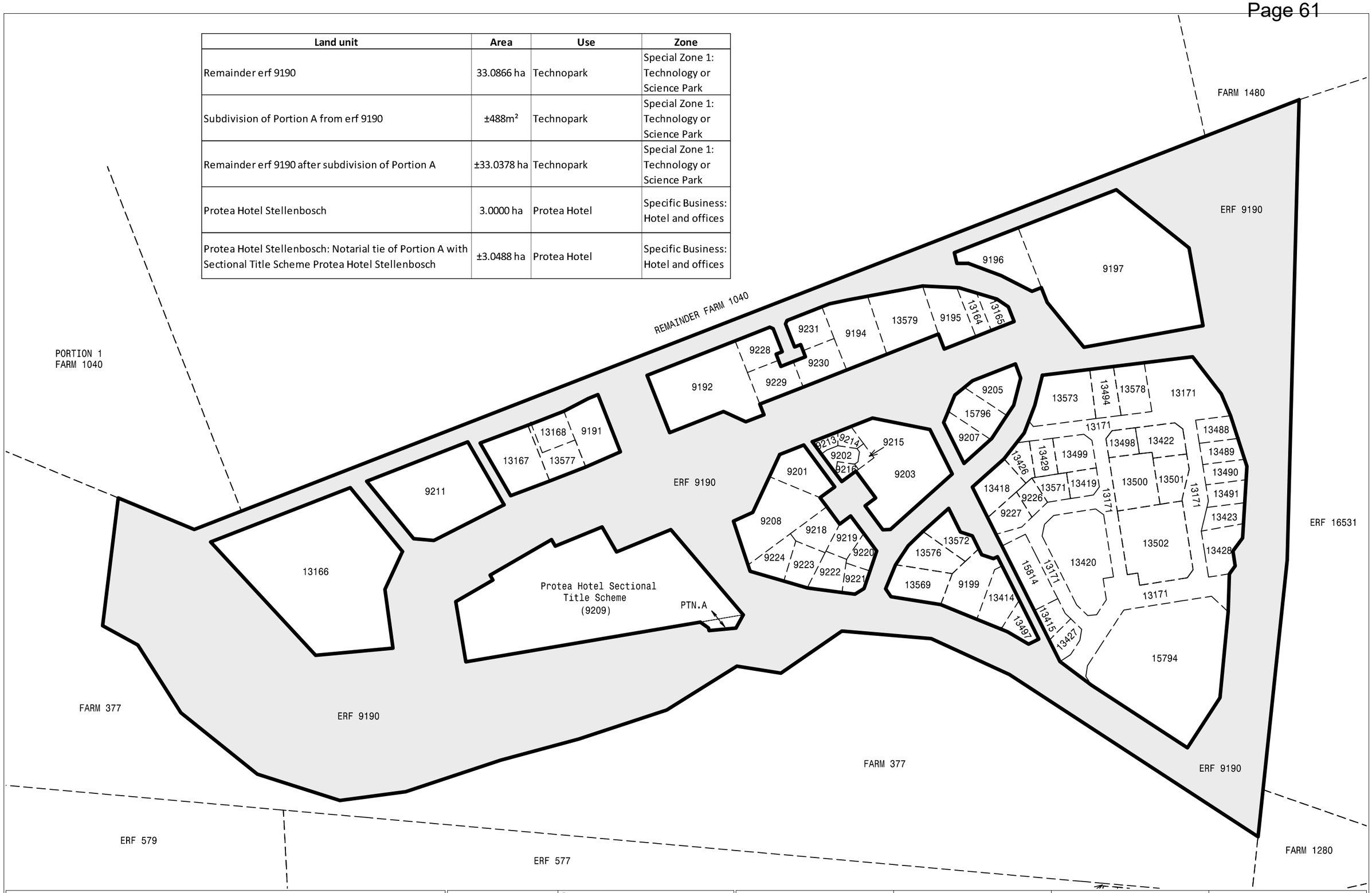
Proposed Subdivison and Notarial Tie
Remainder Erf 9190 and Erf 9209
Stellenbosch

Ref: ERF9209F | Dwg:PR-ON - REV4.DWG

friedlaender, burger & volkmann
PROFESSIONAL LAND SURVEYORS, SECTIONAL TITLE CONSULTANTS, MAPPING CONSULTANTS
Stellenbosch House 4, Perryvale, 7600 T +27 21 8864004 Cape Town 150 St. George's Mall, 8000 T +27 21 0071851
Riebeek Kasteel 3 Bergzig, Wafer Street, 7300 T +27 22 4481024
enquiries@fbvsurvey.co.za • www.fbvsurvey.co.za

Annexure B – Locality plan

Land unit	Area	Use	Zone
Remainder erf 9190	33.0866 ha	Technopark	Special Zone 1: Technology or Science Park
Subdivision of Portion A from erf 9190	±488m²	Technopark	Special Zone 1: Technology or Science Park
Remainder erf 9190 after subdivision of Portion A	±33.0378 ha	Technopark	Special Zone 1: Technology or Science Park
Protea Hotel Stellenbosch	3.0000 ha	Protea Hotel	Specific Business: Hotel and offices
Protea Hotel Stellenbosch: Notarial tie of Portion A with Sectional Title Scheme Protea Hotel Stellenbosch	±3.0488 ha	Protea Hotel	Specific Business: Hotel and offices



denotes final boundaries after land swop

TN

Caveat

1. Any areas and dimensions are provisional and will be finalised at time of subdivision survey.
2. All levels are to be confirmed prior to construction.

Scale 1:4000 @A3	Date:08 April 2024	Contours:NA	System: WG 19

Proposed Subdivison and Notarial Tie
Remainder Erf 9190 and Erf 9209
Stellenbosch

Ref:ERF9209F | Dwg: PROPOSED REMAINDER ERF 9190 - rev4.dwg

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PROFESSIONAL LAND SURVEYORS, SECTIONAL TITLE CONSULTANTS, MAPPING CONSULTANTS
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enquiries@fbvsurvey.co.za • www.fbvsurvey.co.za

APPENDIX 7

STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Planning and Economic Development

FROM/VAN : **Building Inspectorate Section**

TO/AAN : **Manager: Building Development Management**

DATE / DATUM : **25 July 2024**

INSAKE / RE : **Inspection report – Erf 9209 Protea Hotel, Technopark**

PURPOSE

To provide a chronological account of the BDM Record with regard to the development of The Protea Hotel, Erf 9209, Technopark, Stellenbosch.

BUILDING DEVELOPMENT MANAGEMENT RECORD

Record of building plans submitted and approved in terms of Section 7 of the NBR Act

2002 – **BP02/455** Proposed New Hotel **No Record of Approval**

- **BP02/842** Proposed Gas installation Approved on 12 December 2002

2003 - **BP03/15** Proposed Hotel **Approved** on 3 February 2003

- **BP03/249** Proposed Gas installation Approved on 19 May 2003

2004 – **NO BP Number** proposed new extension to black bull restaurant and new Refuse & Laundry Building – **To Note: No record of Approved Building Plan**

2005 - **BP05/623** Proposed Gas installation Approved on 29 June 2005

2006 – **BP06/531** Proposed Conference room Approved on 7 July 2006

- **BP06/495** Proposed Gas room / installation Approved on 12 June 2006

2009 – **BP09/785** Proposed Antennas & equipment room Approved 25 February 2009

2010 – **BP10/2274** Proposed New function room Approved 15 June 2010

2012 – **BP12/5414** Proposed New Laundry room Approved 12 December 2012

2013 – **BP13/402** Proposed Alteration to new restaurant Approved 21 May 2013

2016 – **BP16/817** "As- Built" Approved 10 Augustus 2016 for the existing swimming pool area

2023 - **BP3375/2023** Proposed Alteration & Addition to Protea Hotel Approved 19 May 2023

(To Note: BP Number referred to Gym and break away room building plans)

2024 – **BP4438/2023** Proposed Gas installation Approved on 09 February 2024

Record of Certificate of Occupancy issued in terms of Section 14 of the NBR Act

BDM record confirms that two (2) Certificate of Occupancy was issued

2011 - **BP/10/2274**

Certificate of Occupancy issued for new conference Centre extension on 25 February 2011 for ***(To Note: BP Application referred to new function room building plan)***

2017 - **BP17/4423**

Certificate of Occupancy issued for HOTEL on 25 February 2011

(To Note: BP Number referred to the request / application for certificate of occupancy)

BDM further confirms that the **2017** request for Certificate of Occupancy does not specify a specific building plan. The application BP2027/4423 was for request for Certificate of Occupancy. BDM records further confirm that a Certificate of Occupancy was issued specifying HOTEL dated 17 November 2017 and approved by the late Manager: BDM.

No further record with regards to the Certificate of Occupancies.

ERF FILE RECORD

The erf File records confirm communication since 2015 with regards to Lease Agreement of Municipal property.

No record and/or account of encroachment and or inspection report with regards to the deviation of the approved building plan more 15-20 years ago.

Building Plan Record confirms that all building plans that was submitted from 2010 specified the encroachment of the restaurant over the erf Boundary.

The record further confirmed that all building plan applications was circulated to all departments, including Land Use Management – and approved as specified.

BDM does not have record of a Lease Agreement, the erf File Record contain communication in reference thereto.

To Note:

Building Plan BP10/2274 was for the proposed conference room, submitted and approved in 2010. This building specifies encroachment of "As Built" the restaurant building over the erf boundary.

STATUS

Site inspection conducted on 24/07/2024 at Erf 9209 – Protea Hotel, Technopark.

Protea Hotel (Technopark) - Locality Plan

TO NOTE:

BDM Record confirms no building plan was submitted and/approved for the following:

1. Container - Use as Storage
2. Wendy Houses - Use as Staff Rooms
3. Play Park

Restaurant and Play Park Locality

1. Building and play park is encroaching over onto municipal property.

Location of restaurant encroachment on municipal

Container and Wendy House Structures –

1. Container and 2 x Wendy House structures - During the above-mentioned inspection, it was noted that unauthorized structures were placed on Municipal Property.

2. Inspection further confirmed that the unauthorized structures are used by Protea Hotel for storage and staff rooms respectively.

3. Constructed outside the Boundary line on municipal property.

Location of container on municipal property (Storage)

Location of Wendy House (staff room)

Compiled By:

.....

A Langeveldt
Senior Building Inspector

APPENDIX 8

Virdus Works (Pty) Ltd (Reg. No. 2018/585747/07)
Development Management Consultants and
Environmental Assessment Practitioners
Managing Director: DUPRÉ LOMBAARD
3rd Floor, Time Square, Elektron Street, Techno Park, Stellenbosch, 7600, South Africa
Mobile: +27 82 895 6362 // Email: dupre.lombaard@virdus.com

26 July 2024

The Municipal Manager
PO Box 17
STELLENBOSCH
7600
Per email: Yolande.vandenBerg@stellenbosch.gov.za

Dear Madam

SUPPLEMENT TO THE AMENDED APPLICATION FOR THE CONSIDERATION OF THE SUBDIVISION AND TRANSFER OF PORTIONS OF ERF 9190, STELLENBOSCH (TECHNOPARK)

The application on behalf of the Protea Hotel Stellenbosch Body Corporate, Sectional Title Scheme 480/2002 dated 28 June 2022 for approval of a land transaction entailing a subdivision and consolidation of council-owned land and subsequent interaction and consultation between the parties, the amended application submitted by hand on 16 April 2024, our subsequent discussion of the matter, and the meeting between Mr Deleur Stander (General Manager of the Protea Hotel) and the Executive Mayor in July 2024 refer.

This submission is made to provide alternatives for consideration of the application. A plan showing three alternatives is submitted herewith in Annexure A.

1) Alternative 1 (shown in orange on the plan): The current proposal as submitted on 16 April 2024 for the subdivision only of that portion of the land on which the conference centre was constructed is shown in orange on the attached plan. It covers and area of only 488m² and addresses only the encroachment of the building construction.

2) Alternative 2: It includes the area shown in Alternative 1 and adds roughly 1 879m² (shown in blue on the plan) covering the fenced area around the children's playground, the outdoor entertainment area and the air conditioning units constructed for the conference facility along the eastern boundary of the property with Techno Avenue.
3) Alternative 3: It includes the area shown in Alternatives 1 and 2 and adds roughly 292m² to the western boundary of the site (shown in green on the plan). It is aligned with the existing fence and allows for access around the entire complex for security personnel, maintenance staff and in case of emergencies.

As discussed and as detailed in the initial application, the Protea Hotel submitted building plans for extension of the Sectional Title Scheme by addition of a function room in 2010 (BP/10/2274 – under Annexure C of the June 2022 application) and for ease of reference attached hereto under Annexure B. The building plan was approved on 15 June 2010 and the development completed.

We trust that this submission will facilitate a rapid positive conclusion of the matter.

Yours faithfully

DUPRé LOMBAARD

Annexure A – Plan showing alternatives

Protea Hotel (Erf 9209) boundary adjustment alternatives

Legend

- Farm Portions
- Erf

Map Center: Lon: 18°49'59.5"E
Lat: 33°57'58.1"S

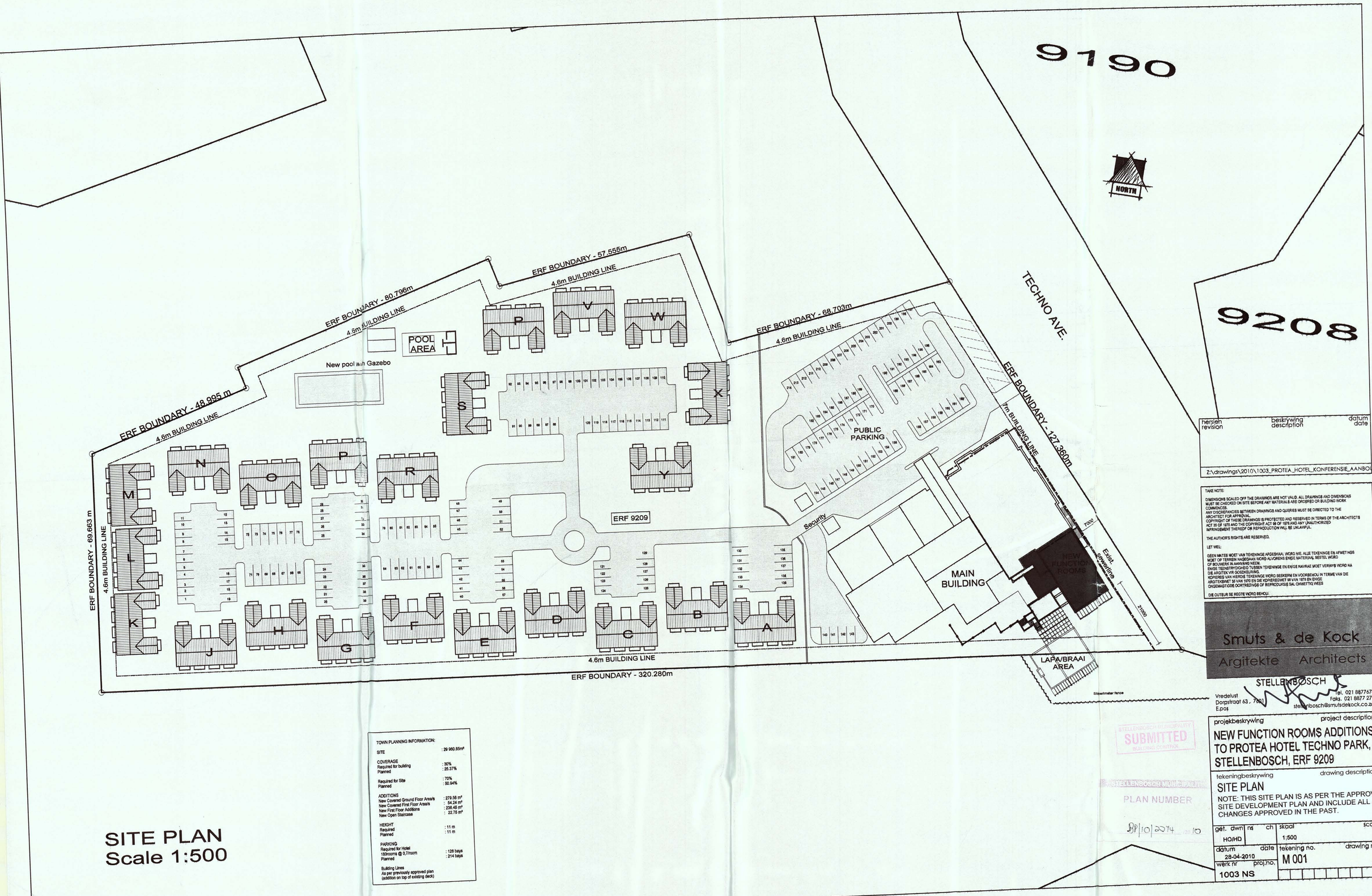
Scale: 1:1,500

Date created: 2024/07/26

Western Cape Government
FOR YOU

Annexure B – Building plan approvals

Annexure C – Approved building plan



SITE PLAN
Scale 1:500

TOWN PLANNING INFORMATION:

SITE	: 29 960.85m²
COVERAGE	
Required for building	: 30%
Planned	: 25.37%
Required for Site	: 70%
Planned	: 50.94%
ADDITIONS	
New Covered Ground Floor Area/s	: 279.56 m²
New Covered First Floor Area/s	: 54.24 m²
New First Floor Additions	: 238.45 m²
New Open Staircase	: 22.76 m²
HEIGHT	
Required	: 11 m
Planned	: 11 m
PARKING	
Required for Hotel 180rooms @ 0,7/room	: 126 bays
Planned	: 214 bays
Building Lines	
As per previously approved plan (addition on top of existing deck)	

hersien revision	beskrywing description	datum date

Z:\drawings\2010\1003_PROTEA_HOTEL_KONFERENSIE_AANBOU

TAKE NOTE:

DIMENSIONS SCALED OFF THE DRAWINGS ARE NOT VALID. ALL DRAWINGS AND DIMENSIONS MUST BE CHECKED ON SITE BEFORE ANY MATERIALS ARE ORDERED OR BUILDING WORK COMMENCES.
ANY DISCREPANCIES BETWEEN DRAWINGS AND QUERIES MUST BE DIRECTED TO THE ARCHITECT FOR APPROVAL.
COPYRIGHT OF THESE DRAWINGS IS PROTECTED AND RESERVED IN TERMS OF THE ARCHITECTS ACT 35 OF 1970 AND THE COPYRIGHT ACT 98 OF 1978 AND ANY UNAUTHORIZED INFRINGEMENT THEREOF OR REPRODUCTION WILL BE UNLAWFUL.

THE AUTHOR'S RIGHTS ARE RESERVED.

LET WEL:

GEEN MATES MOET VAN TEKENINGE AFGESKAAL WORD NIE. ALLE TEKENINGE EN AFMETINGS MOET OP TERREIN NAGEGAAN WORD ALVORENS ENIGE MATERIAAL BESTEL WORD OF BOUWERK IN AANVANG NEEM.
ENIGE TEENSTRYDIGHEID TUSSEN TEKENINGE EN ENIGE WAVRAE MOET VERWYS WORD NA DIE ARGITEK VIR GOEDKEURING.
KOPIEREG VAN HIERDIE TEKENINGE WORD BESKERM EN VOORBEHOU IN TERME VAN DIE ARGITEKSWET 35 VAN 1970 EN DIE KOPIEREGWET 98 VAN 1978 EN ENIGE ONGEMAGTIGDE OORTREDINGS OF REPRODUKSIE SAL ONWETTIG WEES

DIE OUTEUR SE REGTE WORD BEHOU.

Smuts & de Kock
Argitekte Architects
STELLENBOSCH
Vredelust
Dorpstraat 63 , 7600
E.pos
tel. 021 8877678
Faks. 021 8877 279
stellenbosch@smutsdekock.co.za

STELLENBOSCH MUNICIPALITY
SUBMITTED
BUILDING CONTROL

STELLENBOSCH MUNICIPALITY
PLAN NUMBER
BP/10/2274 /2010

STELLENBOSCH MUNICIPALITY
BUILDING DEVELOPMENT MANAGEMENT
APPROVED
IN TERMS OF SECTION 7(1)(a) OF THE NATIONAL BUILDING REGULATIONS AND BUILDING STANDARDS ACT, NO 103 OF 1977
15/6/2010
DIRECTOR: PLANNING & DEVELOPMENT DATE

projekbeskrywing	project description
NEW FUNCTION ROOMS ADDITIONS TO PROTEA HOTEL TECHNO PARK, STELLENBOSCH, ERF 9209	
tekeningbeskrywing	drawing description
SITE PLAN NOTE: THIS SITE PLAN IS AS PER THE APPROVED SITE DEVELOPMENT PLAN AND INCLUDE ALL CHANGES APPROVED IN THE PAST.	

get. dwn	ns	ch	skaal	scale
HO/HD			1:500	
datum		date	tekening no.	drawing no.
28-04-2010			M 001	
werk nr		proj.no.		
1003 NS				

Annexure G – Occupation certificate

STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

OCCUPATION CERTIFICATE

2011 / 02 / 25

EIENAAR / OWNER : **BODY CORP PROTEA HOTEL STELLENPARK**

GEMAGTIGDE AGENT : **F C S CONSTRUCTION**

AUTHORISED AGENT : **CELL: 082 3429 591**

ERF / ERWEN : **9209**

VOORSTAD / SUBURB : TECHNOPARK

TYPE OF UNIT : NEW CONFERENCE CENTRE EXTENSION

BUILDING PLAN NUMBER : **BP / 10 / 2274**

Goedkeuring van Bou-inspekteur :

Approval from Building Inspector: REGINALD KING **Inspeksie Datum / Inspection Date** : 2011/02/21

Issued in terms of section 14(1)(a) of Act 103 of 1977
Uitgereik in terme van 14(1)(a) van Wet 103 van 1977

I hereby certify that a building(s) / dwelling / garage in respect of which application is made in the Stellenbosch district (Stellenbosch) has been erected in accordance with the provisions of the National Building Regulations and Building Standards Act, 103 of 1977, as amended.

Hiermee sertifiseer ek dat 'n gebou(e) / woning / motorhuis ens, afhangend van watter aansoek gemaak is in die Stellenbosch distrik (Stellenbosch) opgerig is in ooreenstemming met die bepalings van die Nasionale Bouregulasies en Boustandaarde Wet, Nr 103 van 1977, soos gewysig.

This certificate does not exempt the applicant from any other legal requirements which must be complied with, or the approval of any other Authority which must be obtained.

Hierdie sertifikaat stel die aansoeker nie kwyt van enige ander wettige vereistes wat aan vodoen moet word, of goedkeuring van ander Owerhede wat verkry moet word nie.

Voorwaardes / Conditions :

Geteken / Signed:

HOOF: BOUBEHEER / HEAD: BUILDING CONTROL

nm : UITVOERENDE DIREKTEUR : EKONOMIESE FASILITEERINGSDIENSTE

EXECUTIVE DIRECTOR : ECONOMIC FACILITATION SERVICES

8.3.2	**REQUEST TO RECONSIDER EXECUTIVE MAYORAL COMMITTEE RESOLUTION IN RESPECT OF MONTHLY RENTAL CHARGED TO STELLENBOSCH ANIMAL HOSPITAL: ERVEN 2498 AND 2499, STELLENBOSCH**

Collaborator No:
IDP KPA Ref No: **Good Governance**
Meeting Date: **18 June 2025 and 25 June 2025**

1. SUBJECT: REQUEST TO RECONSIDER EXECUTIVE MAYORAL COMMITTEE RESOLUTION IN RESPECT OF MONTHLY RENTAL CHARGED TO STELLENBOSCH ANIMAL HOSPITAL: ERVEN 2498 AND 2499, STELLENBOSCH

2. PURPOSE

To consider a request from Stellenbosch Animal Hospital regarding a reduction in the new monthly rental to be charged in terms of an Executive Mayoral Committee resolution.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

On 17 January 2024 the Executive Mayoral Committee considered a request from Dr. GA Giliomee on behalf of the Stellenbosch Animal Hospital for an extension of their lease agreement. It was resolved, *inter alia*, that the lease agreement be renewed for a period of nine years and 11 months and that the monthly rental be determined by a valuator.

A valuator was subsequently appointed, and a valuation report was received indicating that the market related monthly rental should be R39 500.00 per month exclusive of VAT. The valuation report calculated the parking spaces at R500.00 per parking per month which is not in line with the approved tariff. The approved tariffs should be used in terms of the parking spaces.

In April 2024 the item returned to the Executive Mayoral Committee after the public participation process. It was resolved, *inter alia*, that the property be leased to the applicant for 9 years 11 months and that the Municipal Manager be mandated to determine the monthly rental after the valuation report is received.

The applicant was informed about the Executive Mayoral Committee resolution as well as the valuation report and in July 2024 the applicant wrote a letter wherein, they request that the monthly rental be reconsidered. According to the applicant the substantial increase in rental is way above inflation. The applicant further states that they moved into the premises in 1981 after the building, which was constructed in 1947, was standing empty for a couple of years. Over the last 43 years they have spent lots of money on maintenance and improvements of the building. All the capital expenses from when they moved into the building has been paid by the Stellenbosch Animal Hospital, which includes the doubling of the usable floor space, new floors, new water piping, complete electrical rewiring, air conditioning etc. In effect, they are being charged to lease a portion of the building which they themselves paid for.

The applicant suggests and requests that the new lease agreement be based on the old monthly rental with a 6% escalation as per the previous agreement which will be an increase to R31 361.81 per month for the building as well as the parking spaces.

Although the Municipal Manager has been mandated to determine the monthly rental, the Executive Mayoral Committee resolution states that it should be in line with the valuation report. Considering the substantial difference in valuation and the

request received from the applicant the Department is of the opinion that the request should be considered by the Executive Mayoral Committee.

5. RECOMMENDATIONS

(a) that Council takes note of the application received for a reconsideration of the monthly rental payable by the lessee;

(b) that Council approves the request received from the lessee for the lease amount to be based on the previous lease agreement including an escalation of 6%, the monthly rental being R31 361.81; and

(c) that the monthly rental will escalate yearly at a rate of 6% from July of every year.

6. DISCUSSION / CONTENT

6.1 Background

6.1.1 Council resolution

On 17 January 2024 the Executive Mayoral Committee considered a request from Dr. GA Giliomee on behalf of the Stellenbosch Animal Hospital for an extension of their lease agreement. It was resolved, *inter alia*, that the lease agreement be renewed for a period of nine years and 11 months and that the monthly rental be determined by a valuator.

A valuator was subsequently appointed, and a valuation report was received indicating that the market related monthly rental should be R39 500.00 per month exclusive of VAT. The valuation report calculated the parking spaces at R500.00 per parking per month which is not in line with the approved tariff. The approved tariffs should be used in terms of the parking spaces. A copy of the valuation report is attached hereto as **APPENDIX 1**.

A public participation process was followed and the matter returned to the Executive Mayoral Committee in April 2024 where it was resolved, inter alia, that the application for lease for a period on 9 years 11 months be approved and that the Municipal Manager be mandated to determine the monthly rental based on the valuation report received.

6.2 DISCUSSION

6.2.1 Request from applicant in respect of reduction of monthly rental

In July 2024 the applicant wrote a letter to the Municipality wherein they request that the monthly rental be reconsidered. According to the applicant the substantial increase in rental is way above inflation. The applicant further states that they moved into the premises in 1981 after the building, which was constructed in 1947, was standing empty for a couple of years. Over the last 43 years they have spent lots of money on maintenance and improvements of the building. All the capital expenses from when they moved into the building has been paid by the Stellenbosch Animal Hospital, which includes the doubling of the usable floor space, new floors, new water piping, complete electrical rewiring, air conditioning etc. In effect, they are being charged to lease a portion of the building which they themselves paid for.

The applicant suggests and requests that the new lease agreement be based on the old monthly rental with a 6% escalation as per the previous agreement which will be an increase to R31 361.81 per month for the building as well as the parking spaces.

A copy of the letter is attached hereto as **APPENDIX 2.**

It should be noted that the previous lease agreement did not make specific reference to the parking tariffs for the parking spaces. As these are approved tariffs the Municipality cannot deviate from same. The reduction in lease will only be in terms of the building itself and not for the parking spaces and, if accepted by the Executive

Mayoral Committee, it will be reflected in the lease agreement to indicate what portion will be for parking spaces and what portion will be towards the lease of the building.

6.2.2 Ownership and Location

The ownership of the property vests with the Municipality and the property is situated in Bird Street, in the parking area of the Stelmark Shopping Centre.

Fig 1. Location

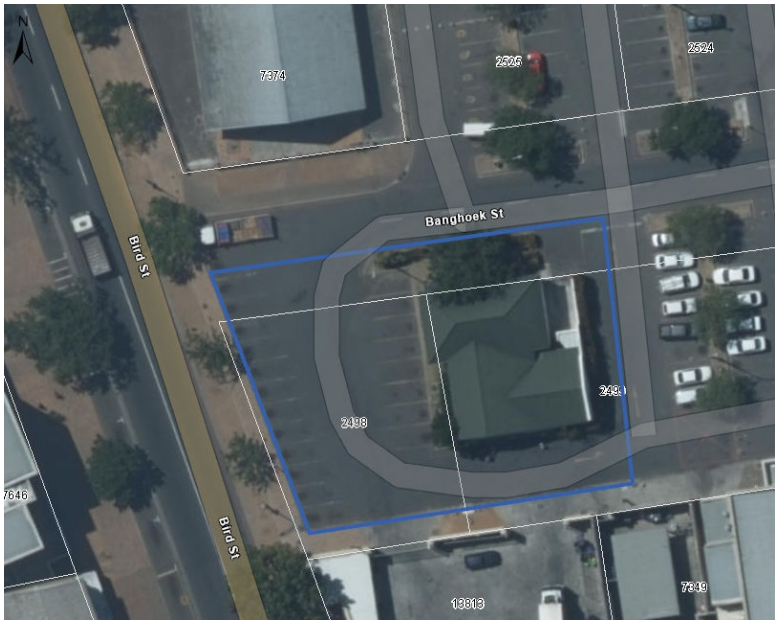


Fig 2. Premises

6.3 Financial Implications

In the event that that proposal is accepted the monthly rental will be R31 361.81 and the applicant will proceed to maintain the premises. This amount is based on the previous lease amount plus escalation.

If the request is not accepted the monthly rental will be R39 500.00 per month excluding VAT and excluding the parking spaces, which will be charged in accordance

with the approved tariff. There are roughly 22 parking spaces and the approved tariff for Stellenbosch CBD is R346.00 per month per parking. This will add a further R7612.00 on the lease amount.

6.4 Legal Implications

A public participation has already been followed, and a final decision was made to lease the property to the Stellenbosch Animal Hospital. Although the monthly rental is not in line with the valuation, the valuation looked at the property as a whole and did not take into account that a large portion of the property was constructed by the tenant and that all maintenance has been attended to by the tenant since taking occupation.

6.5 Staff Implications

There are no staff implications.

6.6 Previous / Relevant Council Resolutions

EXECUTIVE MAYORAL COMMITTEE: 2024-01-17: ITEM 7.3.1

RESOLVED

(a) That erven 2498 and 2499 be identified as land not needed for the delivery of minimum basic municipal services;

(b) That the application for renewal of the lease for a further period of 9 years 11 months be approved in principle;

(c) That the monthly rental be determined by a valuator;

(d) That the municipality follow a public participation process advertising the intention to lease the property for 9 years 11 months for alternative proposals/comments or objections;

(e) That the item be brought back to Mayco for final determination after the public participation process; and

(f) That the applicant be allowed to lease the property whilst the renewal process runs its course at the current rental of R29 586.61 per month.

EXECUTIVE MAYORAL COMMITTEE: 2024-04-17: ITEM 7.3.1

RESOLVED

(a) that the Mayoral Committee takes note of the official notice that was published on 27 February 2024 and no objections/comments/alternative proposals were received;

(b) that the erven 2498 and 2499 be identified as land not needed for the delivery of minimum basic municipal services; and

(c) that the application for renewal of the lease for a further period of 9 years and 11 months be approved subject to the following condition:

(d) that the Municipal Manager determine the monthly rental as soon as the new valuation report is received with an annual escalation of 6%.

6.7 Risk Implications

The risks are that the Animal Hospital will not be able to continue to pay the monthly rental and yearly escalations as well as attend to the maintenance and upkeep of the premises. It is possible that they will not continue with the lease, and they have been an exceptional tenant for 43 years whilst offering a much-needed service to the greater Stellenbosch Community.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2025-06-18: ITEM 7.3.2

(a) that Council takes note of the application received for a reconsideration of the monthly rental payable by the lessee;

(b) that Council approves the request received from the lessee for the lease amount to be based on the previous lease agreement including an escalation of 6%, the monthly rental being R31 361.81; and

(c) that the monthly rental will escalate yearly at a rate of 6% from July of every year.

APPENDICES

Appendix 1: Valuation Report
Appendix 2: Letter from Applicant

NAME	**Yolande van den Berg**
POSITION	***Head: Contract Management***
DIRECTORATE	***Corporate Services***
CONTACT NUMBERS	***021-808 8073***
E-MAIL ADDRESS	***Yolande.vandenberg@stellenbosch.gov.za***
REPORT DATE	***21/05/2025***

APPENDIX 1

RENTAL VALUATION REPORT

MARKET RELATED RENTAL VALUE OF ERVEN 2498 & 2499 STELLENBOSCH ANIMAL HOSPITAL

HCB GROUP

HCB Property Valuations
38 Long Street
Moorreesburg
7310
Tel: 022 433 2035
Email: admin@hcb.co.za

LIMITATIONS AND RESTRICTIONS

This valuation report has been made with the following general assumptions:

1. No responsibility is assumed for the legal description or for matters including legal or title considerations. Title to the property is assumed to be good and marketable unless otherwise stated.
2. The property is valued free and clear of any or all liens or encumbrances unless otherwise stated.
3. Responsible ownership and competent property management are assumed.
4. The information furnished by others is believed to be reliable. However, no warranty is given for its accuracy.
5. All engineering information is assumed to be correct. The plans and illustrative material in this report are included only to assist the reader in visualizing the property.
6. It is assumed that there are no hidden or unapparent conditions of the property, subsoil, or structures that render it valuable. No responsibility is assumed for such conditions or for arranging for engineering studies that may be required to discover them.
7. It is assumed that there is full compliance with all applicable state and local environmental regulations and laws unless non-compliance is stated, defined, and considered in the valuation report.
8. It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless non-compliance is stated, defined, and considered in the valuation report.
9. It is assumed that all required licenses, certificates of occupancy, consents or other legislative or administrative authority from any local or national government or private entity or organization have been or can be obtained or renewed for any use on which the value estimate contained in this report is based.
10. It is assumed that the utilization of the land and improvements is within the boundaries or property lines of the property described and that there is no encroachment or trespassing unless noted in this report.

Signature

LIMITATIONS AND RESTRICTIONS

This valuation report has been made with the following general limiting conditions.

1. The apportionment, if any, of the total valuation figure in this report between land and improvements applies only under the stated client instructions and is hypothetical. The separate allocations for land and buildings must not be used in conjunction with any other valuation and are invalid if so used.
2. Possession of this report, or a copy thereof, does not carry with it the right of publication. It may not be used for any purpose by any person other than the party to whom it is addressed without the written consent of the valuer, and in any event only with proper written qualification and only in its entirety.
3. The valuer herein by reason of this valuation is not required to give further consultation, testimony, or be in attendance in court with reference to the property in question unless arrangements have been previously made.
4. Neither all nor part of the contents of this report (especially conclusions as the value, the identity of the valuer, or the firm with which the valuer is connected) shall be disseminated to the public through advertising, public relations, news, sales, or other media without the prior written consent and approval of the valuer.
5. Neither the whole nor any part of this valuation report or certificate or any reference thereto may be included in any published document, circular or statement, or published in any way without the valuer's written approval of the form and context in which it may appear. The publication shall deem to include references in company accounts and/or director's reports or any other company statement or circular.
6. The valuation is prepared on the basis that full disclosure of all information and facts which may affect the valuation, has been made to the valuer and no liability or responsibility will be accepted whatsoever for the valuation unless such full disclosure has been made.
7. This valuation is solely for the use of the party to whom it is addressed in accordance with the instructions. Reliance on it by any third party cannot be regarded as reasonable and no responsibility to any third party is or will be accepted for the whole or any part of the valuation.
8. The valuer has no personal interest in the property.
9. In the unlikely event of the client incurring any losses due to negligence of the valuers, valuers in training and assistants, the aggregate amount of the damages recoverable against the valuer shall not exceed the fee for providing the service.

Signature

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1.3 Date of Inspection 6

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1. INTRODUCTION

I, Coenraad Botha, registered as a Professional Valuer in terms of the Property Valuers Profession Act 47 of 2000, do hereby certify that I have identified and inspected the subject property referred to in this report and have obtained all the necessary information to determine the market value thereof.

- *See Annexure 1 for Valuer Certificates*

1.1 Instruction

An instruction was received from Yolande van den Berg of Stellenbosch Municipality to attend to the valuation of the property being more commonly known as Erven 2498 and 2499, Stellenbosch. This property is used as the Stellenbosch Animal Hospital and parking, and the valuation is to determine the open market rental value of the property, as on 1 March 2024.

- *See Annexure 2 for Instruction*

1.2 Date of Valuation

The date of valuation as instructed by the client is 1 March 2024.

1.3 Date of Inspection

The Subject Portions were inspected on 5 April 2024.

2. TITLE DEED DESCRIPTION

2.1 Title Deed

The property reports indicate title deed numbers:
Erf 2498: T16507/1977
Erf 2499: T16507/1977

2.2 Description

The property can be described as “Erven 2498 and 2499, Stellenbosch, Western Cape”. Hereafter in the report we will refer to this erf as the “subject properties”.

2.3 Owner

The properties are registered in the name of Mun Stellenbosch.

2.4 Extent

The full erf extents of the subject properties:
Erf 2498: 583m²
Erf 2499: 1 162m²

2.5 Purchase Price

Not relevant to this report, because it will not have an impact on Market Value.

2.6 Surveyor General Information

HCB could not find any discrepancies regarding the ground layout with the Surveyor General Information.

2.7 Title Deed Conditions

HCB did not have sight of the Title Deed; thus, we cannot comment on any restrictive conditions it may hold.

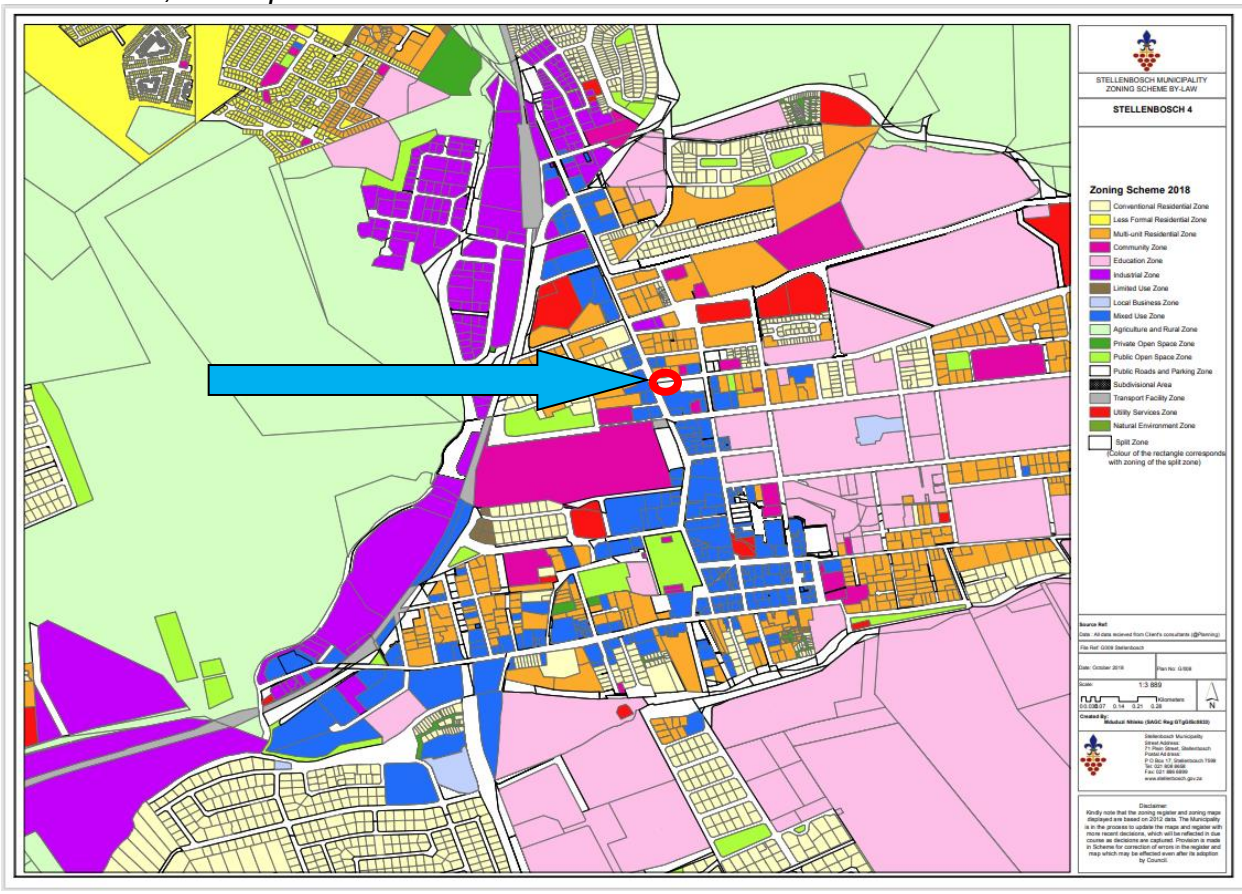
3. LOCAL, PROVINCIAL AND CENTRAL GOVERNMENT INFORMATION

3.1 Local Authority

This property falls under the jurisdiction of the Stellenbosch Municipality, situated in the Western Cape.

3.2 Zoning

The following Zoning was found on the Stellenbosch Municipal Website (January 2024).
Erf 2498 & 2499 – Zoned: **Public Use and Parking**
Please note this zoning was confirmed by Stellenbosch Municipality, and should this be incorrect, this report will be amended.



CHAPTER 17: PUBLIC ROADS AND PARKING ZONE

173. Zone name and designation on map

(1) The Public Roads and Parking zone may be referred to by the code (PR) and shall be indicated on the zoning map in white (Colour code 255,255,255).

174. Purpose of the zone

(1) The purpose of this zone is to make provision for the following:
  (a) public roads as indicated on a general plan and roads, whether constructed or not.
  (b) premises for the public parking of motor vehicles which are in use. Such parking may be provided in buildings or in open parking areas to address the need for off-street parking in an area, with or without the payment of a fee.

175. Land use within this zone

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

Primary Uses	Additional Uses (technical approval)	Consent Uses (application required)
• Public parking area • Public road • Utility service • Occasional use (one event/year)	• Rooftop base telecommunication station • Market	• Freestanding base telecommunication station • Occasional use (>one event /year) • Parking garage • Transport purposes (passengers)

The zoning of both subject properties does not give consent for commercial activity It was confirmed with Stellenbosch Municipality that special consent was given to the animal Hospital to practise commercial activity on the terrain.

4. PHYSICAL DESCRIPTION

4.1 Land

The land of both erven is flat, and ground is in good condition, as it has been well maintained. It is situated on the corner of Bird Street and Banghoek Road in central Stellenbosch. It is very easily accessible.

- *See Annexure 3 for Locality Map / Aerial Photo*

4.2 Improvements

Erf 2498 is not improved but is used as parking facility for adjacent erf 2499. Both subject properties are tarred for parking purposes.
Erf 2499 is improved with a veterinary clinic.

Improvement Extents are as follows:

- Veterinary Clinic 219m²

These improvements consist of brick-plastered walls, sink-plated roofing, security measures such as burglar bars in front of all windows and safety gates in front of glass and aluminium doors. The clinic is well maintained.

5. MARKET ANALYSIS

Rent is a system of payment for the temporary use of something owned by someone else; the payments for such use are typically referred to as “rent”. In the open market, rent is a product; it does not occur naturally, as in, ‘this is the rent for the premises. To value rent, all the terms and conditions of the tenancy must be known, stated in advance, or defined. However, because the rent at a new letting is often agreed before the lease is drafted and/or approved; it is possible for a completed lease to contain terms and conditions that could produce a different rent to what was agreed.

6. METHOD OF VALUATION

The Comparable Rental Method of valuation is the most suitable method to apply to establish the market rental of the subject property. In applying the Comparable Rental Method, it is necessary to investigate the sales of similar type properties that have been rented as well as returns required by the holders of such land.

The above information is compared to the subject property, which involves judgments as to the degree of similarity regarding value factors such as location, shape of erf and use to which the subject property can be put.

7. ESTABLISHMENT OF COMPARABLE RENTALS

7.1 Highest and Best use

Definition*: “The most probable use of a property which is physically possible, appropriately justified, legally permissible, financially feasible and which result in the highest value of the property being valued”*.
Therefore, it could be argued that the highest and best use of a property is, which is physically possible, appropriately justified, legal permissible, financially feasible and which result in the best value of the property to be valued.

I believe highest and best use is commercial, although this goes against the current zoning restrictions.

7.2 Valuation Method

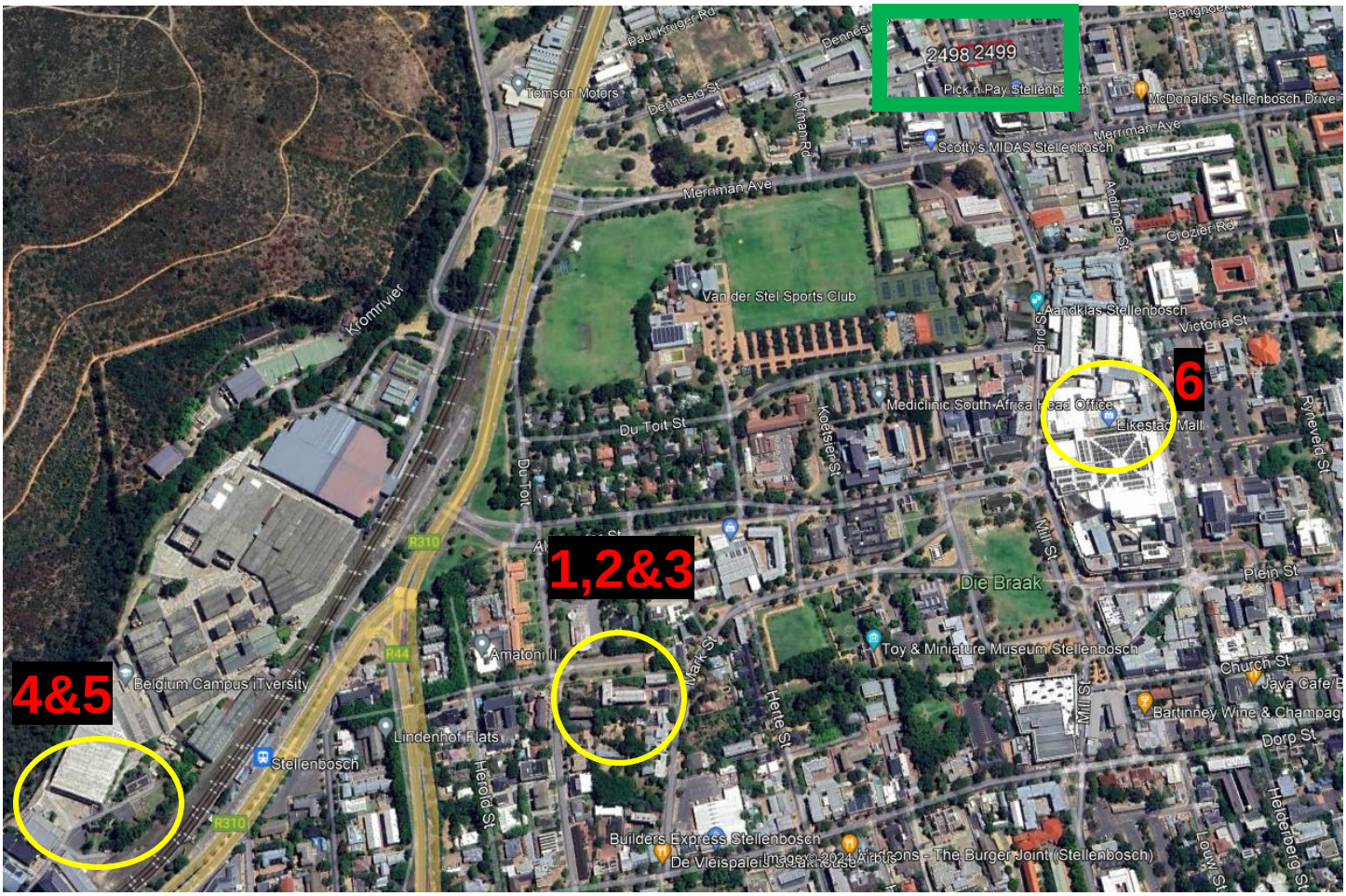
The market was surveyed for current leases, rates of return and leasing practices. Information was sourced from local estate agents, local property professionals, as well as our property info database. The information that was obtained was verified and adjustments were made for time, use, layout, and location.

There is a lack in comparable property sales for this specific use. Commercial Rental spaces were investigated, and proposed rental was calculated from this.

VALUATION REPORT – RENTAL VALUATION OF ERVEN 2498 & 2499 STELLENBOSCH

Comparable Rentals:

Number:	Area	Monthly Rental	Extent	Rate/m²
1	Markplein Unit 15, Stellenbosch	R10 000	28m²	R357-00
2	Markplein Unit 16, Stellenbosch	R10 500	29m²	R362-00
3	Markplein, Stellenbosch	R12 600	42m²	R300-00
4	Bosmansclub, Stellenbosch	R34 200	190m²	R180-00
5	6 Bosmansclub, Stellenbosch	R21 600	120m²	R180-00
6	Beyers Street, Stellenbosch	R34 000	160m²	R212-00



7.3 Application of Comparables

These market rentals range between R180-00/m² and R360-00/m² and were adjusted due to location and finishes as the subject property is older than the comparable rentals that are currently being achieved in the market.

Thus, it is my opinion that a rental of R180-00/m² is applicable to the improvements of Erf 2499. Current zoning limits the future development of the subject property.

Our market research has concluded parking rental in Stellenbosch to be between R500-00 and R1 200-00 per parking per month. It is noted that Stellenbosch Municipality however has a standard tariff for parking rental of R362-00 per month.

My opinion is that a lower tariff is applied to the parking of Erf 2498 & 2499, as it is open to the public for use, not only by customers of the animal clinic. It is also a complicated parking lot, which is exceedingly difficult to exit should it be crowded.

Thus, it is my opinion to apply R 500-00 per parking per month, with the 8 parking bays marked for use of animal clinic clients directly in front of the animal Clinic being included in the improvement rent of Erf 2499.

The Rental Valuation of the Subject Property is Calculated as follows:

Improvements (Erf 2499): 219m² @ R180-00/m² = R39 500-00 (rounded)

Determination and Adjustment of Value:

Rental of the Subject Property is determined as follows, based on the market research of rentals in Stellenbosch central, Rental of Erven 2498 & 2499 comprise as follows on 1 March 2024:

Description	Market Value
Parking Bays on Erf 2498 & 2499	R500-00 per parking per month
Erf 2499 (improvements & 8 adjacent parking bays on Erf 2498)	R39 500-00 per month

8 CERTIFYING OF VALUE

I hereby certify that I have identified the subject property and obtained all the necessary information to determine the market rental thereof.

Accordingly, I hereby certify that in my opinion, to the best of my knowledge, skill and expertise, the monthly rental of the subject portion of 1 March 2024 to be
R39 500-00/month for improvements & 8 parking bays allocated and R500-00 per parking bay per month for parking area. VAT INCLUDED.

Hendrik Coenraad Botha
Professional Valuer
Registration Number: 5601
5 April 2024
Date of Signature

CAVEATS

This valuation has been prepared on the basis that full disclosure of all Information and factors which may affect the valuation have been made to Ourselves and we cannot accept any liability or responsibility whatsoever for the Valuation unless such full disclosure has been made.

9.1 Valuation Standard

This valuation has been prepared in accordance with the guidelines of the South African Institute of Valuers for valuation reports.

9.2 Statutory Notices and Unlawful Use

We have assumed that the property and its value are unaffected by any statutory notice or condition of Title where Title Deeds have not been inspected, and that neither the property nor its condition, nor its use, nor its intended use, is or will be unlawful.

9.3 Confidentiality

This valuation is produced exclusively for the Stellenbosch Municipality and for the specific purpose to which it refers. It may be disclosed to your other professional advisers assisting you in respect of that purpose. We accept no responsibility whatsoever to any parties other than yourselves who make use of this valuation.

9.4 Non-Publication

Kindly note that neither the whole nor any part of this report, nor any reference thereto maybe included in any published document, circular or statement, nor published in any way without our prior written approval at to the form or context in which it may appear.

10 ANNEXURES

10.1 Annexure 1 – Valuer Certificate

SOUTH AFRICAN COUNCIL FOR THE
PROPERTY VALUERS PROFESSION

This is to certify that

HENDRIK COENRAAD BOTHA

is registered as

Professional Valuer

In terms of section 20(2)(a) of the Property Valuers Profession Act, 2000

DATE OF REGISTRATION AS: Professional Valuer: 28 January 2020
DATE OF ISSUE: 13 February 2020
PERIOD OF VALIDITY: 28 January 2020 - 30 June 2024

JF Cloete
President

REGISTRATION No: 5601

MC Seota
Registrar

10.2 Annexure 2 – Instructions

From: Yolande van den Berg <Yolande.vandenBerg@stellenbosch.gov.za>
Sent: Wednesday, 21 February 2024 10:17
To: Helen Louwrens <helen@hcbval.co.za>
Subject: REQUEST FOR QUOTATION: ERVEN 2498 AND 2499 STELLENBOSCH

Dear Helen,

Please see attached a request for quotation.

We look forward to hearing from you.

Kind regards,
Yolande van den Berg
Head: Contract Management
Corporate Services

T: +27 21 808 8073| Fax 021-886 7319
Plein Street, Stellenbosch, 7600
www.stellenbosch.gov.za

HCB
Valuations and Services (Pty) Ltd
HEAD OFFICE
38 Long Street, Moorreesburg, 7310
T: +27(0)22 433 2035 M: +27(0)83 663 2140 E: admin@hcb.co.za

HCB would like to assist with you valuation request.
Kindly complete below to the best of your ability in order for us to provide you with a quotation and subsequent valuation report.

Erf/Farm Number:	Erven 2498 & 2499
Town/Region:	Stellenbosch
Owner:	Stellenbosch Municipality
Zoning and Usage:	Business & Parking
Date of Valuation:	21/02/2023
Reason for valuation:	To determine Rental value
Any other information you feel is pertinent to the valuation:	Animal Hospital
Expected Delivery Date:	As soon as possible.

Should you have any questions or concerns contact:
Helen: 081 4733 707 / helen@hcbval.co.za
Coenraad: 083 663 2140 / coenraad@hcb.co.za

10.3 Annexure 3 – Locality Map / Aerial Photo

10.4 Annexure 4 – Property report

Erf 2498

CMA INFO

Hcb Valuations - Moorreesburg
Helen Louwrens

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

Tel: 022 433 2035

HCB Group
Tel: 022 433 2035
Email: admin@hcb.co.za
PO Box 247, Moorreesburg, 7310

PROPERTY INFORMATION			
Erf	2498	**GPS**	18.858473°E 33.931142°S
Township	STELLENBOSCH	**Extent**	583 m²
Address	BIRD STREET	**Cadastral extent**	584 m²
Suburb	STELLENBOSCH CENTRAL	**Usage**	Business
Municipality	STELLENBOSCH	**Type**	
Province	WESTERN CAPE	**Zoning**	
		Zoning Desc	

MUNICIPAL VALUATION	
Total Value	R 1 516 000
Valuation Year	2021

SALE INFORMATION			
Note: The Sale Price is inclusive of 12 properties on this Title Deed			
Owner	MUN STELLENBOSCH	**Title Deed**	T16507/1977
Sale Price	-	**Bond Holder**	-
Sale Date	-	**Bond Amount**	-
Registered	1977/07/06	**Sale Type**	-

Erf 2499

Hcb Valuations - Moorreesburg
Helen Louwrens

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

Tel: 022 433 2035

HCB Group
Tel: 022 433 2035
Email: admin@hcb.co.za
PO Box 247, Moorreesburg, 7310

PROPERTY INFORMATION			
Erf	2499	GPS	18.858827°E 33.931099°S
Township	STELLENBOSCH	Extent	1 162 m²
Address	377 BANGHOEK STREET	Cadastral extent	1 165 m²
Suburb	STELLENBOSCH CENTRAL	Usage	Business
Municipality	STELLENBOSCH	Type	
Province	WESTERN CAPE	Zoning	
		Zoning Desc	

MUNICIPAL VALUATION	
Total Value	R 3 901 000
Valuation Year	2021

SALE INFORMATION			
Note: The Sale Price is inclusive of 12 properties on this Title Deed			
Owner	MUN STELLENBOSCH	Title Deed	T16507/1977
Sale Price	-	Bond Holder	-
Sale Date	-	Bond Amount	-
Registered	1977/07/06	Sale Type	-

10.5 Annexure 5 – CSG Diagram of Property

Erf 2498:

SERWITUUTKAART

KANTOORAFSKRIF

SYE METER		RIGTINGS-HOEKE		KOÖRDINATE Y	Stelsel Lo. 19° X
		Konstante		+ 0,00	+3700000,00
			A	+ 13 036,76	+ 55 721,43
CD	18,60	81 17 10	C	+ 13 008,27	+ 55 745,28
DA	28,52	159 15 30	D	+ 13 026,66	+ 55 748,10
		N29A	⊕	+ 13 055,88	+ 55 710,37
		N29B	⊕	+ 12 890,87	+ 55 686,72

L.G. No. 2944/81

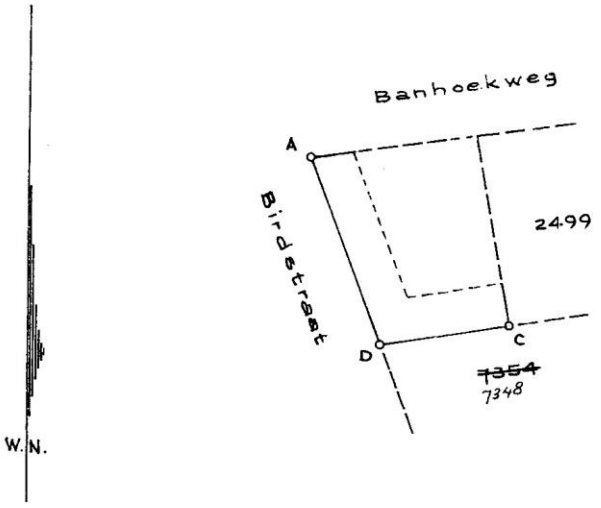
Goedgekeur

Hoof Landmeter-generaal

1981 -07- 07

Beskrywing van Bakens:

A,D : 12mm ysterpen
C : Geen baken



Skaal 1: 750

~~Die figuur~~ Die lyne AD en DC

stel voor die Westelike en die Suidelike grense respektiewe- ~~grond, synde~~ lik van 'n Serwituut Reg van Weg 6 meter wyd oor

ERF 2498, Stellenbosch

geleë in die Munisipaliteit en Administratiewe Distrik

van Stellenbosch Provinsie Kaap die Goeie Hoop.

Opgemeet in Sept. 1977 en April-Mei 1981

deur my, J. Burger Landmeter

Hierdie kaart is geheg aan	Die oorspronklike kaart is.	Lêer No. S/2641/32
No.		M.S. No. E547/78 en E 1000/81
gedateer	No. B. 101/1930 geheg aan	Komp. BH-8DA/Z.51 (1480)
t.g.v.	Transport/~~Grondbrief~~ No. 1860-37 -296	BH-8DA/Z.53 (1482)
Registrateur van Aktes		

Erf 2499:

SERWITUUTKAART

KANTOORAFSKRIF

SYE METER		RIGTINGS-HOEKE		KOÖRDINATE Stelsel Lo. 19° Y	X
		Konstante		+ 0,00	+3700000,00
BC	26,67	351 48 30	B	+ 12 970,09	+ 55 712,45
CD	42,47	81 17 10	C	+ 12 966,29	+ 55 738,85
			D	+ 13 008,27	+ 55 745,28
		N29A	⊕	+ 13 055,88	+ 55 710,37
		N29B	⊕	+ 12 890,87	+ 55 686,72

L.G. No. 2945/81

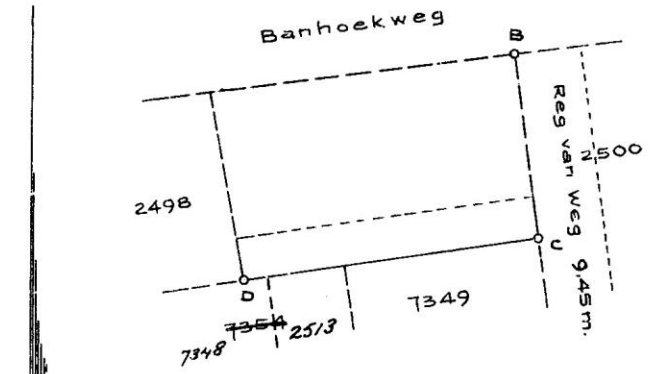
Goedgekeur

Landmeter-generaal

1981 -07- 07

Beskrywing van Bakens:

B : Plat ysterpen
C : 12mm ysterpen
D : Geen baken



Skaal 1: 750

~~Die figuur~~ Die lyn CD

stel voor die Suidelike grens van 'n Serwituut Reg van Weg 6 meter wyd oor ~~grond, synde~~

ERF 2499, Stellenbosch

geleë in die Munisipaliteit en van Stellenbosch

Administratiewe Distrik Provinsie Kaap die Goeie Hoop.

Opgemeet in Sept. 1974 en April-Mei 1981 deur my,

Landmeter

Hierdie kaart is geheg aan	Die oorspronklike kaart is.	Lêer No. S/2641/32
No.		M.S. No. E2309/74 en E 1000/81
gedateer	No. A3534/1931 geheg aan	Komp.
t.g.v.	Transport/~~Grondbrief~~	BH-8DA/Z.51 (1480)
	No. 1932-I26-6333	BH-8DA/Z.53 (1482)
Registrateur van Aktes		

10.6 Annexure 6 – Photos of Subject Portion

10.7 Annexure 7 – Rental Valuation Certificate

HCB
Valuations and Services (Pty) Ltd

HEAD OFFICE
38 Long Street, Moorreesburg, 7310
T: +27(0)22 433 2035 **M**: +27(0)83 663 2140 **E**: admin@hcb.co.za

Valuation Certificate

Client:	Stellenbosch Municipality
Erf Number:	Erven 2498 & 2499
Title Deed Number:	T16507/1977
Area/Town:	Stellenbosch
Owner:	Mun Stellenbosch
Date of Valuation:	1 March 2024
Reference Number:	STEL/2498/2499
Rental Valuation Amount:	
Erf 2498:	R500-00/Month/Parking (Vat Excluded)
Erf 2499:	R39 500-00/month (Improvements & 8 allocated Parking Bays) (Vat Excluded)
Zoning:	Public Use and Parking

Comments:

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

Hendrik Coenraad Botha
Professional Valuer
Registration Number: 5601

APPENDIX 2

STELLENBOSCH ANIMAL HOSPITAL
DIEREHOSPITAAL BK
[redacted]
DRS. A.B. KIDD (BVSc), M.C. FRANKEN (BVSc), G.A. GILIOMEE (BVSc) & I. GERSBACH (BVSc)
[redacted]

12 July 2024

Regarding new monthly rental fees in lease agreement for erven 2498 and 2499

I have been informed by Ms Yolande van den Berg (Head contract management, Stellenbosch Municipality) by email on 7 May 2014 that a least extension of 9 years and 11 months has been approved and that the new monthly rental would be R 39 500 per month. We very much appreciate the approval of our application for a lease extension. We are however of the opinion that the substantial increase in the monthly rental fee (way above inflation) is not appropriate. I hereby want to ask MAYCO to reconsider this.

As back ground: Stellenbosch Animal Hospital moved from a converted dwelling (owned by a now retired partner, dr AJJ Maree) in Piet Retief Street into the old Dennesig Post Office building in 1981, on the recommendation of the Stellenbosch Municipality. The post office building offered to us was built in 1947 and has been standing empty for some time.

Over the past 43 years a lot of money has been spent by the partners of our practice on this building. The amount of floor space has been doubled and the premises is now a modern veterinary facility, employing 13 permanent staff including five veterinarians. We serve a large community by caring for household pets, production animals and wildlife. The services we render include all veterinary related work for registered welfare organisations like Franschhoek SPCA and Winelands Cat Trapping. We are also the only veterinary facility in Stellenbosch offering emergency veterinary services outside normal business hours.

In our opinion the following needs to be taken into consideration when determining a fair rental fee for the premises (with some text copied from the 2019 lease agreement in *italics*):

- The building we received from the municipality in 1981 needed a lot of capital expenses before it could be used by us. All addition capital expenses over the past 43 years was also fully paid for by the partners. This included the doubling of usable floor space, new floors, new water piping (with the addition of hot water), complete electrical rewiring, air conditioning, etc. With each new agreement the extra floor space (in years when added) was taken in consideration, meaning we had to rent back the space we built at our own cost. The 2019 contact states (clause 13.3): .. *all improvements made to the Premises shall belong to the LESSOR and may not be removed from the Premises at any time.*

- All maintenance and repairs is for our (lessee) account (clause 14.2).

- There was already a substantial increase in our monthly rental fee five years ago when the municipality also did a detail evaluation with an evaluator then visiting our practice. I am not aware of a visit by an evaluator this time.

The latest rental invoice (dated 18/6/2024) was for an amount of R 31 953.54. This is despite the following text in the 27 February 2024 Die Burger advertisement, stating: *The applicant be allowed to lease the property whilst the renewal process runs its course at the current rental of R 29 586.61 per month.*

In the 2019 lease agreement an annual 6% escalation in rental was stipulated (clause 5.1.2), which has been slightly above the CPI index for this period. Our rental for the last year of our 2019 five year contract was R 29 586.61. In our opinion an increase to R 31 361.81 (6% increase on the last year of previous lease agreement) would be more appropriate for the first year of the new 9 year and 11 month lease agreement (starting 1 January 2024).

We would appreciate MAYCO reconsidering the monthly rental fee in the new lease agreement.

Kind regards

Dr Gerhard Giliomee

8.3.3	**REVISED AND CONSULTED MICRO-STRUCTURES FOR THE CORPORATE SERVICES (HUMAN RESOURCE MANAGEMENT AND LEGAL SERVICES) AND FINANCIAL SERVICES (SUPPLY CHAIN MANAGEMENT AND REVENUE AND EXPENDITURE SERVICES)**

Collaborator No:
IDP KPA Ref No: **Good Governance**
Meeting Date: **18 June 2025**

1. SUBJECT: REVISED AND CONSULTED MICRO-STRUCTURES FOR THE CORPORATE SERVICES (HUMAN RESOURCE MANAGEMENT AND LEGAL SERVICES) AND FINANCIAL SERVICES (SUPPLY CHAIN MANAGEMENT AND REVENUE AND EXPENDITURE SERVICES)

2. PURPOSE

To inform the Council of the revised and consulted micro-structures for the revised and consulted micro-structures for the **CORPORATE SERVICES (HUMAN RESOURCE MANAGEMENT AND LEGAL SERVICES) AND FINANCIAL SERVICES (SUPPLY CHAIN MANAGEMENT AND REVENUE AND EXPENDITURE SERVICES)**.

3. DELEGATED AUTHORITY

The delegated authority is Council.

4. EXECUTIVE SUMMARY

The review of the 2017/2019 micro-structures has been a standing item under "matters emanating" on the Local Labour Forum agenda since November 2020. Since then, various consultative engagements were held with the respective departments and directorates. These engagements resulted in revised structures, which were amended through consensus. In 2024 and 2025, the Employer, IMATU, and SAMWU reached agreement on the revised structures after thorough consultation. The structures were subsequently submitted to the Restructuring Working Group and endorsed for Council consideration.

5. RECOMMENDATION

that the revised/amended and consulted structures for the **Corporate Services (Human Resource Management and Legal Services) and Financial Services (Supply Chain Management and Revenue and Expenditure Services)** be approved.

6. DISCUSSION / CONTENTS

6.1 Background

The micro-structures initially approved by Council in 2017 and 2019 were identified for review and refinement to improve operational efficiency. Since 2020, this process has been actively pursued through consultation in the Local Labour Forum and Restructuring Working Group.

6.1.1 **DEPARTMENT HUMAN RESOURCE MANAGEMENT** (WITHIN THE CORPORATE SERVICES DIRECTORATE) – Annexure A

The department submitted their proposals during June 2024 and after several meetings and discussions between the parties it served at the Restructuring

Working Group meeting on 6th June 2025. The parties agreed to the revised proposals and the Unions indicated that they would send correspondence to the Mayco should any need arises and concurred that the item can serve on June 2025 Council meeting.

6.1.2 **DEPARTMENT LEGAL SERVICES** (WITHIN THE CORPORATE SERVICES DIRECTORATE) Annexure B

The department submitted their proposals during March 2024 to the Municipal Manager and submitted same to the Restructuring Working Group on 24th April 2025. After several meetings and discussions between the parties it served at the Restructuring Working Group meeting again on 6th June 2025. The parties agreed to the revised proposals and the Unions indicated that they would send correspondence to the Mayco should any need arises and concurred that the item can serve on June 2025 Council meeting.

6.1.3 **DEPARTMENT SUPPLY CHAIN MANAGEMENT** (WITHIN THE FINANCIAL SERVICES DIRECTORATE) Annexure C

The department submitted their proposals during to the Restructuring Working Group meeting on 24th April 2025 and again on 6th June 2025 where it was consulted with the Unions. The parties agreed to the revised proposals and the Unions indicated that they would send correspondence to the Mayco should any need arises and concurred that the item can serve on June 2025 Council meeting.

6.1.4 **DEPARTMENT REVEUE AND EXPENDITURE** (WITHIN THE FINANCIAL SERVICES DIRECTORATE) Annexure D

The department submitted their proposals during to the Restructuring Working Group meeting on 24th April 2025 and again on 6th June 2025 where it was consulted with the Unions. The parties agreed to the revised proposals and the Unions indicated that they would send correspondence to the Mayco should any need arises and concurred that the item can serve on June 2025 Council meeting.

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.

RECOMMENDATION FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2025-06-18: ITEM 7.3.4

that the revised/amended and consulted structures for the **Corporate Services (Human Resource Management and Legal Services) and Financial Services (Supply Chain Management and Revenue and Expenditure Services)** be approved.

APPENDICES A - E:

ANNEXURE A : REVISED STRUCTURES - HUMAN RESOURCE MANAGEMENT
ANNEXURE B : REVISED STRUCTURES – LEGAL SERVICES
ANNEXURE C : REVISED STRUCTURES - SUPPLY CHAIN MANAGEMENT
ANNEXURE D : REVISED STRUCTURES – REVENUE AND EXPENDITURE

FOR FURTHER DETAILS CONTACT:

NAME	*Alexander Kannemeyer*
POSITION	*Senior Manager Human Resource Management*
DIRECTORATE	*Corporate Services*
CONTACT NUMBERS	*021-808 8751*
E-MAIL ADDRESS	*Alexander. Kannemeyer@stellenbosch.gov.za*
REPORT DATE	*11TH May 2025*

ANNEXURE A-E

CONFIDENTIAL

STELLENBOSCH LOCAL MUNICIPALITY
PROPOSED MICRO STRUCTURE - 21 SEP 2017

RECOMMENDED BY MUNICIPAL MANAGER
Signature
25/10/2017
27/02/2019

APPROVED BY COUNCIL
Signature
____/____/2017

DIVISION: HUMAN RESOURCES MANAGEMENT (HRM)

PURPOSE: To render human resources management and support services to the municipality that will sustain the optimum utilisation of the municipality's human capital

FUNCTIONS:
1. Achieve maximum benefit from the talent potential of individuals within the organisation to enable the development and implementation of the talent and retention strategy for the municipality; ensure remuneration and development, implementation & maintenance of OEI services
2. Render an effective and efficient labour relations function and to ensure compliance with relevant labour legislation, collective agreements and council policy
3. Render occupational health, safety and employees wellness services
4. Render management and line function administrative support services

SNR MANAGER: HRM T
Alexander Kannemeyer CS/HRM/01

SECTION: ADMINISTRATIVE SUPPORT

PURPOSE: To render management and line function administrative support services

FUNCTIONS:
1. Provide secretarial/ administrative/ logistical support services to the Manager
2. Administer and maintain HR database, contracts and records

~~ADMIN OFFICER~~ EXEC SECRETARY T
Jannine Botha CS/HRM/AS/01

ADMIN SUPPORT EXEC SECRETARY
(2) OFFICE ASST CS/HRM/AS/02
CLERK Snr CS/HRM/TMO/AS/03 MOVED from p.6
CLERK CS/HRM/TMO/AS/05 moved from p.6
CONTRACTS BY (2)

OFFICE ASSISTANT/ ~~CLERK~~ T
Vacant CS/HRM/AS/02

SECTION: TALENT MANAGEMENT & ORGANISATIONAL EFFICIENCY IMPROVEMENT (OEI)

PURPOSE: To achieve maximum benefit from the talent potential of individuals within the organisation to enable the development and implementation of the talent and retention strategy for the municipality; ensure remuneration and development, implementation & maintenance of OEI services

MANAGER: TALENT MANAGEMENT & ORGANISATIONAL EFFICIENCY IMPROVEMENT (OEI) T
NEW POST Vacant CS/HRM/TMO/01

SEE PAGE 6

HR SPECIALIST: OEI CS/HRM/TMO/OE/01 moved from p.6

SECTION: LABOUR RELATIONS

PURPOSE: To render an effective and efficient labour relations function and to ensure compliance with relevant labour legislation, collective agreements and council policy

FUNCTIONS:
1. Managing the labour relations function and provide a general administrative and advisory service to management and trade unions
2. Develop, implement and maintain sound labour relation policies and procedures, grievance procedures and disciplinary hearing processes
3. Studying and interpreting all relevant labour legislation and other available literature including case law reports and attend relevant labour law seminars
4. Case management with regard to grievances, disciplinary, incapacity, conciliation and arbitration cases

LR SPECIALIST T
Mellony Zimri CS/HRM/LR/01

H/O NEW

(2) HR OFFICER T
Zoella Amaldi CS/HRM/LR/02

SNR CLERK T
GODFREY MAMBO CS/HRM/LR/03

SECTION: OCCUPATIONAL HEALTH & SAFETY (OHS)

PURPOSE: To render occupational health, safety and employees wellness services

FUNCTIONS:
1. Conduct health and safety inspections/ audits and safety meetings
2. Administer IOD claims
3. Coordinate occupational health and safety programmes, identify safety-training needs and nominate OHS representatives
4. Direct the municipality's employee wellness programmes in support of optimum achievement of a healthy working environment for the municipality
5. Coordinate counselling support to staff by selected institutions/ agencies

OHS SPECIALIST T
Vacant CS/HRM/OHS/01

(2) ASST OHS OFFICER T
Nwangeli Sheila Hlekiwa CS/HRM/OHS/02

ASST OHS OFFICER T
Boria Xaribi CS/HRM/OHS/03

MUNICIPALITY STELLENBOSCH 2 SEP 2017

'Annexure A'

CONFIDENTIAL

STELLENBOSCH LOCAL MUNICIPALITY
PROPOSED MICRO STRUCTURE - 21 SEP 2017

STELLENBOSCH

RECOMMENDED BY MUNICIPAL MANAGER

Signature

25 / 10 /2017

27/02/2019

APPROVED BY COUNCIL

Signature

____/____/2017

SECTION
TALENT MANAGEMENT & ORGANISATIONAL EFFICIENCY IMPROVEMENT (OEI)

PURPOSE: To achieve maximum benefit from the talent potential of individuals within the organisation to enable the development and implementation of the talent and retention strategy for the municipality; ensure remuneration and development, implementation & maintenance of OEI services

FUNCTIONS:

1. Render human resources administration services: recruitment and selection, policies, systems, procedures and staff establishment
2. Facilitate / arrange / coordinate training interventions and implement and monitor career pathing, talent management and succession planning
3. Provide an effective personnel administration and benefit function
4. Ensure remuneration and development, implementation & maintenance of OEI services, norms and standards, services strategies, workforce planning, policies and employees performance appraisal system (EPAS)

MANAGER: TALENT MANAGEMENT & ORGANISATIONAL EFFICIENCY IMPROVEMENT (OEI) T
NEW POST Vacant CS/HRM/TMO/01

SNR MANAGER CS/HRM/01

SUB-SECTION
RECRUITMENT & SELECTION

PURPOSE: To render human resources administration services: recruitment and selection, policies, systems, procedures and staff establishment

FUNCTIONS:

1. Provide staff provisioning services: recruitment and selection, policies, systems, and procedures
2. Implement / administer / monitor the Employment Equity Plan (EE)
3. Administer staff establishment control system

HR SPECIALIST T
Lucretia CS/HRM/TMO/RS/01

SUB-SECTION
TRAINING & SKILLS DEVELOPMENT

PURPOSE: To facilitate / arrange / coordinate training interventions and implement and monitor career pathing, talent management and succession planning

FUNCTIONS:

1. Initiate and coordinate organisational development interventions
2. Compile, coordinate and implement skills development planning processes, Work Place Skills Plan (WSP), and ATR (Annual Training Plan), performing the functions of Skill Development Facilitator (SDF)
3. Administer Learnerships and RPL
4. Report on training implemented and funding applications to LGSETA and funds spent to Training Committee, LLF and LGSETA
5. Administer municipal bursaries
6. Implement and monitor career pathing, talent management and succession planning
7. Develop, implement and maintain sound training and skills development policies

HR SPECIALIST T
Joanne Petersen CS/HRM/TMO/TS/01

SUB-SECTION
HR ADMINISTRATION & BENEFITS

PURPOSE: To provide an effective personnel administration and benefit function

FUNCTIONS:

1. Provide HR administration and benefit function:
   i) Administer conditions of service, benefits, memberships, leave and terminations
   ii) Front desk assistance
   iii) Operate and update the HR system
   iv) Administration of attendance registers

HR SPECIALIST T
Trudene Bashoff CS/HRM/TMO/AB/01

SECTION
ORGANISATIONAL EFFICIENCY IMPROVEMENT (OEI)

PURPOSE: To ensure remuneration and development, implementation & maintenance of OEI services, norms and standards, services strategies, workforce planning, policies and employee performance appraisal system (EPAS)

FUNCTIONS:

1. Administer salary-advices / instructions to Finance (Payroll office)
2. Manage organisation design & business modelling
3. Coordinate culture & change management intervention
4. Administer job descriptions, strategic job pricing & evaluation system management
5. Develop and maintain an effective employee performance appraisal system (EPAS)

HR SPECIALIST T
NEW POST Vacant Alidu - CS/HRM/TMO/OE/01

move to p5 under Manager: TMO

(b)

HR OFFICER T
Lynette Kannemeyer CS/HRM/TMO/RS/02

CLERK T
Lisa CS/HRM/TMO/RS/03

HRD NEW

HR OFFICER T
Michelle Hangeveldt CS/HRM/TMO/TS/02

PRINCIPAL CLERK T
CS/HRM/TMO/TS/03

INTERNS

(c)

HR offices

(a)

HR OFFICER: ADMINISTRATION T
Edmund Hangeveldt CS/HRM/TMO/AB/02

HR OFFICER: ADMINISTRATION T
Phelisiwe Bangoza CS/HRM/TMO/AB/04

HR OFFICER: ADMINISTRATION T
Sizeka Yolisa CS/HRM/TMO/AB/03

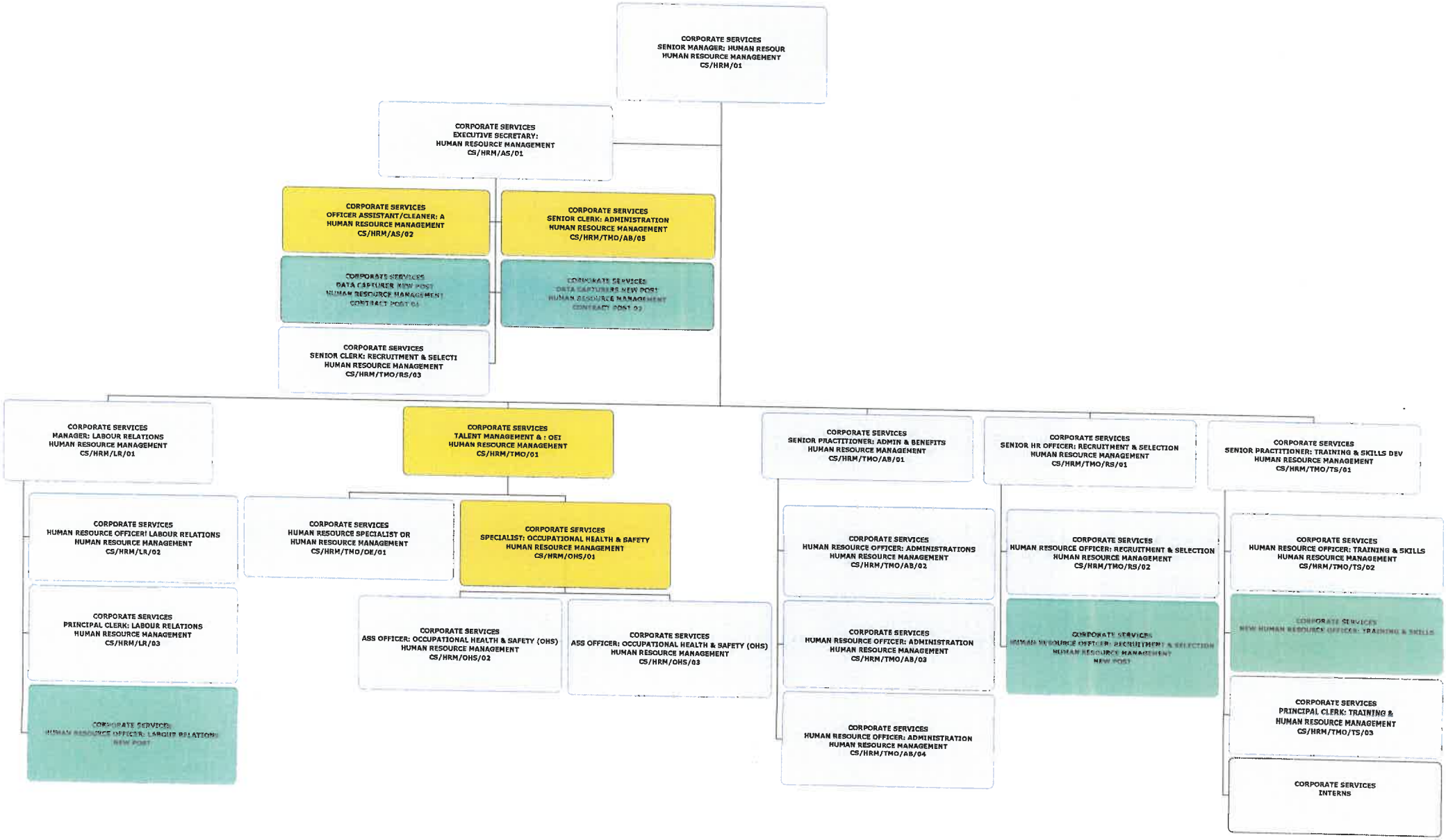
SNR CLERK T
Vacant CS/HRM/TMO/AB/05

(d)

MUNISPALITEIT / MUNICIPALITY
MENSLIKE HULPBRONNE/BESTUUR
HUMAN RESOURCES MANAGEMENT
25 SEP 2019
STELLENBOSCH

STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

DIRECTORATE CORPORATE SERVICES



CONFIDENTIAL

STELLENBOSCH LOCAL MUNICIPALITY
PROPOSED MICRO STRUCTURE - 21 SEP 2017

RECOMMENDED BY
MUNICIPAL MANAGER
Signature
25 / 10 /2017
27/ 02/2019

APPROVED BY COUNCIL
STELLENBOSCH
Signature
____/____/2017

DIRECTORATE
CORPORATE SERVICES
PURPOSE: To provide corporate services to the institution in support of efficient organisational and administrative processes
FUNCTIONS:
1. Provide administrative support services to the institution enabling proficient administrative practices and procedures
2. Render human resources management and support services to the municipality that will sustain the optimum utilisation of the municipality's human capital
3. Provide effective and efficient information and communication technology services
4. Manage the offices of the political office bearers to ensure coordinated, efficient and effective administrative and support services
5. Render properties and facilities management administrative processes in respect of all land and property transactions and maintain all municipal buildings
6. Ensure the organisation is conforming with, or eligible for, contractual obligations, government regulations, laws, or licenses and permits
7. Provide municipal court agency services
8. Render management and line function executive support services to the directorate
DIRECTOR: CORPORATE SERVICES — Anna de Beer — SECT. 57 — CS/01

SECTION
PURPOSE: To render management and line function executive support services to the directorate
FUNCTIONS:
1. Provide executive support services
2. Provide logistic/ secretarial support services
3. Provide planning, research, analyses and reporting services to the Director
SNR ADMIN OFFICER — Akhona Mdunzana — CS/ES/01
PERSONAL ASISSTANT — Rozeta Petersen — CS/ES/02

DIVISION
services to the institution enabling proficient administrative practices and procedures
SNR MANAGER: ADMINISTRATIVE SUPPORT SERVICES — NEW POST — Vacant — CS/ASS/ES/01
SEE PAGE 3

DIVISION
and support services to the municipality that will sustain the optimum utilisation of the municipality's human capital
SNR MANAGER: HRM — Alexander Kannemeyer — CS/HRM/01
SEE PAGE 5

DIVISION
PURPOSE: To provide effective and efficient information and communication technology services
SNR MANAGER: ICT — [illegible] — CS/ICT/01
SEE PAGE 7

SECTION
COUNCILLOR'S SUPPORT
political office bearers to ensure coordinated, efficient and effective administrative and support services
MANAGER: COUNCILLOR'S SUPPORT — Donavan Muller — CS/CS/01
SEE PAGE 8

SECTION
PURPOSE: To render properties and facilities management administrative processes in respect of all land and property transactions and maintain all municipal buildings
MANAGER: PROPERTIES MANAGEMENT & T
MUNICIPAL BUILDING MAINTENANCE — [illegible] — CS/PMBM/01
SEE PAGE 9

SECTION
LEGAL & COMPLIANCE SERVICES
PURPOSE: To ensure the organisation is conforming with, or eligible for, contractual obligations, government regulations, laws, or licenses and permits
FUNCTIONS:
1. Ensure legal and regulatory compliance to improve the organisational and regulatory environment
2. Provide legal guidance regarding ESTA evictions in order to ensure that the municipality operate within the legal parameters of the country
3. Provide legal opinions on by-laws
CHIEF LEGAL ADVISOR — Mervin Williams — CS/LCS/01

SAO LEGAL
SNR CLERK — NEW POST — Vacant — CS/LCS/02
INTERN.

SECTION
MUNICIPAL COURT
PURPOSE: To provide municipal court agency services
FUNCTIONS:
1. Provide an effective, efficient, independent and accountable prosecution service
2. Ensure prosecutorial service operations and standard compliance
3. Provide by-law prosecution services
4. Provide representation services
5. Provide court administration services
MANAGER: MUNICIPAL COURT — Vacant — CS/MC/01

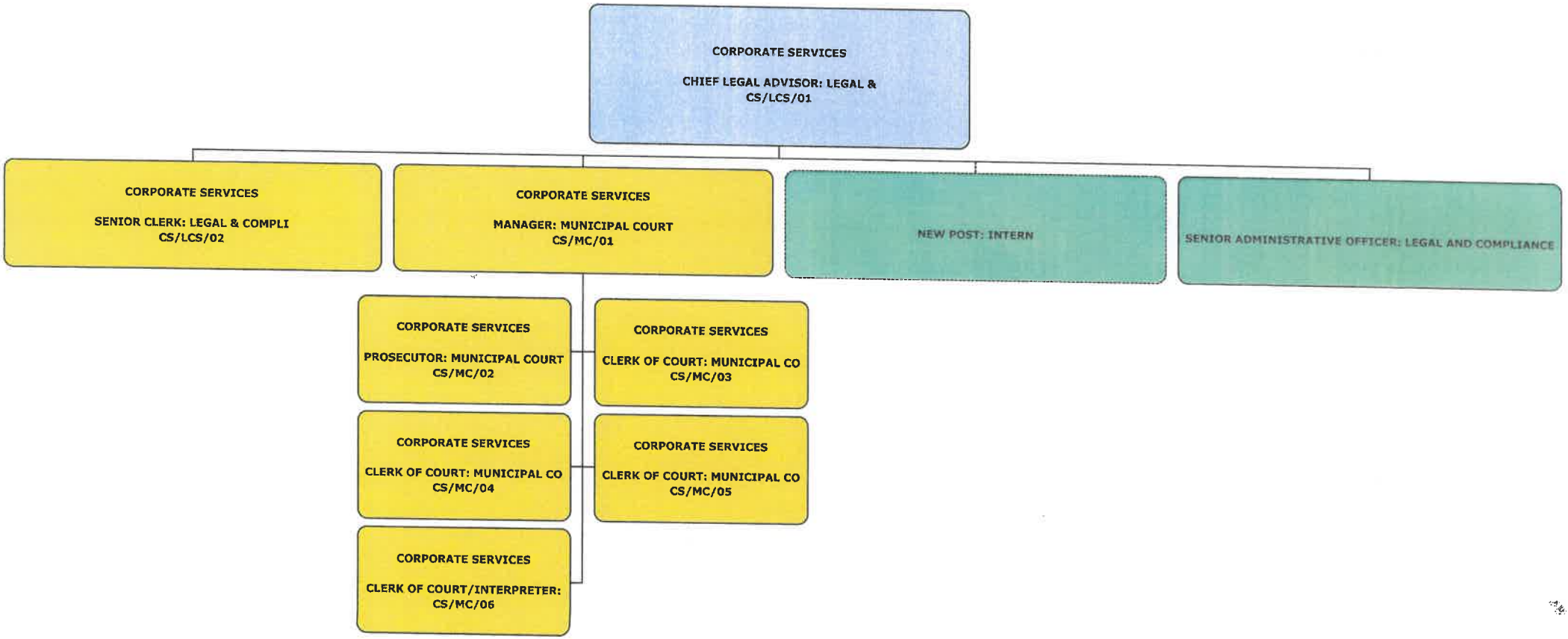
PROSECUTOR — CS/MC/02
CLERK OF COURT — [illegible] — CS/MC/03
CLERK OF COURT — [illegible] — CS/MC/04
CLERK OF COURT — [illegible] — CS/MC/05
CLERK OF COURT/ INTERPRETER — CS/MC/06

MUNISIPALITEIT / MUNICIPALITY
MENSLIKE HULPBRONNE
25 SEP 2017
STELLENBOSCH

ANNEXURE B

STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

DIRECTORATE
CORPORATE SERVICES



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STELLENBOSCH LOCAL MUNICIPALITY
PROPOSED MICRO STRUCTURE - 21 SEP 2017

RECOMMENDED BY MUNICIPAL MANAGER

Signature

25/10/2017

27/02/2019

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Signature

____/____/2017

DIVISION
SUPPLY CHAIN MANAGEMENT (SCM)

PURPOSE: To manage supply chain management (SCM) services to ensure proper systems, policies, procedures and control for demand, acquisition, logistics, assets and disposal management

FUNCTIONS:

1. Render a demand management service
2. Render an acquisition management service
3. Administer and perform SCM procurement contract and tender administration
4. Render management and line function administrative support services

SNR MANAGER: SCM D. Jacobs FS/SCM/01. T

SECTION
ADMINISTRATIVE SUPPORT

PURPOSE: To render management and line function administrative support services

FUNCTIONS:

1. Provide administrative support services
2. Provide planning, research, statistics, analyses and reporting services

~~P. Engelbrecht~~ **SNR CLERK** FS/SCM/AS/01 T

Office Assistant
- Cleaning of offices
- Filing
- Messenger

1. Pool. FS/SCM/AS/02.

SECTION
DEMAND MANAGEMENT

PURPOSE: To render a demand management service MANAGER

~~SNR ACCOUNTANT~~ Manager Demand

B. Louw FS/SCM/DM/01.

SEE PAGE 26

SECTION
ACQUISITION MANAGEMENT

PURPOSE: To render acquisition management services MANAGER

~~SNR ACCOUNTANT~~ FS/SCM/AM/01 T

JANIE-LEIGH BRUCE ALEXANDER

SEE PAGE 27

SECTION
TENDER & CONTRACT ADMINISTRATION

PURPOSE: To administer and perform contract and tender administration

FUNCTIONS:

1. Administer tender administration, conditions of contracts and CIDB
2. Perform contracts, risks and performance management processes
3. Implement effective systems for contract, performance and risk management
4. Develop legal framework for contract management and administration
5. Monitor and report on contracts

SNR ACCOUNTANT / T

NEW POST ~~DONALD BRUINTJIES~~ FS/SCM/TCA/01

Snr. Proffesional SCM Officer Contract Management FS/SCM/TCA/04

VACANT

Clerk (New Post) T

CLERK CARLIN T **NEW POST** VAN DER COLFF FS/SCM/TCA/02

Clerk (New Post) T

CLERK AMY WILLIAMS T **NEW POST** FS/SCM/TCA/03

25 SEP 2019

25

Annexure C

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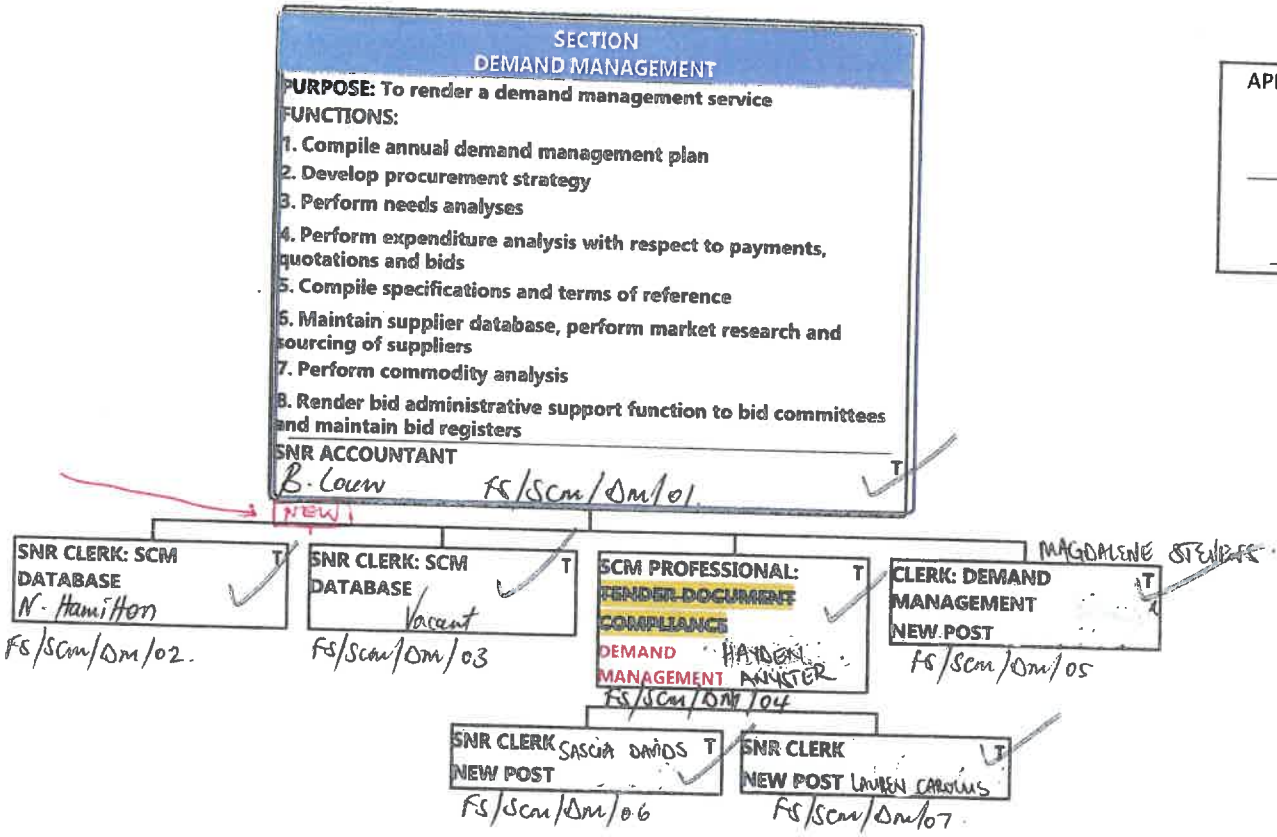
STELLENBOSCH LOCAL MUNICIPALITY
PROPOSED MICRO STRUCTURE - 21 SEP 2017

RECOMMENDED BY MUNICIPAL MANAGER
Signature
25 / 10 /2017
27/02/2019

APPROVED BY COUNCIL
Signature
____/____/2017



25 SEP 2019

CONFIDENTIAL

STELLENBOSCH LOCAL MUNICIPALITY
PROPOSED MICRO STRUCTURE - 21 SEP 2017

RECOMMENDED BY MUNICIPAL MANAGER

Signature

25/10/2017

27/02/2019

APPROVED BY COUNCIL

Signature

____/____/2017

SECTION
ACQUISITION MANAGEMENT

PURPOSE: To render acquisition management services

FUNCTIONS:

1. Render acquisition management services for purchases above R30000
2. Render acquisition management services for purchases from R0 to R200000
3. Provide tender evaluations services for bids above R200000
4. Coordinate, control and apply logistics and disposal management practices and procedures in order to administer and manage the receipt , safeguarding and issuing of store items

~~SNR ACCOUNTANT~~ Manager

JANIE-LEIGH BRUCE FS/SCM/Am/01

SUB-SECTION
ACQUISITION MANAGEMENT
(ABOVE R30 000)

PURPOSE: To render acquisition management services for purchases above R30 000

FUNCTIONS:

1. Formulate, implement and monitor the annual demand management plan (inclusive of strategic and operational procurement plan)
2. Process and apply bid systems to solicit responses in the form of quotations from suppliers/ vendors or service providers
3. Perform procurement function for department (inclusive of transversal bids) and facilitate the emergency procurement process
4. Execute procurement process compliance
6. Administer concluded contracts, interact with departments to establish conformance with specifications, terms and conditions and related legal aspects
7. Perform Bid operations, compilation, evaluation, adjudication, administration, maintenance of bid registers and bid reporting

ACCOUNTANT

NEW POST

SCM PRACTIONER

SCM PRACTIONER

SCM PRACTIONER

SUB-SECTION
ACQUISITION MANAGEMENT
(R0-R200 000)

PURPOSE: To render acquisition management services for purchases from R0 to R200 000

FUNCTIONS:

1. Coordinate and control procurement and/ or purchasing sequences
2. Confirm capacity and capability of suppliers to meet specific requirements
3. Monitor compliance and perform supplier audits and performance evaluation
4. Collate and verify transactional documentation (requisitions, delivery notes,)
5. Provide detailing report on outstanding/ back orders and re-order status
6. Analyze inventory schedules to determine critical needs

CHIEF BUYER

NEW POST J. Stanfield FS/SCM/Am/05

Principal Clerk: Purchasing

BUYER B. Dolomba FS/SCM/Am/02

BUYER

BUYER

BUYER FS/SCM/Am/03

FS/SCM/Am/04

Principal Clerk: Purchasing

Assistant BidCommittee

SUB-SECTION
TENDER EVALUATIONS
(ABOVE R200 000)

PURPOSE: To provide tender evaluations services for bids above R200 000

FUNCTIONS:

1. Decide on the manner in which the market will be approached
2. Establish the total cost of ownership of a particular type of asset
3. Ensure that bid documentation is complete, including evaluation criteria
4. Evaluate bids in accordance with published criteria
5. Ensure that proper contract documents are signed
6. Ensure that bids be evaluated in accordance with the criteria specified in the bid specifications

SNR SCM PROFESSIONAL

NEW POST JACQUELINE ARENDS FS/SCM/TE/01

SCM PROFESSIONAL

NEW POST A. Krouskamp FS/SCM/TE/02

SCM Practitioner: Bid & FO Professional

J. Williams FS/SCM/TE/03

SCM PROFESSIONAL

NEW POST G. Kroukamp FS/SCM/TE/04

SCM Clerk: Bid Committees

I. THESEN FS/SCM/TE/05

25 SEP 2019

SECTION
STORES & DISPOSAL MANAGEMENT

PURPOSE: To coordinate, control and apply logistics and disposal management practices and procedures in order to administer and manage the receipt , safeguarding and issuing of store Items

FUNCTIONS:

1. Apply logistics management practices
2. Execute prescribed procurement practices, orders, requisitions, assessing patrons' needs, dispatch goods
3. Administer and control specific accounting procedures associated with disposal management
4. Administer the disposal of obsolete items/ goods and maintain a database of redundant materials/ goods

ACCOUNTANT Stores & Disposals FS/SCM/SDM/01

see changes

Buyer VACANT FS/SCM/SDM/02

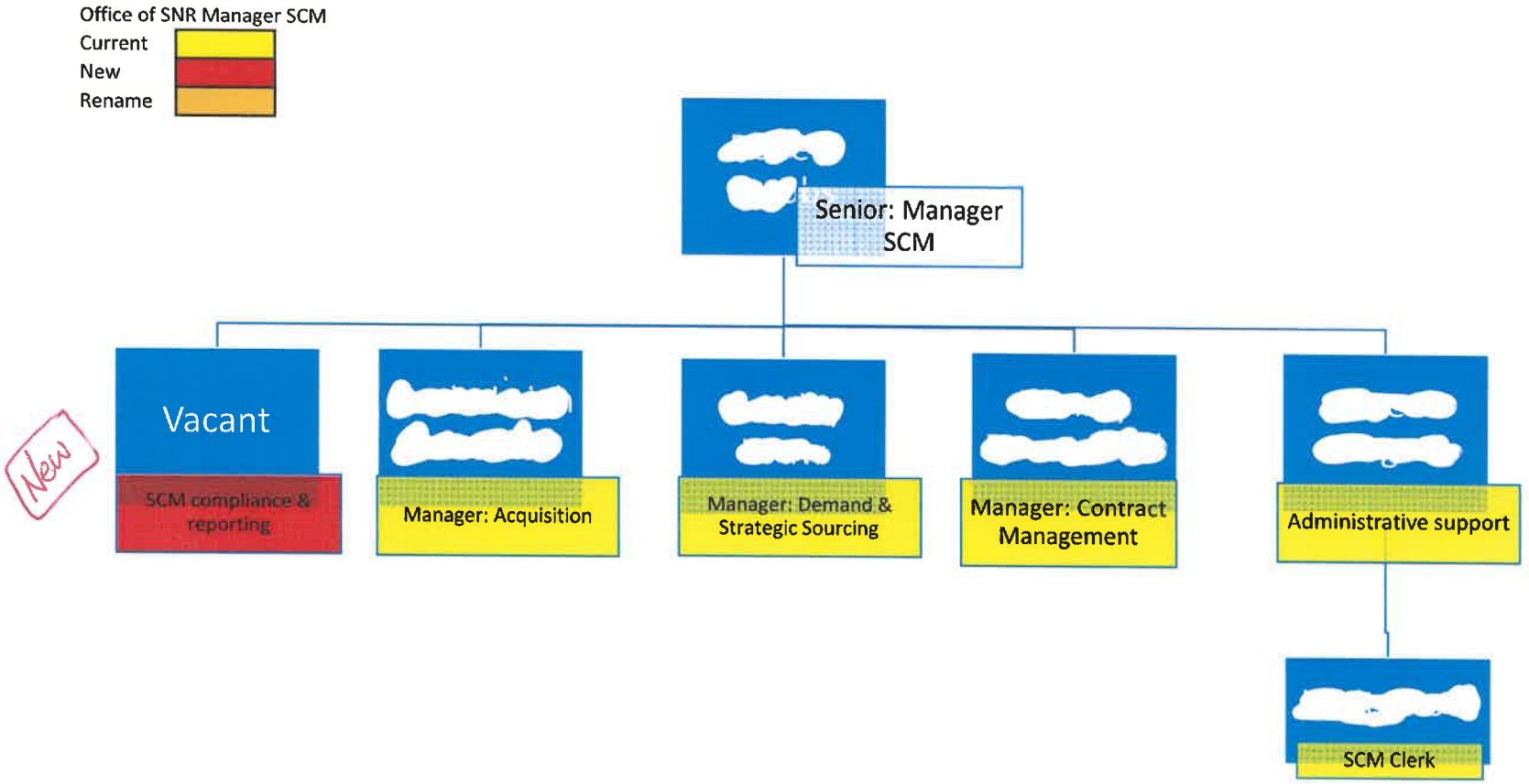
STORES ADMINISTRATOR Stores Robbin Loeks FS/SCM/SDM/03

STORES ASSISTANT J. Wollow FS/SCM/SDM/04

STORES ASSISTANT VACANT FS/SCM/SDM/05

~~SCM Practitioner~~ (Stores) Assistant Accountant Stores CARLYANNE BORRAINE FS/SCM/SDM/06

Principle Clerk 27 Amy Kleinhans ?

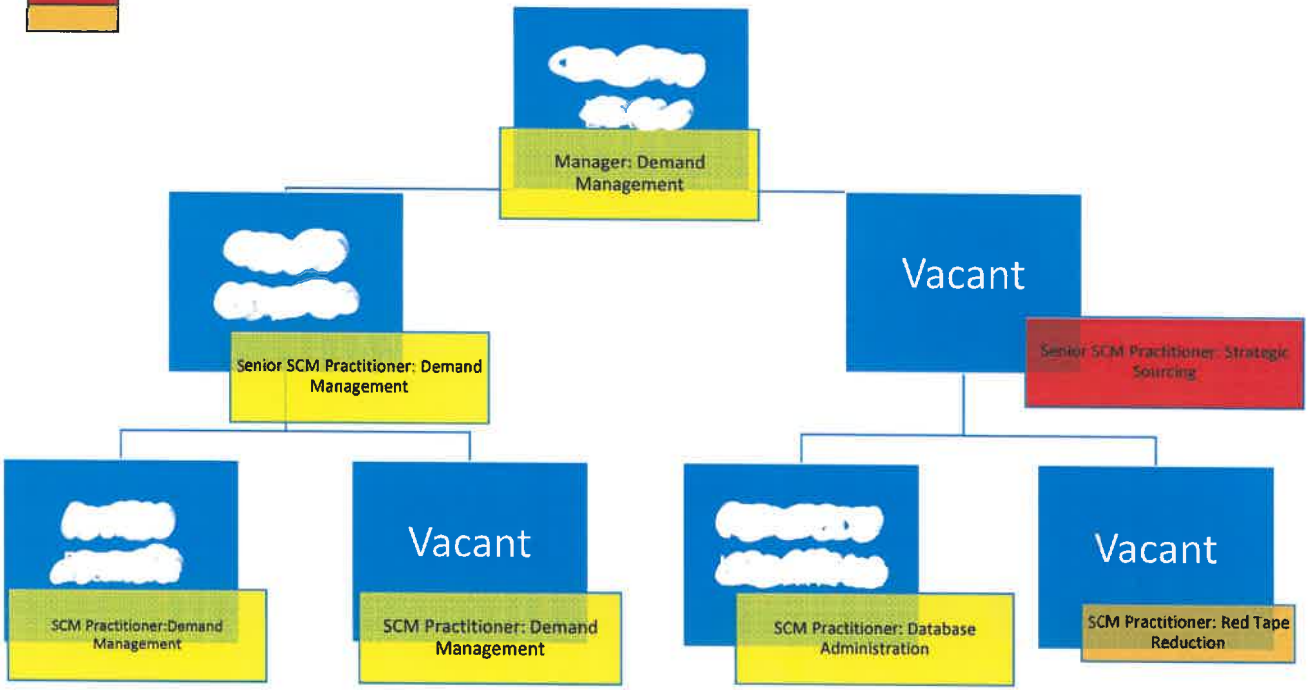


P.25.

Annexure C

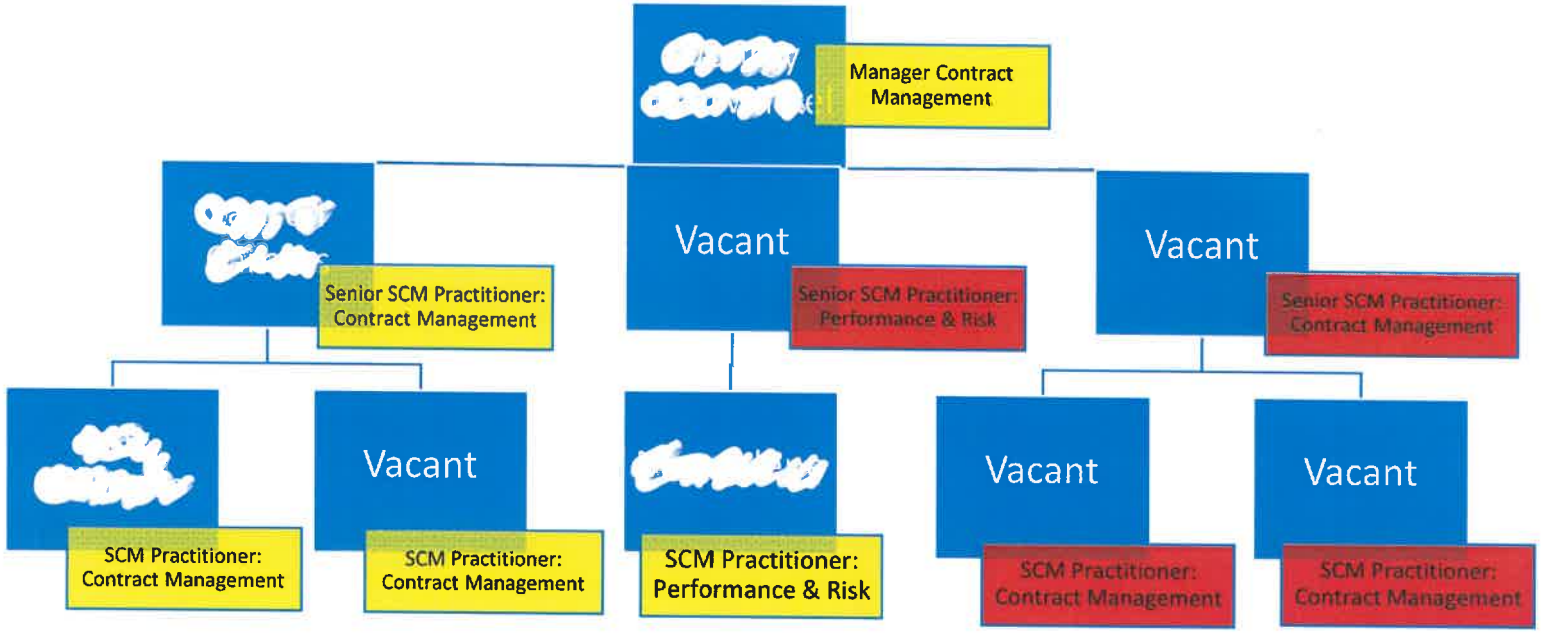
Demand Management and Strategic Sourcing Unit

Current
New
Rename



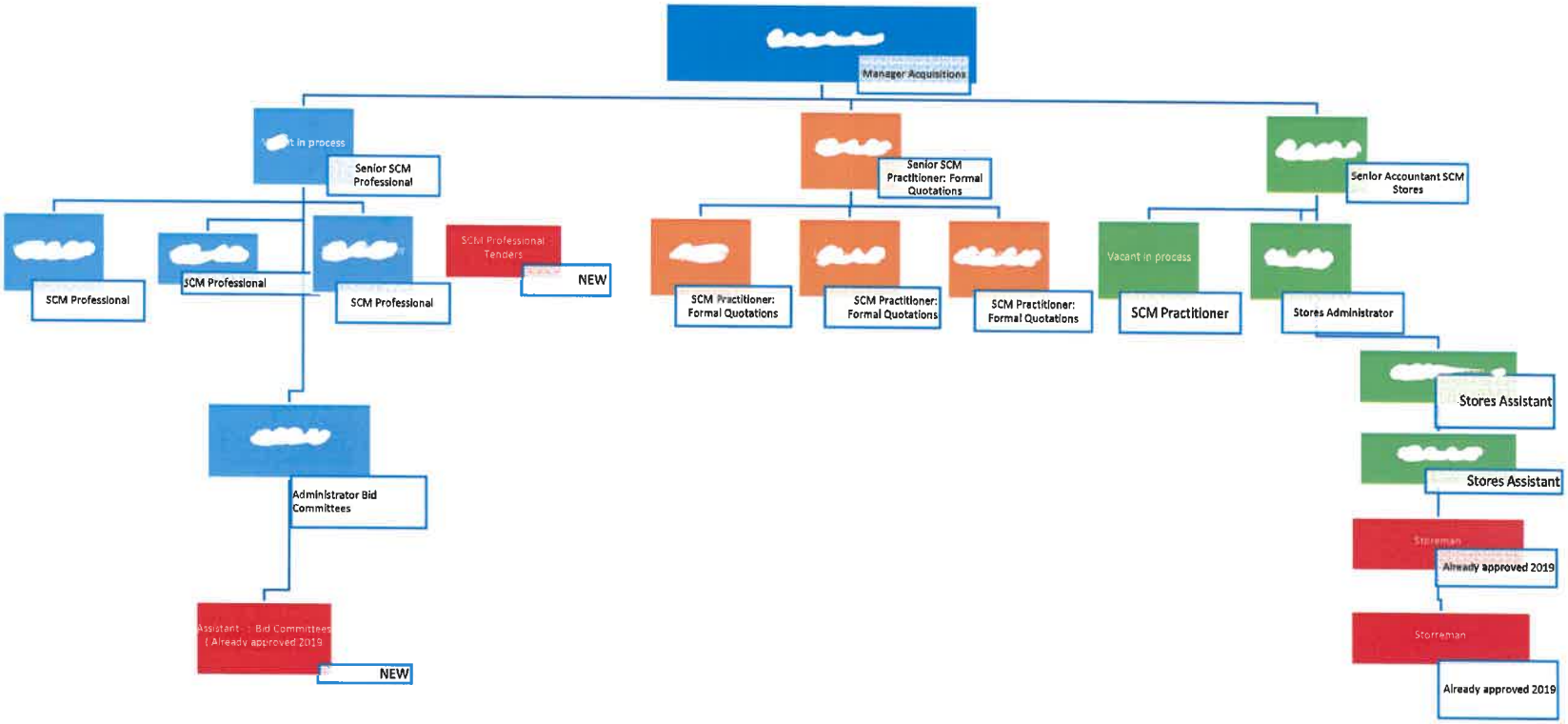
P. 26.

Contract Management



p.25

Acquisition Management



p. 27.

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STELLENBOSCH LOCAL MUNICIPALITY
PROPOSED MICRO STRUCTURE - 21 SEP 2017

RECOMMENDED BY MUNICIPAL MANAGER
Signature
25/10/2017
27/02/2019

STELLENBOSCH

APPROVED BY COUNCIL
Signature
____/____/2017

DIVISION
REVENUE & EXPENDITURE

PURPOSE: To implement and maintain revenue and credit control policies and procedures to ensure sound revenue management practices and compliance, and ensure recording, authorisation and proper execution of expenditure policies, systems, procedures and transactions

FUNCTIONS:

1. Implement and maintain revenue and credit control policies and procedures to ensure sound revenue management practices and compliance
2. Ensure the recording, authorisation and proper execution of expenditure policies, systems, procedures and transactions
3. Render management and line function administrative support services
4. Implement revenue protection processes and procedures

SNR MANAGER: REVENUE & EXPENDITURE
HENRY MITCHELL FS/RE/01 ①

SECTION
ADMINISTRATIVE SUPPORT

PURPOSE: To render management and line function administrative support services

FUNCTIONS:

1. Provide administrative support services
2. Provide planning, research, statistics, analyses and reporting services

ADMIN OFFICER P. Ndlebe FS/RE/AS/01

OFFICE ASSISTANT/ CLEANER
P. Bowtshi FS/RE/AS/02

OFFICE ASSISTANT/ CLEANER T
~~E. Willemse~~ FS/RE/AS/03 Vacant

SECTION
REVENUE

PURPOSE: To implement and maintain revenue and credit control policies and procedures to ensure sound revenue management practices and compliance

MANAGER: REVENUE ②
JP. Wagener FS/RE/REV/01

SEE PAGE 16

SECTION
EXPENDITURE

PURPOSE: To ensure the recording, authorisation and proper execution of expenditure policies, systems, procedures and transactions

MANAGER: EXPENDITURE ③
NA. SONDLO FS/RE/EXP/01

SEE PAGE 23

MUNICIPALITY ... MENSLIKE HULPBRONNE ... BESTUUR
25 SEP 2019

'Annexure D'

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STELLENBOSCH LOCAL MUNICIPALITY
PROPOSED MICRO STRUCTURE - 21 SEP 2017

RECOMMENDED BY MUNICIPAL MANAGER
Signature
25/10/2017
27/02/2019

APPROVED BY COUNCIL
Signature
____/____/2017

SECTION
REVENUE

PURPOSE: To implement and maintain revenue and credit control policies and procedures to ensure sound revenue management practices and compliance

FUNCTIONS:

1. Implement and maintain revenue and credit control policies and procedures to ensure sound revenue management practices and compliance
2. Ensure the recording, authorisation and proper execution of expenditure policies, systems, procedures and transactions
3. Render management and line function administrative support services

MANAGER: REVENUE
J.P. Wagener FS/RE/REV/01 ?

SUB-SECTION
CONSUMER ACCOUNTS & VALUATIONS

PURPOSE: To administer billing, rates and taxes and property valuations in accordance with legislative prescripts and coordinate customer care management services

CHIEF ACCOUNTANT ALICIA WATERS T
? FS/RE/REV/CAV/01

SEE PAGE 17

SUB-SECTION
CASH MANAGEMENT & CREDIT CONTROL

PURPOSE: To manage and administer cashiering, receipting, credit control policy and procedures in accordance with regulations and Council

SNR ACCOUNTANT T
J. Pietersen FS/RE/REV/CMC/01

SEE PAGE 19

SUB-SECTION
ADMINISTRATIVE SUPPORT

PURPOSE: To render management and line function administrative support services

FUNCTIONS:

1. Provide administrative support services
2. Provide planning, research, statistics, analyses and reporting services

ADMIN OFFICER T
NEW POST Vacant ? FS/RE/REV/AS/01

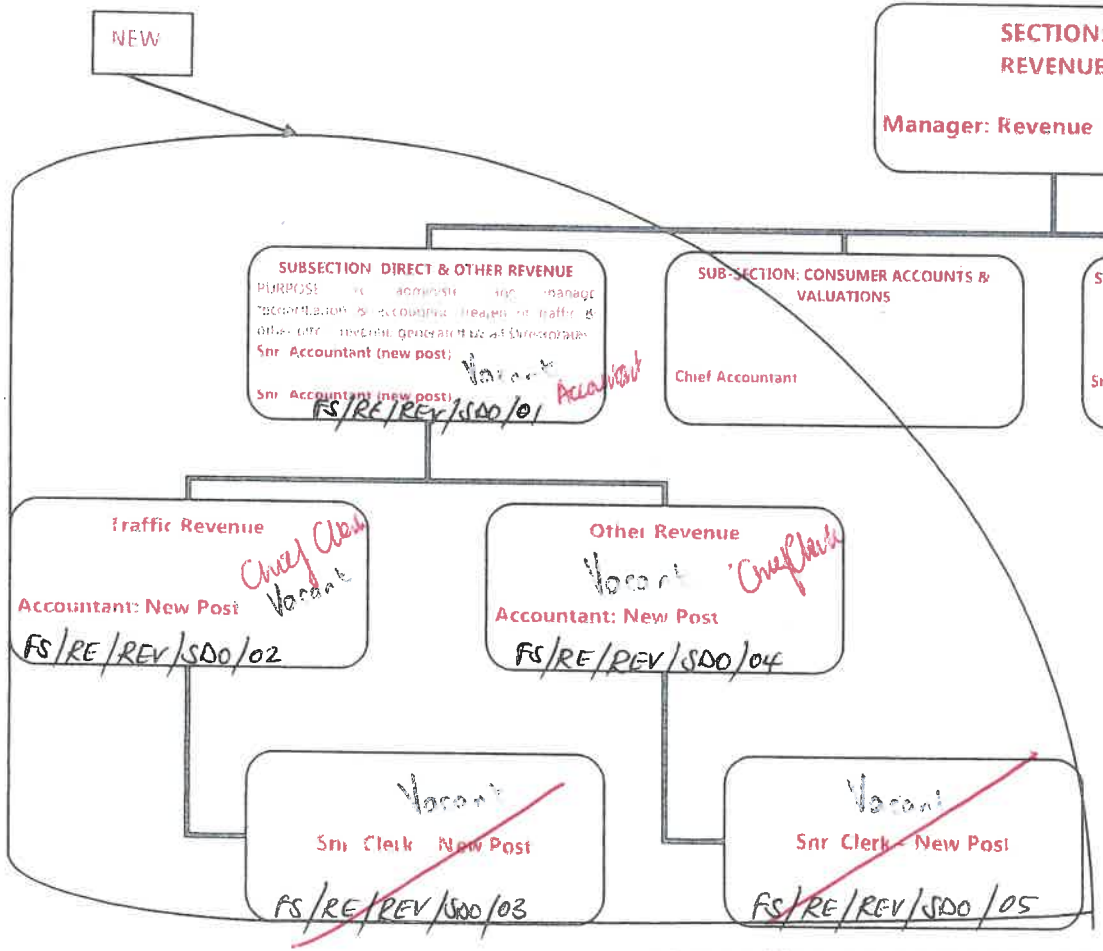
FILING CLERK ? / MARIE ARNOLDS T
NEW POST FS/RE/REV/AS/02

SUB-SECTION
DIRECT & OTHER REVENUE
Senior Accountant: See p 16A
FS/RE/REV/SDO/01 Vacant

MUNICIPALITY / MUNISIPALITEIT
25 SEP 2019

16

FURTHER TO PAGE 16



MUNICIPAL MUNICIPALITY
MENSURE HUMAN RESOURCES MANAGEMENT
HUMAN
25 SEP 2019

NOTES

S64 (2)(h) of MFMA stipulates that all revenue received must be reconciled on a weekly basis. This is not currently happening and the various Directorates are not taking responsibility for it.

Finance: Revenue will take responsibility and will require a new Sub-section to be created as indicated above.

Page 16 A

25/10/2017
27/02/2019
16.(a)

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STELLENBOSCH LOCAL MUNICIPALITY
PROPOSED MICRO STRUCTURE - 21 SEP 2017

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Signature
25/10/2017
27/02/2019

APPROVED BY COUNCIL
Signature
____/____/2017

SUB-SECTION
CONSUMER ACCOUNTS & VALUATIONS

PURPOSE: To administer billing, rates and taxes and property valuations in accordance with legislative prescripts and coordinate customer care management services

FUNCTIONS:
1. Provide meter reading, water and electricity billing services
2. Administer rates and taxes
3. Administer valuations in accordance with legislative prescripts

CHIEF ACCOUNTANT
Alicia Luiters FS/RE/REV/CAV/01 T

METER READING, TRADING & BILLING SERVICES

PURPOSE: To provide meter reading, water and electricity billing services

ACCOUNTANT T
M.C.F. Kopydenberg
FS/RE/REV/CAV/MRTB/01

SEE PAGE 18

RATES & TAXES

PURPOSE: To administer rates and taxes

FUNCTIONS:
1. Assist with compilation of statistics; check journals and data changes; approve and check customer tariffs and perform special rating area functions
2. Accurate levying of fixed municipal rates and taxes according to council's By-Laws
3. Ensuring levying of rates and taxes in accordance with rates policy in order to maintain and extend council tax base
4. Ensure the levying of service charges e.g. sewerage and refuse
5. Ensuring the regular reconciliation of rates and taxes accounts against valuation roll
6. Issuing of clearances
7. Maintain Council's property owners system and balance erf sale register
8. Administer revenue protection processes and procedures
9. Administer and ensure compliance by both parties with Financial Agreements signed between municipality and SRA(s):
   i) Debtor administration pertaining to SRAs
   ii) Reporting and statistics with regards to SRA
   iii) Financial administration with regards to SRAs

ACCOUNTANT T
Yolanda Lisa FS/RE/REV/CAV/RT/01

SRA

CHIEF CLERK L. Pathiany T
FS/RE/REV/CAV/RT/02

SNR CLERK Vacant T
FS/RE/REV/CAV/RT/04

SNR CLERK [illegible] T
FS/RE/REV/CAV/RT/03

CLERK [illegible] T
FS/RE/REV/CAV/RT/05

SNR CLERK T
NEW POST K.S. Rhode
FS/RE/REV/CAV/RT/06

CLERK F. Benjamin T
FS/RE/REV/CAV/RT/08

CLERK Senior Clerk T
NEW POST Vacant
FS/RE/REV/CAV/RT/07

VALUATIONS

PURPOSE: To administer valuations in accordance with legislative prescripts

FUNCTIONS:
1. Administer all valuated properties within the municipality for purposes of levying rates
2. Prepare, certify and submit valuation roll
3. Apply consultation and objection procedures
4. Provide administrative support regarding valuation matters
5. Directs the processes of general and supplementary valuations
6. Administer and maintain financial procedures regarding property valuation
7. Maintain the property register
8. Liaise with Valuer

SNR VALUATION OFFICER T
M. Blaauw FS/RE/REV/CAV/VA/01

SNR CLERK Valuations T
E. Standover
FS/RE/REV/CAV/VA/02

Senior Valuer

MUNICIPALITY OF STELLENBOSCH
HUMAN RESOURCE MANAGEMENT
25 SEP 2019

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STELLENBOSCH LOCAL MUNICIPALITY
PROPOSED MICRO STRUCTURE - 21 SEP 2017

RECOMMENDED BY MUNICIPAL MANAGER

Signature

25/10/2017

27/02/2019

APPROVED BY COUNCIL

Signature

____/____/2017

METER READING, TRADING & BILLING SERVICES

PURPOSE: To provide meter reading, water and electricity billing services

FUNCTIONS:

1. Billing, debtors accounts, generate accounts and journals
2. Administer and manage meter reading services, download meter reader units, generate electronic reports, interdepartmental charges, manage meter reading routes, service charges, cut-off lists, cutting off and switching on meters; readings for new applications & disconnection.
3. Prepare refunds on remaining credits and deposits on closed accounts
4. Reconciliation of the monthly movements with ledger in relation to the relevant votes
5. Administer water & electricity records; water & electricity consumption; bulk meter readings; process final accounts trial billing runs
6. Revenue protection through physical inspections
7. Handle queries and complaints from the general public in respect of accounts; service applications/disconnections; correctness of water and electricity records
8. Administer revenue protection processes and procedures

ACCOUNTANT
F. Koegelenberg FS/RE/REV/CAV/MRTB/01

CUSTOMER CARE, ENQUIRIES, LIAISON, WATER & ELECTRICITY
CHIEF CLERK Vacant T FS/RE/REV/CAV/MRTB/02

STELLENBOSCH
SNR CLERK T JP. September FS/RE/REV/CAV/MRTB/03
CLERK T FS/RE/REV/CAV/MRTB/04
CLERK T FS/RE/REV/CAV/MRTB/05
CLERK T Vacant FS/RE/REV/CAV/MRTB/06

FRANSCHHOEK
SNR CLERK T N. Erasmus FS/RE/REV/CAV/MRTB/07
CLERK NEW POST Vacant FS/RE/REV/CAV/MRTB/08

PNIEL
SNR CLERK T Vacant FS/RE/REV/CAV/MRTB/09
CLERK NEW POST Vacant FS/RE/REV/CAV/MRTB/10

KLAPMUTS
SNR CLERK T
NEW POST Vacant FS/RE/REV/CAV/MRTB/11
CLERK NEW POST Vacant FS/RE/REV/CAV/MRTB/12

WATER & ELECTRICITY
FS/RE/REV/CAV/MRTB/13
Snr. Clerk F. Benjamin
SNR CLERK T J. KENE FS/RE/REV/CAV/MRTB/14
SNR CLERK T Vacant FS/RE/REV/CAV/MRTB/15
SNR CLERK T
NEW POST N. DODA FS/RE/REV/CAV/MRTB/16

METER READING
SNR CLERK T A. Retyu FS/RE/REV/CAV/MRTB/18
CLERK NEW POST Vacant T FS/RE/REV/CAV/MRTB/19
CHIEF METER READER T F. Mtyingizane FS/RE/REV/CAV/MRTB/20
SNR CLERK T L. NDEVU FS/RE/REV/CAV/MRTB/17
SNR CLERK T
NEW POST
METER READER T G. Gallagher FS/RE/REV/CAV/MRTB/22
METER READER T FS/RE/REV/CAV/MRTB/23
METER READER T To Jooste FS/RE/REV/CAV/MRTB/23
METER READER T FS/RE/REV/CAV/MRTB/24
METER READER T F. Jooste FS/RE/REV/CAV/MRTB/25
METER READER T Vacant FS/RE/REV/CAV/MRTB/26
METER READER T FS/RE/REV/CAV/MRTB/27
METER READER T Vacant J. Manuel FS/RE/REV/CAV/MRTB/28

25 SEP 2019

CONFIDENTIAL

STELLENBOSCH LOCAL MUNICIPALITY
PROPOSED MICRO STRUCTURE - 21 SEP 2017

RECOMMENDED BY MUNICIPAL MANAGER

Signature

25/10/2017

27/02/2019

APPROVED BY COUNCIL

Signature

____/____/2017

SUB-SECTION
CASH MANAGEMENT & CREDIT CONTROL

PURPOSE: To manage and administer cashiering, receipting, credit control policy and procedures in accordance with regulations and Council

FUNCTIONS:

1. Administer sundry debtors, cashiering and receipting
2. Administer and coordinate credit control and debt recovery, housing finance, sundry debtors and cash management
3. Administer credit control policy and procedures, indigent and legal actions in accordance with regulations and Council policies

SNR ACCOUNTANT T

J. Pietersen FS/RE/REV/CMC/01

SUNDRY DEBTORS & CASHIERS

PURPOSE: To administer sundry debtors, cashiering and receipting

ACCOUNTANT T

L. Walters FS/RE/REV/CMC/SBC/01

SEE PAGE 20

CREDIT CONTROL & PRE LEGAL DISCONNECTIONS

PURPOSE: To administer and coordinate credit control and debt recovery, housing finance, sundry debtors and cash management

ACCOUNTANT T

L. Marechal FS/RE/REV/CMC/CCO/01

SEE PAGE 21

INDIGENT & PRE-LEGAL SERVICES

PURPOSE: To administer credit control policy and procedures, indigent and legal actions in accordance with regulations and Council policies

ACCOUNTANT T

S. Jacobs FS/RE/REV/CMC/IND/01

SEE PAGE 22

SNR CREDIT CONTROL - VERN

CHIEF

SNR

25 SEP 2019

CONFIDENTIAL

STELLENBOSCH LOCAL MUNICIPALITY
PROPOSED MICRO STRUCTURE - 21 SEP 2017

STELLENBOSCH

RECOMMENDED BY MUNICIPAL MANAGER

Signature

25 / 10 /2017

27/02/2019

APPROVED BY COUNCIL

Signature

____/____/2017

SUNDRY DEBTORS & CASHIERS

PURPOSE: To administer sundry debtors, cashiering and receipting

FUNCTIONS:

1. Administer sundry income in accordance to signed contracts and Council's by laws
2. Printing and posting of sundry accounts and diverse debtors
3. Administer collections with respect to housing scheme, perform general financial administration, compile rental and service tariffs, reconcile long term debtors, selling and rental schemes and capital unsold units
4. Receipting, capture financial transactions, receive monies, cashier services, assistance to the public, income protection and control , financial control procedures and administration of the council's Pay points
5. Ensure revenue protection through physical inspections
6. Handle queries and complaints from the general public in respect of accounts

ACCOUNTANT T
L. Walters FS/RE/REV/CMC/SBC/01

Chief Clerk

SUNDRY DEBTORS
SNR CLERK T
N. Erasmus
FS/RE/REV/CMC/SBC/02

Senior Clerk
SNR CLERK T
L-V. Scholtwyk
FS/RE/REV/CMC/SBC/03

3RD PARTY & ELECTRONIC PAYMENTS

SNR CLERK T
N. Ntoopane
FS/RE/REV/CMC/SBC/04

SNR CLERK T
S. de Clerk
FS/RE/REV/CMC/SBC/05

Snr Clerk.

CASH CONTROL
SNR CLERK Principal Clerk T
U. Toutie
FS/RE/REV/CMC/SBC/06

STELLENBOSCH
CASHIER/CLERK Cashier T
JA. Williams
FS/RE/REV/CMC/SBC/07

CASHIER/CLERK Cashier
E. Beukes
FS/RE/REV/CMC/SBC/08

CASHIER/CLERK Cashier
A. Hendricks
FS/RE/REV/CMC/SBC/09

PNIEL
CASHIER/CLERK Cashier T
A. Petersen
FS/RE/REV/CMC/SBC/10

FRANSCHHOEK
CASHIER/CLERK Cashier T
C George
FS/RE/REV/CMC/SBC/11

KLAPMUTS
CASHIER/CLERK NEW POST T
FS/RE/REV/CMC/SBC/12

KYAMANDI
CASHIER/CLERK T
ENQUIRIES
NEW POST
Account
FS/RE/REV/CMC/SBC/13

MUNICIPAL MANAGEMENT
25 SEP 2019

CONFIDENTIAL

STELLENBOSCH LOCAL MUNICIPALITY
PROPOSED MICRO STRUCTURE - 21 SEP 2017

RECOMMENDED BY MUNICIPAL MANAGER

Signature

25/10/2017

27/02/2019

APPROVED BY COUNCIL

CREDIT CONTROL & DEBT COLLECTION/PRE LEGAL DISCONNECTIONS

PURPOSE: To administer and coordinate credit control and debt recovery, housing finance, sundry debtors and cash management

FUNCTIONS:

1. Maintain Council's debtor's arrangement file system
2. Recommend disconnections & reconnections
3. Admin & maintenance of notices and reminders for debtors accounts up to 60 days
4. Identification of potential write-offs
5. Control & maintain Council's debtor files
6. Liaison with internal and external parties

ACCOUNTANT L. Marechal FS/RE/REV/CMC/CCD/01 T

Additional Functions:

- Liaise with outside providers regarding credit control
- Manage outstanding accounts
- Generating and coordinating notices & final demand letters
- Generating hand overs to attorneys (lists)
- Maintain and supervise hand-over system
- Administration of processes i.t.o. debtors
- Recommendations for write-off.

Pre-Legal Services

Snr. Clerk RICHARD SECCOMB FS/RE/REV/CMC/CCD/02

Clerk L. Joop FS/RE/REV/CMC/CCD/03

CREDIT CONTROL

SNR CLERK T ~~Vacant~~ L N [illegible] FS/RE/REV/CMC/CCD/04

CLERK T T. Hani FS/RE/REV/CMC/CCD/05

CLERK T ~~Vacant~~ I Pieters FS/RE/REV/CMC/CCD/06

DISCONNECTIONS & RECONNECTIONS

CLERK/ FIELDWORKER T L. Qulu FS/RE/REV/CMC/CCD/07

CLERK/ FIELDWORKER T Vacant FS/RE/REV/CMC/CCD/08

CREDIT CONTROL & DISCONNECTIONS (PRE-PAID)

SNR CLERK T Vacant FS/RE/REV/CMC/CCD/09

CLERK NEW POST Vacant T FS/RE/REV/CMC/CCD/10

CLERK (x 2 posts) Vacant FS/RE/REV/CMC/CCD/11 FS/RE/REV/CMC/CCD/12

[illegible] MANAGEMENT 25 SEP 2019

21

CONFIDENTIAL

STELLENBOSCH LOCAL MUNICIPALITY
PROPOSED MICRO STRUCTURE - 21 SEP 2017

RECOMMENDED BY MUNICIPAL MANAGER

Signature

25/10/2017

27/02/2019

STELLENBOSCH

APPROVED BY COUNCIL

Signature

____/____/2017

INDIGENT & ~~PRE-LEGAL SERVICES~~

PURPOSE: To administer ~~credit control policy and procedures,~~ indigent and ~~legal~~ actions in accordance with regulations and Council policies

FUNCTIONS:

1. ~~Generation and co-ordinating of the monthly notices and final demands for debtors with accounts outstanding above 60 days~~
2. ~~Generation, evaluation and compilation of handover lists to Council's attorney~~
3. ~~Maintain and supervise Council's hand over file system~~
4. ~~Administration of processes i.r.o debtors under debt review, administration, insolvent / late estates, liquidations etc~~
5. Supervise Council's indigent registration processes
6. Check applications for refunds
7. Recommend potential debtors for write off indigent
8. ~~Manage all accounts in respect of staff, councillor and government accounts~~
9. ~~Liaise with external service providers regarding legal credit control services~~

ACCOUNTANT T

S. Jacobs FS/RE/REV/CMC/IND/01

KPI's To Change

Move To Credit Control

INDIGENT

~~SNR CLERK~~ Principal Clerk T

VACANT

FS/RE/REV/CMC/IND/02

CLERK Senior Clerk T

NEW POST G. Jones

FS/RE/REV/CMC/IND/03

Senior Clerk

CLERK Vacant T

NEW POST

FS/RE/REV/CMC/IND/04

CLERK Senior Clerk T

NEW POST Vacant

FS/RE/REV/CMC/IND/05

JD Francis

PRE-LEGAL SERVICES

SNR CLERK T

CLERK T

CLERK Senior Clerk T

NEW POST T. Mwezeni

FS/RE/REV/CMC/IND/06

CLERK Senior Clerk T

NEW POST Vacant

FS/RE/REV/CMC/IND/07

CLERK Senior Clerk T

NEW POST Vacant

FS/RE/REV/CMC/IND/08

MUNICIPALITY ... GEMENT

25 SEP 2019

CONFIDENTIAL

STELLENBOSCH LOCAL MUNICIPALITY
PROPOSED MICRO STRUCTURE - 21 SEP 2017

RECOMMENDED BY MUNICIPAL MANAGER

Signature

25/10/2017

27/02/2019

APPROVED BY COUNCIL

Signature

____/____/2017

SECTION EXPENDITURE

PURPOSE: To ensure the recording, authorisation and proper execution of expenditure policies, systems, procedures and transactions

FUNCTIONS:

1. Manage the recording, authorisation, executing and reporting of creditors and payroll related payment transactions
2. Handle month end and year end procedures, control integration of creditors with ledger, reconciliations, balance records
3. Render management and line function administrative support services

MANAGER: EXPENDITURE
A. Sondlo FS/RE/EXP/01.

Split.

SUB-SECTION CREDITORS & PAYROLL

PURPOSE: To manage the recording, authorisation, executing and reporting of creditors and payroll related payment transactions

SNR ACCOUNTANT T
E. Klaasen FS/RE/EXP/CP/01.

SEE PAGE 24

SUB-SECTION RECONCILIATIONS

PURPOSE: To handle month end and year end procedures, control integration of creditors with ledger, reconciliations, balance records

FUNCTIONS:

1. Administer bank statements
2. Administer retention register
3. Financial control procedures, answer audit queries, financial/ statistical reports, computerised systems requirements and maintenance
4. Implement and maintain expenditure processes and procedures, including outstanding orders, customer enquiries and filing

Move to 24

ACCOUNTANT T
NEW POST Vacant FS/RE/EXP/REC/01.

SUB-SECTION ADMINISTRATIVE SUPPORT

PURPOSE: To render management and line function administrative support services

FUNCTIONS:

1. Provide administrative support services
2. Provide planning, research, statistics, analyses and reporting services

ADMIN OFFICER T
NEW POST Vacant
FS/RE/EXP/AS/01

Filing Clerk
C. Kispel.
FS/RE/EXP/AS/02.

CLERK T
NEW POST B. Nxusani
FS/RE/EXP/REC/02

CLERK T
NEW POST M. Thebe
FS/RE/EXP/REC/03

CLERK T
NEW POST DINO JANSEN
FS/RE/EXP/REC/04

CLERK T
NEW POST Vacant
FS/RE/EXP/REC/05.

FILING CLERK T

MANAGEMENT
26 SEP 2019

CONFIDENTIAL

STELLENBOSCH LOCAL MUNICIPALITY
PROPOSED MICRO STRUCTURE - 21 SEP 2017

RECOMMENDED BY MUNICIPAL MANAGER
Signature
25/10/2017
27/02/2019

APPROVED BY COUNCIL
Signature
____/____/2017

SUB-SECTION
CREDITORS & PAYROLL

PURPOSE: To manage the recording, authorisation, executing and reporting of creditors and payroll related payment transactions

FUNCTIONS:

1. Provide recording, authorisation, executing and reporting of creditors, ad-hoc payments transactions and EFT payments on system
2. Provide recording, authorisation, executing and reporting of payroll transactions

SNR ACCOUNTANT
E. Klaasen FS/RE/EXP/CP/01 ? T

CREDITORS

PURPOSE: To provide recording, authorisation, executing and reporting of creditors, ad-hoc payments transactions and EFT payments on system

FUNCTIONS:

1. Accurate timeous payment of council's creditors according to the approved budget and in compliance with all the council's policies and Municipal Finance Management Act and other relevant prescripts
2. Implement and maintain expenditure processes and procedures, including adhoc payments, VAT, EFT, process invoices, master file of council creditors, outstanding orders, customer enquiries and filing

ACCOUNTANT
K. Ebrahim FS/RE/EXP/CP/02 ? T

CREDITORS

- SNR CLERK N. Zimri ? T — FS/RE/EXP/CP/03
- SNR CLERK A. Jonkers ? T — FS/RE/EXP/CP/04
- SNR CLERK N. Mienze ? T — FS/RE/EXP/CP/05

DIRECT PAYMENTS

- CLERK L. Daniels ? T — FS/RE/EXP/CP/06
- CLERK O. Muller ? T — FS/RE/EXP/CP/07
- CLERK Vacant ? T — FS/RE/EXP/CP/08

PAYROLL

PURPOSE: To provide recording, authorisation, executing and reporting of payroll transactions

FUNCTIONS:

1. Compile and administer salary budget
2. Handle staff queries, housing subsidies, deductions, pay group insurance, insurance policies, medical aid funds and pension funds
3. Administer third party payments
4. Pay salaries and wages, allowances, S&T claims
5. Capture and update details of employees on the payroll system, prepare and effect payment of salaries, balance control accounts for salaries, reconciliation
6. Create statistical reports, generate IRP 5's, generate payroll

ACCOUNTANT
R. Dreyer FS/RE/EXP/CP/09 ? T

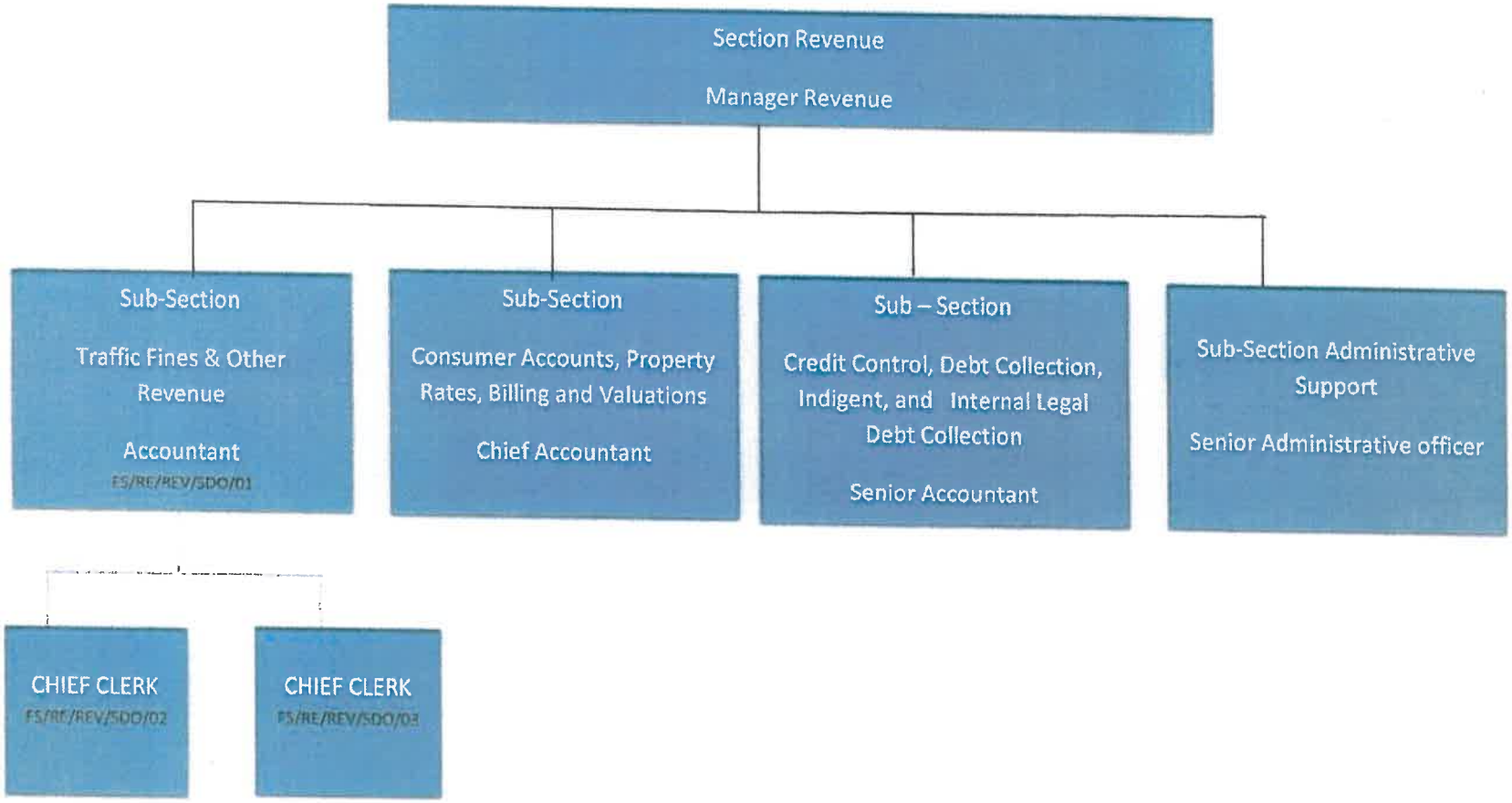
- SNR CLERK C. Pretesen ? T — FS/RE/EXP/CP/10
- SNR CLERK V. Kwintshi ? T — FS/RE/EXP/CP/11
- SNR CLERK NEW POST M. Fritz T — FS/RE/EXP/CP/12
- SNR CLERK [illegible] — FS/RE/EXP/CP/13
- NEW POST M. Goosen — FS/RE/EXP/CP/14

SAO

25 SEP 2019

STELLENBOSCH MINICPALITY

PROPOSED MICRO STRUCTURE – AMENDMENTS – OCTOBER 2023 (P16)



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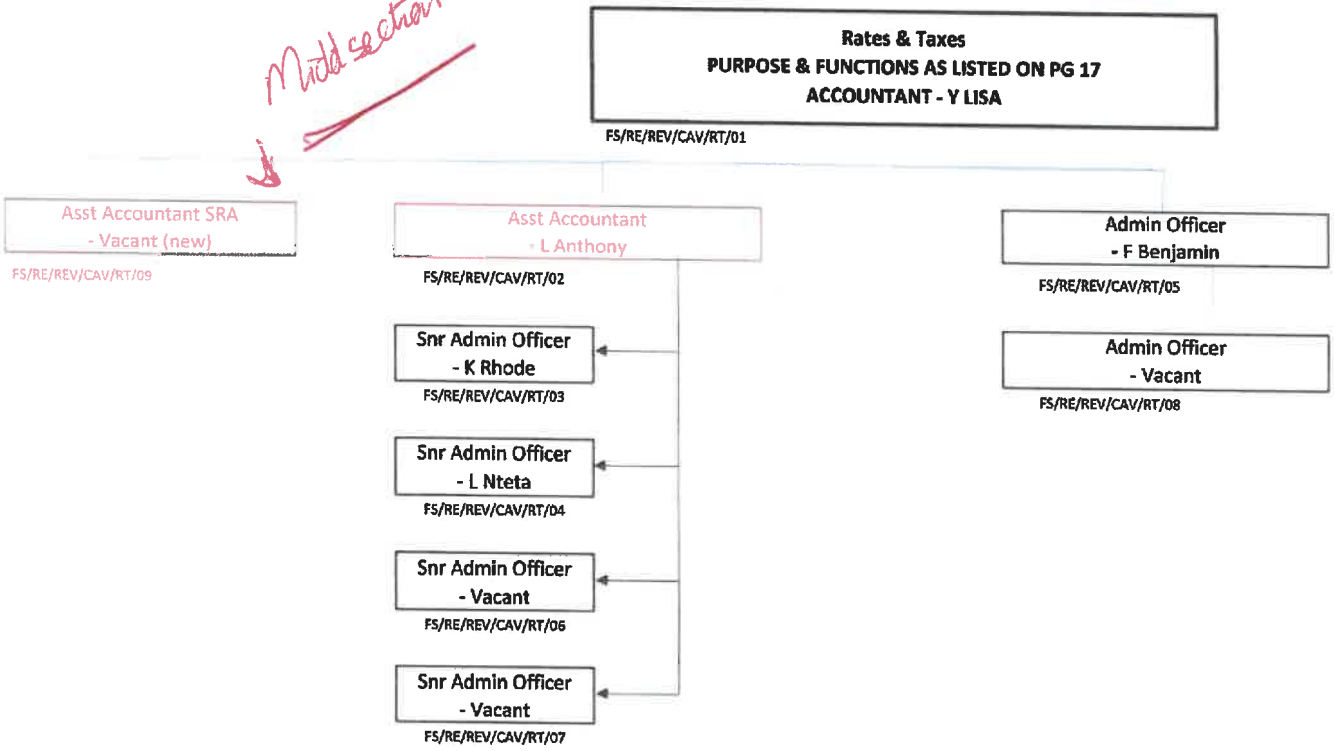
Middle section



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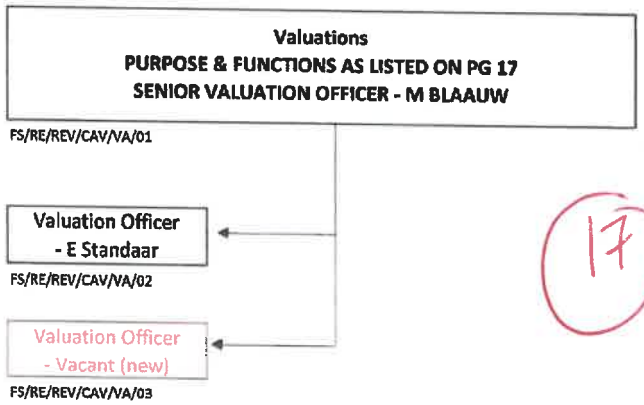
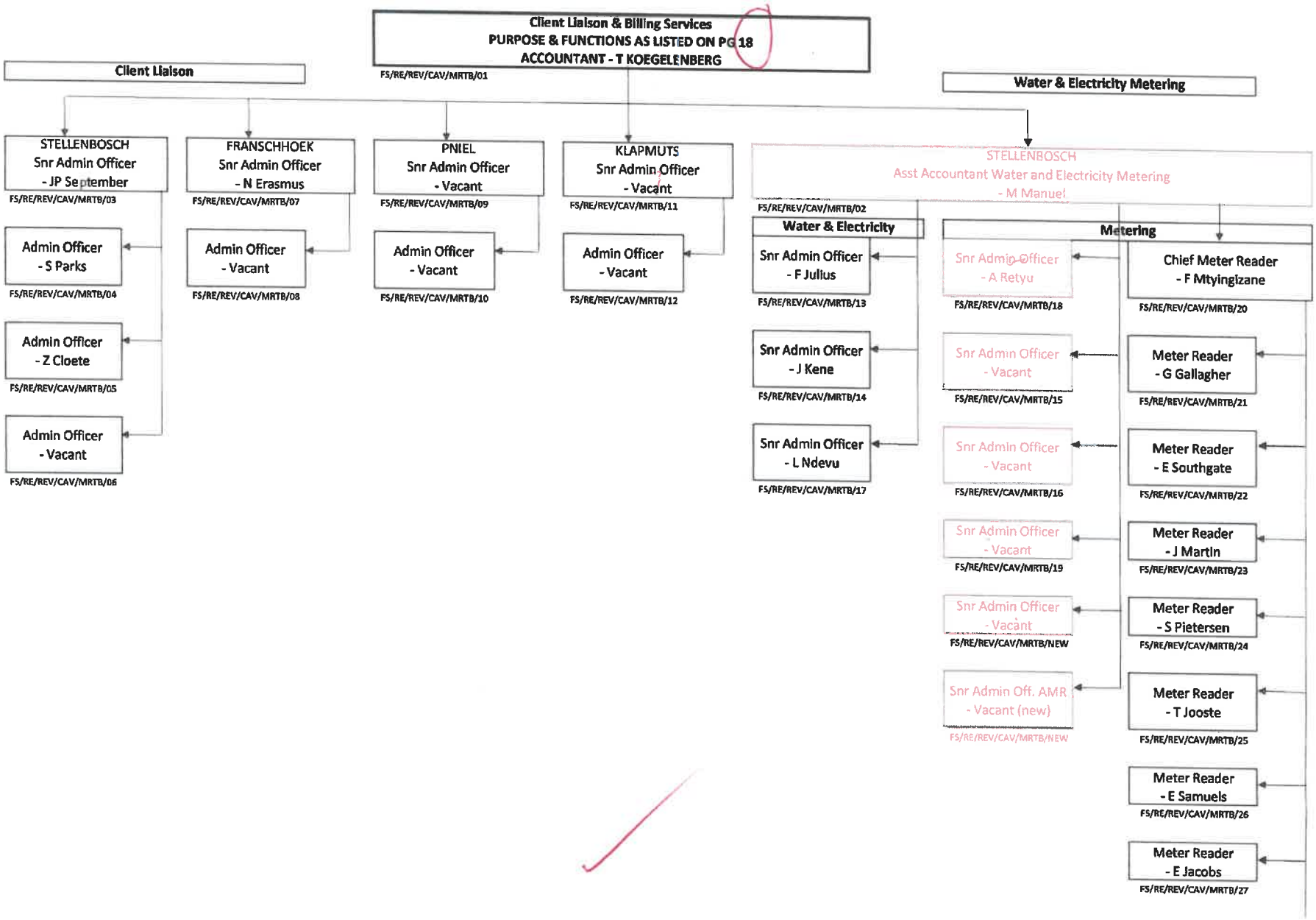

Valuations
PURPOSE & FUNCTIONS AS LISTED ON PG 17
SENIOR VALUATION OFFICER - M BLAAUW
FS/RE/REV/CAV/VA/01
Valuation Officer
- E Standaar
FS/RE/REV/CAV/VA/02
Valuation Officer
- Vacant (new)
FS/RE/REV/CAV/VA/03

17 leg 2.


Client Liaison & Billing Services
PURPOSE & FUNCTIONS AS LISTED ON PG 18
ACCOUNTANT - T KOEGELENBERG
FS/RE/REV/CAV/MRTB/01
Client Liaison
Water & Electricity Metering
STELLENBOSCH
Snr Admin Officer
- JP September
FS/RE/REV/CAV/MRTB/03
FRANSCHHOEK
Snr Admin Officer
- N Erasmus
FS/RE/REV/CAV/MRTB/07
PNIEL
Snr Admin Officer
- Vacant
FS/RE/REV/CAV/MRTB/09
KLAPMUTS
Snr Admin Officer
- Vacant
FS/RE/REV/CAV/MRTB/11
STELLENBOSCH
Asst Accountant Water and Electricity Metering
- M Manuel
FS/RE/REV/CAV/MRTB/02
Admin Officer
- S Parks
FS/RE/REV/CAV/MRTB/04
Admin Officer
- Z Cloete
FS/RE/REV/CAV/MRTB/05
Admin Officer
- Vacant
FS/RE/REV/CAV/MRTB/06
Admin Officer
- Vacant
FS/RE/REV/CAV/MRTB/08
Admin Officer
- Vacant
FS/RE/REV/CAV/MRTB/10
Admin Officer
- Vacant
FS/RE/REV/CAV/MRTB/12
Water & Electricity
Snr Admin Officer
- F Julius
FS/RE/REV/CAV/MRTB/13
Snr Admin Officer
- J Kene
FS/RE/REV/CAV/MRTB/14
Snr Admin Officer
- L Ndevu
FS/RE/REV/CAV/MRTB/17
Metering
Snr Admin Officer
- A Retyu
FS/RE/REV/CAV/MRTB/18
Snr Admin Officer
- Vacant
FS/RE/REV/CAV/MRTB/15
Snr Admin Officer
- Vacant
FS/RE/REV/CAV/MRTB/16
Snr Admin Officer
- Vacant
FS/RE/REV/CAV/MRTB/19
Snr Admin Officer
- Vacant
FS/RE/REV/CAV/MRTB/NEW
Snr Admin Off. AMR
- Vacant (new)
FS/RE/REV/CAV/MRTB/NEW
Chief Meter Reader
- F Mtyingizane
FS/RE/REV/CAV/MRTB/20
Meter Reader
- G Gallagher
FS/RE/REV/CAV/MRTB/21
Meter Reader
- E Southgate
FS/RE/REV/CAV/MRTB/22
Meter Reader
- J Martin
FS/RE/REV/CAV/MRTB/23
Meter Reader
- S Pietersen
FS/RE/REV/CAV/MRTB/24
Meter Reader
- T Jooste
FS/RE/REV/CAV/MRTB/25
Meter Reader
- E Samuels
FS/RE/REV/CAV/MRTB/26
Meter Reader
- E Jacobs
FS/RE/REV/CAV/MRTB/27

PROPOSED AMENDMENTS TO ORGANOGRAM – OCTOBER 2020 (Pg 19 of Structure)

PURPOSE & FUNCTIONS AS LISTED ON PG 21

SUB-SECTION CASH MANAGEMENT, SUNDRIES, CREDIT CONTROL & OTHER REVENUE

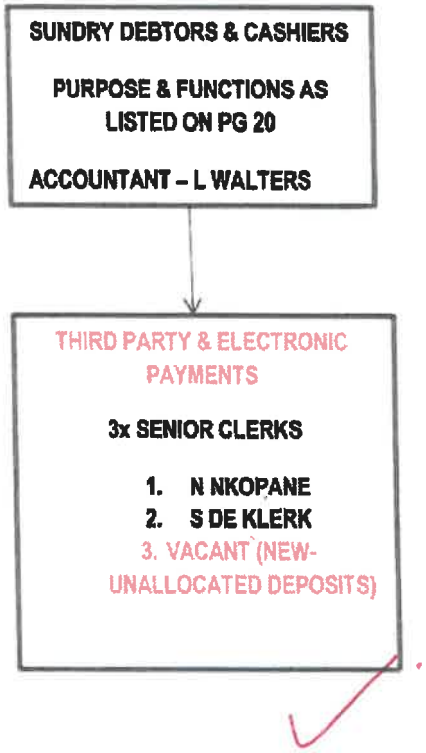
SENIOR ACCOUNTANT

- SNR CREDIT CONTROL OFFICER – LEGAL (NEW) (FUNCTIONS AS CURRENTLY PERFORMED BY GEODEBT)
- **SUNDRY DEBTORS & CASHIERS ACCOUNTANT**
- **CREDIT CONTROL ACCOUNTANT**
- **INDIGENT ACCOUNTANT**

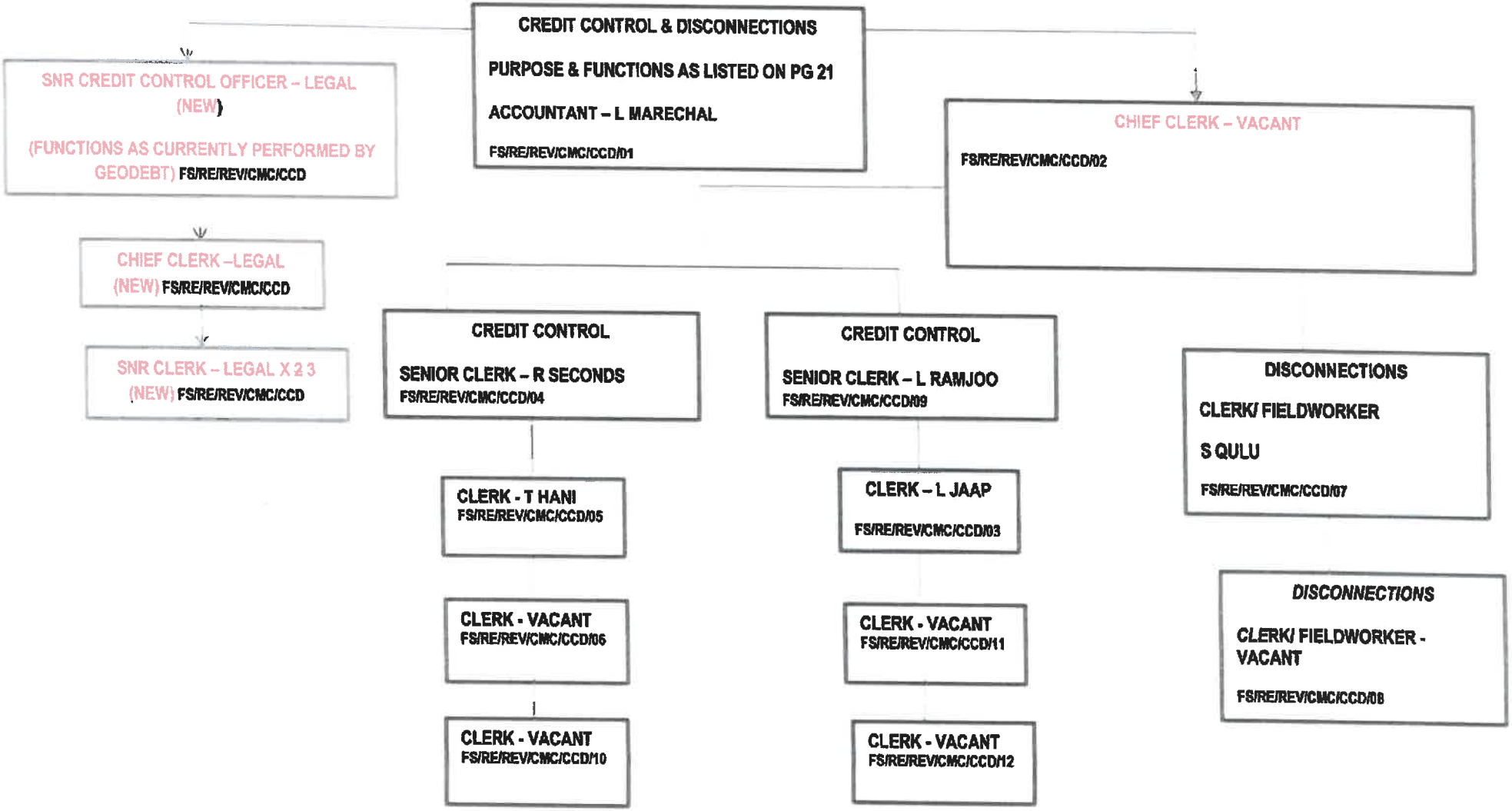
- CHIEF CLERK –LEGAL (NEW)
- SNR CLERK – LEGAL X 2 (NEW)
- Snr Clerk.

19

PROPOSED AMENDMENTS TO ORGANOGRAM – OCTOBER 2020 (Pg 20 of Structure)

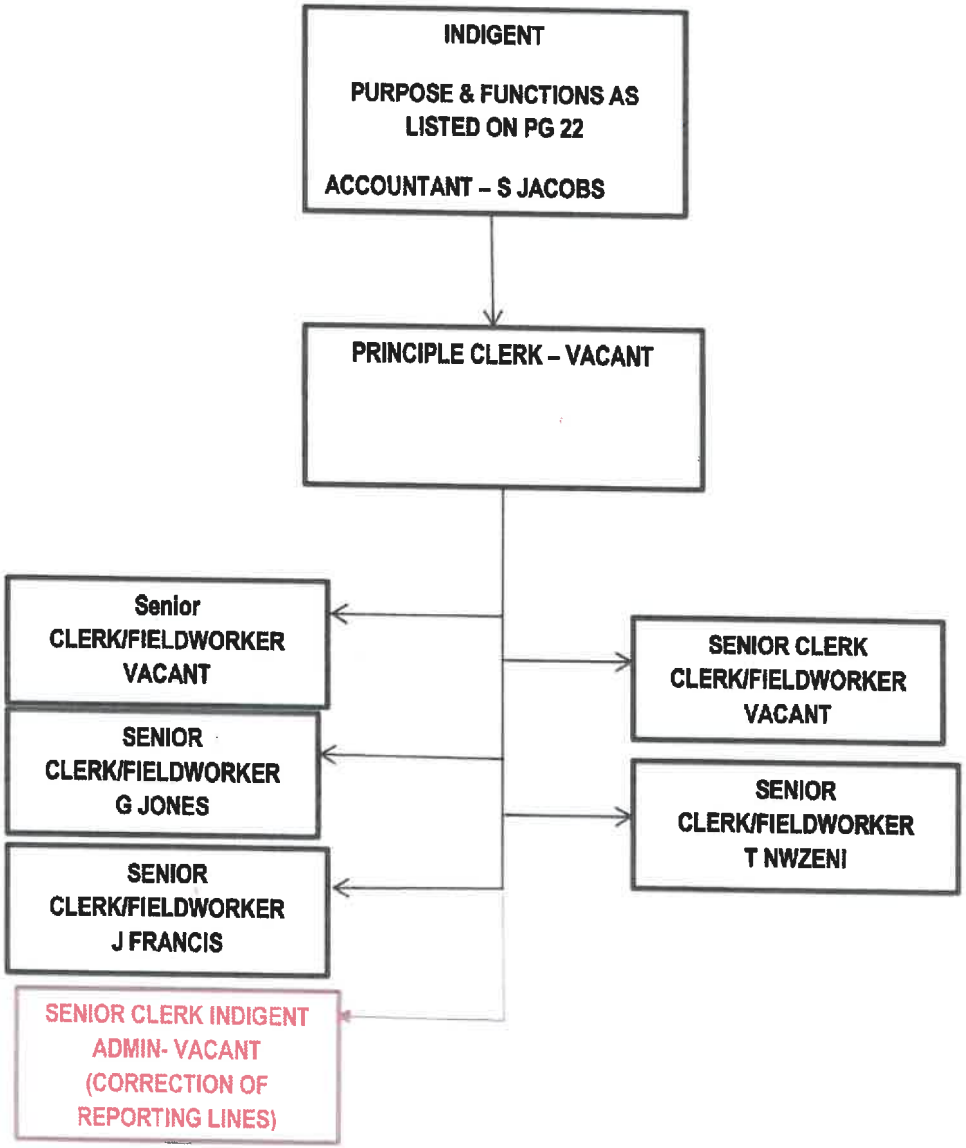


PROPOSED AMENDMENTS TO ORGANOGRAM – OCTOBER 2020 (Pg 21 of Structure)

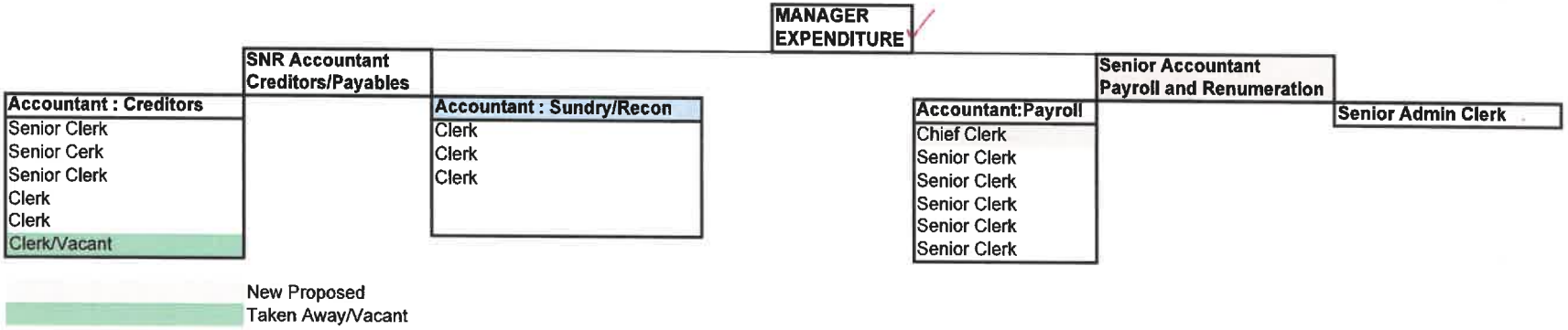


PROPOSED AMENDMENTS TO ORGANOGRAM – OCTOBER 2023 (Pg 17 of Structure)

P. 22.



DRAFT EXPENDITURE ORGANIGRAM



8.3.4	RECRUITMENT AND SELECTION POLICY

Collaborator No:
IDP KPA Ref No: **Good Governance**
Meeting Date: **18 June 2025 and 25 June 2025**

1. SUBJECT: RECRUITMENT AND SELECTION POLICY

2. PURPOSE

To inform of the revised and consulted Recruitment and Selection Policy and to submit the said policy to MAYCO and Council for approval.

3. DELEGATED AUTHORITY

The delegated authority for the approval is the Council.

4. EXECUTIVE SUMMARY

COGTA, during 2021, promulgated new Staffing Regulations which had to be implemented from 1st July 2022. In terms of these regulations many of the recruitment process provisions have changed and had to be incorporated into our Recruitment and Selection Policy to ensure that the Municipality becomes compliant and implement the provisions as from 1st July 2022. The Recruitment and Selection Policy was subsequently approved on the 22nd June 2022. Since this date there had not been any revision of this policy until March 2024 when the policy was submitted to the Local Labour Forum. At the Labour Forum at the time, referred the policy to the Human Resources Development Sub-Committee for consultation with the labour unions and these discussions were eventually concluded on the 12th of June 2025 hence the submission of the revised and consulted Recruitment and Selection.

5. RECOMMENDATION

that Council approve the revised and consulted Recruitment and Selection Policy.

6. DISCUSSION / CONTENTS

6.1 Background

The Recruitment and Selection Policy was approved on the 22nd of June 2022. Since this date there had not been any revision of this policy until March 2024 when the policy was submitted to the Local Labour Forum. At the Labour Forum at the time, referred the Policy to the Human Resources Development Sub-Committee for consultation with the labour unions and these discussions were eventually concluded on the 12th of June 2025 hence the submission of the revised and consulted Recruitment and Selection Policy and being submitted to MAYCO and Council for approval. The parties agreed to the revised proposals and the Unions indicated that they would send correspondence to the Mayco should any need arises and concurred that the item can serve on June 2025 Council meeting. At date of submitting this item no correspondence was received from either Union.

6.2 Financial Implications

All recruitment and selection processes are done in line with available budgetary provisions.

6.3 Legal Implications

There are no legal implications as the Recruitment and Selection policy is in line with the SALGBC Local Government: Municipal Staffing Regulations.

6.4 Staff Implications

There are no staff implications at this stage.

6.5 Previous / Relevant Council Approval

The previous Council decision concerning the Recruitment and Selection Policy was 22 June 2022.

6.6 Risk Implications

There are no risk implications as the provisions of the Recruitment and Selection Policy will be implemented in accordance with legislative prescripts.

6.7 Comments from Senior Management

This item is supported by Senior Management.

RECOMMENDATION FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2025-06-18: ITEM 7.3.5

that Council approve the revised and consulted Recruitment and Selection Policy.

APPENDICES

APPENDIX 1 - RECRUITMENT AND SELECTION POLICY

NAME	*Alexander Kannemeyer*
POSITION	*Senior Manager Human Resources*
DIRECTORATE	*Corporate Services*
CONTACT	*021-808 8751*
E-MAIL ADDRESS	*Alexander.Kannemeyer@stellenbosch.gov.za*
REPORT DATE	*19 May 2025*

APPENDIX 1

STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

RECRUITMENT AND SELECTION POLICY

1. PREAMBLE

This policy is intended to create a framework for decision-making in respect of best employment practice/s in regard to the acquisition of staff in the Stellenbosch Municipality. As such it attempts to establish a set of rules for the consistent interpretation and application of legislation governing the acquisition of staff by the Municipality.

The Recruitment and Selection policy and its implementation will be fundamentally aimed at matching the human resources to the strategic and operational needs of the Stellenbosch Municipality and ensuring the full utilization and continued development of these employees.

All aspects of recruitment, selection, and appointment of employees will aim to be non-discriminatory and will afford applicants as far as possible equal opportunity to compete for vacant positions, except as provided in this policy with reference to employment equity.

2. DEFINITIONS

- **"induction"** a formal introduction process into the organization.
- **"nepotism"** means favoritism on the basis of family relationship or friendship.
- **"candidate"** means an applicant for a post
- **"conflict of interest"** means a position where the panel member can directly or indirectly benefit from the employment of the candidate.
- **"recruitment"** means the activities undertaken in the human resource management in order to attract job candidates who have the necessary potential, experience and qualifications to fill job requirements and to assist the municipality in achieving its objectives.
- "**reference check"** means the gathering of information about candidate's past employment history.
- **"Selection processes"** includes shortlisting and interviews.

- "**selection"** means the process of making decisions about the employment of candidates considering the needs of the post and the organisation.
- **"Organised Labour"** means the registered and recognised trade unions active within the Municipality and currently having organisational rights as conferred by the Labour Relations Act.
- **"Consultation"** refers to the process where organised labour is requested to sit in on the shortlisting and interview process.
- **"Authority to appoint"** The delegation to appoint staff in accordance with the established staff structure is sub- delegated to the Director Corporate services in consultation with the applicable Director.
- "**Succession Planning"** means making the necessary arrangements to ensure that suitably qualified internal candidates are available to fill posts which will arise within any specific department over forthcoming years.
- "**Career Pathing"** Means ensuring that each staff member's potential is developed and that there is a career mapped out for him/her in the municipal service. The aim should be an attempt to train and develop the Employee to be able to competently undertake the duties attached to that post.
- **"Internal candidate"** means any employee that is employed by the municipality including contractual employees and EPWP workers
- **"Panel members"** means the selection panel appointed by the Municipal Manager or his/her nominee. The panel must consist of three (3) members. The chairperson must be the supervisor of the post or a staff member at least one reporting level higher than the post. The panel must depict the race, gender, skills and expertise necessary to assess the candidates. The unions will be allowed as observers.
- **"Scoring members"** means the relevant three members that were selected by the municipal Manager or his/her representative and communicated at the shortlisting meeting to score the assessment processes.
- **"Executive Management Team** means the Municipal Manager and the Section 56/57 Senior Managers
- "**Declaration of Interests/Confidentiality"** All panel members and trade union delegates attending the shortlisting and interviews sessions will be required to complete a declaration of interest/confidentiality agreement.
- **"Family Members":** For the purpose of this policy, family are defined as husbands and wives, parents and children, brothers, sisters, and any in-laws of any of the foregoing. Failure to disclose any of the aforementioned relations shall be regarded as nepotism. Family members may not be appointed within the same unit especially where those family members report to a current employee either directly or indirectly.

3. LEGAL FRAMEWORK

The responsibility for the appointment of personnel rests with the Municipal Manager of the Employer or his/her delegated assignee(s) in terms of section 55(1)(e) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) and section 20 of the MSR.

- Employment Equity Act (Act 55 of 1998 as amended
- Basic Conditions of Employment Act 1997 (Act No 75 of 1997 as amended
- Labour Relations Act, (Act 66 of 1995) as amended
- Any Collective Agreement that may be applicable within the South African Local Government Bargaining Council (SALGBC)
- Constitution of the Republic of South Africa Act 108 of 1996
- Chapter 7 of the Local Government Municipal Systems Act 32 2000
- Skills Development Act of 97 as amended
- Local Government: Municipal Staffing Regulation (MSR) GN 890 of 20 September 2021 and the Guidelines for the Implementation of the Municipal Staff Regulations, 2021 (issued in terms of Section 72, read with Section 120 of the Municipal Systems Act 32 of 2000)
- Municipal Structures Act;
- Municipal Systems Act
- National Archives Act

4. SCOPE AND APPLICATION

4.1 To ensure a fair and equitable employment process, this policy shall apply to all appointments made within the Municipality except for:

a) Appointments of the Municipal Manager or section 56/57 managers that report directly to the Municipal Manager

b) Acting appointments to which staff is selected by Management prerogative.

c) Staff in the Council Support Unit where appointments are linked to the incumbent of the political office-bearer as those employment relationships require a specific trust basis with the political incumbent

5. OBJECTIVES OF POLICY

5.1 The Municipality recognizes that its employment policies, practices and procedures must comply with the good Human Resources practice principles.

5.2 This policy is based on the principles set out below. Human Resources Management in the Municipality must –

(a) be characterized by a high standard of professional ethics;

(b) promote the efficient, economic, and effective utilization of employees.

(c) be conducted in an accountable manner;

(d) be transparent;

(e) promote good human resource management and career development practices, to maximize human potential; and

(f) ensure that the Municipality's workforce is broadly representative of the South African people, with human resources management practices based on ability, objectivity, fairness, and the need to redress the imbalances of the past to achieve broad representation.

6. POLICY CONTENT

The responsibility for the appointment of personnel rests with the Municipal Manager of the employer or his/her delegated assignee(s) in terms of section 55(1)(e) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000).

6.1. Post Establishment

a) The Human Resources – Recruitment and Selection section will maintain a record of all approved posts and shall monitor all appointments against posts according to the approved staff establishment.

b) The post structure must be aligned with the municipal IDP and approved system of job evaluation (TASK) as defined by the South African Local Government Bargaining Council.

c) The staff establishment will be approved as contained in the applicable legislation.

d) It is recognized that a staff establishment is a living document, and changes will be proposed if and when necessitated by the practical and operational requirements of the Municipality.

e) Changes to the staff establishment will be dealt with in terms of the applicable legislation.

6.2 Recruitment

6.2.1 Determining recruitment need

The department will request the Recruitment and Selection section to advertise a funded vacant position as per the organogram.

6.2.1.1. The abovementioned section shall develop a strategy to:

a) fill all funded vacant positions as per the Executive Management team's resolutions taken from time to time;

b) fill all funded vacant posts identified on the funded vacancy list on the staff establishment within six months of a funded post becoming vacant;

c) reduce turnaround times for filling vacant funded posts that include timeframes for the various activities included in the recruitment and selection process.

6.2.1.2. No vacant post on the establishment can be filled unless:

a) the Municipal Manager or his/her delegated nominee to whom this function is delegated has approved the filling of the post, and the post is budgeted for.

b) The post has been evaluated(currently TASK system).

6.2.2. Validation of inherent requirements

6.2.2.1. The inherent requirements of a job must reflect the needs of the Municipality and must be appropriate to achieve the service delivery interests of the Municipality.

6.2.2.2. Prior to the recruitment process commencing, the outputs, skills, knowledge, competencies, and stated educational requirements as contained in the competency/ job profile or job description are scrutinized as to relevance and applicability. An updated Job description, as well as a copy of the specific staff unit, must accompany the request for the filling of the post as well as a completed template request form.

6.2.2.3. Despite the provisions mentioned above:

a) a municipality may place a staff member on a program to acquire the competency requirements as prescribed for the staff member to be eligible for career opportunities in the municipality.

b) If a staff member has not attained the competencies as prescribed in this policy, the municipality must utilize the workplace skills plan to identify and address the staff member's competency gaps and development needs.

c) The Minister may issue a notice in the gazette determining uniform competency-based assessment for specific occupational streams

d) Stellenbosch Municipality must subject a staff member to a competency assessment for specific occupational streams as determined by the Minister in terms of (c) above.

6.2.3 Recruitment Advertisement

6.2.3.1. The Recruitment and Selection section shall advertise a post after approval by the Municipal Manager or his/her delegated nominee.

6.2.3.2. This advertisement shall, at least, specify the –

a) job title

b) term of appointment

c) place of work

d) applicable salary scale or pay range

e) competency requirements of the post, and where applicable minimum qualifications and experience as set out in Annexure A of the Municipal Staff Regulations

f) inherent requirements of the job

g) summary of the core functions

h) need for the signing of an employment contract and, where applicable, a performance agreement and disclosure of benefits and interest

i) address where applications must be sent

j) a place where applicants can obtain the application form;

k) contact person where information can be obtained

l) closing date for submission of applications.

6.2.3.3. The advertisement must always contain:

a) A statement that the Municipality subscribes to the principles of the Employment Equity Act

b) A statement that the appointment will be permanent or for a fixed term, and the term (if applicable).

c) A statement that canvassing will disqualify any candidate from being considered for an appointment.

d) A statement that states that a CV and cover sheet must be attached indicating the detail of the post for which the application is made.

e) A statement that applications received after the closing date will not be accepted or considered.

f) A statement that if an applicant does not hear from the municipality within 90 days of his/her application, it be accepted that he/she was unsuccessful.

g) The designated email address associated with the position per directorate to which the application must be sent.

6.2.3.4. An advertisement may be utilized to create a pool of potential candidates valid for a period not exceeding 6 months from the date of advertisement to fill any other vacancy in Stellenbosch Municipality if:

a) the job title, core functions, inherent requirements of the job, and the salary level of the other vacancy is the same as the post advertised

b) the recruitment process has been complied with

6.2.3.5. Stellenbosch Municipality shall advertise posts internally for a period of ten working days and if insufficient applications are received, advertise such post – locally or nationwide. The advertising medium must be determined considering the target market of applicants as well as cost implications.

6.2.4. Application forms

6.2.4.1 All applications for a vacant post must be made on the prescribed form of the Municipality as attached as Annexure B.

6.2.4.2 All applications received must be accompanied by the prescribed application form otherwise it will be deemed invalid.

6.2.5 Application for a vacant post

6.2.5.1 An applicant for a post shall disclose

a) his or her qualifications and experience

b) his or her contactable references

c) his or her registration with a relevant professional body, if applicable

d) full details of any dismissal for misconduct or substandard performance

e) any disciplinary actions, whether pending or finalized, instituted against the applicant in his or her current or previous employment.

6.2.5.2 Misrepresentation or failure to disclose material information contemplated in clause 6.2.7.1 and the application form is a breach of the Code of Conduct for Municipal Staff and shall be dealt with in terms of the disciplinary policy

6.2.5.3 The Municipality shall maintain a record of all applications received and the information contained in the applications shall be kept confidential and stored in a secure place on the Municipality's premises.

6.2.5.4 A record of applications shall be disposed of in terms of the National Archives of South Africa Act.

The record shall contain –

a. the applicants' biographical details and contact information

b. the details of the post for which the applicants were applying

c. the applicants' qualifications; and

d. any other requirements outlined in the application form

6.2.6. Unsolicited applications

a) Unsolicited applications received during the Municipality's operations will be responded to by requesting the applicant to register on the Municipality's unemployed database from where names may be drawn when a temporary vacancy exists.

b) Nobody may promise or undertake to accept an unsolicited application for an appointment and to submit it when a vacancy is advertised.

6.2.7. Use of Recruitment Agencies

Where the Municipality does not have the capacity to manage recruitment processes, a recruitment agency shall be appointed to undertake the recruitment processes, including

a) response handling,

b) compilation of the long list of applicants who applied for the advertised post,

c) preliminary list of applicants who meet the requirements,

d) list of applicants who do not meet all requirements but have the potential and list of applicants who do not meet the requirements: Provided that the advertising and recruitment procedures comply with this policy and that the appointed recruitment agency shall not undertake the selection process.

6.3 Selection

6.3.1 General Principles Governing Selection

6.3.1.1 Selection criteria shall be objective and related to the inherent requirements of the job and realistic future needs of the Municipality.

6.3.1.2 The central guiding principle for selection shall be competence in relation to the inherent requirements of the job provided that selection shall favour, as determined by the targets, suitably qualified applicants as defined in section 20[3] of the Employment Equity Act, where underrepresentation exists.

6.3.1.3 Unless formal or statutory qualifications are clearly justified as essential for the job, relevant experience/performance, training [internal/external] as reflected and measured through competencies, and potential for the prospective vacancy shall be an important criterion.

6.3.1.4 The assessment of the criteria will be done through an interview and a written or other assessments.

6.3.1.5 Canvassing, i.e. attempting to solicit the influence of any person who could substantially influence the selection process by job applicants, or any other person on behalf of job applicants, for posts within the Council's service is prohibited and evidence thereof will disqualify the applicant's application for consideration for appointment.

6.3.1.6 The basic criteria for the appointment and/or promotion of employees in the Municipality shall be appropriate qualifications and appropriate performance as set forth in the policies of the Council.

6.3.2 Selection Process

6.3.2.1 The purpose of selection is to identify the most suitable candidate(s) from all the persons who applied and to eliminate unsuitable candidates in the fairest way possible.

6.3.2.2 The relevant Director shall appoint a selection panel for each of the advertised posts to recommend the appointment of suitable persons to the vacant post and who in collaboration with Recruitment and Selection shall be responsible to deal with the recruitment process.

6.3.2.3 The selection panel shall comprise of no less than three but not more than five panel members of which one must be on a management level and will act as the chairperson of the panel.

6.3.2.4 In deciding on the composition of the selection panel, the relevant Director shall consider the following:

a) nature of the post

b) gender and race balance of the panel; and

c) skills, expertise, experience, and availability of the person(s) to be involved

6.3.2.5 A member of a selection panel shall:

a) disclose any interest or relationship with shortlisted candidates during the short-listing process

b) recuse himself or herself from the selection panel if –

i. his or her spouse, partner, close family member or close friend has been shortlisted for the post

ii. the panel member has a de facto relationship or some form of indebtedness to a short-listed candidate or vice versa; or

iii. any other conflict of interest; and

iv. sign a prescribed declaration of confidentiality to avert the disclosure of information to unauthorized persons.

6.3.2.6 If a union representative is allowed to attend interviews as an observer, he or she must sign the declaration form (Annexure B) to prevent the disclosure of information to unauthorized persons.

6.3.2.7 The Head of Human Resources or his/her delegated nominee must provide secretarial or advisory services during the selection process but may not form part of the selection panel.

6.3.2.8 Each panel member shall disclose the potential conflict to be considered by the full selection panel at the initial meeting of the panel.

6.3.2.9 If a conflict of interest becomes apparent during the selection process, the Senior Manager Human Resource or his or her delegate shall take the appropriate steps to remedy the situation, which may include recommending and or declaring the selection process invalid and commencing a new process.

6.3.2.10 If a conflict of interest becomes apparent after the appointment, the Senior Manager Human Resources or his or her delegate shall report the matter to the Municipal Manager, which shall take remedial action, including possible disciplinary action

6.3.2.11 A representative from Human Resource Management will only serve as the third scoring panellist when specifically requested by the relevant director and HR will always provide the administrative services to the panel.

6.3.2.12 The labour unions must be invited to the selection processes.

6.3.2.13 Organised Labour may attend the proceedings as observers and their absence shall not prohibit the selection and recruitment process from proceeding and being concluded.

6.3.2.14 A member of the selection panel is required to withdraw from the panel if he/she has a conflict of interest in or experience partiality with regard to any of the applicants. This is also applicable to Organized Labour.

6.3.3. Compiling of long lists

After the closing date of an advertisement, all the applications received for every specific position are captured on a long list.

6.3.3.1 The long list must contain, in table form, the following particulars in respect of each candidate:

a) the applicant's surname followed by her/his initials

b) the applicant's gender;

c) the applicant's race;

d) internal or external candidate;

e) the applicant's qualifications and experience relevant to the job description and job specification; and

f) if applicable, the nature of the applicant's disability.

6.3.3.2 The Recruitment and Selection section must submit the long lists (in electronic form), to the relevant departmental head for preliminary scrutiny of the applications received one month after the closure of the advertisement unless otherwise approved by the Senior Manager Human Resources.

6.3.3.3 This information must be treated as confidential and may not be made available to outside parties or internal employees not part of the recruitment and selection process.

6.3.3.4 no hard copies of CVs will be provided and should be collected In electronic form

6.3.3.5 The Recruitment and Selection section, during the compilation of the longlists, must take all reasonable steps and actions to ensure that the content of the longlist is correct.

6.3.3.6 The Recruitment and Selection section, during the compilation of the longlists must take all reasonable steps and actions to establish the validity and accuracy of any certificates, diplomas and other information supplied by an applicant. If any candidate submitted or claimed that she/he had some or other certificate or diploma, qualification or experience that is disproved, such information must be noted next to the name of the candidate in the long list.

6.3.3.7 The department must within 7 (seven) days after receipt of the long list provide the Recruitment and Selection unit with a proposed shortlist. Where extension is needed it should requested through Recruitment and Selection and should be dealt as agreed upon.

6.3.4 Compiling shortlist(s)

6.3.4.1 A shortlisting panel should within 7 days after the department provided a proposed shortlist be convened and in the event of the department not providing a proposed shortlist the Recruitment and Selection unit should convene a shortlist meeting within these timeframes irrespective.

6.3.4.2 Trade unions will be allowed insight into the longlist 24 hours before the shortlisting meeting is scheduled at the recruitment and selection offices. A confidentially agreement must be signed by the representatives.

6.3.4.3 The shortlisting panel consisting of the representatives as per 6.3.2.4 and the Recruitment and Selection representative(s), must select from the long list, and with due regard for the Municipality's employment equity plan a minimum of three (3) and not more than 5 applicants per post who in their opinion would be the most suitable candidates to be subjected to the selection process.

6.3.4.4 The relevant Director may approve a shortlist of less than 3 candidates on the advice of the Senior Manager Human Resources and based the efforts that were made in regard to ensuring that suitable applicants were aware of the vacancies and had the opportunity to apply.

6.3.4.5 Where there are more than one (1) post advertised the panel must adjust the maximum number of applicants in line of with the minimum required) and may increase that even further pending on the number of posts.

6.3.4.6 The shortlist of applicants is prepared by Line Management, based on the agreed selection criteria and taking into consideration Employment Equity. Organized Labour can give inputs based on the selection criteria, to the shortlist.

6.3.4.7 Any candidate, internal or external, should be placed on the short list only if they meet the requirements of the advertisement and the selection criteria.

6.3.4.8 In the case of candidates earmarked for the shortlist of candidate, who failed to attach originally certified copies of qualifications, driver's license or proof of clean criminal record to the application, the Human Resource Department, in a consistent manner, may request these candidates to submit the required documentation prior to the finalization of the shortlist of candidates.

6.3.4.9 Shortlisting may give preference to the following: –

a) Internal applicants

b) Local applicants (Stellenbosch WC024)

c) Provincial applicants

d) National applicants

6.3.4.10 The approved Employment Equity Plan of the Stellenbosch Municipality will determine the targets set for the organization when shortlists are approved.

6.3.5 References and personal credential verification

6.3.5.1 Reference checks and personal credential verification for short-listed

Candidates shall be conducted by –

a) verifying the candidate's inherent requirements of the job with the current or previous employer

b) establishing the validity of candidate qualifications and any other verification required by the position before the appointment

c) determining whether the candidate has been dismissed previously for misconduct or poor performance by another municipality or employer, and, if so, the nature of that misconduct or poor performance; and

d) verifying any other additional personal credentials as may be required by the nature of the job such as criminal records, credit checks, identification documents, security clearance, etc.

6.3.5.2 A written report on the outcome of the reference checks and personal credential verification shall be compiled and submitted to the panel before the appointment is concluded.

6.3.6 Notification of shortlisted candidates of selection proceedings

The Recruitment and Selection section must notify every candidate whose name has been shortlisted of the venue or electronic medium, date and time, and nature of the selection proceedings she/he must attend using the most reliable communications methods available.

6.3.7 Expenses Relating to Recruitment and Selection Process

6.3.7.1 Prior approval from the Director: Corporate Services must be obtained for the payment of travelling costs for candidates attending interviews. The most cost-effective transport (car/air travel) must be utilised and the cheapest form of transport (car/air travel!) will be paid for.

6.3.7.2 The expense incurred for compensating a candidate for attending an interview, must be covered by the budget of the Directorate in which the vacancy exists. All expenses emanating from the interview shall be covered by the budget in which the vacancy exists.

6.3.7.3 Expenses emanating from the interview must be paid back if the employee leaves the employer's service for any reason other than death within 12 months after appointment.

6.3.8 Interviewing in respect of vacancies

6.3.8.1 The list of short-listed candidates and copies of their applications shall be submitted to the selection panel prior to the interviews taking place.

6.3.8.2 The selection panel for a post shall once be always constituted and remain the same. If a member of the selection panel is unable to proceed with the interviews due to circumstances beyond that member's control, such panel members may be replaced or withdrawn. If the selection panel does not quorate, the panel shall be reconstituted.

6.3.8.3 The Municipality shall grant observer status to each of the recognised trade union representatives during the interviews.

6.3.8.4 The selection panel shall interview the short-listed candidates.

6.3.8.5 Before the interviews for a specific post commence, the selection panel shall confirm the selection criteria for the advertised post, based on the relevant competencies required for the advertised post.

6.3.8.6 The selection panel shall keep a written record of the interviewed candidates.

6.3.8.7 After considering all the relevant information, the selection panel shall recommend candidates in order of preference. If the recommended

candidate declines an offer of employment, the next suitable candidate, where applicable, may be considered for appointment.

6.3.8.8 If it is determined that the recruitment process has not attracted suitable candidates, the post may be re-advertised.

6.3.8.9 If the post is categorised as a critical and scarce skill post, alternative recruitment methods such as executive search, head-hunting, referrals and/ or readvertising may be considered. The details of these alternatives shall be agreed to in the Local Labour Forum and approved by Council.

6.3.8.10 The recommendations of the selection panel shall be determined by:

a. consensus; or

b. where the panel fails to reach a consensus, the matter shall be referred to the Municipal Manager or his or her delegate for resolution.

6.3.8.11 If the selection panel recommends an appointment to the post, it shall submit its recommendation to the Municipal Manager or his or her delegate for approval.

6.3.9 Interview and assessment process

6.3.9.1 Interviews can be done face-to-face or via electronic virtual mediums.

The interviews will be in the form of an interview question and answer session and a practical written or practical physical assessment. Assessments must take the nature of the post into account.

6.3.9.2 Further assessment may be done where applicants score the same or close in the first assessments or depending on the grading of the post.

6.3.9.3 Interviews shall strictly be based on job-related competency. A standard scoring system will be used. Candidates scoring a combined competency rate of 60% or above will be considered for appointment to a post. The Municipal Manager or his/her nominee may deviate from this requirement on good cause shown.

6.3.9.4 Once shortlisting has been done, the Recruitment and Selection section will attempt to arrange an interview as soon as possible but not by giving less than three (3) working days' notice.

6.3.9.5 All interviews will be arranged and facilitated by the Recruitment and Selection section Prospective candidates must avail themselves for an interview at the organisation's convenience. Applicants who are unable to attend will not be considered.

6.3.9.6 All parties involved in the Recruitment and Selection process shall uphold the strictest of confidentiality in respect of any information supplied in the recruitment process.

6.3.9.7 Failure to comply with these provisions may result in disciplinary action being instituted.

6.3.9.8 All interviews will be conducted in a fair manner and questions shall be non-discriminatory and job-related. Questions pertaining to a candidate's political affiliation are not allowed.

6.3.9.9 The interview shall be conducted as agreed on during the shortlisting meeting for the interviews

6.3.9.10 Practical and or written assessments will be the responsibility of the relevant directorate. Assessments must contain model answers. Questions must be related to the requirements for the post and not discriminate on the grounds of race, gender and disability. The questions and practical assessment must be sent to Recruitment and Selection before the interview or assessment.

6.3.9.11 The evaluation matrix of the MSR will be used to score candidates.

6.3.9.12 The interviewing panel is responsible for ensuring that the interview is structured by using consistent questioning techniques in all interviews so that questioning is related to the requirements for the post and not discriminate on the grounds of race, gender and disability.

6.3.9.13 The panel will consult amongst them to get an indication of the reasons for their preferred candidate.

6.3.9.14 Stellenbosch Municipality is an Equal Opportunity employer. The requirements of the Employment Equity Act will be considered as part of the selection criteria/process and recommendations for preferred candidates will take this into consideration.

6.3.9.15 The panel will recommend the most suitable candidate to appoint based on the screening process and it may not necessarily be candidate with the highest score. Completed score sheets must be kept in safe storage by Human resources for a period of at 12 months after an appointment decision has been made.

6.3.10 Conducting tests during recruitment process

One or more relevant tests (e.g. practical assessments like for example typing tests, operating a grader, written assessments etc.) must be conducted before or after an interview is conducted. The test and interview must be relevant to the job requirements that would be expected of the employee.

6.4. Headhunting

6.4.1. Headhunting may be done at any stage after 2 failed advertised attempts. The operational requirements and needs should be considered when doing headhunting

6.4.2. If a person is being headhunted, he/she will still be subjected to an administrative and recruitment procedure.

6.4.3. Targeted persons will be provided with a copy of the advertisement, and they will be allowed to apply on their own accord and must comply with the requirements of the post. Applications must be made on the requisite form, a CV and a cover page to the Municipality within a certain time frame.

6.4.4. Any headhunting will be disclosed and recorded in writing as part of the recruitment process.

7. Succession Planning and Career Pathing

7.1. Where there is an identified successor(s) who has been properly assessed and developed in line with the requirements for the position, this person can be considered for the vacancy. Care must be taken that this is an unbiased and objective process.

7.2. There must be adequate historical documentation, proof of training, qualifications and development and sound assessment data to support decisions taken regarding identified successors in the Municipality's workforce.

7.3. A committee for each directorate titled the Staff Succession Plan Committee (hereinafter referred to as the Committee) may be established when necessary, comprising of the following stakeholders:

Director: Corporate Services

Relevant Director

Relevant Manager (if applicable)

Senior Manager: Human Resources (Secretariat of committee)

One representative from SAMWU

One representative from IMATU

7.4. The Committee is tasked to identify the individuals that forms part of the Directorate's Succession Plan, which will provide guidance and oversight supporting the staff succession process.

7.5. Succession Planning Programme

7.5.1 Identification of occupational areas and key positions for succession planning.

7.5.2 The Committee must identify and assess the Municipality's current and future projected needs in terms of staff and expected staff vacancies.

7.5.3 When a post becomes vacant, the pool of employees who were identified and placed on the Succession Planning Programme and have obtained the required qualifications and skills will be able to apply for the post, however this will not necessarily guarantee employment in the position they are prepared for. All candidates will compete equally, that is, they will be subjected to the Municipality's normal recruitment and selection processes whereby is included but not limited to the provisions of the Municipality's Employment Equity Policy and Employment Equity Plan as from time to time.

7.6 Implementation of the Succession Planning Programme

7.6.1 For each of the key positions identified, the skills, competency and knowledge required for incumbents must be identified and qualifications and unit standards must be attached to such positions. The objective of the Committee is to identify at least one or more candidates for each of the planned posts included in the Staff Succession Plan.

7.6.2 Employees can be invited to participate in the Succession Planning Programme by means of a notice and such applications must be submitted to the Department: Human Resources before or on the closing date specified in the notice.

7.6.3 The Committee must identify training requirements.

7.6.4 Training interventions, for purposes of the career development of the relevant employees, are to be identified and agreed upon with the relevant employees.

7.6.5 The Committee may refer specific candidates to the mentoring process that may be applicable.

7.6.6 Participants must sign an agreement of understanding acknowledging the fact that the achievement of a qualification or skill will not necessarily guarantee employment in the position they are prepared for or for any other position.

7.6.7 Feedback must be documented and placed on the relevant employee's file.

8. Appointment

General requirements for the appointment of staff members

8.1 No person may be appointed as a staff member on a fixed-term contract, permanent basis, to any post on the approved staff establishment of the Municipality, unless he or she –

a) is a South African citizen, permanent resident or foreign national with a valid work permit; and

b) possesses the relevant competencies, qualifications, and experience, as set out in the evaluated job description and guided by the Municipal Staff Regulations.

8.2 The appointment of the suitable applicant takes place in accordance with the requirements of the post concerned as reflected in the advertisement of the post linked to the job description of the post.

8.3 Any person appointed as a staff member in the Municipality shall, where applicable, have competencies, and comply with the minimum requirements or educational qualifications, work experience, and knowledge as set out in Annexure A of the Municipal Staff Regulations.

8.4 A staff member who was appointed before these Regulations came into effect and who does not meet the minimum competency requirements of the relevant post as prescribed, shall be deemed to be meeting the requirements of the post. This does not apply to conditions given to staff members for obtaining certain qualifications for a current position before 1 July 2022.

8.5 An applicant may be appointed as a staff member only if they –

are not disqualified in terms of the policy provisions on the re-employment of dismissed municipal staff.

8.6 The Municipal Manager or his/her delegated nominee to whom this function is delegated shall :

consider the recommendations of the selection panel; and decide –

a) on whom to appoint; and

b) the terms and conditions of employment.

8.7 Before making a decision to appoint, the Municipal Manager or his/ her delegate shall satisfy himself or herself that the candidate meets the relevant requirements of the post as provided in the competency framework of the Municipal Staff Regulations.

8.8 An appointment shall only take effect after the Municipal Manager or his or her delegate has approved the appointment.

8.9 The Municipal Manager or his/her delegated nominee shall ensure that all the interviewed candidates are informed whether or not they were successful.

8.10 Unsuccessful candidates shall on request be provided with, or given reasons, in writing why they were not successful or appointed.

8.11 Appointment of support staff to ward offices and full-time councillors (public office bearers).

8.11.1 An applicant appointed to a post on the staff establishment in order to support the full-time office bearers and as ward administrators shall either be –

a. seconded from a post on that Municipality's current staff establishment or

b. appointed on a fixed-term contract of employment.

8.11.2 The duration of the secondment or fixed-term employment contract in this regard may not be longer 30 days after the full-time councillor or ward councillor vacates office.

8.12 Re-employment of dismissed municipal staff

8.12.1 A person who was dismissed from a municipality for any reason stated in the Municipal Staff Regulations may not be employed in the Municipality before the period set out, or any concurrent periods set out, has expired.

8.12.2 Notwithstanding clause 8.12.1 a person who has lodged a dispute in terms of any applicable legislation, may be appointed subject to the outcome of the dispute.

8.12.3 The Municipality shall maintain a record of staff dismissed for misconduct and staff who resigned prior to the finalisation of any disciplinary proceedings.

8.12.4 The record shall contain –

a) full names and identity number of the person

b) title of the post that the person occupied

c) nature of the misconduct

d) date of suspension, if any

e) conditions of suspension, if any

f) date on which the misconduct was referred to a disciplinary hearing or pre-dismissal arbitration

g) date of commencement of the disciplinary hearing or pre-dismissal arbitration

h) finding

i) whether a dispute was referred to the SALGBC or the Labour Court

j) costs incurred by the municipality; and

k) date of resignation or dismissal of the person.

8.13 Retention of staff

8.13.1 The Municipality is from time to time confronted with situations where permanent staff is offered promotional opportunities at other municipalities/employers.

8.13.2 The Municipality may want to retain the skills of such employees which are considered essential to maintaining a high level of service delivery.

8.13.3 To retain staff the Municipal Manager or delegated nominee must be put in a position to make counter offers to existing permanent staff when it is believed that it is critical to retain such staff member due to a specific skill he/she has and very good performance in the functions he/she performs. The Municipal Manager or delegated nominee must also be able to make a counteroffer to retain the current employee for a position within the salary framework that exists. The Municipal Manager has the authority to appoint an employee on a salary that will fall within the National Framework which currently is TASK.

8.13.4 Counteroffers offers to existing staff may be approved by the Municipal Manager or delegated nominee in terms of the Systems Act, subject to the following:-

8.13.4.1 A request in writing by a director when an existing employee receives an offer from another employer, to consider a counteroffer to the existing permanent staff member. The request must be addressed to the Municipal Manager or delegated nominee accompanied by a full motivation for such proposal as well as a copy of the written offer by the other employer.

8.13.4.2 The motivation must include an indication of the performance of an existing employee who received an offer from another employer. The performance must be measured in general and on specific aspects for example attendance, quality of work over the last 12 months, years' service, qualifications, and skills

8.13.4.3 the experience of the employee requesting a counteroffer must be taken into account to ensure consistency within the organisation.

8.13.4.4 Where an internal employee receives an offer from another employer a more senior post in the Stellenbosch Municipality may be considered provided that:

a) The more senior post is vacant

b) The employee has the necessary qualifications for the more senior position

c) No other employee in the organisation can lay claim to the senior post through natural career pathing.

8.13.4.5 The Municipal Manager, on advice from the relevant Director retains the discretion whether to consider a counteroffer to the affected employee or not.

8.13.4.6 No employee should have any expectations of receiving a counteroffer from the municipality.

8.13.4.7 The higher salary notch should as a rule match the offer received and not be more than 2 (two) notches higher than a proven salary offer received from the other employer or what the employee is currently earning.

8.13.4.8 Where an employee applies for a more senior position in the Municipalities' staff establishment but earns more than the top notch of the salary scale at which the post has been advertised such employee may be allowed to retain the current salary personal to incumbent. No notch increases will apply in such instance. When such post is evaluated and the salary falls in the scale, so evaluated, the employee be put on the nearest highest notch with implementation of the evaluation result.

8.14 Scarcity and the Payment of Scarcity Allowances

8.14.1 The determination of scarcity of a post and the payment of scarcity allowances were previously regulated in terms of the Staff Attraction and Retention Policy. The latter Staff Attraction and Retention Policy has been repealed by Council on 23 August 2023. Accordingly, scarcity and the payment of scarcity allowances will be regulated in terms of this Policy. Where scarcity allowance is applicable to a prospective employee, it should be indicated on the offer of employment, subject to revision by the committee every 12-months

8.14.2 It is the responsibility of the Employer to identify which posts and / or occupational groups are affected by a scarce skills challenge, using any or all of the following criteria:

a) The turnover rate of employees in an occupation must be significantly above the average turnover experienced by the Municipality.
b) High vacancy rate;
c) The demand for a particular skill exceeds the supply;
d) There must be a shortfall for the identified skill in the local, provincial and national government market, indicating strong factors attracting such employees into the private sector;
e) vacancies should be proven to be difficult to fill;
f) The skills must require an advanced knowledge in a field, science or discipline obtained through formal studies and / or specialized instruction and / or years of service or experience;
g) The skills / knowledge / experience must be critical to a specific project and / or service
h) All normal recruitment processes must have been exhausted before a motivation is submitted for the payment of a scarcity allowance.
i) Lack of relevant experience (skills related)
j) New/Emerging occupation (skills related)

The above-mentioned are indicators that may illustrate scarcity in a particular occupational grouping of positions or a specific position.

8.14.3 In considering the above-mentioned criteria the following sources must be consulted:

a) The Local Government Sector Education and Training Authority's (LGSETA) Skills Shortages & Skills Gaps Guide (published from time to time)

b) Occupations listed in a specific year by the LGSETA as occupational shortages will be regarded as scarce skills occupational.

c) Posts determined as scarce skills posts shall be reviewed every twelve (12) months to allow for the relevant adjustments, based on changing trends and to confirm whether the occupation remain scarce.

d) In terms of sub-section 1(5) of the Municipal Staff Regulations: Guidelines for Implementation, Chapter 2

8.14.4 Scarcity allowances will be reviewed annually (3 months before the financial year). The relevant Director must submit a detailed motivation the Senior Manager Human Resources, who will compile a complete report taking into consideration the criteria / source as mentioned above.

8.14.5 The Municipal Manager will take a decision on:

a) whether or not the post should be regarded a scarce

b) in the event of the Municipal Manager deciding the post is scarce, a percentage not more than 10% of the basic salary without benefits shall be payable

8.15 Remuneration negotiations

8.15.1 The Municipality is also from time to time confronted with situations where a new applicant requests to negotiate his/her salary for the post. In the negotiation process, the impact the negotiated salary will have on other employees in the organisation, and possible precedents that are set must be taken into account.

8.15.2 When employees are appointed it is done on the basis of the first notch of a salary scale applicable to the post. It often happens that candidates request to negotiate their salaries and provide proof of their previous remuneration.

8.15.3 The negotiations in terms of salary should be initiated by the candidate in writing within 5 days of receipt of the employment offer. In considering alternative offers the following principles must/may be considered: years of experience; other employees in the organisation doing the same job etcetera

8.15.4 The higher salary notch should as a rule match the offer received and not be more than 2 (two) notches higher than a proven salary offer received from the other employer or what the employee is currently earning.

8.15.5 Posts are advertised reflecting the minimum and maximum notches of the salary range/ salary band associated with the post (as evaluated through job evaluation or based on a benchmark where the post is not evaluated yet) to avert unrealistic earning expectations. All salary offers are made in consultation with the Director Corporate Services and CFO.

8.16 Additional allowances

8.16.1 Additional responsibility allowances are paid when an employee takes on additional duties or responsibilities of a higher graded post for a limited period of time as per the additional allowance policy.

8.16.2 An individual would receive an additional responsibility allowance if they are asked to:

a. Undertake part of the duties and responsibilities of a higher graded post for a continuous period which would normally be for a minimum of four (4) weeks and a maximum of six (6) months.

b. Criteria to qualify for an additional responsibility allowance:

8.16.3 Taking on a % of the duties and responsibilities of the higher post in the event that the higher post is vacant or the incumbent is on extended sick leave/maternity leave/special leave and an employee cannot act in the post;

9 Appointment contract

9.1 The employment contract of a person must include, subject to applicable labour legislation, details of –

a) the remuneration, benefits and other terms and conditions of employment of the employer and employee.

b) include a provision for cancellation of the contract, in the case of non-compliance with the employment contract or an performance agreement; and

c) be subject to the provisions of the values and principles referred to in Section 50, the Code of Conduct set out in Schedule 2 in the Systems Act.

9.2 Appointment of employees to posts on a temporary basis

9.2.1. Advertisement

Refer to clause 6.2.3 above and 9.2.2 below

9.2.2. Selection

Appointment of a temporary employee(s) must be consistent with the Recruitment and Selection Policy.

- Appointment must be in line with the inherent requirements as per advertisement.
- Appointments must be in line with employment equity requirements, unless no suitable candidate are available, or the post needs to be filled on an urgent basis.
- Will be required to sign an agreement; and
- In addition to an employment contract, committing themselves to full participation in the educational and workplace assignments in accordance with policies and procedures.
- The employer may utilise the jobseeker's database (EPWP inclusive) for selection;
- The person must be unemployed at the time of inclusion on the data base and when the opportunity becomes available;
- The person must be a South African citizen;
- The person must be a resident of the Stellenbosch Municipality area;
- The person must be of a legally employable age;
- The person must be physically fit to work in relation to requirements of position;
- Selection from the database is not a guarantee of employment;

9.2.3 The department who request a temporary appointment must provide a written motivation indicating the operational reasons for the temporary appointment. The motivation must indicate the post on the organogram as well as the cost centre from which the appointment will be financed.

9.2.4 The motivation must be signed by the relevant Director of the directorate in which the appointment is requested and must be submitted to HR. HR must obtain the input from the Director: Corporate Services before submitting it to the Municipal Manager for approval;

9.2.5 Temporary appointments for less than three (3) months may be done from the previous shortlists (not older than 6 months) or the jobseekers database provided they meet the minimum requirements for appointment and are unemployed at that date;

9.2.6 When making temporary appointments for more than three (3) months the candidates will be interviewed before appointing the preferred candidate(s).

a) The Human Resources section will contact the candidates selected by the department to enquire on their availability and invite them for a departmental interview;

b) A member of HR will oversee the process and keep record of the proceedings.

c) HR will inform the recommended candidate and offer him/her the temporary position and ensure that necessary paperwork is completed after approval of appointment by the Municipal Manager; and

d) No person may start work without

9.2.7 All temporary appointments must comply with the provision set out in section 198B of the LRA if the contract is to run for more than three months and above the determined threshold.

9.2.8 In exceptional circumstances the department may motivate for the renewal or extension of the temporary employment contract of a specific temporary employee; and

- A recommendation will be provided by the Director to the Municipal Manager or delegated authority for approval.
- The trade unions must be informed of the recruitment process days prior to the interviews and a representative of each union may attend the process as an observer

9.3 Appointment to a permanent position

9.3.1 The Recruitment and Selection section must present every newly appointed employee with a letter of appointment, signed by the Director: Corporate Services or his/her nominee not later than the day on which she/he starts working in terms of section 29 of the Basic Conditions of Employment Act 1997.

9.3.2 Whenever any of the details contained in such a letter change the Human Resources Services must inform the employee in writing of such changes.

9.3.3 In the event of an employee that cannot read Recruitment and Selection must explain the content of such letter and any amendment thereof to every such employee in a language that she/he understands.

9.4 Probation

9.4.1 The appointment of a person as per this policy shall be effective on a probationary period of six months that can be extended to a maximum probationary period of 12 months. Within one month after the completion of the probationary period, the relevant Director or his or her delegate shall inform Human Resource Management to confirm the appointment if –

a. the staff member's performance during the probationary period was satisfactory; and

b. the staff member complied with all the conditions of the probationary appointment.

c. subject to the Labour Relations Act, terminate the appointment if –

i. the staff member's performance was not satisfactory during the probationary period; and

ii. the staff member did not comply with all the conditions of the probationary appointment

9.4.2 The probationary period shall be determined on the basis of the complexity of the job and the minimum period required to establish whether performance is satisfactory or not.

9.4.3 The relevant Director or his or her delegate shall –

a) inform the staff member within the first two weeks of employment of that member's performance requirements

b) ensure that the staff member completes the Municipality's induction programme; and

c) assess the staff member's performance and provide the staff member with feedback on a quarterly basis on that member's performance.

9.4.4 If a staff member's performance is not satisfactory, the relevant Director or his or her delegate in consultation with the Human Resources performance management section shall advise the staff member of any aspects that the staff member is considered to be failing to meet the required performance standards of the organisation.

9.4.5 If the relevant Director or his or her delegate, in consultation with Human Resource performance management section believes that the staff member's performance does not meet the required standards, he or she may extend the probationary period or dismiss the staff member, provided that –

a) the staff member shall first be given a reasonable period of time for assessment, training, guidance or counselling; and

b) the staff member's performance continues to be unsatisfactory after a reasonable period has been given to the staff member to improve his or her performance.

9.5 Promotion

9.5.1 A staff member who is appointed in accordance with this chapter to a post in a municipality that is higher in salary level or job grade than the one that he or she previously occupied in that municipality is deemed to be promoted to that post.

9.5.2 A staff member who is promoted does not forfeit his or her years of service and the benefits which accrued from those years of service.

9.6 Transfer of staff

9.6.1 A municipality may transfer any staff member in the service of that municipality to any equivalent post in the municipality or, subject to section 197 of the Labour Relations Act, to an equivalent post in another municipality.

9.6.2 A staff member may only be transferred—

a) if the staff member requests or consents, in writing, to the transfer; or

b) in the absence of consent, if the transfer is fair taking into consideration—

i. the operational requirements of the affected institutions, including whether the transfer of the staff member would address such requirements;

ii. written representations from the staff member prior to the proposed transfer; and

iii the extent to which the interests and circumstances of the staff member may be accommodated.

9.6.3 The salary and other conditions of service of a staff member may not be adversely affected by a transfer under this regulation without the written consent of that staff member.

9.6.4 A staff member may not be demoted, promoted or transferred to a position at a level which is lower or higher than the staff member's current post level.

9.7 Secondment of staff to another municipality

9.7.1 A municipality may second a staff member with the relevant competencies to act in a post that is vacant in another municipality.

9.7.2 The municipalities must conclude a written agreement regarding the secondment that specifies—

a) the municipality responsible for the costs of secondment;

b) the duration of the secondment, which may not exceed a period of twelve months;

c) the person to whom the seconded staff member must report;

d) the place at which the seconded staff member must work; and

e) the new job description of the seconded staff member.

9.8 Secondment of other government employees to municipality

9.8.1 The municipality may request national or provincial government, another municipality, or any state organ as the case may be, to second a person with the relevant competencies to act in a vacant post for a specified period or until such time that a suitable candidate has been appointed.

9.8.2 The municipality must inform the MEC of any such secondment and the terms and conditions associated with that secondment.

9.9 Acting appointment

9.9.1 An acting appointment may be made to a funded post in order to ensure that the disruption of services is minimized.

9.9.2 A staff member who is acting in a higher post in the same municipality must continue to perform the duties of the post that the staff member ordinarily occupies during the acting period.

9.9.3 A person acting in a higher post has no right or expectation to be appointed to that post.

9.9.4 A staff member may only act in a post that is equivalent to or one reporting level higher than the post that the staff member ordinarily occupies.

9.9.5 The appointment to act in a post must be with the consent of the staff member; In writing; and authorized.

9.9.6 The staff member appointed to act must have the requisite competencies to be able to perform the duties associated with the post.

9.9.7 A person may only be appointed in an acting position for a period not exceeding three months.

9.9.8 The municipal manager, or delegate, may extend the period for a further period of three months, if there is a justifiable reason to do so.

9.9.9 Any further extensions shall not exceed a period of nine consecutive months.

9.9.10 The performance of a staff member appointed to act in a post must be assessed in terms of these Regulations

10 Induction

10.1 All permanent appointments will be subjected to a induction process through Human Resources. This can be done at a venue with the providers physically there or via a virtual medium if necessary.

10.2 The Recruitment and Selection Section shall ensure, in conjunction with the incumbent, that all appointment documentation has been completed and processed.

10.3 The Recruitment and Selection section will arrange a tour /explanation for the new incumbent of the range of services.

10.4 The Directorate will explain and provide a copy of the job description relating to the new employee's specific position / job function (line management is expected to conduct a full job orientation).

10.5 The Recruitment and Selection section will also explain and provide a copy of the Councils Human Resources Policy and Procedure Manual.

10.6 The Directorate is responsible for the induction of each employee in his/her department in order to familiarise the employee with the department in which he/she has been appointed.

11. Relocation of Newly Appointed Employees

11.1 The Municipality shall pay 100% of an employee's cost (excluding VAT) of moving from his/her current residence on his or her appointment at Stellenbosch Municipality, but excluding any packing and packaging cost, as indicated on the cheapest of the quotations, regardless of the quotation the employee accepts.

11.2 The employee must obtain three written quotations for the relocation of that employee's household and appoint a removal company to relocate her/his household goods. The written quotations obtained by the employee must be attached to her/his claim for reimbursement.

11.3 The employee must reimburse the full amount of the costs to the Municipality if her/his employment with the Municipality is terminated for whatever reason within one year after the relocation claim had been paid. If an employee's service are terminated before two years have been completed the employee must reimburse 50% of the moving costs.

12. DEVIATION

The Municipal Manager may deviate from the provisions of this policy on good cause shown.

13. IMPLEMENTATION AND MONITORING

This policy will be implemented and effective once approved by Council and replaced any previously approved Recruitment and selection policy.

14. COMMUNICATION

This policy will be communicated to all Municipal employees using the full range of communication methods available to the municipality.

15. RECORD KEEPING

Adequate records of the entire selection process need to be maintained, including selection and shortlisting criteria: reasons for inclusion/exclusion of candidates; structured interview guide; copies of all other assessments utilised; comprehensive notes on assessment of each candidate; assessment ratings; reference checks. As in the recruitment process, these records need to be maintained as per the Archive legislation and record management schedules.

16. DISPUTE RESOLUTION

Unsuccessful candidates shall utilise the mechanisms of the Labour Relations Act to address any unhappiness about an appointment made.

17. POLICY REVIEW

This policy will be reviewed every two years or when necessary.

POLICY APPROVED BY COUNCIL: JUNE 2025.

8.4	FINANCIAL SERVICES: (PC: CLLR JC ANTHONY)

8.4.1	MFMA CIRCULAR 131: IMPLICATIONS FOR TOURISM-RELATED EXPENDITURE AND SECTOR GROWTH

Collaborator No:
IDP KPA Ref No:
Meeting Date:

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1. SUBJECT: MFMA CIRCULAR 131: IMPLICATIONS FOR TOURISM-RELATED EXPENDITURE AND SECTOR GROWTH

2. PURPOSE

That Council notes the content of MFMA Circular 131 issued by National Treasury and considers the implications, particularly its potential negative impact on the municipality's tourism development and related activities.

3. DELEGATED AUTHORITY

Municipal Council

4. EXECUTIVE SUMMARY

MFMA Circular 131 provides guidance on Section 67 of the MFMA regarding the transfer of funds by the Municipality to Organisations and Bodies outside of Government. While the intention is to promote financial prudence and eliminate non-essential expenditure, some of the provisions—such as restrictions on events, catering, and promotional spending—may unintentionally hinder the growth and recovery of the tourism sector.

Stellenbosch Municipality, being a renowned tourism destination, may face limitations in executing key marketing and hospitality functions necessary for maintaining its competitive position in the sector.

5. RECOMMENDATIONS

(a) that Council note MFMA Circular 131 issued by National Treasury;

(b) that the potential negative impact of the cost containment provisions on tourism-related activities, including destination marketing, hosting of events, and hospitality engagements, be acknowledged.

6. DISCUSSION / CONTENTS

6.1 Background

Economic Impact of Tourism in Stellenbosch Municipality

a) Contribution to GDP and Economic Activity

Tourism is a pillar of the Stellenbosch local economy, deeply integrated into sectors like hospitality, agriculture, real estate, and the creative industries.

While exact municipal-level GDP contributions from tourism are limited, estimates suggest tourism contributes significantly to Stellenbosch's services sector. Stellenbosch is one of the top-performing municipalities in the Cape Winelands District in terms of tourism-related output.

The wine and agri-tourism sector alone generates billions annually, combining direct tourism spend with wine sales, food services, events, and exports.

b) Employment & Job Creation

Tourism is a major employer in the municipality, especially in:
- Accommodation & hospitality
- Food services
- Tour operators & transport
- Retail (crafts, souvenirs, clothing)

The sector also supports informal and seasonal employment, offering low-barrier entry jobs, especially for youth and women.

c) Spillover Effects in Other Sectors

Tourism strengthens:
- Agriculture (wine, olives, fruit)
- Real estate (short-term rentals, guesthouses)
- Creative industries (art, festivals, crafts)

d) COVID-19 Impact and Recovery

Stellenbosch experienced a tourism revenue drop of over 60% during 2020–2021. Since 2022, the sector has recovered rapidly:
- Events and festivals resumed
- Domestic tourism increased
- Tourism jobs rebounded faster than in many other sectors

e) Strategic Implications

Inclusive tourism development can drive job creation in underserved areas (e.g., Kayamandi, Pniel).

Investment in tourism infrastructure offers high economic multipliers.

1. Stellenbosch Municipality's approach – MFMA Section 67 transfers

2. The municipality approved two policies for MFMA Section 67 transfers, these polices are:

   - Grants in Aid policy
   - Financing of external bodies performing a municipal function

3. The Grants in Aid policy is in line with the guidance issued in the MFMA Circular.

   The Financing of external bodies performing a municipal function policy is not consistent with the guidance issued in the MFMA Circular. However, the process outlined in the policy is fair and transparent.

Summary: Application Process for Funding in terms of the Financing of external bodies performing a municipal function policy.

1. Public Call for Applications

- Stellenbosch Municipality publishes advertisements quarterly in local newspapers inviting applications.
- Advertisements specify categories, closing dates, addresses for submission, and how to obtain the application forms.

2. Eligibility

- Only external bodies (e.g., NPOs, NPCs, trusts) performing municipal functions aligned with the IDP may apply.
- Individuals, organisations with state officials as directors/trustees, or political/ religious entities are ineligible.

3. Required Application Documentation

- Completed application on the prescribed form (Annexure A).
- Cover letter on official letterhead, signed by the head of the organisation.
- Detailed business plan and project description aligned with the IDP.
- Audited financial statements (not older than 24 months).
- Founding documents (constitution/MOI, CIPC, NPO, or PBO registration).
- Detailed project budget and implementation timeline.
- Independent references.
- Creditors control form from Stellenbosch Municipality.
- Details of other sources of funding and previous municipal funding usage.

4. Submission

- Applications must be delivered by the specified closing date to:
- Director: Planning and Economic Development, PO Box 17, Stellenbosch, 7599
- Or delivered in person to 58 Andringa Street, Stellenbosch.

5. Evaluation and Approval

- A Grant Committee (Municipal Manager, CFO, and other officials) evaluates all applications.
- The Committee makes recommendations to Council for final decision.
- Successful applicants must sign a Memorandum of Agreement (MOA).

6. Post-Approval Obligations

- Monthly reporting of actual expenditure to the Municipality.
- Acknowledgement of the Municipality in all public funding communications.
- Adherence to financial controls and reporting as per Section 67 of the MFMA.

6.2 Discussion

MFMA Circular 131 was issued in May 2024 to provide guidance on Section 67 of the MFMA regarding the trasfer of funds by the Municipality to Organisations and Bodies outside of Government.

While the need for clarification and guidance on MFMA Section 67 transfers are understood and supported, the blanket application of restrictions in Circular 131 presents several concerns for Stellenbosch Municipality's tourism mandate:

- Prohibitions or limitations on spending related to events, branding, public engagements, and hospitality can weaken the Municipality's ability to attract visitors and investors.
- The tourism sector, heavily reliant on visibility, experience-based events, and networking, may suffer decreased support due to restricted municipal involvement.
- The limitations may impact joint marketing campaigns, partnerships with tourism entities, and strategic hosting of conferences or festivals—key economic drivers for the region.

These unintended consequences could undermine local economic recovery, job creation and revenue generation, particularly in a municipality where tourism is a core component of development.

6.2.1 Financial Implications

The adoption of MFMA Circular 131 may result in indirect financial losses if tourism activity and investment are reduced as a result of constrained promotional or event-related spending.

6.3 Legal Implications

The municipality is not legally required to comply with the Circular, unless adopted by Council in terms of Section 168 of the MFMA.

6.4 Staff Implications

None

6.5 Previous / Relevant Council Resolutions

None

6.7 Risk Implications

While the Circular seeks to provide guidance on the MFMA Section 67 transfers, the adoption of the Circular may affect growth in the Toursim Sector.

6.8 Comments from Senior Management

6.8.1 Director: Community and Protection Services

I agree with the recommendation. Council should further take note that in terms of the directives of National Treasury Circular 131, the current process to transfer funds to

animal welfare organisations that perform a municipal function, will be irregular, if a SCM process is not followed.

6.8.2 Director: Planning and Economic Development

Supports the item

6.8.3 Director: Infrastructure Services

No comment on the item

6.8.4 *Municipal Manager:*

The Stellenbosch process as it relates to funding tourism and other organisations is not a mere transfer (a process the circular intends to address) but in fact a process that advertised call for proposals and evaluated as per grants policy outlined above. It is therefor proposed that we continue with this process to avoid undue delays.

Annexure 1: MFMA Circular 131

FOR FURTHER DETAILS CONTACT:

NAME	**Kevin Carolus**
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DIRECTORATE	***Financial Services***
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REPORT DATE	

ANNEXURE 1

NATIONAL TREASURY

MFMA Circular No.131

Municipal Finance Management Act No. 56 of 2003

Section 67 of the MFMA: Funds Transferred by Municipalities to Organisations and Bodies Outside the Government

Contents

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1. Purpose of Circular

The purpose of this Circular is to guide municipalities on the implementation of section 67 in the Municipal Finance Management Act 56 of 2003 (MFMA) relating to instances when municipalities transfer funds to organisations or bodies outside of government, i.e. non-governmental organisations (NGOs), which also includes nonprofit organisation (NPOs). This Circular includes an Annexure, which outlines examples of instances where municipalities must follow procurement processes instead of making a transfer payment as contemplated in terms of section 67 of the MFMA. Note that the provisions of section 67 of the MFMA are not applicable to municipal entities.

2. Background

Section 67 of the MFMA outlines a process which must be followed before transferring funds to NGOs in instances where such transfers are not for the actual supply of goods or services. **Where a municipality procures goods and services, even from an NGO, it must comply with the procurement processes as required in terms of section 217 of the Constitution, read with chapter 11 of the MFMA, the Municipal Supply Chain Management (SCM) Regulations and other applicable procurement prescripts, before appointing an NGO to provide goods and services to a municipality.** Section 67 of the MFMA should, therefore, not be used as a mechanism to bypass official public sector procurement legal prescripts as it only enables municipalities to make transfers to NGOs in instances other than through the normal course of providing municipal services.

A transfer within the context of section 67 of the MFMA refers to instances where a municipality does not buy any item or pay for goods or services, regardless of whether it is in furtherance of a municipal assigned or unassigned function. Section 67 of the MFMA provides a mechanism for municipalities to make transfers to organisations or bodies outside of government, such as nonprofit organisations (which include non-governmental organisations and community-based organisations), to enable them to support projects and programmes of these organisations.

Municipalities should prioritise budgeting for sufficient service delivery municipal mandates over budgeting for unassigned functions. Irrespective of whether a municipality is performing an assigned or unassigned function, section 217 of the Constitution will apply to any procurement of goods or services in relation to the performance of the assigned or unassigned function. Therefore, section 67 of the MFMA cannot be used to procure goods and services from NGOs for unassigned functions.

In budgeting for section 67 transfers, municipalities must always take cognisance of sections 62(1)(a) of the MFMA, which stipulates that the accounting officer of a municipality is responsible for managing the financial administration of a municipality and must, for this purpose take all reasonable steps to ensure that the resources of the municipality are used effectively, efficiently and economically. Service delivery must always be prioritised.

3. Council Policy

Municipalities should develop and approve a policy to transfer funds to NGOs in terms of section 67 of the MFMA to ensure transparency and accountability. This policy must govern how a municipality will provide financial assistance to NGOs. Below are some key elements that should be addressed in a section 67 transfer policy:

- **Purpose and objectives:** Clearly state the purpose, desired outcomes, and impacts that the funding aims to achieve.

- **Eligibility criteria:** Specify the eligibility requirements for potential recipients. These criteria may include jurisdiction, project alignment with funding priorities, and compliance with legal and financial standards.
- **Application process:** Outline the process for NGOs to apply for transfer funding. This should include details on the application form, submission deadlines, and required documentation associated with the application.
- **Selection criteria:** Describe the criteria and evaluation process used to assess transfer applications. Explain how applications will be scored and selected for transfer funding.
- **Funding amounts and duration:** Specify the minimum and maximum transfer amounts that can be awarded and the duration of funding support. Address any conditions or milestones that may affect funding levels.
- **Reporting and accountability:** Define the reporting requirements for transfer funding recipients. Explain how recipients will be held accountable for the spending of transferred funds. Outline the responsibilities of the municipality and the transfer funding recipients in ensuring compliance with the funding terms and conditions. Describe the monitoring processes to ensure funds are used appropriately.
- **Payment and disbursement:** Detail the method of disbursement. Specify how funds can be used. This may include budget categories, allowable expenses, and limitations on administrative costs.
- **Amendment and termination:** Address the circumstances under which a transfer agreement may be amended or terminated and the procedures for doing so.
- **Appeals and grievance procedures:** Establish a process for addressing disputes or grievances related to funding decisions or implementation, which should also include reference to a public process as part of the annual budget approval process.
- **Transparency and public information:** Discuss the level of transparency the municipality will maintain regarding funding decisions, recipients, and outcomes. Clarify how information about the transfer program will be communicated to potential applicants, stakeholders, and the public.
- **Legal and regulatory compliance:** Ensure that the policy aligns with all relevant laws, regulations, and guidelines governing grant-making activities.
- **Evaluation and review:** Specify how the section 67 policy will be periodically reviewed and updated to reflect changing needs, priorities, and best practices.
- **Conflict of interest:** Address conflict of interest guidelines for both the municipality's staff and transfer review committee members.

The municipality's section 67 transfer policy should align with its integrated development plan and legal requirements and be regularly reviewed and updated to meet evolving needs.

4. Meaning of "otherwise, than in Compliance with a Commercial or Other Business Transaction"

Section 67 of the MFMA makes reference to "otherwise than in compliance with a commercial or other business transaction". These terms have not been defined in the MFMA and should, therefore, be interpreted based on the ordinary meanings of the words within the context of the scope and purpose of section 67 of the MFMA, as well as the overarching principles in the MFMA. The word "commerce" in general, is defined as the exchange of goods and services between two or more persons and "commercial" generally means one is engaged in commerce. The general meaning of "business transaction" is the process of executing a transaction where goods and services are exchanged between two or more parties. Therefore,

this section was never meant to be applied to procuring goods and services for the municipality's own benefit or even in the case where it is not for the municipality's own benefit.

In *Agribee Beef Fund (Pty) Ltd and Another v Eastern Cape Development Agency and Another* [2023] ZACC 6, the Court confirmed that section 217(1) of the Constitution applies to all public procurement, even if the organ of state is not the direct beneficiary of the goods or services. In line with the principle that section 217(1) is "not confined to instances of procurement of goods and services by an organ of state for its own benefit or use," any arrangement in which an organ of state procures goods and services, must be done in terms of section 217(1) of the Constitution.

5. Irregular Expenditure due to Incorrect Application of Section 67 of the MFMA

Chapter 11 of the MFMA, read together with Municipal Supply Chain Management Regulations apply to the procurement of goods and services. In the context of section 67 of the MFMA, where a municipality receives or is due to receive goods or services from an NGO, the payment for those goods or services cannot be made in terms of section 67 of the MFMA. For a transfer to be in line with section 67 of the MFMA, it must be truly unrequited for the municipality in form and in substance - i.e. the municipality should not receive or have not received any goods and services in exchange for the transfer to the NGO.

Therefore, municipalities must not circumvent the procurement processes by procuring goods and services from NGOs under the guise that section 67 of the MFMA is applicable. Where the municipality procures goods and services in terms of section 67 of the MFMA, instead of the applicable procurement processes, the expenditure incurred will be classified as irregular as defined in the MFMA. If a municipality pays an NGO without following procurement processes, this irregular expenditure must be referred to the Municipal Public Accounts Committee (MPAC) for investigation in terms of section 32(2)(b) of the MFMA. MPAC's recommendations must then be tabled at the next available council meeting. Municipalities must, therefore, identify and address transactions where section 67 was incorrectly applied, as required in section 32 of the MFMA.

6. Financial Misconduct, Financial Offence and Other Offences

The irregular expenditure incurred must also be referred to the municipality's disciplinary board for a financial misconduct investigation in line with section 171 of the MFMA, read together with the Municipal Regulations on Financial Misconduct Procedures and Criminal Proceedings, 2014. If there is suspected fraud or the conduct of the officials also amounts to a financial offence in terms of section 173 of the MFMA, then the matter must also be reported to the South African Police Service for investigation. Municipalities must also take cognisance of section 34 of the Prevention and Combating of Corrupt Activities Act 12 of 2004, where there is suspicion of corruption involving an amount of more than R100,000.

7. The Requirement to Provide Audited Financial Statements

Section 67(1)(a)(iv) of the MFMA requires an NGO that will be receiving a transfer in terms of section 67 to submit its audited financial statements to the municipality. Given the various legal forms an NGO can take, not all NGOs are compelled to have audited financial statements. If the organisation is a nonprofit organisation, then the municipality may, subject to compliance with section 67(4) of the MFMA, enter into an agreement with the relevant organisation requiring that organisation to submit financial statements that comply with the requirements of the Nonprofit Organisations Act 71 of 1997 (NPO Act) instead of submitting audited financial statements as required by section 67(1)(a)(iv) of the MFMA. Note that the possible exemption from submitting audited financial statements is limited to NGOs serving the poor, as contemplated in and subject to section 67(4) of the MFMA.

8. General Budgeting Requirements of Section 67 Transfers

Section 67 of the MFMA read with section 17(3)(j)(iv) of the MFMA, requiring that an annual budget tabled under section 16(2) of the MFMA includes details of proposed allocations to NGOs. Consequently, the municipal council approves NGO transfers as part of the budget, contingent on affordability. The accounting officer, empowered by section 67 of the MFMA, implements these transfers according to the approved budget. Municipalities must ensure that the proposed NGO transfers are clearly indicated in the budget submission to the council, including names of NGOs intended to receive funds.

Municipalities should start the section 67 process by July of the preceding financial year, ensuring provisional NGO allocations are disclosed during consultations on the draft budget. The section 67 policy must state that NGO allocations are provisional and subject to public participation. If objections arise, NGOs must be given a chance to respond to objections, but if the municipality deems their response inadequate, no transfer should be made to an NGO.

9. NGOs Serving the Poor/ Indigent

NGOs serving the poor/ indigent are exempted from compliance with section 67(1)(a) of the MFMA as stated in section 67(4) of the MFMA, subject to the following:

- If the transfer does not exceed a prescribed limit;
- If the accounting officer takes all reasonable steps to ensure that the targeted beneficiaries receive the benefit of the transferred funds; and
- If the accounting officer certifies to the Auditor-General that compliance by that NGO with subsection (1)(a) is uneconomical or unreasonable.

Although section 67(4) of the MFMA might appear to fully exempt municipalities from section 67(1)(a), this exemption is limited and applies only to specific NGO agreement requirements. A funding agreement with the NGO remains necessary, and if compliance is relaxed, the accounting officer must certify in writing to the Auditor-General of South Africa (AGSA) why such compliance would be uneconomical or unreasonable. The certification contemplated in section 67(4) refers to at least a letter to the AGSA.

The minimum considerations that must be included in the AGSA certification are the following:

- The relevant factors behind the accounting officer's conclusion;
- Why compliance with section 67(1)(a) of the MFMA is deemed uneconomical or unreasonable; and
- The compensatory compliance measures the municipality will require from the NGO.

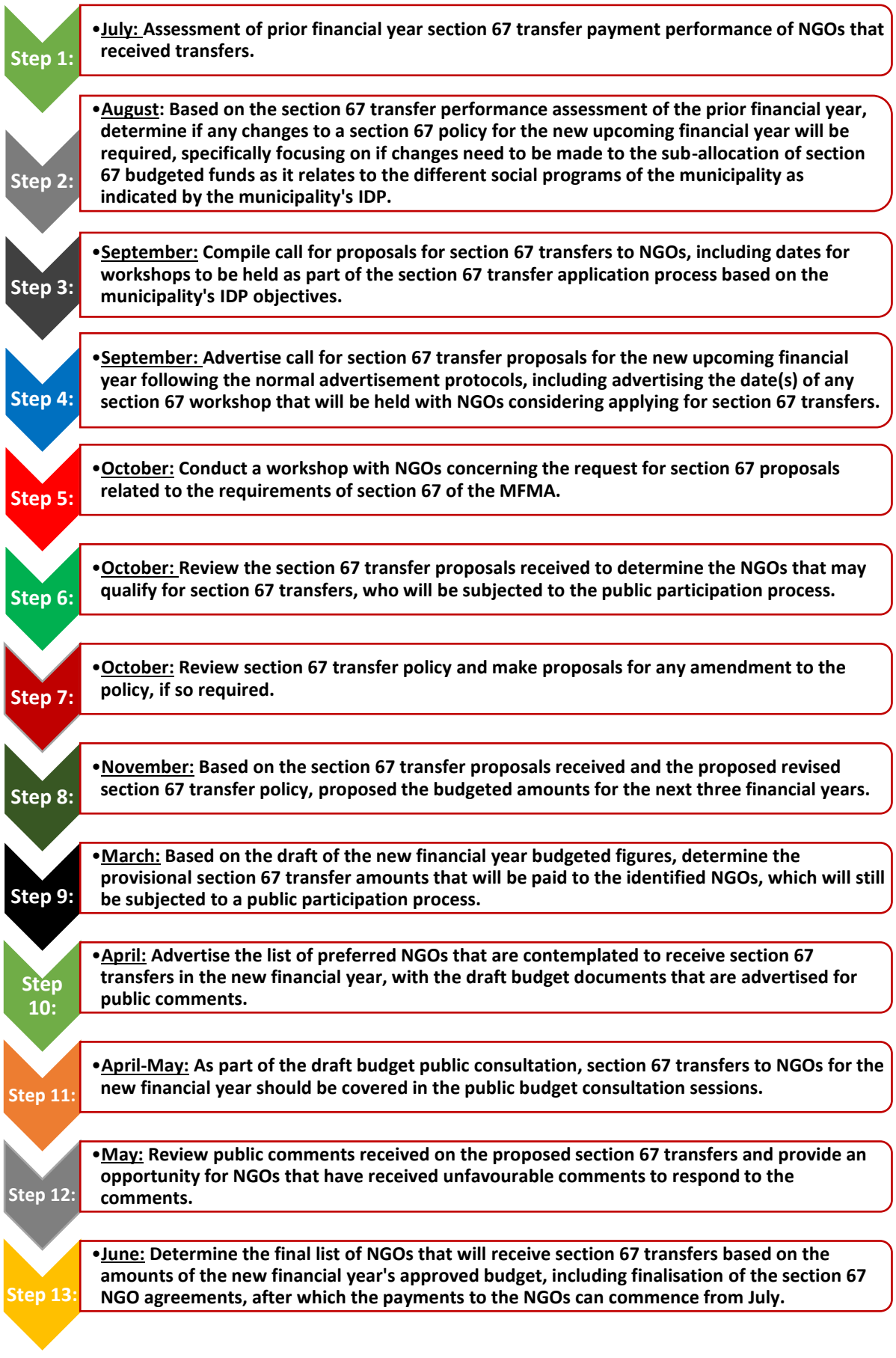
The accounting officer's conclusion must be justifiable, reasonable and fact-specific.

While section 67(4) does not prescribe a limit on the total transfer amount per year, municipalities must consider their budget constraints. Despite relaxed compliance requirements under section 67(1)(a), the accounting officer must ensure internal controls confirm that funds reach intended beneficiaries.

10. Section 67 Application Process Timeline

Transfers in terms of section 67 of the MFMA should be effected in terms of a budget-related policy, and should, therefore, follow a municipality's typical budget process. The following minimum steps are relevant to consider as part of a full-cycle section 67 transfer process.

Figure 1: Steps in a typical section 67 transfer full-cycle process:



11. Conclusion

The municipality's accounting officer must ensure that this Circular, including the Annexure to this Circular, are tabled in the next available Municipal Council meeting by submitting the Circular to the municipality's Speaker as an Annexure to a Council item. The contemplated Council item should explain the Circular and the impact of the Circular on the municipality's operations and policies. The Circular must also be brought to the attention of officials within the municipality, including the municipality's disciplinary board and the audit committee.

All clarification requests concerning this Circular should be emailed to mfma@treasury.gov.za.

Contact

national treasury
Department:
National Treasury
REPUBLIC OF SOUTH AFRICA

Post **Private Bag X115, Pretoria 0001**
Email – General ***mfma@treasury.gov.za***
Website ***www.treasury.gov.za/mfma***

Mr W McComans
Chief Director: MFMA Implementation
31 March 2025

Annexure: Examples of NGO payments that do not qualify as section 67 transfers

Annexure: Examples of NGO payments that do not qualify as section 67 transfers

The National Treasury has observed certain payments made to NGOs in terms of section 67 of the MFMA for goods and services provided to municipalities by the NGO. Below are examples of section 67 payments that should have been subjected to a proper supply chain management process.

The following examples are covered in this Annexure:

- Payments to NGOs providing local tourism promotion/ facilities for the accommodation, care and burial of animal services for which municipalities are responsible;
- Payments to NGOs in the furtherance of crime prevention, including initiatives to support the South African Police Service;
- Sponsorships to sports teams;
- Payments to NGOs/ NPOs operating special rating areas/ City Improvement Districts (CIDs);
- Ward projects; and
- Festivals/ events.

Payments to NGOs providing local tourism promotion/ facilities for the accommodation, care and burial of animal services for which municipalities are responsible

Municipalities have a constitutional mandate to promote local tourism (Schedule 4B) and to provide facilities for the accommodation, care, and burial of animals (Schedule 5B). The National Treasury has noted that some municipalities outsource these services to NGOs in terms of section 67 of the MFMA instead of following a procurement process as required by section 217 of the Constitution. Where tourism promotion and animal care functions are outsourced in this manner, any expenditure incurred should be disclosed as irregular expenditure if not procured through the prescribed supply chain management processes.

Payments to NGOs in the furtherance of crime prevention, including initiatives to support the South African Police Service

Where provincial and national functions have not been assigned to municipalities, such as crime prevention services, and a municipality partners with security firms to procure, maintain, and operate cameras under crime prevention objectives (mandated to the South African Police Services), these services must be procured through a procurement process. Paying any service provider in terms of section 67 of the MFMA without following the legally required procurement process—constitutes non-compliance and must be disclosed as irregular expenditure.

Sponsorships to sports teams or sports organisers

National Treasury has observed that municipalities sponsor sports teams in terms of section 67 of the MFMA for various reasons, including promoting local economic development and tourism. In some instances, irrespective of whether the sports team uses municipal facilities or its own, in order to receive a sponsorship, there will be an obligation to advertise and market the municipality. This is the procurement of a service, and it must follow the necessary procurement process.

When a municipality sponsors a sports team, the sports team or sports organiser's may provide complimentary tickets (including food and beverages) to councillors and officials, which constitutes fringe benefits not covered by the upper limits of councillor remuneration or salary agreements. This non-compliance triggers irregular expenditure and contravenes Regulation 10 of the Municipal Cost Containment Regulations, 2019.

Payments to NGOs/ NPOs operating special rating areas/ City Improvement Districts (CIDs)

Section 22 of the Municipal Property Rates Act 6 of 2004 allows municipalities to designate special rating areas and levy additional rates to fund extra services exceeding the standard level of service in a specific municipal area. Once a special rating area is established, the municipality collects additional rates from property owners in that area. It then pays the collected additional rate over to a nonprofit company (NPC) managing the area.

Payments to the NPC are not section 67 transfers as such payments are made in the normal course of business, e.g. paying a service provider for municipal waste collection or paying a security firm to provide security services for residents/organisations in the special rating area from the additional rates charged. As a result, the payment to the NPC is part of a standard business transaction, much like any other municipal service arrangement.

Ward projects

The basis of budgeting for ward projects lies in the municipality's Integrated Development Plan (IDP), with each ward identifying and prioritising local needs through its ward committee and councillor. These needs, such as youth camps, outreach programmes, and events for the elderly, are communicated to the municipal council as part of the budgeting process. Once the budget is approved, resources are allocated based on overall budgetary constraints, project priorities, and equitable distribution across the municipality.

Where the municipality appoints an NGO to implement ward projects, the required procurement processes must be followed to appoint the NGO. However, if the municipality donates funds to an organisation whose primary objective is to pursue social purposes, compliance with section 67 of the MFMA is required.

Festivals/ events

It has been observed that municipalities host annual events, such as festivals of lights and other cultural and heritage celebrations. Where a municipality appoints an NGO to execute the event, the NGO must be appointed via a procurement process before any payment is made to the NGO for the event services rendered. The municipality cannot simply pay the NGO via section 67 of the MFMA.

Where a municipality procures artists' or bands' services to perform at the festival or event, the artists or bands must be procured following a procurement process before any payment is made to the artist or band for the event services rendered. The municipality cannot simply pay the artist or band via section 67 of the MFMA.

8.5	HUMAN SETTLEMENTS: (PC: CLLR R DU TOIT)

NONE

8.6	INFRASTRUCTURE SERVICES : (PC : R PHEIFFER)

NONE

8.7	PARKS AND OPEN SPACES: (PC: N OLAYI)

NONE

8.8	PLANNING AND LOCAL ECONOMIC DEVELOPMENT AND TOURISM :(PC: DEPUTY MAYOR M SLABBERT)

8.8.1	REQUEST FOR TARIFF FEE REDUCTION AT THE KAYAMANDI CORRIDOR TO FACILITATE SERVICE DELIVERY BY THE SOUTH AFRICAN SOCIAL SECURITY AGENCY (SASSA)

Collaborator No: **787955**
IDP KPA Ref No: **Good Governess**
Meeting Date: **18 June 2025 and 25 June 2025**

1. SUBJECT:REQUEST FOR TARIFF FEE REDUCTION AT THE KAYAMANDI CORRIDOR TO FACILITATE SERVICE DELIVERY BY THE SOUTH AFRICAN SOCIAL SECURITY AGENCY (SASSA)

2. PURPOSE

To attain Council's approval to obtain the necessary authorisation for the intended amendment of an Agreement/ MOU concluded with the government agency, South African Social Security Agency (SASSA) to further reduce the standard tariff for the Kayamandi Corridor Conference Centre from R2 500 (Incl VAT) per day to R592 (Incl. VAT) per day, to align with the current tariff and Agreement/ MOU for the Eike Hall.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

The South African Social Security Agency (SASSA) was awarded a 3-year Agreement/ MOU for the use of premises, within the WC024, on specific days for the administration

of social security applications and enquiries as well as any business related thereto and for no other purpose, except with the written consent of Stellenbosch Municipality.

In order to achieve a cost effective and centralised installation of services, a decision was made to install SASSA services at the Klapmuts Multi-Purpose Centre, Franschhoek Community Hall and the Cloetesville Eike Hall. The current safety challenges in Cloetesville have necessitated the roll-out of the service at an alternative venue, which has been identified as the Kayamandi Corridor Conference Centre.

The amendment to the existing Agreement/MOU between SASSA and Stellenbosch Municipality, which involves relocating SASSA services to the Kayamandi Corridor, will result in additional costs due to the higher tariff associated with the Kayamandi venue. These costs will remain elevated even after applying the 30% reduction in accordance with the tariff policy. SASSA has requested that the Municipality apply the same daily tariff for the Kayamandi Corridor as they are currently paying at Eike Hall, Cloetesville.

5. RECOMMENDATIONS

(a) that the rental amount for the provision of SASSA services be reduced from R2 500 per day to R592, per day; and

(b) that the Municipal Manager be authorised to conclude the contract or agreement after (d) above, is finalized in terms of the applicable Act/Regulation.

6. DISCUSSION / CONTENT

6.1 Background

The South African Social Security Agency (SASSA) was awarded a 3-year Agreement/ MOU for the use of premises, within the WC024, on specific days for the administration of social security applications and enquiries as well as any business related thereto and for no other purpose, except with the written consent of Stellenbosch Municipality.

The objective of the amended Agreement/ MOU is to replace one of the existing premises with an alternative venue, being the Kayamandi Corridor Conference Centre. The Municipality envisages this as a viable alternative as the much-needed services, will remain a centralised option.

A budget of R388 224.00 was allocated by SASSA for the 3-year rental period as per the current Agreement/ MOU, of the three identified venues, which is valid until 31 March 2026.

6.2 Discussion

The South African Social Security Agency, abbreviated as SASSA, Western Cape has entered into an agreement with Stellenbosch Municipality, for the use of the premises on specific days for the administration of social security applications and enquiries, as well as any business related thereto and for no other purpose.

The current premises include the Klapmuts Multi-Purpose Centre, Franschhoek Community Hall and the Eike Hall, Cloetesville.

The current agreements in respect of the premises and rentals to be paid as set out in the table below:

NO.	DESCRIPTION	RENTAL (PER DAY)	DAYS (PER MONTH)	TOTAL DAYS	TOTAL RENTAL
1.	**Klapmuts Multi-Purpose Centre**				
	1st April 2023- 30th June 2023	R 496,00	4	10	R 4960,00
	1st July 2023- 30th June 2024	R 526,00	4	46	R 24 196,00
	1st July- 30th June 2025	R 558,00	4	46	R 25 668,00
	1st July 2025- 31st March 2026	R 592,00	4	35	R 20 720,00
2.	**Franschhoek Community Hall**				
	1st April 2023- 30th June 2023	R 496,00	4	11	R 5456,00
	1st July 2023- 30th June 2024	R 526,00	4	47	R 24 722,00
	1st July- 30th June 2025	R 558,00	4	48	R 26 784,00
	1st July 2025- 31st March 2026	R 592,00	4	35	R 20 720,00
3.	**Cloetesville Eikestad Community**				
	1st April 2023- 30th June 2023	R 496,00	12	37	R 18 352,00
	1st July 2023- 30th June 2024	R 526,00	12	142	R 74 692,00
	1st July- 30th June 2025	R 558,00	12	143	R 79 794,00
	1st July 2025- 31st March 2026	R 592,00	12	105	R 62 160,00
TOTAL AMOUNT					**R 388 224.00**

The ongoing security challenges faced daily in the Cloetesville area greatly impacts the rendering of SASSA services to the communities of Cloetesville and surrounding neighbourhoods, necessitating an alternative venue.

An alternative venue, the Kayamandi Corridor Conference Centre, was identified for use on the following dates:

VENUE: KAYAMANDI CORRIDOR CONFERENCE CENTRE							
RENTAL DATES	**TOTAL DAYS**	**STANDARD RENTAL PER DAY**	**TOTAL RENTAL**	**30% DISCOUNTED RATE**	**TOTAL DISCOUNTED RENT**	**REQUESTED RATE PER DAY**	**TOTAL REQUESTED RATE**
July 2025: 1,2,3,8,9,10,15,16,17,22,23,24,29, 30,31	15	R2 500	R37 500	R1 750	R26 250	R592	R8 880
August 2025: 5,6,7,12,13,1419,20,21,26,27,28	12	R2 500	R30 000	R1 750	R21 000	R592	R7 104
September 2025: 2,3,49,10,11,16,17,18,23,24,25,30	13	R2 500	R32 500	R1 750	R22 750	R592	R7 696
October 2025: 1,2,7,8,9,14,15,16,21,22,23,28,29,30	14	R2 500	R35 000	R1 750	R24 500	R592	R8 288
November 2025: 4,5,6,11,12,13,18,19,20,25,26,27	12	R2 500	R30 000	R1 750	R21 000	R592	R7 104
December 2025: 2,3,49,10,11	6	R2 500	R15 000	R1 750	R10 500	R592	R3 552
January 2026: 13,14,15,20,21,22,27,28,29	9	R2 500	R22 500	R1 750	R15 750	R592	R5 328
February 2026: 3,4,5,10,11,12,17,18,19,24,25,26	12	R2 500	R30 000	R1 750	R21 000	R592	R7 104
March 2026: 3,4,5,10,11,12,17,18,19,24.25,26,31	13	R2 500	R32 500	R1 750	R22 750	R592	R7 696
Total Amount – Standard Rate			**R265 000**				
Total Amount – 30% Discounted Rate					**R185 500**		
Total Amount – Requested Rate							**R62 752**

It is important that a decision is made to amend the current contract/ MOU to reinstate the much-needed services, to our already vulnerable communities.

6.3 Financial Implications

A R1 908,00 reduction in the daily venue cost, will need to be effected, which will then align with the already agreed upon costs until 31 March 2026.

6.4 Legal Implications

6.4.1 An amended contract/ MOU/ Agreement should be recorded and approved by the Accounting Officer or his/her delegate prior to the reinstatement of services by SASSA.

6.4.2 Municipal Finance Management Act (MFMA)
In terms of the current Agreement/ Contract/ MOU entered into between SOUTH AFRICAN SOCIAL SECURITY AGENCY (SASSA) and Stellenbosch Municipality it may be amended by the parties, but only after:

a) The reasons for the proposed amendment have been tabled in the council of the municipality; and

i) Any variation of the conditions of the agreement will be by mutual agreement by both parties and in writing.

6.4.3 Comments from Legal Service

None at present.

6.5 Staff Implications

None.

6.6 Previous / Relevant Council Resolutions:

None.

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: 2025-06-18: ITEM 7.8.1

(a) that the rental amount for the provision of SASSA services be reduced from R2 500 per day to R592, per day; and

(b) that the Municipal Manager be authorised to conclude the contract or agreement after (d) above, is finalized in terms of the applicable Act/Regulation.

FOR FURTHER DETAILS CONTACT:

NAME	Carmen Saville
DIRECTORATE	***Planning & Economic Development***
CONTACT NUMBERS	***021 808 8151***
E-MAIL ADDRESS	***Carmen.Saville@stellenbosch.gov.za***
REPORT DATE	***06 June 2025***

8.9	COMMUNITY SERVICES:(PC:)

8.9.1	REVIEW STELLENBOSCH MUNICIPALITY EARLY CHILDHOOD DEVELOPMENT POLICY

Collaborator No: 787976
IDP KPA Ref No: Dignified Living
Meeting Date: 18 June 2025

1. SUBJECT: REVIEW STELLENBOSCH MUNICIPALITY EARLY CHILDHOOD DEVELOPMENT POLICY

2. PURPOSE

To obtain approval for the review of the Stellenbosch Municipality Early Childhood Developm8ent Policy

3. DELEGATED AUTHORITY

For approval by council.

4. EXECUTIVE SUMMARY

The Department: Community Development is responsible for services relating to children including assistance towards achieving full registration. The department, however, is not responsible for the registration of Early Childhood Development Centres nor for the approvals relating to local government services and processes required. The above-mentioned services and processes are spread among the Provincial Department of Basic Education (previously the Department of Social Development), the Cape Winelands District Municipality Environmental Health and several local government departments. In order to ensure coordinated service delivery between the above-mentioned entities, a policy has been developed to provide a framework and guide as to the process for the registration of ECD facilities in Stellenbosch Municipal area. Comments on the Children's Amendment Bill has been submitted through SALGA, but it is not near to being enacted. The changes suggested in the Amendment Bill is thus not included in this review of the policy.

The review of the policy takes into consideration the migration of the registration function from the Department of Social Development to the Department of Basic Education.

5. RECOMMENDATIONS

(a) that MayCo support the revised Early Childhood Development Policy for submission to Council;

(b) that the revised Early Childhood Development Policy be approved in principle for public comment; and

(c) that the policy be brought back to council for consideration after the public participation process.

6. DISCUSSION / CONTENTS

6.1 Background

Stellenbosch Municipality has an approved Early Childhood Development Policy which was adopted for the first time in 2018 which has been reviewed in 2022. It is currently eligible for review again and although the Children's Amendment Bill has not yet been enacted, the migration of the function from the Department of Social Development to

the Department of Basic Education necessitates the review of the policy to bring it in line with this development.

6.2 Discussion

The above-mentioned migration already occurred in 2023, but it took the Department of Basic Education some time to provide guidance to the sector and local authorities on the processes they will implement relating to the registration of the Early Childhood Development facilities. To date a number of meetings and imbizo's has been hosted by the Department of Basic Education to explain their roadmap and the way forward.

These initial sessions indicated to the sector that until the Department of Basic Education themselves has developed their own processes, the registration process will continue as per previous processes.

The Department Community Development also migrated from the Department Local and Economic Development to the Community and Protection Services Department since the original policy approval. Since then, the Community Development Department developed a Standard Operating Procedure in association with the Department Social Development, Cape Winelands District Municipality and Stellenbosch Municipality officials involved with the registration process. The agreed upon operating procedures further necessitated changes to the current policy in that the initial stage of registration was moved from the Department of Social Development to the Community Development Department to allow for coordination of the registration process as it progress through the different legislative processes and entities.

6.3. Financial Implications

Financial implications as per approved budget.

6.4 Legal Implications

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

6.5 Staff Implications

This report has no additional staff implications to the Municipality.

6.6 Previous / Relevant Council Resolutions:

16TH COUNCIL MEETING: 2018-03-28: ITEM 8.3.1 RESOLVED (nem con) that the draft Early Childhood Development Policy be approved.

5TH COUNCIL MEETING: 2022-05-25: ITEM 11.2.2 RESOLVED (nem con)

(a) That Council notes the impending legislative changes and the resulting impact on local government capital and operation budgets;
(b) That Council approves this review of the Stellenbosch Municipality ECD Policy without changes; and
(c) That the Policy be reviewed and submitted back to Council once the above mentioned legislation has been enacted, whereafter the public participation process will ensue.

6.7 Risk Implications

Risks are addressed through the content of the report.

6.8 Comments from Senior Management:

6.8.1 *Director Community and Protection Services:*

Support the report.

6.8.2 *Director Engineering Services:*

Received comments has been incorporated in policy.

6.8.3 ***Director Planning and Economic Development:***

Comment received in relation to the role and responsibilities of the Building Development Management Department. Comments were incorporated into the item.

6.8.4 ***Chief Financial Officer***

No comment received by the due date.

6.8.5 ***Municipal Manager and Director Corporate Services:***

Support the draft changes.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2025-06-18: ITEM 7.9.5

(a) that MayCo support the revised Early Childhood Development Policy for submission to Council;

(b) that the revised Early Childhood Development Policy be approved in principle for public comment; and

(c) that the Policy be brought back to Council for consideration after the public participation process.

ANNEXURES

Annexure A: Review of Early Childhood Development Policy (with track changes)

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	23/05/2025

ANNEXURE A

EARLY CHILDHOOD DEVELOPMENT POLICY
STELLENBOSCH MUNICIPALITY
~~DRAFT~~REVIEW

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1. ABBREVIATIONS

CBO: Community-based organisations concerned with helping the community local to the Organisation. CBOs are not for profit organisations. Also see NGO.

CWDM: Cape Winelands District Municipality

DBE~~SD~~: Department of ~~Social Development~~: Basic Education: Western Cape

DSD: Department of Social Development

ECD: Early Child Development Is the process of emotional, mental, spiritual, moral, physical and social development of children from birth to nine years.

GiA: Municipal Grant in Aid funding annual donations

NGO: Non-Government Organization

NQF: National Qualifications Framework

PHC: Primary Health Care

SM: Stellenbosch Municipality

sqm: Square metre

SSO: Social Service Organisation (Implementing Support Partner)

WC024: Local municipal area of Stellenbosch Municipality, South Africa

2. GLOSSARY

"Baby/infant": A child from 0-18 months old.

"Child": A person under the age of 18 years.

"Child minder": A person who provides care and early learning for up to six children, typically in their own homes. Also in some contexts referred to as "day mothers".

"Collaboration": Involves networking, cooperation and coordination, and also involves improving the capacity of partners for mutual benefit and attainment of a common purpose.

"Communicable disease": A disease that can be passed on to others e.g. scabies, chickenpox, measles.

"Cooperation": Includes the exchange of information for mutual benefit, aligning activities for a common purpose and sharing resources for mutual benefit.

"Coordination": Involves information exchange and aligning activities to work.

"Department": In this policy, "Department" refers to the Department of ~~Social Development~~Basic Education (DBE~~SD~~).

"Development appropriate": This term is used to describe activities, equipment or programmes. It is a way of working with children that takes note of what is known about child development and also what is known or learnt about each child and his/her development.

"Disability": Persons (young children) with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which, in interaction with various barriers, may hinder their full and effective participation in society on an equal basis with others

"Director-General": In this policy, Director-General refers to the Director-General of the National Department of ~~Social Development~~Basic Education.

"Early Childhood Development Centre": Is a partial care facility that provides an early childhood programme with an early learning and development (ECD) focus for children from birth until the year before they enter Grade R/formal school.

"ECD Forums": Is a structure that allows for communication between ECD Sector and government on issues related to ECD. The forum is open to individuals and organisations with an interest in promoting early childhood development. The membership of ECD forums can includes civil society, representatives from government, higher education institutions, training providers, other forums and associations, businesses, and interested individuals. The underlying characteristic of a forum is that forum members are able to share decision making, resources and credit. ECD Forums emerge as spaces which enable active citizenry, broadly defined as participation in civil society, community and/or political life characterised by mutual respect and non-violence and in accordance with human rights and democracy.

"Early LearningCD Practitioner": A person who provides early childhood development services through formal early childhood development programmes, family services, playgroups and training, as well as those providing management support services to these workers.

"ECD Programmes": Programmes that provide one or more forms of daily care, development, early learning opportunities and support to children from birth until the year before they enter formal school. These programmes include, but are not limited to:

- Community-based play groups operating for specific hours;
- outreach and support programmes for young children and their families/caregivers, at a household level;
- parenting support and enrichment programmes;
- support for the psycho-social needs of young children and their families;
- ECD programmes provided at partial care facilities and at child and youth care facilities, as contemplated in section 93 (5) of the Children's Act; and
- any other programme that focuses on the care, development and early learning of children from birth until the year before they enter formal school.

"ECD Services": Services or support provided to infants and young children or to the child's parents or caregiver by a government department or civil society organisation. The intention of ECD services are to promote children's behavioural competencies and enable them to participate meaningfully in their homes and community environments.

"Environmental Health Officer": (Also known as Public Health Inspectors or Environmental Health Practitioners) are responsible for carrying out measures to protect public health, including administering and enforcing legislation related to environmental health and providing support to minimize health and safety hazards. They are involved in a variety of activities, for example inspecting food facilities, ECD facilities, investigating public health nuisances, and implementing disease control. Environmental Health Officers are focused on prevention, consultation, investigation, and education of the community regarding health risks and maintaining a safe environment.

"Grant in Aid": Stellenbosch Municipality annual Grant in Aid funding donations. Refer to Grant in Aid policy.

"Municipality": Stellenbosch Municipality serving the community within the geographical area known as WC024.

"Non-Government Organization": All non-governmental and non-profit organisations that are concerned with the betterment of society or the individual. NGOs are private, self-governing, voluntary organisations operating not for commercial purposes but in the public interest, for the promotion of social welfare and development, religious, charity, education, sports, arts and culture and research.

"Pre-school child": A child under six years of age not yet attending formal school.

"Qualification": means formal recognition of the achievement of the required number and type of credits and such other requirement at specific levels of the NQF as maybe determined by the relevant bodies registered for such purpose by the South African Qualifications Authority.

"The Act": For the purpose of this policy it means the Children's Care Act (38 of 2005).

"Vulnerability": means a heightened or increased exposure to risk as a result of one's circumstances.

3. EXECUTIVE SUMMARY

The population of Stellenbosch Municipality is estimated to be ~~155 733~~199 325 according to the ~~Stellenbosch Municipal IDP~~Western Cape Socio-Economic Profile. Children between the ages of 0-4 years constitute 4.3% which is the second highest age category in the municipal area.

According to Department of ~~Social Development~~Basic Education, there are two hundred and twenty six (226) Early Childhood Centres operational in the WC024.

Of these only fifty eight (58) ECD's are registered with the Department of ~~Social Development~~Basic Education. Thirty (30) of the registered ECD's are funded by DBE~~SD~~. In a survey completed by the municipality in 2016 all ECD's were captured on the GIS database of these 134 ECD's were found to be active.

Approximately 37% of South African children aged 0–4 years attended ECD centres. However, ECD activities were not provided for at all these facilities. This means that most of the children do not have access to an ECD centre which provides proper stimulation and supports the case to plan for support to ECD centres as well as inclusion of these centres in future town planning.

The sensitivity of the brain in the early stages of development determines the functioning of the child's brain at a later stage. From a development perspective it is vulnerable to biological, social and environmental risk factors. The risk factors associated with children not attending ECD centres include the following:

- ***Poverty:***
  Poverty is widely recognised as "a root cause of poor child development". Low socioeconomic status is a key predictor of poor early childhood development. Persistent, cumulative poverty and exposure to hardship in the first years of life has a detrimental effect on cognitive functioning, with the impact being stronger on verbal, compared to non-verbal skills.

- ***Malnutrition:***
  Poor infant and child nutrition, especially in the period between conception and the age of two years, can lead to irreversible stunting and delays in growth resulting in poor cognitive development, and ultimately lower educational and labour market performance. Poor maternal nutrition, such as lack of folic acid in the early antenatal period, can cause significant structural damage to the foetus in utero.

- ***Stunting:***
  Low height-for-age is caused by chronic malnutrition which is, in turn, predictive of poor cognitive and language development. The impact of poor nutrition on the child's development is particularly pronounced in the first two years of life. Even if children catch up in terms of length, the impact of stunting on brain development in this critical early period may well endure. On average, children who are stunted by age 2 go on to complete fewer years schooling than peers, perform poorly at school and generally earn less as adults.

- ***Low birth-weight:***
  Infants with low birth-weight (< 2 500 grams) have a bigger lifetime risk for cardiovascular disease, diabetes and learning difficulties.

- ***Infectious diseases in pregnant women, infants and children:***
  Antenatal infections in pregnant women, such as syphilis and rubella, as well as diseases in infants and young children, such as measles, meningitis, middle ear infection, diarrhoea, parasitic infections and HIV, may negatively affect the young child's physical and cognitive development

- ***Environmental toxins:***
  Pre- and post-natal exposure to environmental toxins such as alcohol, drugs, chemicals and pesticides can cause irreversible damage to the developing brain and resultant cognitive, physical, emotional, and social development of the embryo (first trimester), foetuses (second and third trimester) and the baby.

- ***Stress:***
  In the absence of a supportive caregiver to buffer children against stress brought about by factors such as abuse and neglect, severe maternal depression, parental substance abuse, family violence and extreme poverty "tolerable stress" becomes "toxic stress".

  Toxic stress can lead to cognitive damage, health-damaging behaviours and harmful adult lifestyles as well as greater susceptibility throughout childhood and later adult life to physical illnesses, such as cardiovascular diseases, obesity, diabetes and others, with probable accompanying mental health problems such as depression, anxiety disorders and substance abuse.

- ***Exposure to violence:***
  The social and emotional development of infants and young children, who are exposed to violence in their family circles and communities, and who do not enjoy the protective buffering of strong and supportive caregiving, is compromised particularly if corporal punishment is involved.

  They are at a greater risk of insecure attachments and behavioural problems, reduced levels of pro-social behaviour, increased aggressive behaviour, and an inability to regulate their emotions.

- ***Psychosocial risks:***
  Maternal depression presents a significant risk to the cognitive, physical, social and emotional development of infants and young children. Maternal depression often leads to unresponsive caregiving. However, the relationship between 'maternal depression and compromised early child development is multilevel and cumulative' because poverty, low education, high stress, lack of empowerment and poor social support are also risk factors for poor child development.

- ***Disrupted caregiving - absent parents, ill parents, non-parent caregivers or abandonment:***
  Disruptions of parental caregiving due to illness or death of the caregiver or abandonment of the child, and the assumption of the caregiving role by a non-parent caregiver, creates a risk of bullying, mental health problems, abuse as well as emotional and behavioural problems in infants and young children. Infants and young children living without their biological parents are especially at risk of being denied the care necessary for their physical and psychosocial well-being.

- ***Disabilities:***
  Approximately 23% of children between birth and 9 years of age in low and middle-income countries are at risk for disabilities. Whilst this is indicative of their compromised development, children with disabilities are in addition, at risk of low access to early childhood development services and at an increased risk of poor quality care.

  Services for children with disabilities:
  Currently, there are no reliable national estimates of child disability, especially for children under 5 years of age. An estimated 474 000 children live with severe disabilities in South Africa. In addition, many more children may have mild to moderate disabilities.

  Children in rural areas are slightly more likely to have some form of serious disability (2.7%) than children in urban areas (2.3%). An estimated 40 % of disabilities affecting children are due to preventable causes, i.e. birth asphyxia, infections, etc. A crucial starting point to ensure the development of children with disabilities is early identification to facilitate proper planning, targeting and provision of adequate resources and services. This is hampered by poor or absent screening at PHC pre-school child level. High-quality assessments by trained professionals are often required; however, there is a shortage of appropriately skilled staff and resources.

  Once children are identified as being disabled, they require on-going support, intervention and referral, and may need rehabilitation services. Such services are not widely available. Currently there is only one known facility in WC024 to deliver services to children with disabilities.

  The current provision of early learning and development programmes, mainly provided through the NPO and private sectors, do not ensure environments conducive to learning by young children with disabilities. Shortcomings in services and support extend beyond the health sector.

  Analysis of the profile of Care Dependency Grant (CDG) beneficiaries in 2006 found that only 24 per cent of children from birth to 6 years of age attended an early childhood development centre or child-minding group. Only a small proportion of children with disabilities (4 to 5%) are estimated to be attending early childhood development programmes offered at partial care facilities.

  (It is noteworthy how some of the social and health risks above can be linked to problems within communities identified through the IDP process of Stellenbosch Municipality.)

Therefore this policy on Early Childhood Development~~In conclusion, this policy on early childhood development~~ centres is premised on a distinction between registered and ~~the reality of~~ unregistered facilities as a means of reflecting and providing for the variations in demand for ECD facilities and services.

Thus, Stellenbosch Municipality has to ensure that ECD facilities, child care centres or play parks are part of Town Planning and New Housing Projects, in order to accommodate the children within the area. It is therefore the responsibility of Stellenbosch Municipality to identify suitable land and provide infrastructure under the constitutional mandate "child care facilities" as listed in schedule 4B.

The motivation for a standard policy for ECD centres for Stellenbosch Municipality arises from:

- The growth in the number of applications for ECD centres linked to the population growth.
- The growth in the number of informal facilities vs. formal facilities.
- The mushrooming phenomena of ECD facilities within the municipal area
- Ignorance among ECD practitioners regarding the Children's Act 38 of 2005, Chapter 5 (registration compliance).
- The need to ensure ECD's within WC024 are accessible to children with disabilities.
- The prevalence of issues pertaining to ECD centres; particularly the impact of noise and traffic.

This policy must provide a framework to assist officials in assessing applications for ECD centres as well as ~~a~~ guide~~line as to~~ how matters relating to ECD centres should be dealt with collaboratively.

4. THE PURPOSE OF THIS POLICY

This policy will outline a guiding framework within which an integrated and holistic ECD service within Stellenbosch Municipality would be implemented to ensure sustainability and innovation.

The purpose of the Stellenbosch Municipality ECD Policy is to:

4.1. Ensure the sufficient availability of, and equitable access to, early childhood development services through an integrated system which is embedded within a coherent legal framework that identifies, enables and compels the fulfilment of early childhood development roles and responsibilities of relevant role players within the Stellenbosch municipal jurisdiction;

4.2. Establish the organisational and institutional arrangements necessary to lead, plan for, implement, coordinate and monitor the provision of early childhood development services and support;

4.3. Ensure the provision of adequate public funding amongst others through the annual municipal budget and infrastructure for sustainable availability of, and equitable access to, quality comprehensive early childhood development services; and

4.4. Establish appropriate monitoring, quality assurance and improvement systems to secure the provision of quality early childhood development services and outcomes for young children in Stellenbosch.

5. SCOPE AND APPLICATION

This policy is a guide for the assessment of proposals for the development or establishment of ECD centres in Stellenbosch and subsequent support to such centres after its establishment. It is applicable to the founding of ECD's in accordance with all different definitions of ECD centres; viz. aftercare centres; crèches; home childcare facilities; nursery schools; play groups; pre- schools; educare centres and/or similar facilities.

6. OBJECTIVES

The predominant objective of this policy is to increase the number of children who have access to registered ECD Centres compliant with health and safety requirements and satisfy the educational development needs of a child. To this end Stellenbosch Municipality aims to provide a firm educational foundation for children that enter the formal schooling system by:-

6.1. Increasing the number of registered ECD facilities by facilitating part of the registration process which falls within its ambit;

6.2. Improving the time taken for registration by internal and external collaboration of documented standardized processes;

6.3. Expanding and facilitating integrated ECD services through internal and external collaboration. This will be achieved through the municipal internal committee, ECD Forums and also working in partnerships with NGO's and governmental departments;

6.4. Improving awareness and training on ECD requirements for internal and external stakeholders.

7. LEGISLATIVE FRAMEWORK

The historical overview of legal and scientific foundations for the public provision of early childhood development services is based on international legal and developmental frameworks. Government ratified and/or endorsed a number of international and regional rights and development instruments, including, but not limited to, the following:

7.1. Constitution of South Africa, 1996 –

7.1.1. Section 28 (1) of the Constitution of the Republic of South Africa specifies the rights of children including, the right

7.1.1.1. To a name and a nationality from birth;

7.1.1.2. To family care or parental care, or to appropriate alternative care when removed from the family environment;

7.1.1.3. To basic nutrition, shelter, basic health care services and social services;

7.1.1.4. To be protected from maltreatment, neglect, abuse or degradation;

7.1.2. Section 28 (2) also requires that a child's 'best interests' are of paramount importance in every matter concerning the child.
7.1.3. Section 152(1) (b) compels local government to ensure the provision of services to communities in a sustainable manner.
7.1.4. Section 153(1) of the Constitution provides that a municipality must structure and manage its administration and budgeting and planning processes to give priority to the basic needs of the community, and promote the social and economic development of the community and participate in national and provincial development programmes.
7.1.5. According to Schedule 4 Part B of the Constitution, municipalities are responsible for "Child care Facilities", to the extent set out in section 155 (6) (a) and (7) of the Constitution.

7.2. Children's Act, No 38 of 2005

7.2.1. The Children's Act forms the context for this policy and Stellenbosch Municipality's position on ECD matters. The aim of this Act includes provision for early childhood development, partial care (Chapter 5) of children, child and youth care centres and drop-in centres.

7.2.1.1. Section 76: defines partial care as: "when a person, whether for or without reward, takes care of more than six children on behalf of their parents or care-givers during specific hours of the day or night, or for a temporary period, by agreement between the parents or care-givers and the provider of the service, but excludes the care of a child: -by a school as part of tuition, training and other activities provided by the school; as a boarder in a school hostel or other residential facility managed as part of a school; or -by a hospital or other medical facility as part of medical treatment provided to the child."

7.2.1.2. Section 79: requires norms and standards for partial care (which include a safe environment for children), while Section 80 requires facilities to be registered with the Department of ~~Social Development~~Basic Education.

7.3. Local Government Municipal Systems Act (Act No 32 of 2000)
Section 4 (2) (j) of the Municipal Systems Act states that the council of the municipality, within the municipality's financial and administrative capacity and having regard to practical considerations, has the duty to contribute, together with other organs of state, to the progressive realisation of the fundamental rights contained in section 27 of the Constitution.

7.4. Local Government Municipal Financial Management Act (Act No 56 of 2003)
Chapter 8: 'General financial management functions' of the Municipal Finance Management Act states that "the accounting officer of a municipality is responsible for managing the financial administration of the municipality and for this purpose take all reasonable steps to ensure that "resources of the municipality are used effectively, efficiently and economically." In other words the local municipality has to ensure that there is funding/resources available to improve ECD services. This includes under-utilized facilities. The municipality also has to ensure that these resources and/or funding is being utilised effectively. Therefore capacity building and monitoring needs to implement these resources to be efficiently utilised.

7.5. The United Nations (UN) Convention on the Rights of the Child (CRC) (ratified in 1995)

7.6. The Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) (ratified in 1995)

7.7. The African Charter on the Rights and Welfare of the Child (ACRWC) (ratified in 2000)

7.8. The UN Convention on the Rights of Persons with Disabilities (CRPD) (ratified in 2006);

7.9. The UN Millennium Development Goals (MDGs) (adopted in 2000)

7.10. The UN Sustainable Development Goals (adopted 2015)

7.11. UNESCO Dakar Framework of Action for Attaining Education for All (EFA) (adopted in 2000);

7.12. The UN World Fit for Children (adopted in 2002)

7.13. UNESCO Moscow Framework of Action and Cooperation: Harnessing the Wealth of Nations (2010)

7.14. The Paris Declaration on Food Security and the Rome Declaration on Nutrition (November 2014)

8. POLICY PARAMETERS

8.1. This policy must be used to guide services for the registration of ECD centres and assessment of proposals for the development or establishment of ECD centres in the Stellenbosch Municipal Area, including subsequent operational management and support to such centres, as well as to provide guidance to existing centres.

8.2. This policy addresses all facets of ECD facilities, including those that operate in the less formal settlements but does not deal with facilities relating to formal schooling, with the only exception being aftercare services that operate within the ECD centres/facilities.

8.3. Transversal nature: This policy has transversal implications. It is thus essential for Stellenbosch Municipality (Planning and Economic Development, ~~Human Settlements and~~ Property Management, Community and Protection Services, Engineering Services and Finance), the Provincial Departments of Health and ~~Social~~ Basic Education~~Development~~, the District Municipality and ECD Forums to work collaboratively in implementing the policy.

9. ROLE PLAYERS AND STAKEHOLDERS

The following role players are identified for the purpose of implementing the policy provisions:

9.1. Stellenbosch Municipality

9.1.1. Planning and Economic Development Directorate

9.1.1.1. **Land Use Management** Department is responsible for the affording of land use rights through zoning, re-zoning, temporary departures and consent use applications according to the Stellenbosch Municipal Zoning Scheme. Cost relating to these applications will be approved annually in the municipal tariffs with special dispensation for ECD applications. The department is represented on the municipal internal ECD committee and responsible to ensure that no new township establishments are approved without making provision for suitable ECD service delivery.

9.1.1.2. **Building Development Management** is responsible for the building plan application process, mandatory inspections during construction in compliance of approved building plans, as well as the issuing of Certificated of Occupancy. The Department is represented on the municipal internal ECD committee and responsible to ensure regulatory compliance in terms of the National Building Regulations Act and all applicable legislation to ensure health and safety for all.
~~**Building Control** is responsible for the approval of building plans, inspection of completed works and issuing of occupation certificates.~~

Commented [MA1]: Comments provided by Kululekani Donald Makeleni

9.1.1.2. The **Housing Development Integrated Human Settlements Department** is responsible to ensure that no new housing development projects are approved without provisioning for suitable ECD service delivery.

~~9.1.1.2.~~

~~9.1.1.3.~~1.1.1.3. ~~**Community Development Department** is the lead department tasked with internal and external collaboration between all the role players and thus the driver of the municipal internal ECD committee. The department is also responsible for all approved ECD applications to be registered on the municipal GIS database for ECD centres and to provide support to the ECD sector and forums within the municipal area.~~
~~Further to the above, the Community Development Department is responsible:~~

- ~~To ensure that the municipality align its services with the Children's Act in terms of registration and the Constitution in terms of the best interest of the child.~~
- ~~To ensure that we give the ECD sector support and partnership in terms of providing efficient services such as capacity building; funding (Grant in Aid Funding) in order~~

~~for them to provide efficient services within the Stellenbosch Municipal area.~~

- ~~To provide support to the local ECD forums in terms of sustainability and dissemination of information to all bodies that provides ECD services in the municipal area.~~
- ~~Parenting and family support programmes as envisaged through chapter 8 of The Act and the White Paper on Families (2012).~~

9.1.2. **Corporate Services**

9.1.2.1. The **Property Management Department** is responsible for identification of possible land or underutilized facilities for ECD centres. The department in consultation with Legal Services is responsible to sign lease or facility management agreements between Stellenbosch Municipality and appointed registered ECD NGOs that operates from Council owned facilities.

The department can and should take responsibility for ECD infrastructure development on identified land or at existing municipal facilities.

~~9.1.2.2. The **New Housing Department** is responsible to ensure that no new housing development projects are approved without provisioning for suitable ECD service delivery.~~

9.1.3. **Community and Protection Services**

9.1.3.1. **Environment, Sport and Facilities** is responsible for the identification of new parks and the linkage between ECD locations and new and existing parks. Community parks in close approximation of ECD centres must receive priority attention regarding upgrading and maintenance. The department is also responsible to make community facilities available for implementation of children's activities such as the "come and play" programme. This will be done by implementing a fair tariff structure to recognise community based ECD centres and facilities. Tariffs will be advertised annually as part of the Draft Budget for public comment. Community facilities which can also be used to implement ECD capacity building training sessions should be made available for this purpose. Where possible underutilized community facilities can be made available for the establishment of ECD centres after consultation with the community and in an open and fair tender process. To note: Sport facilities are excluded from this policy, but will be taken on review after the approval of a Sport Facility Management Model.

9.1.3.2. **Library Services** as a local agent for the provincial Department Culture, Arts and Sport is responsible for the provision of well-resourced child-friendly libraries. A library service should investigate collaboration with specialized toy library services if they cannot operate a toy library services by themselves. Further support to ECD centres include holiday programmes, active reading and story-telling programmes as well as availing library halls to ECD centres for activities.

9.1.3.3. **Fire and Emergency Services** assess the ECD facility for its compliance with the national fire regulation and issues fire safety certificates. The department will be represented on the municipal internal ECD committee. Educational programmes for ECD centres on fire prevention will be conducted by the department.

9.1.3.4. **Disaster Management** will implement an educational programme aimed at prevention of disasters at ECD centres.

9.1.3.5. **Traffic Services** will conduct road safety education programmes at ECD centres. Centres in areas with high traffic volumes during the times when children are dropped off or picked up. ~~from t~~The centre can apply for traffic calming measures at Engineering Services.

9.1.3.6. **Community Development Department** is the lead department tasked with internal and external collaboration between all the role players and thus the driver of the municipal internal ECD committee. The department is also responsible for all approved ECD applications to be registered on the municipal GIS database for ECD centres and to provide support to the ECD sector and forums within the municipal area.
Further to the above, the Community Development Department is responsible:

- To ensure that the municipality align its services with the Children's Act in terms of registration and the Constitution in terms of the best interest of the child.
- To ensure that we give the ECD sector support and partnership in terms of providing efficient services such as capacity building: funding (Grant in Aid Funding) in order for them to provide efficient services within the Stellenbosch Municipal area.
- To provide support to the local ECD forums in terms of sustainability and dissemination of information to all bodies that provides ECD services in the municipal area.
- Parenting and family support programmes as envisaged through chapter 8 of The Act and the White Paper on Families (2012).

~~9.1.3.5.~~

9.1.4. **Engineering Services Directorate**

9.1.4.1. Bulk Infrastructure (Electricity, Water, Sewage) in formal areas:
Water and Sewerage
Stellenbosch Municipality supplies potable water to the entire municipal area through existing bulk water infrastructure consisting of Water Treatment Plants, Reservoirs and bulk and network water distribution systems. Sewerage is being collected through a collector pipe network and outfall sewer system to be treated at various treatment works throughout Stellenbosch area. Water and Sewer Future plans and Master Plans are kept up to date to enable SM to plan, budget and implement enhancements to the existing infrastructure. All the formal erven in the urban areas of Stellenbosch Municipality's Management Area are provided with water connections and waterborne sanitation

facilities (higher level of service).~~Stellenbosch Municipality supplies potable water to the entire municipal area through existing bulk water infrastructure consisting of Water Treatment Plants, Reservoirs and bulk and network water distribution systems. Sewerage is being collected through a collector pipe network and outfall sewer system to be treated at various treatment works throughout Stellenbosch area. Water and Sewer Future plans and Master Plans are kept up to date to enable SM to plan, budget and implement enhancements to the existing infrastructure. All the formal erven in the urban areas of Stellenbosch Municipality's Management Area are provided with water connections and waterborne sanitation facilities (higher level of service).~~

~~9.1.4.2. Water, sewage and electricity in informal areas:~~
~~Water and Sewerage~~
~~Poverty reduction and improved water management are in extricable linked. Section 4B of the Constitution lists water and sanitation services, limited to potable water supply systems and domestic waste water and sewerage disposal systems, as a local government function. 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 services. While the provision of basic water services is the most important and immediate priority, Water Services Authorities move to provide intermediate and higher levels of services (for example water on site) wherever it is practical possible. Stellenbosch Municipality works towards providing all households in the towns with a water connection inside the house and connecting all households to a waterborne sanitation system. Communal standpipes and ablution facilities are provided in the informal areas as a temporary emergency service and comply with the legal minimum requirements of service delivery to informal settlements.~~

Electrical Services: Stellenbosch municipality is responsible for the provision of electricity within the WCO24. However, there are a few areas within the WCO24 that are Eskom or Drakenstein areas of supply. These areas are: Wemmershoek, Pniel, James Town, Vlottenburg, Raithby, La Motte, Groendal, Klapmuts and Koelenhof. All the areas in the WCO24 area of supply have access to electricity. It may happen that there aren't service connections to the houses or structures, in which case an application is to be submitted to the municipality and necessary steps will be followed to realise connections.~~Stellenbosch municipality is responsible for the provision of electricity within the WCO24. However there are few areas within the WCO24 that are Eskom or Drakenstein areas of supply. These areas are: Wemmershoek, Pniel, James Town, Vlottenburg, Raithby, La Motte, Groendal, Klapmuts and Koelenhof.~~

~~All the areas in the WCO24 area of supply have access to electricity. It may happen that there aren't service connections to~~

~~the houses or structures, in which case an application is to be submitted to the municipality and necessary steps will be followed to realise connections.~~

Traffic Engineering: Receive asses and respond to applications for traffic calming measures.

9.1.4.3. Refuse removal: It is important that all residents and communities have access to refuse removal in order to maintain appropriate health and safety conditions in the area. Failure to do so can result in various diseases such as tetanus, Hepatitis B, diarrhoea, amongst others, where children are mainly at risk. It is critical that the importance of sound waste management practices be taught at an early age to prevent the exposure to harmful pathogens which could lead to an outbreak in the area. ECD centres must have access to waste receptacles on provision that the ECD must conduct educational programmes on and implement waste minimisation initiatives to re-use, reduce and recycle waste streams to reduce waste that is destined for landfill sites. The Solid Waste Management Department can play an important role in providing the initial education and awareness training and promotional material to assist ECD centres. In informal settlements, no new waste receptacle may be placed within 50m radius of an existing ECD and no new ECD may be approved within a radius of 50m of a waste receptacle.~~It is important that all residents and communities have access to refuse removal in order to maintain appropriate health and safety conditions in the area. Failure to do so can result in various diseases such as tetanus, Hepatitis B, diarrhoea, amongst others, where children are mainly at risk. It is critical that the importance of sound waste management practices be taught at an early age to prevent the exposure to harmful pathogens which could lead to an outbreak in the area.~~

ECD centres must have access to waste receptacles on provision that the ECD must conduct educational programmes on and implement waste minimisation initiatives to re-use, reduce and recycle waste streams in order to reduce waste that is destined for landfill sites. The Solid Waste Management Department can play an important role in providing the initial education and awareness training and promotional material to assist ECD centres.

In informal settlements, no new waste receptacle may be placed within 50m radius of an existing ECD and no new ECD may be approved within a radius of 50m of a waste receptacle.

9.1.5. **Finance Directorate**

Alignment of internal policies (ie. special tariffs) to promote achievement of ECD Policy objectives. These include among others, zoning and building plan application fees, development fees.

9.2. **District Environmental and Regional Health Services**

9.2.1. **Environmental Health (CWDM**) is responsible for the assessment of ECD Centres and issuing of Health Reports to Provincial Department Social Development~~Clearance Certificates~~.

9.2.2. **Primary Health Care** for pregnant women and children under 6 is provided by Regional Department of Health through a service level agreement with the Provincial Government of the Western Cape.

9.3. **Provincial Departments of ~~Social Development~~Basic Education (DBE~~SD~~) and Social Development (DSD)**

Stellenbosch Municipality shall partner with ~~DSD~~ DBE to provide holistic and integrated ECD services and address backlogs and challenges related to the ECD registration processes.

9.3.1. The ~~DSD Regional~~Provincial Office of the Department of Basic Education~~, Cape Winelands~~: Provide support and guidance on registration and re-registration to ECD services in the area.

9.3.2. ~~DSD~~ DBE must register ECD Centres and keep an updated ~~regional and~~ provincial register of all registered early childhood development services.

9.3.3. DBE~~SD~~ must register the ECD Programme.

9.3.4. DBE~~SD~~ must perform inspections and cancel registration certificates due to non-compliance.

9.3.5. DBE support compliant ECD facilities through a subsidy programme

~~9.3.4.~~9.3.6. DSD is responsible for all child protection services at ECD facilities and must ensure registration as Non Profit Organisations.

9.4. **ECD forums**

9.4.1. An ECD forum is a voluntary organization for local ECD centres which serves as a representative body for community ECD centres and is governed by its constitution. An ECD forum also co-ordinates the ECD sector at community level and manages this sector's inputs or comments on ECD policy matters. An ECD forum will be responsible for participation in the Integrated Development Planning process of Stellenbosch Municipality on behalf of its members. It is the responsibility of the forum to disseminate information among its members and to inform the municipality of any mushrooming occurring within its geographical area. ECD forums further assist their members during the DBE and DSD registration process.

10. REQUIREMENTS FOR ECD REGISTRATION COMPLIANCE

10.1. Initial Stage: Reporting to ~~DSD appointed ECD Service Provider~~~~ocial Worker~~the Stellenbosch Municipality Community Development Department.

10.1.1. The applicant/owner's initial contact must be made with the ~~Social Worker at Department of Social Development that~~Community Development Department official of the municipality who provides ECD services in the respective area.

10.1.2. This will be an information session between the ~~social worker~~official and the applicant/owner of the facility.

10.1.3. The ~~social worker~~official must obtain the organisation's details and will advise applicant/owner whether the applicant/owner may proceed with the process depending on the area the facility plans to or~~will~~ operates in.

~~10.1.4. The social worker will determine whether the service is appropriate and whether the infrastructure that will be used is appropriate for ECD services, before any further steps are taken.~~

~~10.1.5. If the applicant/owner proceeds, the social worker will complete Form 11 with the applicant which specifies what is needed in order to be registered.~~

~~10.1.6. The social worker will refer the applicant/owner to the local municipality, in order to obtain the necessary certificates in order to be registered as a legal entity.~~

~~10.1.7. The Service Provider refer the application with the relevant information to the Environmental Health Practitioner (CWDM) to do the necessary inspection and report back to Social Development on the suitability of the proposed ECD Centre.~~

10.2. Assessing land use applications according to the appropriate Zoning Scheme

10.2.1. Land use rights:

10.2.1.1. A day care centre is defined as a place which is used, whether for profit or otherwise, for the care of children of all ages including schooling of pre-primary school children and after-school care and is the same as early childhood development centre (ECD), crèche, preschool, playgroup or aftercare. Day care centres can be operated as of right under Community and Education Zone.

10.2.1.2. A home day care means using a dwelling house, second dwelling and/or its outbuildings or a portion thereof to provide day care, crèche, after school care, early childhood development centre (ECD) or instruction for a limited number of infants or children, provided that:

- The scale of the dwelling house or second dwelling shall not exceed that of a normal dwelling unit which would ordinarily accommodate one family; and
- The primary use of the property shall remain a residence for the operator; and
- The operator of the enterprise shall permanently reside on the property. A home day care centre may not accommodate more than six children (including any children of the resident family who also attend the facility).

10.2.1.3. Day care centres can also be permitted, in some Zones, as an additional use (which means an activity or use that is permitted in the zone additional to a primary right, provided provisions specified for such use are adhered to) and that only a Site Development Plan (SDP) needs to be submitted for consideration.

10.3. Small vs. Large Scale Centres
10.3.1. Small Scale centres would be regarded as home day care centres which can be mostly found in residential areas as they are limited to up to 6 children.
10.3.2. Large Scale centres (Day care centres), would be more located in non-residential zoned properties and can have more than 6 pupils.

10.4. Land Use Application ~~G~~guide:
10.4.1. The following information should be included with a land use application (in conjunction with other requirements as per the Department's basic application submission checklist):
10.4.1.1. A proper written motivation which details:
- The number of children proposed to be accommodated;
- The type and nature of the proposed facility and services offered, including the type of structures and any proposed additions thereto;
- The number of people to be employed;
- The hours of operation and a daily timetable (including list of activities), including time allocated for outside play;
- A scaled and clearly dimensioned Site Development Plan indicating:
  - Cadastral boundaries on the subject property;
  - The areas of the dwelling/building(s) to be used;
  - Applicable building lines;
  - Play areas;
  - On-site parking for staff & visitors;
  - Drop off & pick up areas;

10.5. Criteria to be used in assessing land use applications for ECD centres
10.5.1. Locational Criteria:
10.5.1.1. Large scale ECD centres (day care) should be located close to public open spaces schools, churches, community facilities, clinics, sports fields and libraries etc. This clustering promotes sharing of infrastructure; such as parking; maximises access and confines the traffic impact to a defined area.
10.5.1.2. Their proximity to public transport nodes is also to be taken into consideration.
10.5.1.3. The ECD centres should not be located next to a tavern; sports bar; adult centres; or any other facility that would not be of a positive influence.
10.5.2. Access and Parking Criteria:
10.5.2.1. Both pedestrian and vehicle access are to be provided.
10.5.2.2. A suitable, safe drop-off area is to be provided.
10.5.2.3. Adequate provision is to be made for on site visitors parking. Should this be limited the number of attendees should also be accordingly limited. The zoning scheme requires at least 1 parking bay per classroom or office.
10.5.3. Hours of operation
10.5.3.1. These are hours that the facility will operate on a daily basis.
10.5.4. Noise and Security
10.5.4.2. Noise and security considerations for ECD centres

10.6. Minimum health requirement standards as per Chapter 5 (Child Care Facilities and Institutions) of Provincial Gazette Extraordinary 6696, 15 February 2010: Municipal

Health By-Laws Cape Winelands District Municipality.~~District Municipality regulations~~.

The Cape Winelands District Municipality Environmental Health Officer is responsible to provide this service to registered ECD facilities and application for registration.

All ECD centres must comply with health requirements which include, **but are not limited to the following**:

10.6.1. An unobstructed indoor play area of at least 1.5 meter square per child must be provided;
10.6.2. An outdoor play area of at least 2 meter square per child must be provided;
10.6.3. If no outdoor space is available; add an extra 1 meter square per child indoor;
10.6.4. The learning indoor and outdoor play areas must be separated from the children and ~~after~~other play areas;
10.6.5. Where children are bottle-fed suitable facilities must be provided for cleaning of the bottles;
10.6.6. One potty for every 5 children must be provided;
10.6.7. The potties must be washed and disinfected after each usage and the waste of the potties must be disposed of hygienically in a toilet;
10.6.8. Storage facilities for soiled nappies must be provided.
10.6.9. Potties and nappies may not be cleaned near the food preparation and eating area;
10.6.10. Facilities for the washing of children [babies] must be provided;
10.6.11. Covered; safe; clean and waterproof mattresses and or cots must be provided;
10.6.12. Bedding should be provided and the blankets should be washed frequently;
10.6.13. A separate nappy changing area should be provided;
10.6.14. A separate nappy washing area should be provided and or disposable nappies should be stored and disposed in an approved manner.
10.6.15. Provide separate kitchen and facilities compliant with Regulation R962/2012 if food is handled on the premises. Apply for a Certificate of Food Acceptability.

10.7. Fire Safety Certification

10.7.1. One (1) portable fire extinguisher for every 200 square meters. (sqm);
10.7.2. One (1) fire hose reel for every 500 sm if the building is bigger than 250 sqm;
10.7.3. One (1) fire hydrant for every 1000 sqm;
10.7.4. Exit signs - illuminated symbolic safety sign - above escape routes (doors);
10.7.5. Escape route signs;
10.7.6. If the building has only one escape route (door) not more than 25 persons are allowed inside;
10.7.7. The building's external walls must have a fire resistance of 120 minutes.

11. IMPLEMENTATION OF POLICY

Implementation date to be determined by Council after approval of policy.

12. MONITORING, EVALUATION AND REVIEW

In order to ensure effectiveness, relevance and efficiency of the ECD program, there will be an on-going monitoring of the implementation. Evaluation will be done by the Department Community Development in collaboration with all other external stakeholders.

Review will encompass the results of monitoring and evaluation processes.

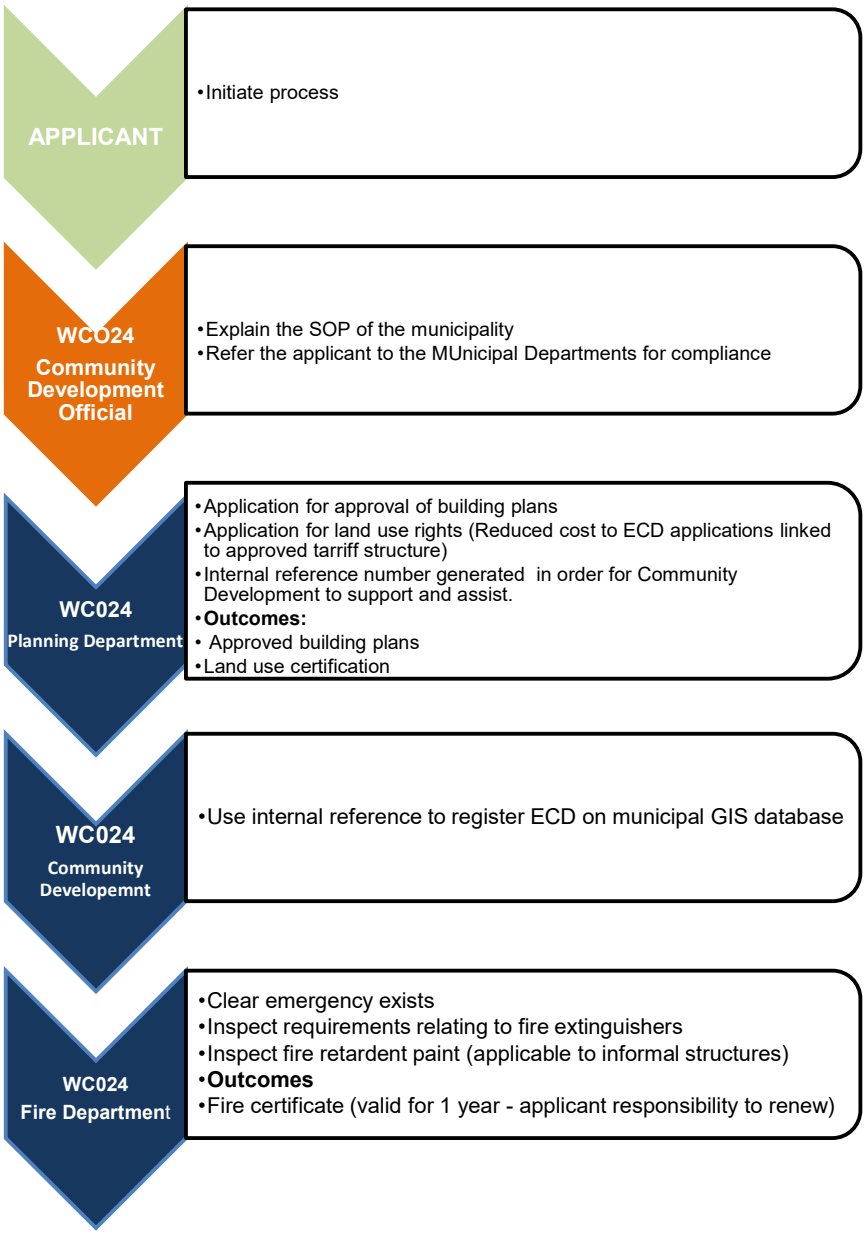
12.1. Monitoring
- 12.1.1. Monitoring the development and updating of unregistered and registered ECD centres database in the Municipal Area.
- 12.1.2. Monitoring of the implementation of capacity building programmes and number of attendees to training opportunities.
- 12.1.3. Monitoring of the ECD registration drive campaigns.
- 12.1.4. Monitoring of collaborative interventions and programmes between Municipality and Department of ~~Social Development~~Basic Education.
- 12.1.5. Monitor time taken to get an ECD centre registered.
- 12.1.6. Monitor number of children attending registered ECD Centres.
- 12.1.7. Monitor number of ECD registration per year.

12.2. Evaluation:
Collaborate with internal and external stakeholder to evaluate impact.

12.3. Review:
The ECD Policy review will occur every 5 years, unless new legislation comes into effect before then.

12.4. Data gathering:
The Municipality will annually update its GIS database of ECD's and maintain a register reflecting the status of ECD's in the WC024.

13. APPLICATION FOR REGISTRATION OF A PARTIAL CARE CENTRE (Flow chart)



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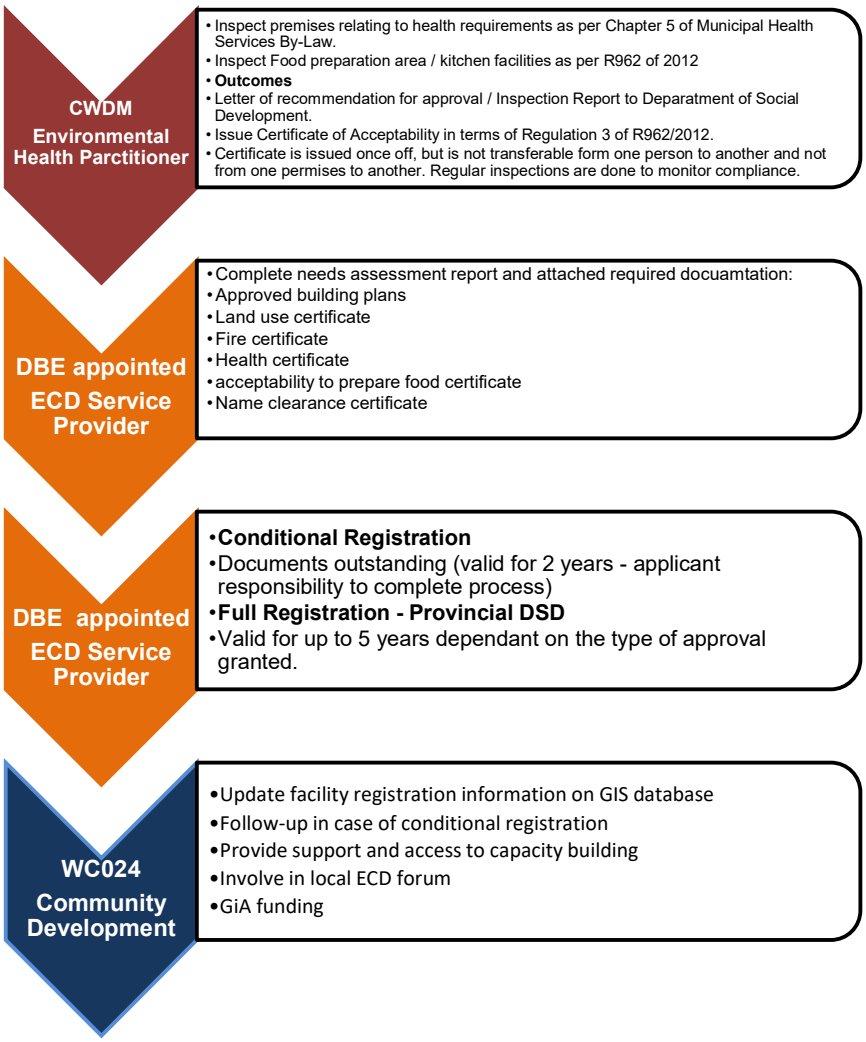
CWDM
Environmental
Health Parctitioner
• Inspect premises relating to health requirements as per Chapter 5 of Municipal Health Services By-Law.
• Inspect Food preparation area / kitchen facilities as per R962 of 2012
• Outcomes
• Letter of recommendation for approval / Inspection Report to Deparatment of Social Development.
• Issue Certificate of Acceptability in terms of Regulation 3 of R962/2012.
• Certificate is issued once off, but is not transferable form one person to another and not from one permises to another. Regular inspections are done to monitor compliance.
DBE appointed
ECD Service
Provider
•Complete needs assessment report and attached required docuamtation:
•Approved building plans
•Land use certificate
•Fire certificate
•Health certificate
•acceptability to prepare food certificate
•Name clearance certificate
DBE appointed
ECD Service
Provider
•Conditional Registration
•Documents outstanding (valid for 2 years - applicant responsibility to complete process)
•Full Registration - Provincial DSD
•Valid for up to 5 years dependant on the type of approval granted.
WC024
Community
Development
•Update facility registration information on GIS database
•Follow-up in case of conditional registration
•Provide support and access to capacity building
•Involve in local ECD forum
•GiA funding

8.10	RURAL MANAGEMENT AND ENVIRONMENT: (PC: CLLR C MANUEL)

NONE

8.11	MUNICIPAL MANAGER

8.11.1	ADOPTION OF THE PUBLIC PARTICIPATION POLICY

Collaborator No: **787996**
IDP KPA Ref No: **Good Governance and Compliance**
Meeting Date: **18 June 2025 and 25 June 2025**

1. SUBJECT: ADOPTION OF THE PUBLIC PARTICIPATION POLICY

2. PURPOSE

For Council to consider and approval:

(a) The final Public Participation Policy, attached as **ANNEXURE A;**

(b) Written submissions on the draft Public Participation Policy, attached as **ANNEXURE B.**

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 in municipal processes. 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) of the MSA.

In formulating a comprehensive and inclusive Public Participation Policy, a notice for public input on the draft policy was published on 06 March 2025, following the Council's adoption of the draft policy on 26 February 2025. The stakeholders and community were given not less than 21 days to provide written input on the draft Public Participation Policy. A consolidated report of all written submissions on the draft Public Participation Policy is attached as **ANNEXURE B**.

5. RECOMMENDATIONS

(a) that the final Public Participation Policy of Stellenbosch Municipality be adopted in terms of Chapter 4 of the MSA, attached as **ANNEXURE A**; and

(b) that the written submissions on the draft Public Participation Policy, attached as **ANNEXURE B**, be noted; and

(c) that an advertisement be placed on the official website of the municipality and in the local newspaper notifying the public that the final Public Participation Policy has been adopted by the Council.

6. DISCUSSION

6.1 Background

In developing and adopting a Public Participation Policy for the municipality, the function of public participation is formalised in mainstreaming public participation in overall municipal planning and budgeting, as well as other processes that require public participation.

Sections 16 - 22 are entirely devoted to public participation and address the following aspects:

(a) development of a culture of community participation;
(b) mechanisms, processes and procedures for community participation;
(c) communication of information concerning community participation;
(d) public notice of meetings of municipal councils;
(e) admission to public meetings;
(f) communications to the local community;
(g) documents to be made public;
(h) official website; and
(i) regulations and guidelines.

The internal consultation process for the draft Public Participation Policy commenced in October 2024 and was completed with a report submitted to Management on the public participation input for their review and consideration.

The table below outlines the key activities followed in the consultation process for the formulation of the final Public Participation Policy, for submission to the Council for adoption.

No.	Key Activities	Dates
1.	Draft Public Participation Policy submitted to the Directors Forum for input	22 October 2024
2.	Draft Public Participation Policy distributed to Directors / Senior Managers (SM) and managers for input	07 – 26 November 2024
3.	Tabled the departmental inputs on the draft Public Participation Policy to the Directors Forum	14 January 2025
4.	Consultation Sessions: Directors, Senior Managers, and Managers	03 – 04 February 2025
5.	Draft Public Participation Policy submitted to the Council for the purpose of obtaining approval for public input	26 February 2025

6.	Notice published in the Eikestad Nuus, municipal website, social media platforms, and hard copies of the draft policy delivered to the libraries and ward offices	06 March 2025
7.	Public participation period for public input on the draft Public Participation Policy	06 – 27 March 2025
8.	Electronic submission of the draft policy to the Department: Local Government and the Cape Winelands District Municipality for input	07 March 2025
9.	Submit the draft Public Participation Policy to the All-Ward Councillors Meeting	13 March 2025
10.	Submit a consolidated report on the written submissions to the Directors Forum for consideration	25 April 2025
11.	Submit the Public Participation Policy to the Council for final adoption	25 June 2025

The provincial department and stakeholders that submitted written input on the draft Public Participation Policy during the public participation period, 06 – 27 March 2025, are listed below:

No.	Name and Surname	Organisation
1.	Mr I Meyer (Jr)	Western Cape Department: Local Government
2.	Ms R Kirsten	Welgelegen, Stellenbosch
3.	Mr R Lodewyk	Disability Peer Supporter
4.	Mr TL and R Donaldson	Stellenbosch Interest Group
5.	Mr B Phillips	Franschhoek Heritage and Ratepayers Association

6.2 Financial Implications

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

6.3 Legal Implications

In accordance with section 152(1)(e) of the Constitution, one of the objects of local government are –

(e) *to encourage the involvement of communities and community organisations in the matters of local government.*

Section 152(2) of the Constitution further stipulates that –

A municipality must strive, within its financial and administrative capacity, to achieve the objects set out in subsection (1).

Chapter 4 of the MSA further specifies that in terms of :

Section 16

(1) A municipality must develop a culture of municipal governance that complements formal representative government with a system of participatory governance*, and must for this purpose-*

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

(i) the preparation. implementation and review of its integrated development plan in terms of Chapter 5;
(ii) the establishment, implementation and review of its performance management system in terms of Chapter 6:
(iii) the monitoring and review of its performance, including the outcomes and impact of such performance:
(iv) the preparation of its budget; and
(v) strategic decisions relating to the provision of municipal services in terms of Chapter 8;

(b) contribute to building the capacity of—
(i) the local community to enable it to participate in the affairs of the municipality; and
(ii) councillors and staff to foster community participation; and

(d) use its resources, and annually allocate funds in its budget, as may be appropriate for the purpose of implementing paragraphs (a) and (b).

(2) *Subsection (1) must not be interpreted as permitting interference with a municipal council's right to govern and to exercise the executive and legislative authority of the municipality*.

Section 19 of the Local Government: Municipal Structures Act 117, 1998 (Act No. 32 of 1998) (MSA) further states that a municipal council must strive within its capacity to achieve the objectives as set in Section 152 of the Constitution and annually review the processes for involving the community. In addition, Section 19(3) of the MSA determines that –

A municipal council must develop mechanisms to consult the community and community organisations in performing its functions and exercising its powers.

6.4 Staff Implications
This report has no additional staff implications for the municipality.

6.5 Risk Implications
This report has no direct risk implications for the municipality.

6.6 Previous / Relevant Council Resolutions
Not applicable

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: 2025-06-18: ITEM 7.11.1

(a) that the final Public Participation Policy of Stellenbosch Municipality be adopted in terms of Chapter 4 of the MSA, attached as **ANNEXURE A**; and

(b) that the written submissions on the draft Public Participation Policy, attached as **ANNEXURE B**, be noted; and

(c) that an advertisement be placed on the official website of the municipality and in the local newspaper notifying the public that the final Public Participation Policy has been adopted by the Council.

ANNEXURES

Annexure A: Final Public Participation Policy
Annexure B: Written submissions on the draft Public Participation Policy

FOR FURTHER DETAILS CONTACT:

NAME	*G Cain*
POSITION	*Manager: IDP/PMS/PP*
DIRECTORATE	*Office of the Municipal Manager*
CONTACT NUMBERS	*021 808 8174*
E-MAIL ADDRESS	*gurswin.cain@stellenbosch.gov.za*
REPORT DATE	*12 June 2025*

ANNEXURE A

STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

PUBLIC PARTICIPATION POLICY

2025

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Directorate	Office of the Municipal Manager
Date Approved	
Date Effective	
Council Item Number	
Collab File Ref	

Version	Date Created	Status	Author	Review Date
1.0	2025	Final draft	Gurswin Cain	New document

PREAMBLE

a) Stellenbosch Municipality acknowledges that it is committed to the development of a culture of municipal governance that complements formal representative government with a system of participatory governance; and

b) Through this policy the municipality commits itself to establish appropriate mechanisms, processes and procedures to enable the local community to participate in the affairs of the municipality in terms of the provisions of the Local Government: Municipal System Act, 2000 (Act No.32 of 2000) (MSA).

VISION, MISSION AND VALUES OF THE STELLENBOSCH MUNICIPALITY

Vision

We describe the vision of where we want to be as a municipality and the Greater Stellenbosch area as the **"An Integrated Valley of Opportunity and Innovation".**

Mission

Our mission is to deliver services in an enabling environment through sustainable, cost-effective and accountable services for our community.

Values

In all our work and engagements with the community and other stakeholders, we subscribe to the following values:

Integrity: As servants of the public, we undertake to perform the functions and operations of the municipality honestly and ethically.

Accountability: As responsible public servants, we pledge to perform our duties in a manner that is open to oversight and public scrutiny. This commitment is shaped by our understanding to give an account of our actions to individuals, groups and organisations.

Transformation: We, as custodians of hope, will work tirelessly at transforming our municipality, communities and broader society by unlocking the endless possibilities that our valley holds and treasures. This commitment is shaped by our understanding of the historical, spatial, social and economic inequalities in our valley.

Innovation: We will continuously review our systems, procedures and processes to make them less bureaucratic and more responsive to customer needs. We will acknowledge and reward initiatives that show creativity and ingenuity.

Excellence: As a municipality, we will strive to deliver excellent services for all areas within the greater Stellenbosch.

Responsiveness: The municipality is a responsive municipal entity with zero tolerance for corruption and illegal actions.

List of Acronyms

CPF	: Capital Planning Forum
IDP	: Integrated Development Plan
IGR	: Inter-Governmental Relations
MFMA	: Municipal Finance Management Act
MTREF	: Medium Term Revenue and Expenditure Framework
MSA	: Municipal Systems Act
*m*SDF	: municipal Spatial Development Framework
SDBIP	: Service Delivery and Budget Implementation Plan
SLA	: Service Level Agreement
SMS	: Short Message Service
PMS	: Performance Management System

Glossary of terms

In this policy, unless the context indicates otherwise-

"By-law" means legislation passed by the council of a municipality binding in the municipality on the persons to whom it applies.

"Council" means the municipal council of Stellenbosch Municipality established by the Municipal Systems Act, 2000 (Act No. 32 of 2000) (MSA) and Provincial Notice.

"Councillor" means a member of the municipal council.

"Local community" or "Community" means that body of people comprising –

- The resident of the Municipality;
- The ratepayers of the Municipality;
- Any civic organisation or non – governmental, private sector or bodies, which are involved in the local affairs of the Municipality;
- Visitors and other people residing outside the municipality who, because of their presence in the municipality, make use of the services or facilities provided by the municipality, and includes, more specifically, the poor and other disadvantaged sections of such a body of persons.

"Consultation" means the action or process of formally consulting or discussing.

"Democracy" 'rule by the people' or the idea that all members of a community should be treated as if they were equally qualified to participate in the decision-making process for that community.

"Inform" means to give or impart knowledge of a fact or circumstance.

"Integrated Development Plan (IDP)," means a single, inclusive and strategic plan for the development of the municipality.

"Involve" means to have or include someone as a necessary or integral part or result.

"Local community" or **"community"** in relation to the municipality means the body of people comprising –

- The residents of the municipality;
- The ratepayers of the municipality;
- Any civic organisation and non-governmental, private sector or labour organisation or bodies, which are involved in local affairs in the municipality.

"Municipal Manager" means a person appointed in terms of section 54A of the Local Government: Municipal System Act, 2000 (Act No. 32 of 2000) (MSA)

"Municipality", when referred to as "an entity" means a municipality as described in Section 2 of the Local Government: Municipal System Act, 2000 (Act No. 32 of 2000) (MSA); and when referred to as a geographic area means the municipal area determined in terms of the Local Government: Municipality Demarcation Act, 1998 (Act No. 27 of 1998).

"National Development Plan" means the plan for the country to eliminate poverty and reduce inequality

by 2030 through uniting South Africans, unleashing the energies of its citizens, growing an inclusive economy, building capabilities, enhancing the capability of the state and leaders working together to solve complex problems.

"Public participation" means an open, fair and accountable process through which individuals and groups within communities can exchange views with the Municipality and influence decision-making. It is further defined as a democratic process of engaging people, deciding, planning and playing an active part in the development and operation of services that affect their lives.

"Stakeholder" means an individual or group with an interest in a particular issue addressed by government. E.g. ratepayers association, trade unions.

"Structures Act" means the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), as amended.

"Systems Act" means the Local Government: Municipal System Act, 2000 (Act No. 32 of 2000), as amended.

"The Constitution" means the Constitution of the Republic of South Africa, 1996.

"Ward committee" means a committee of a municipal ward, established in terms of Part 4 of Chapter 4 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998).

1. INTRODUCTION

This policy seeks to build on the commitment of a democratic local government to deepen democracy, which is embedded in the Constitution of the Republic of South Africa (1996).

This policy, therefore, describes Stellenbosch Municipality's public participation processes for the Integrated Development Planning (IDP) and Budget as well as other municipal processes requiring public participation, how it will be conducted, the appropriate mechanisms, processes and procedures to enable the local community to participate in the affairs of the municipality in terms of the legal statutes of local government.

2. LEGISLATIVE FRAMEWORK

Legislation that forms the foundation for this policy:

- Constitution of the Republic of South Africa (1996): Chapter 7, Sections 152(1); 153(b); 160(4) and 162, Chapter 10, Section/s 195(1) and 195(1)(g;
- The White Paper on Local Government of 1998;
- Local Government: Municipal Structures Act, 1998 (Act No.117 of 1998): Chapter 4 – Establishment of ward committees; Sections 19(2)(c); 19(3) and Section 72;
- Local Government: Municipal Systems Act, 2000 (Act No.32 of 2000) (MSA) and its amendments: Chapters 4, 5 and 6; and
- Local Government: Municipal Finance Management Act, 2003 (Act No.56 of 2003) (MFMA).

3. OBJECTIVES OF THE PUBLIC PARTICIPATION POLICY

Through the implementation of this policy, Stellenbosch Municipality strives:

3.1 To meet the legal requirements as stipulated in the Constitution, the MSA and relevant legislation.
3.2 To establish a transparent, accountable and responsive municipality.
3.3 To facilitate and create reasonable opportunities for communities to meaningfully participate in municipal decision-making processes.
3.4 To promote the values of good governance in Stellenbosch Municipality.
3.5 To facilitate the development of mutual trust between the public and the municipality.
3.6 To make development plans and services more relevant to local needs and environments.
3.7 To develop coherent municipal strategies for ongoing communication and participation around development planning and governance processes that require community involvement.
3.8 To facilitate consistent engagement with all sectors in our municipality through stakeholder engagements, ward committee structures and the community.
3.9 To develop and identify public participation approaches, platforms and mechanisms for local communities and stakeholders to participate in the affairs of local government.
3.10 To build inter–governmental mechanisms to ensure that the local, district, provincial and national government work together to enhance service delivery and address the needs of the community.
3.11 To outline the roles and responsibilities of the municipality and the public in deepening participatory democracy.

4. BENEFITS OF PUBLIC PARTICIPATION

4.1 Increases participation in statutory processes and allows for greater links between sectors and communities.
4.2 Encourages a culture of openness, responsiveness and transparency in engaging with communities.
4.3 Alerts the municipality of grassroot issues from a citizen's perspective.
4.4 Contributes to the development of self-confidence, pride, initiative, responsibility and cooperation.
4.5 Encourages citizens and communities to take ownership of their own lives and be actively involved in finding solutions to their problems.
4.6 Builds the capacity of citizens to engage effectively and meaningfully with their local council.
4.7 When local authorities establish good working relationships with communities, it increases their level of confidence without losing perspective.
4.8 Participation also encourages and strengthens internal accountability structures in community organisations.
4.9 With increased communication between structures, negotiations become part of the participatory process.
4.10 Meaningful participation builds ownership of the processes of change on the part of communities and deepens their commitment to it.
4.11 In terms of the municipal IDP and Budget process, participation enables the formation of collaborative partnerships.

5. PUBLIC PARTICIPATION IN LOCAL GOVERNMENT

Public participation has been defined as an open, accountable process through which individuals and groups within communities can exchange views with the Municipality and influence decision-making. It is a democratic process of engaging people, deciding, planning, and playing an active part in the development and operation of services that affect their lives.

5.1. Developing a culture of public participation

The Speaker of Municipal Council, as the executive authority upon whom public participation is placed, has a statutory obligation, as provided for in section 37 (k) of the Structures Act 'to ensure the effectiveness and functionality of public participation and the public participation processes'. This entails, among other things, that he/she has to exercise his/her oversight mandate by ensuring that administration is held accountable for operations, effectiveness and functionality of ward committees and public participation processes.

Pursuant to the above legislative and policy requirement, and to institutionalize and/or streamline public participation within the Municipality, the Municipal Manager must, consistent with his/her functions as contemplated in section 55 of the Systems Act (read with section 16 and 21) provide all the necessary administrative support, as set out in the policy by encouraging, facilitating and creating reasonable conditions for the local community to participate meaningfully in the affairs of the Municipality, including in:

5.1.1 Strengthening the capacity of ward committees to perform their functions effectively as a primary mechanism to enhance public participation
5.1.2 The drafting, implementation, review and/or amendment of its Integrated Development Plan (IDP);
5.1.3 The drafting of the Medium-Term Revenue Expenditure Framework (MTREF) / budget;

5.1.4 The establishment, implementation and review of the Municipality's performance management system;
5.1.5 The drafting, determination, consideration and adoption of by-laws and sector/master plans linked to the IDP and Spatial Development Framework (SDF), where applicable; and
5.1.6 Strategic decisions relating to the provision of municipal services.

5.2. Principles guiding public participation

The White Paper on Local Government (1998), which is currently under review, emphasized the importance of building relationships between local communities and the municipality. It also emphasised the principle of accountability by municipal councils.

The underlying principles guiding this policy are also underscored by the Batho Pele Principles as stipulated below:

Table 1: Principles guiding public participation

Principle	Applying these principles
Accessibility	The Municipality to ensure that public participation processes are accessible, gender-sensitive and open to all role-players. Conducting public engagements, taking into account the circumstances of the various communities and available resources.
Accountability	Ensuring report back to the community forums or role-players at least twice a year through IDP and Budget processes, and ward councillors report back to community meetings.
Trust, commitment and respect	Ensuring that the purpose of the public participation process is explained adequately, as well as how it will develop.
Consultation	Consulting internal and external role-players is critical when planning and/or initiating programmes and projects.
Diversity	Ensure that different interest groups, including vulnerable groups (women, disabled persons and youth) are part of governance structures. Embracing all races, gender, religions, ethnicity, language, age, special needs, economic status and sexual orientation.
Openness and Transparency	Promoting openness, sincerity, and honesty among all the role-players in a public participation process.
Flexibility	Being flexible in terms of time, language and approaches to public participation engagements and processes.
Inclusivity	Identifying and recognising existing social networks, structures, organisations and institutions and using them as vehicles for public participation and communication. Embracing the views and opinions of all irrespective of gender, age, religion and economic status in the public participation processes.
Building community capacity	Embarking on citizen education on all aspects of local governance. Keep the public informed and knowledgeable through open communication and for that the public to have a clear understanding of the purpose and the role that they are required to play.
Integration	The Municipality to ensure that public participation processes are integrated into the planning and decision-making processes, such as the Integrated Development Plan (IDP), Budget, Performance Management System, Sectoral Planning and by-laws.

6. PUBLIC PARTICIPATION MECHANISMS, PROCESSES AND PROCEDURES

Public participation should take place through the established structures in the Stellenbosch Municipality as the political structures, ward committees, and intergovernmental structures.

6.1. Mechanisms

Section 17 of the MSA provides for processes, mechanisms, and procedures for public participation and prescribes that 'participation by the local community in the affairs of the municipality must take place through' the following:

6.1.1 political structures for participation in terms of the Municipal Structures Act;

6.1.2 the mechanisms, processes and procedures for participation in municipal governance established in terms of this Act;

6.1.3 other appropriate mechanisms, processes and procedures established by the municipality, and councillors;

6.1.4 generally applying the provisions for participation as provided for in this

Taking the above into account, the Municipality will use the following mechanisms and procedures to strengthen and enhance its interface with communities:

6.1.5 **The Municipal Council or its Committees:** According to Section 5 (e)(i) of the Municipal Systems Act the proceedings of the municipal council and those of its committees must be open to the public, subject to Section 20, which governs the rules of admission of the public to council meetings.

6.1.6 **Ward Councillors**: Ward Councillors are the representatives of specific communities and are ideally placed to be the link between the public and the municipality. Therefore, they should bring people's needs and problems to the municipality, and then consult and inform the community on municipal services and programmes.

6.1.7 **Ward Committees:** Ward Committees represent the community and different sectors in communities. Ward Committee members can be very useful in assessing the needs, building partnerships, consulting the community and advising the ward councillor on service delivery challenges.

Any other mechanisms, processes and procedures established by the municipality in terms of Council policies.

6.2. Intergovernmental Structures

Effective intergovernmental relations (IGR) structures are 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.

Structures that are active within the district of the CWDM, and to ensure continued liaison and coordination throughout the municipal processes, include:

1. District IDP Managers Forum (DIDPMF)
2. District Public Participation Forum (DPPF)
3. Joint District and Metro Approach task team (JDMA)
4. Strategic Integrated Municipal Engagements (SIME)
5. District Co-ordinating Forum (DCF)

6. Municipal Managers Forum (MMF)
7. District Communications Forum
8. Provincial IDP Indaba's
9. Provincial IDP Managers Forum and Public Participation and Communications Forum.

6.3. Stakeholder Forums

The main purpose of convening stakeholder forums by the municipality, will be for engagement pertaining to municipal areas of service delivery or contribute to the lives of those living in the Stellenbosch municipal area, and to provide feedback to the municipality on implementation and issues arising through structured engagement. Stakeholder forums for public participation in our municipal processes can include established forums such as, but not limited to, municipal sports councils, churches, businesses, agriculture and tourism, various institutions, non-governmental organisations, community-based organisations, ratepayers and environmental forums.

Stakeholders may register on the IDP stakeholder database to be invited to stakeholder engagements in municipal public participation processes.

The objectives of these structured engagements will be to:

6.3.1 Elicit input for the drafting, review / or amendment of IDP and preparation for the draft Budget.
6.3.2 To develop integration by balancing the economic, ecological and social pillars without compromising the institutional capacity.
6.3.3 Strengthen the dialogue between municipal areas of deliverables and the key sectors across the municipality.
6.3.4 Better target and coordinate implementation plans with partners, sectors and different spheres of government; and
6.3.5 Identify the gaps and means for closing gaps with our partners;
6.3.6 Ensure alignment between Provincial, District and Municipal strategic frameworks and implementation plans.

7. ROLES AND RESPONSIBILITIES

The roles and responsibilities of role-players during the public participation processes are summarised as follows:

Table 2: Roles and Responsibilities

Role Player	Roles and Responsibilities
Executive Mayoral Committee	↕ Play a role in the monitoring of public participation by annually reporting to the Council on community involvement. ↕ Ensure that public views and opinions are taken into account.

Role Player	Roles and Responsibilities
Office of the Speaker	▪ The Speaker is the custodian of public participation and has an oversight obligation to ensure that public participation is effective and that ward committees are operational fully. ▪ The support for the participatory component of the political system resides with the Office of the Speaker. ▪ The Speaker, who chairs Council meetings, is ultimately responsible for ensuring that the Stellenbosch Municipal Council, through its elected Councillors, implements a dynamic and effective system of public participation. ▪ The co-ordination of public participation processes through the Office of the Speaker does not mean the implementation of all the aspects of public participation. ▪ The management of the public participation process into the Integrated Development Plan and Budget would be managed through the Office of the Municipal Manager and the Directorate: Finance. However, the co-ordination of how this process fits into the ward committee system that deals with input to the IDP and budget will be set up through proper mechanisms within the Office of the Speaker (politically) and through the Office of the Municipal Manager (Administratively).
Council	▪ Municipal Council to familiarise themselves with the content of this policy, make their constituencies aware and oversee its implementation of the policy; ▪ It is the Council's responsibility to promote and supervise the implementation of public participation initiatives. Councillors should act as enabling agents in the community.
Municipal Manager	To give effect to Sections 16 and 17 of the MSA as set out in this policy, the Municipal Manager must do the following: Encourage and ensure conducive conditions for public participation in the affairs of the municipality, including in: ▪ Preparation, implementation and review of the Integrated Development Plan (IDP). ▪ Establishment, implementation and review of the municipal Performance Management System. ▪ Monitoring and review of the municipality's performance, including the outcome and impact of such performance. ▪ Considering draft by-laws. ▪ Preparation of the municipal budget. ▪ Strategic decisions relating to the provision of municipal services. ▪ Ensure that the municipality employs sufficient component staff members, other than councillors, to assist in the public participation processes. ▪ Ensure that all staff members, including councillors, are trained in the public participation methodologies and processes. ▪ Ensure community capacity building for meaningful participation in municipal affairs. ▪ Establish and notify the public on all available participation platforms in the municipality. ▪ Ensure that the municipality uses appropriate venues and platforms for public participation. ▪ Ensure that gender-sensitive approaches are developed to make public participation platforms accessible to all community members.

Role Player	Roles and Responsibilities
Manager: Integrated Development Planning	▪ Draft the IDP and Budget Process Plan / Time Schedule for the scrutiny of the Executive Management Committee, the consideration of the Mayoral Committee and adoption by the Municipal Council. ▪ Implementation of a public participation plan to encourage community and sector participation in the IDP and Budget process. ▪ Consolidate all community input and needs, including newly identified projects for channeling to the relevant departments for consideration. ▪ The role here is specifically a facilitation and administrative function of guidance, assistance and implementation of the process in itself.
Community	▪ Members of the public to familiarise themselves with the content of this policy. ▪ Ensure that their participation takes place through the public participation mechanisms and platforms established and approved by the municipality in terms of the MSA as set out in this policy and made public in municipal public notices, and such other mechanisms and platforms as it may establish for the purposes of deepening participatory democracy and the other objectives of this policy.
Ward Committees	▪ Mobilise communities to participate in IDP and Budget public participation processes or any other service delivery matter demanding public participation. ▪ Facilitating communication between residents, ward councillor, and the municipality, advocating for community needs and priorities, and fostering collaboration to address common challenges. ▪ Assist ward councillors in the distribution and communication of information about public participation engagements and the platform available for engagements. ▪ Identify persons with special needs and communicate this to the ward councillors in cases where special logistical arrangements need to be made, where appropriate, if circumstances permit this and dependent on the availability of resources. ▪ All ward committee members must be present at the IDP and Budget public engagements and or other public engagements relating to municipal affairs requiring public participation, to represent their respective communities. ▪ Ward committee members must participate in the ward-based planning process for their respective wards. ▪ Prioritise the community needs and assist the ward councillor to determine the key priorities for the respective ward. ▪ Provide in-depth details on priority issues and problems raised in the public engagements. ▪ Monitor and evaluate IDP projects and ward priorities. ▪ Must adhere to the values of public participation as set out in this policy.

8. STATUTORY PROCESSES NECESSITATING PUBLIC PARTICIPATION

Different types and forms of decision-making necessitate varying levels of public participation. To avoid any uncertainty about whether or not participation is critical with regard to certain important municipal decisions and processes, the MSA provides a non-exhaustive list of important municipal 'events' in which public participation is particularly important, including:

8.1. Participation in the drafting, review and/or amendment of the IDP

Facilitation of public participation in the IDP process takes place as set out in the IDP and Budget Process Plan (Time Schedule), and is implemented through the following structures and methods:

8.1.1 Department: IDP / PMS / Public Participation

8.1.1.1 Draft the IDP and Budget Process Plan (Time Schedule) in terms of Section 21(1)(b) of the MFMA in consultation with the Departments: Spatial Planning, Budget and Disaster Management for scrutiny of the Executive Management, the consideration of the Mayoral Committee and adoption by the Council;
8.1.1.2 Draft and implement the IDP and Budget public participation plan to encourage community and sector participation in the IDP and Budget process;
8.1.1.3 Consolidate community and sector inputs received during the IDP public participation processes, including newly identified projects for channelling to the relevant departments; and
8.1.1.4 Ensure that departmental feedback on the IDP community and sector inputs is captured and updated before the following IDP and Budget process.

8.1.2 Ward Committees

The objective of a ward committee is to enhance participatory democracy in local government, and must participate and provide assistance in the following:

8.1.2.1 Assist with the mobilisation of communities to attend IDP and Budget engagements in person or via online platforms made available by the municipality;
8.1.2.2 Participate in the needs analysis phase of the IDP;
8.1.2.3 Participate in the driving of the ward-based planning process in the development of ward plans;
8.1.2.4 In consultation with the ward councillor, prioritise the community inputs and determine the top ward priorities for the respective ward;
8.1.2.5 Elaborate on priority issues and problems and advise the ward councillor;
8.1.2.6 The ward councillor and ward committee will have the duty to explain the ward priorities to their respective wards (the administration will provide technical support to the ward councillor and ward committee during this consultative process);
8.1.2.7 Communicate information in both directions between the community and the municipal council;
8.1.2.8 Monitor and evaluate IDP projects as encapsulated in the IDP and ward plans;
8.1.2.9 Participate in the establishment, implementation and review of the Performance Management System (PMS);
8.1.2.10 Participate in the preparation of the budget; and
8.1.2.11 Strategic decisions of the Municipality relating to the provisions of municipal services in terms of Chapter 8 of the MSA.

The functions of Ward Committees are specified in the Ward Committee Policy of Stellenbosch Municipality.

8.1.3 Electronic and print media

8.1.3.1 Community input and comments must be obtained from calls for comment as advertised in local print media, on the municipal website, social media platforms and the municipal notice boards;
8.1.3.2 Give notice to the public of the adoption of the IDP and Budget (within 14 days of the adoption of the IDP) and budget (within 10 working days) as prescribed by the MSA;
8.1.3.3 The draft IDP and Budget must be published on the municipal website for public scrutiny as prescribed by the MSA and MFMA not later than five (5) days after its tabling in Council or on

the date on which it must be made public for a period of at least 21 days for public comments and written submissions;

8.1.3.4 The IDP and budget-related documents must be made available at municipal offices and municipal libraries.

8.1.4 Written Submissions

Members of the community and stakeholders may participate in the drafting of the municipal Integrated Development Plan (IDP) by making written submissions to the Municipal Manager on the dates as specified in the municipal notices.

8.2. Participation in the budget preparation process

The Budget preparation process commences with the adoption of the IDP and Budget Process Plan (Time Schedule) by the Council and further unfolds as follows:

8.2.1 The IDP department, Budget Office, ward councillor, and ward committee will consult respective communities to determine the developmental needs of the community;

8.2.2 All community needs determined through this process, will be captured and prioritised by the ward committee during the ward-based planning process;

8.2.3 The Capital Planning Forum (CPF) will reflect on the strategic objectives for service delivery and proposed capital projects emanating from the ward-based planning process;

8.2.4 All internal municipal departments will take into consideration the priorities listed by the community;

8.2.5 The Department: Finance of the Stellenbosch Municipality has a duty in terms of the MFMA to compile the draft budget for the Medium-Term Revenue and Expenditure Framework (MTREF) period;

8.2.6 Once the draft budget is compiled, the Executive Mayor will table the draft IDP, draft budget and related policies, and Service Delivery and Budget Implementation Plan (SDBIP) to the Council;

8.2.7 The draft budget and its related documents will be published on the municipal website, and hard copies placed in the municipal libraries and offices, to ensure that the public has access to the documents to make informed comments and written submissions.

8.2.8 In order to ensure that all stakeholders are informed about the budget consultation sessions, notices will be placed in local print media, on the municipal website, on social media platforms and the municipal notice boards.

8.2.9 In addition, the municipality will also consult with stakeholders who are registered on the municipal stakeholder database;

8.2.10 All submissions received through the IDP and Budget public participation process, including the written submissions, will be submitted to the Budget Office and Mayoral Committee for consideration, whereafter the Executive Mayor will submit the final budget to Council for adoption.

8.3. Development, implementation and review of the performance management system (PMS), monitoring and review of organisational performance, including outcomes and impact of performance (annual report)

The MSA and applicable regulations stipulate that the public must participate in the monitoring and review of the performance of municipalities. The list below sets out the various issues in respect of which the municipality is required to engage with the community in terms of performance management:

8.3.1 Make public the projections, targets and indicators as set out in the SDBIP (no later than 14 days after the approval of the SDBIP by the Executive Mayor);
8.3.2 Make public the Quarterly Performance Assessment Reports of the municipality;
8.3.3 Monitoring and review of organisational performance, including outcomes and impact of performance (Annual Report).

8.4. Policy formulation and development of By-laws and Policies

All proposed by-laws and policies must be published for public comment in a manner that allows the public an opportunity to make representations concerning the proposed by-law or policy.

8.5. Strategic decisions relating to service delivery

Regulations and legislation guide the process to be followed in the decision-making process relating to service delivery, such as Service Level Agreements (SLAs) and the role of the public therein.

8.6. Other council processes for public participation

The Municipality may engage the community on any other aspects identified by the Municipality for public consultation. Consultation on other council processes will be the responsibility of the respective functional department.

9. PUBLIC PARTICIPATION METHODS AND TIMEFRAMES

9.1. Notices

9.1.1 Notices about community engagements must be placed in the local print media, municipal website, municipal notice boards, municipal-approved social media platforms, and other platforms as it they becomes available.
9.1.2 When the municipal administration communicates this information, it must take into account the Communication Policy of the municipality, as well as the special needs of vulnerable groups and persons who cannot read or write.
9.1.3 Municipal officials will assist all persons with special needs who cannot read or write.

9.2. Petitions and complaints

9.2.1 Petitions and complaints lodged by the public shall be addressed to the Executive Mayor or Municipal Manager and/or their delegates.
9.2.2 Petitions will be dealt with as per the standard operating procedure set out by the Executive Mayor and Municipal Manager.

9.3. Public input and comments on the draft IDP and draft Budget

The Municipality should consider inviting the public and interested stakeholders to submit inputs and comments on the following:

9.3.1 The identification of community needs and the prioritisation of those needs in the municipal area or specific ward, within the IDP and budgeting processes;
9.3.2 On strategies, programmes and services to address the developmental agenda based on community needs as encapsulated in the IDP;
9.3.3 In the development, implementation and monitoring of the municipal Performance Management System (PMS);

9.3.4 The inputs and written submissions of the public on the budget, proposed tariffs, as well as budget-related policies;

9.3.5 The Municipal Manager should ensure that all input and written submissions are submitted to the Council for consideration.

9.3.6 The Municipal Manager should ensure that copies of the draft documents are made available to the general public in one or more of the following:

- By publication in the official municipal newsletter;
- Hard copy available at all municipal ward offices and libraries;
- Publish an electronic copy of the report/ plan on the municipal website.
- By posting notices on municipal-approved social media platforms.

9.4. Public comments and input submitted on electronic platforms

9.4.1 The Municipality will provide the community with an email address in the published notices where the public and stakeholders may submit written comments directly to the municipality on any matter referred to in this policy and or other relevant municipal policies and/or by-laws;

9.4.2 Comments may also be submitted through the dedicated municipal-approved electronic platforms as it appear in the public notices;

9.4.3 Emails and electronic platforms will be accessed regularly, and comments collated by the responsible department;

9.4.4 The municipal website will provide a facility for the public to provide online comments for specific public participation processes without the Municipality necessarily permitting the abuse of the facility.

9.5. Invitation to public participation engagements

9.5.1 Members of the community will be invited to participate in open sessions where statutory determined processes, such as the *m*SDF, IDP, budget, policies and by-laws.

9.5.2 Public engagements will be held at a place, time and venue convenient to the majority of people in a particular ward/area, depending on the availability of resources.

9.5.3 The size of the venue and the approximate number of people who might be attending must be taken into consideration. Physical engagements will only be conducted if circumstances permit it.

9.5.4 This policy makes provision for online or hybrid public engagements. Online public engagements will be held on MS Teams or any other platform as approved by the Municipality, at times convenient for the majority of people in a particular ward. The meeting link for these engagements will be communicated to the community in due time in order to enable the community to participate.

9.5.5 Notices of consultations / public engagements will be published at least seven (7) days before the date of the meeting through the following communication platforms:

- Local newspapers that are circulated and advertised once on a weekly basis;
- Municipal website;
- Municipal-approved social media platforms
- Public loud hailing will be done on public engagements and events, if circumstances permit this and dependent on the availability of resources; and
- When deemed necessary, and when financially viable, pamphlets may be distributed and the posting of posters to publicise municipal engagements.

9.5.6 Councillors will be consulted and informed of such meeting(s) before a notice is given to the community.

9.5.7 Where practically and economically feasible, the Municipality will endeavour to make translators, print and electronic formats of the presentation available for the purpose of the public participation meeting.

9.5.8 Ward Councillors will play an official council role at public participation meetings in their respective wards.

9.5.9 Written submissions may be emailed or hand–delivered at the designated municipal electronic platforms and municipal offices as it appears in the public notices.

9.6. Special needs

In terms of Section 17(3) of the MSA, the Council must take into account the special needs of:

9.6.1 People who cannot read or write;
9.6.2 People with disabilities;
9.6.3 Women;
9.6.4 Senior Citizens; and
9.6.5 Other disadvantages groups.

9.7. Legislative Public Participation Time Frames

The relevant legal statutes establish specific deadlines for each municipal legislative process that involves public participation.

9.7.1. IDP and Budget public participation time frames

The legislative public participation time frames in terms of the MSA and MFMA below should be adhered to at all times:

Activity	Legislative Requirements	Time Frame	Responsible
Submission of the draft IDP, budget, tariffs, budget-related policies and SDBIP	MFMA - Sec 16(2) MSA - Sec 25 (b)(c) MBRR - Part 3	At least 90 days before the start of the budget year	Manager: IDP/PMS/PP and Senior Manager: Financial Management Services
Advertise the Draft IDP and Draft Budget and other required documents	MFMA - Sec 22(a) MSA - Sec 21A, 42 MPPMR - Reg 15(3)	Provide at least 21 days for public comments and written submissions	Manager: IDP/PMS/PP and Senior Manager: Financial Management Services
Council meeting to adopt final IDP, Performance Management Measures and targets and the budget	MFMA - Sec 24	At least 30 days before the start of the budget year)	Manager: IDP/PMS/PP and Senior Manager: Financial Management Services
Place the adopted IDP, multi-year budget, all budget-related documents and all budget-related policies on the website	MFMA - Sec 22 and 75 (1)(2) MSA - Sec 21A and 21B	Within 5 days after adoption	Manager: IDP/PMS/PP and Senior Manager: Financial Management Services
Give notice to the public of the adoption of the IDP and Budget	MBRR - Reg 18 MSA - Sec 25(4)(a)(b) MFMA - Sec 75(1)	Within 14 days of the adoption of the IDP and the budget, within 10 working days	Manager: IDP/PMS/PP and Senior Manager: Financial Management Services

10. GENERAL ARRANGEMENTS FOR PUBLIC PARTICIPATION PROCESSES

10.1. Admission to municipal public engagements

10.1.1 Section 20(1) of the MSA provides that meetings of the Council and its Committees are open to the public, including the media. The Council or its Committee may only exclude the public and media, when it is reasonable to do so, having regard to the nature of the business being transacted.

10.1.2 A by-law or resolution of the Council must specify the circumstances in which such meetings may be closed. The Council's Standing Rules, allow for meetings to be held in - committee.

10.1.3 Section 20(3) of the MSA constitutes that the Mayoral Committee may close any or all of its meetings to the public and the media, when it is reasonable to do so, having regard to the nature of the business being transacted.

10.1.4 Section 20(2) of the MSA sets out the matters, to be considered by the Council or its committees in respect of which meetings may not be closed for a draft by-law, Budget, IDP and any amendments to the IDP, a municipality's draft performance management system and amendments to the system, decision to enter into a service delivery agreement referred to in Section 76(b); and any matter prescribed by legislation.

10.2. Accessibility of information

10.2.1 The Promotion of Access to Information Act, 2000, sets out the procedure to be followed by members of the public to obtain access to records.

10.2.2 The Act further sets out grounds for refusal of access to information and makes provision for an appeal mechanism.

10.3. Language

Account is taken of national and provincial legislation on the recognition of official languages, and these will be used as a minimum framework. The diversity of Stellenbosch Municipality communities is recognised, and every effort will be made to use an appropriate language in any public participation process.

In terms of Section 18(2) of the MSA, the Council must take into account the language preferences of its community when providing information and /or interacting with such community. However, the first medium of communication will be English and will be translated if practically and economically feasible.

11. CONCLUSION

This policy outlines how the municipality's public participation processes, as well as the organisation's legislative processes and issues requiring public participation, will be conducted, organised, and managed.

The policy works from the premise that public participation is not isolated and only the function of a specific directorate, but an underlying value of the work of all departments in the Stellenbosch Municipal Council. The principles of public participation filter into the mainstream work of the Council and contribute towards building a transparent and participatory system of a democratic local government in the Stellenbosch municipal area. The document highlights the main areas where the Stellenbosch Municipality must find itself engaging in public participation initiatives.

It is important to note that the Public Participation Policy will be reviewed and developed over time, to reflect changing circumstances that allow or permit different approaches to conduct public participation. These improvements to the policy will always be done in accordance with legislative mandates.

ANNEXURE B

STELLENBOSCH
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Consolidated Written Submissions: Draft Public Participation

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1. Written Submissions: Draft Public Participation Policy

1.1. Submission: Western Cape Department Local Government

Table 1: Written Submission – Western Cape Department Local Government

Western Cape Department Local Government		
Page no.	**Table / Paragraph Graph**	**Input / Comment/s**
9	Under the heading: 3 Objectives of the public participation policy	Include the word 'responsive' in line 3.2 to read as follows: To establish a transparent, responsive and accountable municipality.
9	Under the heading: 3 Objectives of the public participation policy	Proposed to include line 3.3: To facilitate and create reasonable opportunities for residents to meaningfully participate in municipal decision-making processes DLG is making the point in the context of the 2023 landmark Constitutional Court Judgement in the matter involving Mogale vs the Speaker of the National Assembly and Others
9	Under the heading 4: Benefits of public participation	Replace the word 'attitude' with 'a culture' and include the word 'responsiveness' in sentence 4.2 to read as follows: Encourages a culture of openness, responsiveness and transparency in engaging with communities.
10	Under the heading 4: Benefits of public participation	Add the words 'and meaningfully' in sentence 4.6 to read as follows: Builds the capacity of citizens to engage effectively and meaningfully with their local council.
10	Under the heading 4: Benefits of public participation	Replace the word 'communities' with 'local authorities' in sentence 4
10	Under the heading 4: Benefits of public participation	Add the wording 'meaningfully' to the beginning of sentence 4.10

Western Cape Department Local Government		
Page no.	**Table / Paragraph Graph**	**Input / Comment/s**
10	Heading: 5.1 Developing a culture of public participation	The DLG propose that the following paragraph be inserted under the heading 5.1, felt it is important to emphasise from the onset the prominent role of the Speaker of Council in public participation. He/she is the custodian of public participation and has a statutory obligation to exercise his/her oversight function over the Municipal Administration. To insert the paragraph: The Speaker of Municipal Council, as the executive authority upon whom public participation is placed, has a statutory obligation, as provided for in section 37 (k) of the Structures Act ''to ensure the effectiveness and functionality of public participation and the public participation processes". This entails, among other things, that he/she has to exercise his/her oversight mandate by ensuring that administration is held accountable for operations, effectiveness and functionality of ward committees and public participation processes. The DLG propose that the following paragraph be inserted under the heading 5.1 because this is to ensure that the MM, and NOT the Speaker, has a responsibility to allocate resources and budget for the implementation of public participation programmes in line with this draft policy. More importantly, the implementation of public participation processes resides in his/office as prescribed in section 55 of the MSA. To insert the paragraph: Pursuant to the above legislative and policy requirement, and to institutionalize and/or streamline public participation within the Municipality, the Municipal Manager must, consistent with his/her functions as contemplated in section 55 of the Systems Act (read with section 16 and 21) provide all the necessary administrative support, as set out in the policy by encouraging and creating reasonable conditions for the local community to participate meaningfully in the affairs of the Municipality, including in
10	Heading: 5.1 Developing a culture of public participation	Replace the sub-heading: 5.1. Developing a culture of public participation….replacement sentence/sub-heading: 5.1. Strengthening the capacity of ward committees to perform their functions effectively as a primary mechanism to enhance public participation
10	Heading 5.2 Principles guiding public participation	A draft discussion paper on the review of the White Paper on Local Government (WPLG) will be released for public comments during March 2025. Add the wording in the paragraph referring to the White Paper: 'which is currently under review'
	Heading 6: Public Participation Structures and Mechanisms	Amend the wording of heading 6 to read: Public Participation Mechanisms, Processes and Procedures Reason for proposed amendment of the heading 6: It is common cause that ward committees are one of the primary mechanisms used by most municipalities to enhance public participation and cannot therefore be characterised as ''political structures"'. Rather refer to them as mechanisms
	Heading 6: Public Participation Structures and Mechanisms	Amend the section under heading 6: Delete: In terms of the provisions of Section 17(1)(a) of the MSA, political structures must be used to drive the public participation processes. The Act defines 'political structures' as the council of a municipality or any committee or other collective structure of a municipality that has been elected, designed or appointed in terms of the Municipal Structures Act. These political structures include: Insert: Section 17 of the MSA provides for processes, mechanisms, and procedures for public participation and prescribes that "Participation by the

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		local community in the affairs of the municipality must take place through" the following: • political structures for participation in terms of the Municipal Structures Act; • the mechanisms, processes and procedures for participation in municipal governance established in terms of this Act; • other appropriate mechanisms, processes and procedures established by the municipality, councillors; • generally applying the provisions for participation as provided for in this Paragraphs and bullet points have been rephrased and inserted into the policy.
	Heading 6: Public Participation Structures and Mechanisms	To insert the sentence above 6.1.1 - Taking the above into account, the Municipality will use the following mechanisms and procedures to strengthen and enhance its interface with communities:
	Heading 6.2. Intergovernmental structures	To include the District Public Participation Forum (DPPF)
	Heading 7, Table 2: Roles and Responsibilities	To insert the following sentence in the column with reference to the Office of the Speaker: 'The Speaker is the custodian of public participation and has an oversight obligation to ensure that public participation is effective and that ward committees are operational fully'
	Heading 7, Table 2: Roles and Responsibilities	Column referring to the Municipal Manager: Delete: Ensure that the municipality employs sufficient component staff members, other than councillors, to assist in the public participation processes. To insert: Ensure that the municipality establishes a public participation unit with dedicated staff to carry out and implement public participation programs and activities Reason for proposed deletion and insertion: Experience has taught us that public participation becomes effective when there is a Public Participation Unit with dedicated administrative capacity located in the office of the MM or a delegated senior official.
	Heading 8.4 Policy formulation and development of By-laws	Perhaps putting time frames here, as in the previous items, might be helpful. Each directorate will determine its time frames in terms of the prescribed legislation and will be indicated in the public notices being advertised.
	Heading 9.5 Invitation to public participation engagements	9.5.2 Public engagements will be held at a place, time and venue convenient to the majority of people in a particular ward/area, depending on the availability of resources. Delete the wording: 9.5.2 'depending on the availability of resources' What type of resources are referred to here, given the availability of public facilities, including community halls? We suggest that your Comms Policy guide you in this context. Noted.
	Heading 9.5 Invitation to public participation engagements	9.3.3 - The size of the venue and the approximate number of people who might be attending must be taken into consideration. Physical engagements will only be done if circumstances permit it. Delete the wording: 'Physical engagements will only be done if circumstances permit it'

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	Heading 10.3	In terms of Section 18(2) of the MSA, the Council must take into account the language preferences of its community when providing information and /or interacting with such community. However, the first medium of communication will be English and will be translated into other languages where appropriate, if circumstances permit this and depending on the availability of resources. Proposal is to delete the wording: 'and will be translated into other languages where appropriate, if circumstances permit this and depending on the availability of resources.' Reason for proposed deletion: This appears to contradict paragraph 9.5.7, which speaks about practicality and economic feasibility, and here in paragraph 10.3, the word ''appropriateness" is being used. Our suggestion remains as in that paragraph and further suggests that this be informed or guided by the Municipality's Language Policy, read in conjunction with the relevant policy and statutory frameworks.
	Correction of spelling and grammatical errors.	

1.2. Submission: Ms Rachelle Kirsten (Welgelegen, Stellenbosch)

Table 2: Written Submission – Ms Rachelle Kirsten

Ms Rachelle Kirsten (Welgelegen, Stellenbosch)
Input / Comment/s
Does such a Public Participation and IGR Policy currently exist?

1.3. Submission: Mr Ricardo Lodewyk (Disability Peer Supporter)

Table 3: Written Submission – Mr Ricardo Lodewyk (Disability Peer Supporter)

Mr Ricardo Lodewyk		
Page no.	**Table / Paragraph Graph**	**Input / Comment/s**
18	Heading 9.5: Invitation to public participation engagements	Provide inclusive transport options, such as accessible public or subsidised transport, for attendees with mobility impairments
18	Heading 9.5: Invitation to public participation engagements	Consider transport assistance programs that accommodate wheelchair users, ensuring they can attend meetings, consultations, and other public engagement events
18	Heading 9.5: Invitation to public participation engagements – line 9.5.7	Furthermore, I fully support the Directives for Public Participation, which mandate that all participation programs must be fully accessible to persons with disabilities. In addition to selecting only fully accessible venues, I recommend: Ensuring reasonable accommodation measures, such as sign language interpretation, braille or electronic formats for documents, and assistive listening devices.

Mr Ricardo Lodewyk		
Page no.	**Table / Paragraph Graph**	**Input / Comment/s**
		on the Rights of Persons with Disabilities. **Department: IDP / PMS and Public Participation** The policy under 9.5.7 makes provision for 'where practically and economically feasible, the Municipality will endeavour to make translators, print and electronic formats of the presentation available for the purpose of the public participation meeting.
18	Heading 9.5: Invitation to public participation engagements	Utilising digital participation platforms that are accessible to persons with disabilities, providing alternative means of engagement for those unable to attend in person. Reason for proposals: By integrating these measures, Stellenbosch Municipality can uphold the principles of inclusivity, ensuring that all residents, regardless of ability, can actively participate in shaping policies that impact their lives.

1.4. Submission: Mr Thomas Lawrie and Ronnie Donaldson (Stellenbosch Interest Group)

Table 4: Written Submission – Mr Thomas Lawrie and Ronnie Donaldson (Stellenbosch Interest Group)

Mr Thomas Lawrie and Mr Ronnie Donaldson (Stellenbosch Interest Group)		
Page no.	**Table / Paragraph Graph**	**Input / Comment/s**
10	Heading 5.2: Principles guiding public participation	The national government is in the process of renewing the 1998 White Paper on Local Government. The White Paper emphasises that "a renewed focus on participatory governance can foster stronger relationships between municipalities and their constituents. Encouraging active citizen involvement ensures that local governments remain attuned to the evolving needs and aspirations of the communities they serve." The Stellenbosch Interest Group (SIG) accordingly welcomes the municipality's initiative to develop a policy on public participation (PP).
7	Glossary of terms	Definition of "community" in the glossary The definition of "community" currently omits an important element from the White Paper on Local Government, which states: "Visitors and other people residing outside the municipality who, because of their presence in the municipality, make use of the services or facilities provided by the municipality, and includes, more specifically, the poor and other disadvantaged sections of such a body of persons." This should be incorporated to ensure a comprehensive definition.
12	Section 6.1.3	The policy does not adequately address the role of ward committees in facilitating public participation. While Table 2 states: "Ward committees: Mobilise communities to participate in IDP and Budget public participation processes or any other service delivery matter demanding public participation". It, however, fails to explain how ward committees mobilise communities. Clear mechanisms should be outlined.
18	Section 9.5.2	Meetings must be held in the Town Hall, ensuring representation from all wards. For instance, proposals concerning the town centre or the extension of the urban edge impact all wards and should be addressed collectively. Issues affecting the entire town should be discussed with all groups together, rather than following the policy of consulting only the ward where a proposal is to be implemented. In the past, Town Hall meetings were highly successful, with participants seated at round tables. These gatherings fostered engagement between representatives, leading to consensus on most issues—one notable example being the First IDP.
12	Section 6.3: Stakeholder Structures	The draft policy states:

Mr Thomas Lawrie and Mr Ronnie Donaldson (Stellenbosch Interest Group)		
Page no.	**Table / Paragraph Graph**	**Input / Comment/s**
		"The main purpose of stakeholder structures, if and when established, will be for strategic engagement pertaining to municipal areas of service delivery or to contribute to the lives of Stellenbosch communities." The use of "if" leaves room for these structures not to be established at all. A firm commitment to stakeholder structures is necessary. Additionally, the policy should clarify the difference between a "strategic forum" and a "stakeholder body" to avoid ambiguity.
15	Section 8.1: Participation in the drafting, review and/or amendment of the IDP	Scope of public participation The policy primarily addresses Public Participation in relation to the Integrated Development Plan (IDP) but does not consider day-to-day issues affecting communities that may also require public participation. This is a fundamental flaw and should be rectified.
16	Section 8.1.4: Written Submissions	Registration and notice for Public Participation bodies All community or neighbourhood organisations—whether officially registered or informal—should be able to register as public participation (PP) bodies. These bodies must receive all PP notices to ensure broader community involvement.
16	Section 8.1.4: Written Submissions	There should be a second round of PP after stakeholder comments have been incorporated.
16	Section 8.1.4: Written Submissions	The municipality must clarify how written submissions are considered and responded to. Recent experience with SIG has shown that responses to IDP/SDF submissions were often ignored or dismissed with brief, unexplained and potentially misleading replies.
16	Heading 8.2: Participation in the budget preparation process - Section 8.2.9	Municipal stakeholder database The policy lacks clarity on how the municipal stakeholder database is established and maintained. Councillors, with the assistance of ward committees, should ideally: • Compile a database of all interest groups and civil society organisations in their wards and share these contacts on the municipal www platforms • Ensure these groups are represented in the ward committee. If certain groups are not represented, the ward committee should actively engage with them. Stakeholder groups may include: School governing bodies; Neighbourhood groups; Sports clubs; Child welfare organisations; Other community-focused institutions; Etc.
16	Heading 8.2: Participation in the budget preparation process - Section 8.2.9	The municipality should create dedicated participation processes for vulnerable and underrepresented groups, such as the poor in informal settlements and those living in backyard shacks. Various public participation platforms are available to the broader community to enable residents to participate in public participation processes.
18	Heading 9.3 Public input and comments on the draft IDP and draft Budget - Section 9.3.6	The municipality's website is difficult to navigate. There should be a single platform or link dedicated to all information (public participation resources) that enables the public to make an informed decision. This will be referred to the Department: Communications, responsible for the municipal website.
18	Heading 9.5 Invitation to public participation engagements - Section 9.5.5	The policy states that notices should be published at least seven (7) days in advance. This should be extended to 14 days to allow for meaningful public engagement. Additionally, notices should not be published during the December holiday period (15 Dec – 10 Jan), when many residents are unavailable. The seven (7) day period for the publishing of notices does allow adequate notice for residents to prepare and attend the physical meetings. For meaningful engagement, a period of not less than 21 days as prescribed by the Local Government: Municipal Systems Act, 2000 (Act No.32 of 2000) (MSA) is made available for residents, stakeholders and interested parties to participate in public participation processes and engage on the various platform with the municipality.
18	Heading 9.5 Invitation to public participation engagements	Role of social media and digital engagement: Social media should be the primary communication tool for engaging residents – WhatsApp, Facebook, and Instagram.

Mr Thomas Lawrie and Mr Ronnie Donaldson (Stellenbosch Interest Group)		
Page no.	**Table / Paragraph Graph**	**Input / Comment/s**
18	Heading 9.5 Invitation to public participation engagements	Online petitions and public participation surveys should be used to collect input from the community efficiently
Establishment of a dedicated Public Participation Unit: The municipality should consider establishing a dedicated Public Participation Unit to ensure a coherent and systematic approach to public engagement. According to Section 17 of the Municipal Systems Act, this unit would be responsible for: • Receiving, processing, and considering petitions. • Notifying the public of issues under consideration and facilitating public comments. • Organising public meetings and hearings for councillors and officials. • Regularly sharing information with community organisations and ensuring consultation. The PP Unit's key responsibilities may include: • Managing and monitoring ward committee functionality. • Organising and promoting community participation in municipal processes. • Coordinating community outreach programs. • Collaborating with sector departments on community participation initiatives.		

1.5. Submission: Mr Barry Phillips (Franschhoek Heritage and Ratepayers Association)

Table 5: Written Submission – Mr Barry Phillips (Franschhoek Heritage and Ratepayers Association)

Mr Barry Phillips (Franschhoek Heritage and Ratepayers Association)		
Page no.	**Table / Paragraph Graph**	**Input / Comment/s**
	Email submission	Extend the closing date for comment to 15th April so these drafts can be considered at the next meeting of the FHRPA's Ratepayers Committee on 9th April. Please also let me have a copy of the standard operating procedure for petitions referred to in 9.2.2 of the draft PPP, as previously requested.
8	Glossary of Terms	Insert the wording: 'with the Municipality' to read as follows: "Public participation" means an open, fair and accountable process through which individuals and groups within communities can exchange views with the Municipality and influence decision-making. It is further defined as a democratic process of engaging people, deciding, planning and playing an active part in the development and operation of services that affect their lives.
9	Heading 3: Objectives of the Public Participation Policy	To delete the wording with a strikethrough 3.5 ~~For the municipality~~ To make development plans and services more relevant to local needs and environments.
9	Heading 3: Objectives of the Public Participation Policy	Add the word 'To' in front of the sentence 3.6 – 3.9
10	Heading 5: Public Participation in Local Government	Insert the wording: 'with the Municipality' to read as follows: "Public participation" means an open, fair and accountable process through which individuals and groups within communities can exchange views with the Municipality and influence decision-making. It is further defined as a democratic process of engaging people, deciding, planning and playing an active part in the development and operation of services that affect their lives.
10	Heading 5: Section 5.1 – Developing a culture of public participation	Add the word: 'facilitates' for the sentence to read as follows: The Municipality encourages, facilitates and creates conditions for the local community to participate in the affairs of the Municipality, including in:

Mr Barry Phillips (Franschhoek Heritage and Ratepayers Association)		
Page no.	**Table / Paragraph Graph**	**Input / Comment/s**
10	Heading 5: Section 5.1 (5.1.4) – Developing a culture of public participation	Add the wording 'the drafting' to the sentence to read as follows: 5.1.4 The drafting, determination, consideration and adoption of by-laws and sector/master plans linked to the IDP and Spatial Development Framework (SDF), where applicable; and
11	Heading 6: Public participation structures and mechanisms	Insert the wording 'stakeholder structures' to the sentence to read as follows: Public participation should take place through the established structures in the Stellenbosch Municipality as the political structures, ward committees, stakeholder structures and intergovernmental structures
12	Heading 6 – Section 6.3: Stakeholder Structures	Delete the words: 'Stellenbosch communities' Add the wording: 'those living in the municipality, and to provide feedback to the municipality on implementation and issues arising through structured engagement. The new sentence will read as follows: The main purpose of stakeholder structures, if and when established, will be for strategic engagement pertaining to municipal areas of service delivery or contribute to the lives of ~~Stellenbosch communities,~~ those living in the Municipality, and to provide feedback to the Municipality on implementation and issues arising through structured engagement.
12	Heading 6 – Section 6.3: Stakeholder Structures	Add the wording: 'such as but not limited to ratepayers, heritage and environmental conservation associations' The amended sentence will read: Structured forums for public participation in our municipal processes can include established forums, municipal sports councils, churches, businesses, agriculture and tourism, various institutions, nongovernmental organisations and community-based organisations, such as but not limited to ratepayers, heritage and environmental conservation associations.
13	Heading 7: Roles and responsibilities	Table 2: Roles and responsibilities line referring to the 'Community' Add the wording: 'and such other mechanisms and platforms as it may establish to deepen participatory democracy and the other objectives of this policy' The amended sentence reads as: Ensure that their participation takes place through the public participation mechanisms and platforms established by the municipality in terms of the MSA as set out in this policy and made public in municipal public notices and such other mechanisms and platforms as it may establish for the purposes of deepening participatory democracy and the other objectives of this policy.
14	Heading 8.4: Policy formulation and development of By-law	Add the words in font green for the sentence to read as follows: All proposed by-laws and policies must be published for public comment in a manner that allows the public an opportunity to make representations concerning the proposed by-law or policy. Section 8.4 has been revised.
17	Heading 9, Section 9.1	Add the word 'they' The sentence is to read as follows: 9.1.1 Notices about community engagements must be placed in the local print media, municipal website, municipal notice boards, municipal-approved social media platforms and other platforms as they become available. The word has been inserted.
18	Heading 9, Section 9.3	Add the following point to the paragraph: By posting notices on municipal-approved social media platforms.

8.11.2	ADOPTION OF THE INTERGOVERNMENTAL RELATIONS (IGR) AND INTERNATIONAL RELATIONS (IR) POLICY

Collaborator No: 787995
IDP KPA Ref No: Good Governance and Compliance
Meeting Date: 18 June 2025 and June 2025

1. SUBJECT: ADOPTION OF THE INTERGOVERNMENTAL RELATIONS (IGR) AND INTERNATIONAL RELATIONS (IR) POLICY

2. PURPOSE

For the Council to consider and approval:

(a) The final Intergovernmental Relations (IGR) and International Relations (IR) Policy, attached as **ANNEXURE A;** and

(b) Written submissions on the draft IGR and IR Policy, attached as **ANNEXURE B**.

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 with 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 activities and one that values international partnerships as a means to facilitate economic growth, actively encourages inward investment, and exchanges knowledge and best practices.

The final 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 submit the final Intergovernmental Relations (IGR) and International Relations (IR) Policy to the Council for adoption. An internal and external consultation process was conducted to obtain input on the draft Intergovernmental Relations (IGR) and International Relations (IR) Policy. A report containing all written submissions on the draft Intergovernmental Relations (IGR) and International Relations (IR) Policy is attached, as **ANNEXURE B**.

5. RECOMMENDATIONS

(a) that the final Intergovernmental Relations (IGR) and International Relations (IR) Policy of Stellenbosch Municipality be adopted, attached as **ANNEXURE A**; and

(b) that the written submissions on the draft Intergovernmental Relations (IGR) and International Relations (IR) Policy, attached as **ANNEXURE B**, be noted; and

(c) that an advertisement be placed on the official website of the municipality and in the local newspaper notifying the public that the final Intergovernmental Relations (IGR) and International Relations (IR) Policy has been adopted by the Council.

6. DISCUSSION

6.1 Background

Chapter 3 of the Constitution, 1996, of South Africa provides that the three spheres of government are 'distinctive, interdependent, and interrelated.' The principles that underlie the relationships between the spheres are those of cooperative government and intergovernmental relations (IGR).

In terms hereof, each sphere must, among other things:

(a) respect the constitutional status, institutions, and powers and functions of government in the other spheres;

(b) exercise their powers and perform their functions in a manner that does not encroach on the geographical, functional, or institutional integrity of government in another sphere;

(c) cooperate with one another in mutual trust and good faith by:
- assisting and supporting one another;
- consulting one another on matters of common interest;
- coordinating their actions and legislation with one another; and
- adhering to agreed procedures.

A clear understanding of each sphere of government's powers and functions is an important part of this cooperative relationship. This is to make sure that no sphere of government or organ of state interferes with the institutional, functional, or geographical integrity of another sphere of government.

The final IGR and IR Policy outlines the principles of intergovernmental relations, such as mutual respect, cooperation, and information sharing, to facilitate collaboration and decision-making processes. It also mandates the establishment of structures and participation therein, such as intergovernmental forums. In addition, it highlights communication and coordination between municipalities and other government bodies, as well as dispute resolution.

The period for public input commenced on 06 March 2025 and concluded on 27 March 2025. The internal and external consultation processes were conducted concurrently, with all the written input submitted to Management for consideration in drafting the final IGR and IR Policy.

The table below outlines the consultation process followed for the final draft of the IGR and IR Policy.

No.	Key Activities	Dates
1.	Draft IGR and IR Policy submitted to the Directors Forum for input	22 October 2024
2.	Draft IGR and IR Policy distributed to Directors / Senior Managers (SM) and managers for input	07 – 26 November 2024
3.	Tabled the departmental inputs on the draft IGR and IR Policy to the Directors Forum	14 January 2025
4.	Consultation Sessions: Directors, Senior Managers, and Managers	03 – 04 February 2025
5.	Draft IGR and IR Policy submitted to the Council for the purpose of obtaining approval for public input	26 February 2025
6.	Notice published in the Eikestad Nuus, municipal website, social media platforms, and hard copies of the draft policy delivered to the libraries and ward offices	06 March 2025
7.	Public participation period for public input on the draft IGR and IR Policy	06 – 27 March 2025
8.	Electronic submission of the draft policy to the Department: Local Government and the Cape Winelands District Municipality for input	07 March 2025
9.	Submit the draft IGR and IR Policy to the All-Ward Councillors Meeting	13 March 2025
10.	Submit a consolidated report on the written submissions to the Directors Forum for consideration	25 April 2025
11.	Submit the IGR and IR Policy to the Council for final adoption	25 June 2025

The Western Cape Department of Local Government was the only stakeholder to submit written input on the draft IGR and IR Policy.

No.	Name and Surname	Organisation
1.	Mr I Meyer (Jr)	Western Cape Department: Local Government

6.2 Financial Implications

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

6.3 Legal Implications

In accordance with Chapter 3 of the Constitution, the principles of co-operative and intergovernmental relations are stipulated as –

Section 41.

(1) *All spheres of government and all organs of state within each sphere must—*

(a) preserve the peace, national unity and the indivisibility of the Republic;

(b) secure the well-being of the people of the Republic;

(c) provide effective, transparent, accountable and coherent government for the Republic as a whole;

(d) be loyal to the Constitution, the Republic and its people;

(e) respect the constitutional status, institutions, powers and functions of government in the other spheres;

(f) not assume any power or function except those conferred on them in terms of the Constitution;

(g) exercise their powers and perform their functions in a manner that does not encroach on the geographical, functional or institutional integrity of government in another sphere; and

(h) co-operate with one another in mutual trust and good faith by—

(i) fostering friendly relations;
(ii) assisting and supporting one another;
(iii) informing one another of, and consulting one another on, matters of common interest;
(iv) co-ordinating their actions and legislation with one another;
(v) adhering to agreed procedures; and
(vi) avoiding legal proceedings against one another.

Section 41(3) ascribed that –

An organ of state involved in an intergovernmental dispute must make every reasonable effort to settle the dispute by means of mechanisms and procedures provided for that purpose and must exhaust all other remedies before it approaches a court to resolve the dispute.

It is further emphasised by **Section 41 (4)** that –

If a court is not satisfied that the requirements of subsection (3) have been met, it may refer a dispute back to the organs of state involved.

The Intergovernmental Relations Framework Act No. 13 of 2005 provides for –

A framework for the establishment of intergovernmental forums and mechanisms to facilitate the settlement of intergovernmental disputes.

The White Paper on Local Government, 1998, promotes the engagement with other municipalities in other countries by stipulating that –

Section 3.2

Municipalities can also engage with municipalities in other countries, through a range of mechanisms from informal linkages to formal twinning arrangements and membership of international municipal institutions.

International linkages may provide numerous benefits to South African municipalities, including facilitating the sharing of international expertise and best practice experience.

Council should note that a draft discussion paper on the review of the White Paper on Local Government (WPLG) was released for public comments, under Notice No. 6118 (Gazette: 52498), to initiate a national discussion aimed at producing a revised White Paper on Local Government by March 2026.

6.4 Staff Implications

This report has no additional staff implications for the municipality.

6.5 Risk Implications

This report has no direct risk implications for the municipality.

6.6 Previous / Relevant Council Resolutions

Not applicable.

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: 2025-06-18: ITEM 7.11.2

(a) that the final Intergovernmental Relations (IGR) and International Relations (IR) Policy of Stellenbosch Municipality be adopted, attached as **ANNEXURE A**; and

(b) that the written submissions on the draft Intergovernmental Relations (IGR) and International Relations (IR) Policy, attached as **ANNEXURE B**, be noted; and

(c) that an advertisement be placed on the official website of the municipality and in the local newspaper notifying the public that the final Intergovernmental Relations (IGR) and International Relations (IR) Policy has been adopted by the Council.

ANNEXURES

Annexure A: Final Intergovernmental Relations (IGR) and International Relations (IR) Policy

Annexure B: Written submissions on the draft Intergovernmental Relations (IGR) and International Relations (IR) Policy

FOR FURTHER DETAILS CONTACT:

NAME	G Cain
POSITION	Manager: IDP/PMS/PP
DIRECTORATE	Office of the Municipal Manager
CONTACT NUMBERS	021 808 8174
E-MAIL ADDRESS	gurswin.cain@stellenbosch.gov.za
REPORT DATE	12 June 2025

ANNEXURE A

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INTERGOVERNMENTAL RELATIONS (IGR) AND INTERNATIONAL RELATIONS (IR) POLICY

2025

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Policy	Intergovernmental (IGR) and International Relations (IRs) Policy
Directorate	Office of the Municipal Manager
Date Approved	
Date Effective	
Council Item Number	
Collab File Ref	

Version	Date Created	Status	Author	Review Date
1.0	2025	Final draft	Gurswin Cain	New document

List of Abbreviations and Acronyms

IDP	Integrated Development Plan
IGR	Intergovernmental Relations
IR	International Relations
SALGA	South African Local Government Association
MayCo	Mayoral Committee
MSA	Municipal Systems Act
MSA	Municipal Structures Act
MOU	Memorandum of Understanding
WCO24	Refers to the Stellenbosch Municipality

Definitions

"Agreement"	Refers to a written document wherein the goals, objectives, projects and programmes necessary for achieving benefit from Municipal International Relations, in the knowledge that it does not constitute a legally binding agreement, that is not governed by a specific legal regime and that a party cannot institute legal action on grounds of breach of the agreement.
"Council"	"Council', means the Municipal Council as specified in section 160(1)(a) of the Constitution of the Republic of South Africa which states that: "The Municipal Council makes decisions concerning the exercise of all the powers and the performance of all the functions of the municipality". Herein referred to as the Council of Stellenbosch Municipality
"Distinctive"	The Stellenbosch Municipality is a self–governing legislative body and has executive authority over and within its demarcated municipal area.
"Interrelated"	The obligation placed on national, provincial and local governments to cooperate with each other to promote the well-being of all citizens.
"Intergovernmental Relations"	means relationships that arise between different governments or between organs of state from different governments within South Africa in the conduct of their affairs.
"International Relations"	Refers to the interactions between and behaviour of several actors or stakeholders in the global system. These actors or stakeholders include governments in all spheres, international organisations, international private sector actors, and multinational enterprises.
"Municipality"	Is an organ of state within the local sphere of government exercising legislative and executive authority within its legally demarcated area, as envisaged in Section 152 of the Constitution of the Republic of South Africa.
"SALGA"	The South African Local Government Association (SALGA) is an autonomous association of municipalities with its mandate derived from the Constitution of the Republic of South Africa. This mandate defines SALGA as the voice and sole representative of local government. SALGA interfaces with parliament, the National Council of Provinces (NCOP), cabinet as well as provincial legislatures.

Part A: General Provisions

1. Preamble

1.1 Stellenbosch Municipality's Intergovernmental and International Relations (IGR and IR) Policy has an important role to play in determining the municipality's intergovernmental and international relations priorities and objectives, and in delineating the powers, roles, procedures and functions of the relevant role-players. It has the potential to be a powerful tool to enhance the international profile of Stellenbosch Municipality as an attractive place to visit, live, work and do business.

1.2 The Stellenbosch Municipality's IGR and IR Policy aims to guide decision-making pertaining to intergovernmental and international relations in an articulate manner that aligns with the strategic goals of the municipality as identified in the Integrated Development Plan (IDP).

1.3 The Policy is aligned with the key objectives of the Western Cape Government International Relations Strategy focusing on increasing trade, tourism, investment and skills development while promoting knowledge sharing to achieve the vision of globally positioning Stellenbosch Municipality.

1.4 The Policy further intends to reflect an international reality in which local governments will play an increasingly critical role both as regulators and as facilitators of economic growth and development.

1.5 Intergovernmental relations intend to promote relationships with a wide range of stakeholders, through multi–sphere dialogue. This includes liaison with local government, provinces, sector departments and other state and non–state actors to promote effective governance, service delivery, economic growth and social upliftment.

2. Regulatory Context

This section provides an overview of the relevant legislation and policies that have a bearing on the intergovernmental relations of the Stellenbosch Municipality:

2.1 Constitution of the Republic of South Africa No.18 of 1996

2.2 Intergovernmental Relations Framework Act, 2005 (Act No.13 of 2005)

2.3 Intergovernmental Fiscal Relations Framework Act (1997)

2.4 Local Governmental: Municipal Finance Management Act, 2003 (Act No.56 of 2003)

2.5 Local Government: Municipal Structures Act, 1998 (Act No.117 of 1998)

2.6 Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000)

2.7 Department of International Relations and Cooperation (DIRCO) Policy Framework

2.8 Western Cape Government International Relations Strategy

2.9 Stellenbosch Municipality's Subsistence and Travel Policy

2.10 Stellenbosch Municipality's Cost Containment Policy

3. Desired Outcomes

3.1 To administer and coordinate intergovernmental and international liaison functions.

3.2 To promote Stellenbosch Municipality as a competitive global opportunity for economic, social and cultural activity, one that values international connectivity as a means to facilitate job creation through private sector-led economic growth and is recognized for its open and competitive regulatory environment, which is balanced by the Municipality's values and strategic goals.

3.3 With regards to international relations, it is the intention of the Stellenbosch Municipality to utilise its international relations to actively encourage inward investment, particularly in the catalytic growth sectors identified in the IDP.

3.4 To articulate a clear set of goals and objectives that promote the interests of the municipality that are aligned with the values and strategic policy objectives of the Western Cape Government and the Department of International Relations and Cooperation.

3.5 To clarify the powers, functions, roles and responsibilities of role–players.

3.6 To set out 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 capitalize on ad hoc opportunities when such opportunities are deemed valuable.

3.7 This Policy aims to ensure that appropriate controls are in place to curtail fruitless initiatives and onerous and costly commitments where these do not result in tangible benefits for Stellenbosch Municipality.

3.8 To integrate international relations within Stellenbosch Municipality's broader development agenda.

3.9 To recommend ways by which mechanisms, processes and procedures should be developed and implemented to ensure sound intergovernmental relations between Stellenbosch Municipality, Provincial and National Government, District Municipality, and municipalities with the Western Cape Province, organised local government (SALGA) and local stakeholders.

3.10 To ensure that interaction between Stellenbosch Municipality, Provincial and National Government, District Municipality and municipalities within the Western Cape Province and organised local government enhances effective alignment in terms of legislation, financial matters, policies, projects and programmes, integrated development planning and local government management and ultimately promotes effective and cohesive service delivery.

4. Role Players and Stakeholders

The following internal role players are identified for the purpose of implementing the IGR and IR Policy:

Stakeholders	Responsibility
Executive Mayor	• The Office of the Executive Mayor is the entry point of all requests and initiatives to embark on international relations projects through the Municipal Manager. • The Office of the Executive Mayor is responsible for facilitating and coordinating the international and local travel arrangements of the Executive Mayor and other assigned political office bearers.

Stakeholders	Responsibility
Municipal Manager	▪ The Office of the Municipal Manager is responsible for facilitating all requests and initiatives to embark on international relations projects to the Office of the Executive Mayor. ▪ Advise the Executive Mayor prior to formal consideration of intergovernmental and international engagements and commitments. ▪ The Office of the Municipal Manager is responsible for preparing items for international visits for Council approval or may delegate this to the responsible directorate/department. ▪ The Office of the Municipal Manager is responsible for facilitating and coordinating the international and local travel arrangements of the Municipal Manager and other assigned municipal officials or may delegate this to the responsible directorate/department. ▪ Responsible to advise the Executive Mayor on IGR structures. ▪ To report, where necessary, on Stellenbosch Municipality's participation in international and local projects and commitments.
Directors / Senior Manager / Manager	▪ To advise on the benefits of intended IGR and IR relationships and partnerships to enhance integrated planning and service delivery. ▪ To implement relevant programmes as agreed upon. ▪ To assign a staff member as liaison with intergovernmental and international partners at a project level. ▪ To report to the Municipal Manager on the status of agreements and partnerships, as and when required. ▪ Set key initiatives/projects/programmes with clear measurable performance targets and timeframes for the duration of the MOAs and MOUs. ▪ To participate in intergovernmental structures and to report thereon. ▪ To ensure that IGR-related community priorities are reported to the national and provincial government and reported back to the municipality. ▪ Municipal officials or departmental representatives participating in forums or engagements on behalf of the municipality must obtain an official mandate from the Municipal Manager before participating in IGR or IR decision–making processes. ▪ Submit a back-to-office report to the Municipal Manager after attending IGR and IR forums.

External stakeholders that may be consulted on matters pertaining to intergovernmental and international relations of the municipality include:

Stakeholders	Departments / Organisations / Entities
National and Provincial stakeholders	▪ The National Department of International Relations and Cooperation (DIRCO); ▪ Other National Government Departments; ▪ Provincial Government; ▪ South African Missions abroad; ▪ South African Local Government Association (SALGA); ▪ Other municipalities; and ▪ Intergovernmental forums/structures.
International Stakeholders	▪ Foreign diplomatic representation in South Africa; ▪ South African diplomatic representation abroad; ▪ International Organisations; ▪ Foreign city governments.
Other Stakeholders	▪ Local Tourism Associations with the greater Stellenbosch area

PART B: INTERNATIONAL RELATIONS

5. International Partnerships and Agreements

5.1 The Office of the Municipal Manager's recommendation to the Executive Mayor, together with the Mayoral Committee, regarding the Municipality's membership of international organisations shall be guided by consideration of the following factors:

5.1.1 The international standing of the organisation;

5.1.2 The benefits to be gained from membership; and

5.1.3 The cost implications of membership.

5.2 Unless otherwise agreed as per 5.2.2 below, the Municipality will only enter into the following types of agreements with international organisations or stakeholders:

5.2.1 Partnership Agreements, Twinning Agreements, Membership Agreements, Memoranda of Understanding (MoU), Grant agreements, Development Assistance Agreements, Statements of intent, and Cooperation Protocol.

5.2.2 Other types of agreements may be entered into as a result of a decision by the Council.

5.2.3 Guidelines detailing the nature and scope of each type of agreement, and the implications of each for the Municipality, will be agreed upon and drafted before a formal agreement is reached.

5.3 All recommendations and decisions taken by the Council regarding international partnerships or memberships on the part of the Municipality shall be taken:

5.3.1 With due regard to the cost implications;

5.3.2 By weighing such costs against the anticipated benefits to the Municipality; and

5.3.3 In accordance with the provisions in the MFMA and other relevant legislation and policies.

5.4 Where appropriate, the Municipality shall be open to coordination and cooperation with the Western Cape Government on matters relating to international relations.

5.5 A review of the Municipality's memberships with international organisations shall be conducted as per the stipulations contained in the membership agreement with the particular international organisation. In the Municipal Manager's recommendation, and the final decision by the Executive Mayor together with the Mayoral Committee, consideration should be given to the factors highlighted in section 5.1.

5.6 The Municipality will act as the overarching Implementing Agent for Partnerships and Agreements. However, it will be the responsibility of the recipient directorates to execute the actual implementation and monitoring and evaluation (M&E) of the partnership or agreements, report to the Municipal Manager and provide international partners with updated information in this regard.

PART C: INTERGOVERNMENTAL RELATIONS

6. Roles and Responsibilities of Local Government

6.1 Local government has a vital role to play and responsibilities with regard to intergovernmental relations. All departments within Stellenbosch Municipality should take note of the system of intergovernmental relations that have the following objectives:

6.1.1 To enhance effective service delivery to all residents within the Stellenbosch municipal area (WCO24);
6.1.2 To promote and facilitate cooperative decision–making;
6.1.3 To coordinate and align priorities, budgets, policies and activities across interrelated functions and sectors;
6.1.4 To ensure a smooth flow of information between the different spheres of government, between the Municipality and the communities, with a view to enhance the implementation of policies and programmes; and
6.1.5 To give effect to the legal prescripts contained in various pieces of legislation relative to intergovernmental relations.

6.2 Horizontal cooperation and coordination of activities between departments of Stellenbosch Municipality and the relevant National and Provincial departments are vital to the integrity and effectiveness of local government. Mechanisms and processes should be identified and developed by each department within the municipality to enhance the effectiveness of intergovernmental relations between role-players mentioned in this policy.

6.3 In order for cooperative role–players to succeed, Stellenbosch Municipality should:

6.3.1 Collectively harness public resources behind the common goal and within a framework of mutual support and cooperation;
6.3.2 Develop a cohesive, multi-sectoral perspective in the interest of the community as a whole and to respect the discipline of national goals, policies, and operation principles;
6.3.3 Coordinate IGR activities in Stellenbosch to avoid wasteful competition and costly duplication;
6.3.4 Settle disputes with other spheres of government constructively without resorting to costly and time–consuming litigation; and
6.3.5 Each department within Stellenbosch Municipality must engage with their counterparts at national and provincial government, where necessary, to promote and facilitate intergovernmental relations.

7. Alignment with the National Government

Stellenbosch Municipality will maintain open, cooperative and constructive relations with national government. All departments within the municipality will therefore participate, as delegated by the Municipal Manager, in programmes and structures, established on a national level to address issues of service delivery in terms of:

7.1.1 Legislation;
7.1.2 Integrated Development Planning;
7.1.3 Financial Matters;
7.1.4 Policies, projects and programmes; and

7.1.5 Intergovernmental programmes (such as Imbizo's and outreaches).

8. Alignment with the Provincial Government

8.1 The Provincial Government has a number of roles and responsibilities with respect to local government that are "interrelated" in the sense that each sphere must exercise its autonomy to the common good of the province by cooperating with one another.

8.3 Stellenbosch Municipality should, inter alia, ensure that the municipal IDP forms a viable development framework across the municipality and is vertically integrated with the provincial strategies. Provincial Government is also responsible for the processing of grants to municipalities to promote strategies of local and provincial interest.

8.4 Stellenbosch Municipality to participate in intergovernmental structures and programmes established to promote intergovernmental relations on a provincial level, with the view to enhance effective and efficient service delivery. These are:

8.4.1 Ministers Mayoral Technical Forum (MinMay Tech)
8.4.2 Minister's and Mayoral Forum (MinMay)
8.4.3 Premier's Coordinating Technical Forum (PCFTech)
8.4.4 Premiers Coordinating Forum (PCF)
8.4.5 Joint District and Metro Approach (JDMA) (One Plan)

8.5 There are also special purpose IGR structures instituted to align provincial and municipal priorities and service delivery. These are:

8.5.1 Annual "meet and greet" between Provincial Ministers and Executive Mayors.

8.6 Stellenbosch Municipality participates in a range of other line-specific IGR Forums and platforms that meet regularly, as agreed in the terms of references of these IGR Forums.

9. Alignment with the district and local municipalities within the Cape Winelands and Western Cape

9.1 The Intergovernmental Relations Framework Act 13 of 2005 (amendments proposed to the Act currently, which is in 'Bill' form), aims to foster friendly relationships within government but also to ensure that each sphere performs its functions as required by the Constitution.

9.2 The objective of the Act is to give effect to the constitutional requirements regarding the structures and institutions to promote IGR and mechanisms and procedures to facilitate dispute resolution.

9.3 The purpose of the legislation is to encourage coordination across the three spheres of government in the implementation of policy and legislation, but also to ensure proper coordination within district municipalities. The Act establishes a broad statutory framework dealing with:

9.3.1 Key principles of co-operative government and IGR;
9.3.2 Intergovernmental forums that form the institutional spine of IGR;
9.3.3 Implementation protocols that facilitate integrated service delivery; and
9.3.4 Rules for the settlement of intergovernmental disputes.

9.4 Section 24(1) of the MSA requires neighbouring municipalities to interact as regards to planning matters. Stellenbosch Municipality will interact and cooperate with neighbouring municipalities as required from time to time to promote service delivery.

9.5 Stellenbosch Municipality participates in a range of IGR Forums and platforms on the district level that meet regularly, as agreed in the terms of references of these IGR Forums.

10. Alignment with Organised Local Government (SALGA)

10.1 The Constitution allows municipalities to organise and form municipal associations. A National organisation, The South African Local Government Association (SALGA) and nine Provincial associations have been established.

10.2 Section 3(3) of the Local Government: Municipal Systems Act, 2000 provides as follows with regard to the role of organised local government:

"3(3) For the purpose of effective cooperative government, organised local government must seek to:

a) *develop common approaches for local government as a distinct sphere of government;*
b) *enhance cooperation, mutual assistance and sharing of resources among municipalities;*
c) *find solutions for problems relating to local government generally; and*
d) *Facilitate compliance with the principles of cooperative government and intergovernmental relations."*

10.3 SALGA's key role is the effective representation of the local government in the legislative processes of all spheres of government and intergovernmental executive processes.

10.4 SALGA also represents local government interests in forums such as the National Council of Provinces, the Budget Forum dealing with intergovernmental transfers, MINMEC, and in the drafting of legislation that affects the status, institutions, powers and functions of municipalities.

10.5 It is imperative that SALGA should develop strong internal mandating and consultative processes with municipalities. SALGA is also an employers' organisation and constitutes the employer component of the South African Local Government Bargaining Council.

10.6 SALGA's role is, inter alia:

10.6.1 The provision of specialised services to supplement and strengthen the capacity of municipalities;
10.6.2 Research and information dissemination;
10.6.3 Facilitating shared learning between municipalities;
10.6.4 Human resource development; and
10.6.5 Councillor training.

10.7 The provincial SALGA establishes working groups on which the Stellenbosch Municipality Must be represented by councillors as deployed by the Stellenbosch Municipality.

10.8 Stellenbosch Municipality will participate in structures established by SALGA to promote service delivery and will cooperate with SALGA on matters as required from time to time.

11. Disputes

11.1 In terms of the Intergovernmental Relations Framework Act, all organs of state must make every reasonable effort –

11.1.1 To avoid intergovernmental disputes when exercising their statutory powers or performing their statutory functions; and

11.1.2 To settle intergovernmental disputes without resorting to judicial proceedings.

11.2 The Act requires that any formal agreement between two or more organs of state in different spheres of government regulating the exercise of statutory powers or performance of statutory functions, including any implementation protocol or agency agreement, must include dispute settlement mechanisms or procedures that are appropriate to the nature of the agreement and the matters that are likely to become the subject of a dispute.

11.3 Stellenbosch Municipality will, as required by the Act, make every reasonable effort to settle any dispute with another organ of the state, and should such reasonable efforts fail, follow due processes as prescribed by the relevant legislation and the relevant agreement.

12. Policy Review

12.1 The Policy is to be reviewed if or when required, aligned to changing circumstances and tabled to Council for approval.

ANNEXURE B

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Consolidated Written Submissions: Draft Intergovernmental Relations (IGR) and International Relations (IR) Policies

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1. Written Submissions: Draft IGR and IR Policy

1.1. Submission: Western Cape Department Local Government

Table 1: Written Submission – Western Cape Department Local Government

Western Cape Department Local Government		
Page no.	**Table / Paragraph Graph**	**Input / Comment/s**
10	Heading 6: Roles and Responsibilities of Local Government	Add the sentence below to 6.1: 'Local government has a vital role to play and responsibilities with regard to intergovernmental relations'
10	Heading 6: Roles and Responsibilities of Local Government (6.1.1)	The meaning of the abbreviation: WCO24
10	Heading 6: Roles and Responsibilities of Local Government – 6.3.3	Perhaps an inclusion/consideration of arrangements pertaining to district-wide IGR collaboration
11	Heading 8: Alignment with the Provincial Government – 8.5.1	Delete the word: 'Provincial' Reason for deletion: JDMA functions as an interface between Provincial and Local Government within the broader IGR. As such, it doesn't fit the typical definition of an IGR 'structure,' and I propose we remove it.
11	Heading 8: Alignment with the Provincial Government – 8.4	Include the following forums: - Minister's and Mayoral Forum (MinMay) Premier's Coordinating Technical Forum (PCFTech)
11	Heading 8: Alignment with the Provincial Government – 8.6.1	Add the word: 'Provincial' for the sentence to read: Annual "meet and greet" between Provincial Ministers and Executive Mayors. Reasons: Meet and Greet takes place after every 2 years or after every Local and General election. New arrangements might be introduced, and the policy should be updated when it becomes available.
11	Heading 9: Alignment with the district and local municipalities within the Cape Winelands and Western Cape – 9.1.1	Inclusion of the Act number and the comment on the amendment of the Act. The Intergovernmental Relations Framework Act, 13 of 2005 (amendments proposed – currently in 'Bill' form), aims to foster friendly relationships within government but also to ensure that each sphere performs its functions as required by the Constitution.

9.	REPORTS BY THE MUNICIPAL MANAGER

9.1	RECRUITMENT AND SELECTION PROCESS: DIRECTOR CORPORATE SERVICES

Collaborator No:
IDP KPA Ref No: Good governance and Compliance
Meeting Date: 25 June 2025

1. SUBJECT: RECRUITMENT AND SELECTION PROCESS: DIRECTOR CORPORATE SERVICES

2. PURPOSE OF REPORT

To commence with the recruitment process for the appointment of Director Corporate Services.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

Following the vacancy of Director Corporate Services, a recruitment and selection process must commence to maintain and enhance stability within the organisation.

5. RECOMMENDATIONS:

a) That a selection panel be appointed as per the Regulations on the Appointment and Conditions of Employment of Senior Managers for the Director Corporate Services which must consist of at least three but not more than five members, constituted as follows:

- The municipal manager, who will be the chairperson;
- A member of the mayoral committee or councillor who is a portfolio head of the relevant portfolio; and
- At least one other person, who is not a councillor or a staff member of the municipality, and who has expertise or experience in the area of the advertised post.

b) That an independent external consultant be appointed to assist with the recruitment and selection process;

c) That the Senior Manager Human Resource Management, Mr Alexander Kannemeyer, be appointed to act as Director Corporate Services for three months, or until the finalisation of the recruitment process, whichever comes first;

d) That, if the period exceeds three months that the Minister of Local Government in the Province extends the period on good cause shown; and

e) That an acting allowance be paid as per the approved Acting Allowance Policy.

6. DISCUSSION / CONTENTS

6.1 Background

Following the vacancy of Director Corporate Service a recruitment and selection process must commence to maintain and enhance stability within the organisation.

In terms of Section 7.1 of the Regulations on the appointment and conditions of employment of Senior Managers, when the post of a senior manager becomes vacant, or is due to become vacant, the municipal manager, in the case of a manager directly accountable to the municipal manager, must, upon receipt of official notification that the post of a senior manager will become vacant, obtain approval from the municipal council for the filling of such post in its next council meeting or as soon as it is reasonably possible to do so. This process must take place in accordance with the municipal systems and procedures contemplated in Section 67 of the Act.

It is for this reason that the recruitment and selection process for the appointment of the Director Corporate Services must be followed through.

6.2 Discussion

The Regulations on the appointment and conditions of employment of Senior Managers was Gazetted on 17 January 2014. (Gazette No. 37245 dated 17 January 2014).

In terms of Section 7.1 , when the post of a senior manager becomes vacant, or is due to become vacant, the municipal manager, in the case of a manager directly accountable to the municipal manager, must, upon receipt of official notification that the post of a senior manager will become vacant, obtain approval from the municipal council for the filling of such post in its next council meeting or as soon as it is reasonably possible to do so.

According to Section 7.2, a vacant senior manager post may not be filled, unless:
(a) approval to fill the post has been granted by the municipal council; and
(b) the post has been budgeted for.

In terms of Section 8, no person may be appointed as a senior manager on a fixed term contract, on a permanent basis or on probation, to any post on the approved staff establishment of a municipality, unless he or she-
(a) is a South African citizen or permanent resident; and
(b) possesses the relevant competencies, qualifications, experience and knowledge set out in in the regulations.

An appointment may not take effect before the first day of the month following the month during which the municipal council approved the appointment.
Section 10 requires the municipal manager to, within 14 days of receipt of the approval referred to in regulation 7, ensure that the vacant post is advertised.

A vacant senior manager post must be advertised in a newspaper circulating nationally and, in the province, where the municipality is located.

An advertisement for a vacant senior manager post must specify the:
(a) Job title;
(b) Term of appointment;
(c) Place to be stationed;
(d) Annual total remuneration package;

(e) Competency requirements of the post, including minimum qualifications and experience required;
(f) Core functions;
(g) Need for signing of an employment contract, a performance agreement and disclosure of financial interest;
(h) The need to undergo security vetting;
(i) Contact person;
(j) Address where applications must be sent or delivered; and
(k) Closing date which must be minimum 14 days from the date the advertisement appears in the newspaper and not more than 30 days after such date.

Cognisance must be taken of Section 12 which makes provision for the manner in which the selection panel must be constituted. Section 12(1) provides that:
"A municipal council must appoint a selection panel to make recommendations for the appointment of candidates to vacant senior manager posts.
Section 12(2) provides that in deciding who to appoint to a selection panel, the following considerations must inform the decision:
(a) The nature of the post;
(b) The gender balance of the panel; and
(c) The skills, expertise, experience and availability of the persons to be involved.

Section 12(4) provides that the selection panel for the appointment of a municipal manager must consist of at least three and not more than five members, constituted as follows:
(a) The municipal manager, who will be the chairperson;
(b) A member of the mayoral committee or councillor who is the portfolio head of the relevant portfolio; and
(c) At least one other person, who is not a councillor or a staff member of the municipality, and who has expertise or experience in the area of the advertised post.

Furthermore, Section 12(5) requires the panel member to disclose any interest or relationship with shortlisted candidates during the shortlisting process. According to Section 12(6) a panel member must recuse himself or herself from the selection panel if-
(a) His or her spouse, partner, close family member or close friend has been shortlisted for the post;
(b) The panel member has some form of indebtedness to a short-listed candidate or *vice versa*; or
(c) He or she has any other conflict of interest.

The Regulations further dictates in terms of Section 12(7) that a panel member and staff member must sign a declaration of confidentiality to avert the disclosure of information to unauthorised persons.

The Regulations as per Section 14, provides for strict timeframes which must be adhered to with regard to the Screening of candidates as well as the Interviewing process in Section 15. Due diligence must be given to Section 17 which deals with the Resolution of the municipal council on appointment of senior managers and reporting as well as the Re-employment of dismissed persons in Section 18.

In light of the above, it is thus crucial that Council approve the recruitment and selection process for the filling of the vacancy of Director Corporate Serves.

Furthermore, the Municipal Manager has been acting in the position since the suspension of the Director and the subsequent termination of employment. Given the vast area of responsibility of the accounting officer and the issues that need to be

dealt with in the directorate, a more hands-on approach is required, and it is therefore imperative that an acting director be appointed.

Section 56(1)(a)(ii) of the Local Government Municipal Systems Act No. 32 of 2000 provides that Council, after consultation with the Municipal Manager, must appoint an acting manager directly accountable to the Municipal Manager under circumstances and for a period prescribed. This period may not exceed 3(three) months. If the period exceeds three months, the Minister of Local Government in the Province extends the period on good cause shown.

The person that is appointed in an acting capacity must at least have the skills, expertise, competencies and qualifications as prescribed for such a position.

Given the above, it is recommended that the Manager Human Resource Management, Mr Alexander Kannemeyer, be appointed to act as Director Corporate Services. Mr Kannemeyer has the necessary skills, qualifications and competencies to act in the position as Director Corporate Services.

6.3 Financial Implications

The post is budgeted for. The amount for the advertisement and the appointment of the independent service provider.

6.4 Legal Implications

Regulation on the Appointment and Conditions of Employment of Senior Manager.

6.5 Staff Implications

Filling of Director Corporate Services post.

6.6 Previous / Relevant Council Resolutions

None

6.7 Risk Implications

The process of the recruitment and selection process has to be finalised to ensure stability and continuity within the organisation.

6.8 Comments from Senior Management

The item was not circulated for comment.

FOR FURTHER DETAILS CONTACT:

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POSITION	Municipal Manager
DIRECTORATE	Office of the Municipal Manager
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REPORT DATE	4 June 2025

9.2	INFORMATION AND COMMUNICATION TECHNOLOGY POLICIES

Collaborator No:
IDP KPA Ref No: **Good Governance**
Meeting Date: **25 June 2025**

1. SUBJECT: INFORMATION AND COMMUNICATION TECHNOLOGY POLICIES

2. PURPOSE OF REPORT

For Council to approve the Policies for Information and Communication Technology.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

The Municipality is advancing in its use of technology to enhance service delivery. The Municipality further recognise the need to review/update the ICT policies to comply with all the legislative and regulatory requirements and to ensure operational efficiency. These policies form an integral part for effective municipal corporate governance.

5. RECOMMENDATIONS

that Council adopts the following Information and Communications Technology Policies **(ANNEXURE 1):**

i) ICT Acceptable Usage Policy
ii) ICT Data Backup and Recovery Policy
iii) ICT Desktop Replacement and Allocation Policy
iv) ICT Disaster Recovery Architecture
v) ICT Business Impact and Risk Analysis
vi) ICT DR Plan Review
vii) ICT Disaster Recovery Test Plan
viii) ICT Laptop Security Policy
ix) ICT Network Maintenance Policy
x) ICT operating System Security Controls Policy
xi) ICT Security Controls Policy
xii) ICT User Access Management Policy

6. DISCUSSION

6.1 Background

The Department of Local Government issued Circular C18 of 2025 which require all municipalities to adopt the revised Municipal Governance of Information and Communication Technology Policy Framework 2025 and its related documents thereby enabling implementation thereof during the 2026/27 financial year. The Circular serves as guide to effectively govern and manage the use of technology in service delivery.

The Municipality recognizes the need to integrate fit-for-business emerging technologies to improve operational efficiency and economic growth. As a result, digital transformation and the development of smart municipalities is rapidly expanding. This approach will enhance the responsiveness of ICT governance and management change, while offering a comprehensive set of practices that the Municipality can tailor to suit its needs.

6.2 Discussion

In terms of the Municipal Corporate Governance of Information and Communication Technology Policy, various policies must be implemented by the Municipality. These policies are developed to guide and to assist the Municipality to be compliant and be aligned with the applicable legislative framework.

The following ICT policies were revised:

i) ICT Acceptable Usage Policy
ii) ICT Data Backup and Recovery Policy
iii) ICT Desktop Replacement and Allocation Policy
iv) ICT Disaster Recovery Architecture
v) ICT Business Impact and Risk Analysis
vi) ICT DR Plan Review
vii) ICT Disaster Recovery Test Plan
viii) ICT Laptop Security Policy
ix) ICT Network Maintenance Policy
x) ICT operating System Security Controls Policy
xi) ICT Security Controls Policy
xii) ICT User Access Management Policy.

The following ICT policies form part of the new employee induction process, are accessible on the municipal system (intranet) and is included in the monthly security awareness training for all staff

i) ICT Security Controls Policy; and
ii) ICT User Access Management Policy.

The following ICT policies are utilised for internal governance and processes to improve security measures by safeguarding municipal data and services

i) ICT Acceptable Usage Policy
ii) ICT Data Backup and Recovery Policy
iii) ICT Desktop Replacement and Allocation Policy
iv) ICT Disaster Recovery Architecture
v) ICT Business Impact and Risk Analysis
vi) ICT DR Plan Review
vii) ICT Disaster Recovery Test Plan
viii) ICT Laptop Security Policy
ix) ICT Network Maintenance Policy

The aforesaid policies will further be reviewed to be aligned with the Circular for Municipal Governance of Information and Communications Technology Policy Framework 2025 to support the Municipality's ICT Governance and ICT Strategy Plan.

7. FINANCIAL IMPLICATIONS

NONE

8. LEGAL IMPLICATIONS

The proposed policies are well informed and within the context of the statutory prescripts. The policies are in compliance with the standard policies that were developed by the Western Cape Government and have been adopted to suit the specific circumstance in Stellenbosch Municipality.

9. STAFF IMPLICATIONS

This report has no additional staff implications to the Municipality.

10. RISK IMPLICATIONS

The risk is addressed in the content of the item.

ANNEXURE 1: Information and Communications Technology Policies

FOR FURTHER DETAILS CONTACT:

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REPORT DATE	**19 June 2025**

ANNEXURE 1

STELLENBOSCH
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POLICY NAME	ICT DR PLAN REVIEW
Original Author(s)	Senior Manager ICT
Policy status	Review 4.0
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Director Corporate Services	
Municipal Manager	
Council Approval	

Document Identification

File Name	ICT DISASTER RECOVERY PLAN
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Version Control

Action	Name	Role / Function	Date
Prepared by:	Regan Mooideen	Senior Manager ICT	1 March 2023
Reviewed/Approved by:			

Glossary of Abbreviations

Abbreviation	Definition
BCMS	Business Continuity Management System
BC	Business Continuity
DR	Disaster Recovery
DRP	Disaster Recovery Plan
HR	Human Resources
ICT	Information and Communication Technology
MTO	Maximum Tolerable Outage
RTO	Recovery Time Objective
RPO	Recovery Point Objective
SME	Subject Matter Expert
ITIL	Information Technology Infrastructure Library
O/S	Operating System
CTO	Chief Technology Officer
LAN	Local Area Network
WAN	Wide Area Network
BAU	Business As Usual
Q&A	Questions and Answers
IROC	ICT Recovery Operations Centre
R & R	Roles and Responsibilities
P & P	Processes and Procedures

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1. Introduction

a) The Stellenbosch Municipality (STB) developed a disaster recovery (DR) strategy based on the business impact assessment (BIA) and the risk assessment (RA). These documents were developed as part of a process to develop and implement a disaster recovery plan (DRP) for STB.

   i) The BIA established the recovery objectives for STB systems and also outlined the recovery priorities of information and communication technology (ICT) systems based on the ICT systems outage impact on STB business operations.

   ii) The DR strategy outlines the strategies necessary to recover STB systems based on the recovery objectives identified in the BIA.

   iii) The RA establishes Stellenbosch Municipality ICT risk posture and recommends risk mitigating actions

NOTE Disaster recovery planning is a critical component of business continuity planning (BCP). However, this plan assumes that STB will make necessary BCP arrangements, since BCP is not included in this document. It is highly recommended that STB should establish the BCP status and align the plan with the BCP.

b) The next step is to develop a step-by-step set of activities that need to be followed when a disaster occurs. This step-by-step set of activities constitutes a DRP. A DRP is a guiding document that contains the necessary instruction, guidelines, organisation, responsibilities and information and associated technology solutions. When implemented, the DRP will enable Stellenbosch Municipality to recover its ICT systems in the event of a disaster.

c) The objective of a DRP is

   i) to provide guidelines and procedures for an orderly and timely recovery from an interruption of data processing and/or network services;

   ii) to make sufficient agreed-on preparations and to design and implement a sufficient set of agreed-on procedures for responding to a disaster of any size in the departmental area of responsibility;

   iii) risk reduction and prevention to help avert any interruption in computing systems, applications, network systems and services; and

   iv) to reduce confusion during any chaotic period by having a clearly defined course of action that will re-establish services as soon as possible.

d) This document outlines the process that STB will follow in the event of a disaster that affects ICT systems. It consolidates all the phases of the disaster recovery project into a workable plan. It also provides the process to flow when implementing the plan.

2. Scope

The scope of this document is limited to assisting STB in putting together actions for DR readiness such that when these actions are concluded, STB will be able to recover. The following areas are presented in the document:

a) establishment of DR practices,

b) current STB DR practices,

c) establishment of DRTs,

d) incidents management procedure, and

e) the DR processes.

3. Establishment of DR practices

3.1 Establish, implement and enforce a backup policy

The establishment, implementation and enforcement of a backup policy are the initial steps towards preparing for systems and data recovery in the event of a disaster. It allows STB to achieve the following goals:

a) safeguard the information assets;

b) prevent loss of data in the case of accidental deletion or corruption of data, system failure or a disaster;

c) permit timely restoration of information and business processes should a disaster occur;

d) manage and secure backup and restoration processes and the media employed in these processes; and

e) promote the culture of data safeguarding in STB.

3.2 Implement a backup and restore solution

The Information & Communication Technology (ICT) DR strategy document for the STB identifies a backup strategy with three components; these components are the corner stone for successful DR at STB. As the starting point, STB should enable the backup strategy components as discussed in the paragraphs that follow.

3.2.1 Backup for high availability

It was established during the DRP project phases that STB requires to be able recover speedily from minor incidents resulting from operational failure of the ICT systems without invoking the complete DR process. This requirement is made possible by the implementation of a high-availability backup solution. The enablers for this high-availability solution are

a) VMware & Veeam virtualisation solution, and

b) failover clustering.

3.2.2 Backup solution for a major disaster

In the event of a major disaster such as a total loss of the STB data centre building, the backup solution should cater for recovery. The ICT disaster strategy documents outline the replication of data to the secondary data centre. The Franschhoek and Pniel buildings were initially identified as the DR locations for Stellenbosch Municipality. During the financial year 2018/2019, a 3-year DR colocation project was undertaken with TERACO Datacentre located in Claremont as the compliant DR location for the Stellenbosch Municipality.

There are other systems that may not be supportive of the virtualisation and strategies. For these systems, a disk-to-disk tape backup strategy must be implemented as outlined in the DR strategy document.

a) Daily backup
Daily disk-to-disk incremental backup will be done from Monday to Saturday.

b) Weekly backups
Weekly disk-to-disk full backups will be done every Sunday.

c) Monthly backups
Monthly disk-to-tape full backups will be done on the last Sunday of every month.

3.3 Implement the ICT DR strategy and DR technology architecture

Two recovery strategies were identified in the ICT recovery strategy document and the DR technology architecture and outlined as follows:

a) reciprocal; and

b) Hot-site and warm site recovery strategies.

These strategies are implemented by means of the adopted technology architecture. These strategies, when implemented, will enable the recovery of systems in accordance with recovery time objectives (RTOs) and recovery point objectives (RPOs) identified by the business impact assessment exercise.

3.4 Formalise system documentation

An inventory of all systems and documentation should be maintained; these include important documents such as licence agreements and contracts. The ICT environment should be fully and formally documented.

3.4.1 Network configuration documentation

The STB network is critical to the STB ICT environment; it is the backbone of accessing shared information, financial systems, the Internet/Intranet, e-mail system and Voice-over-IP (VOIP). Without the network infrastructure, STB may not be able to access application systems and information required for adequate business processing. The following information related to the network components needs to be formally documented:

a) routing;
b) switching;
c) domain name service information;
d) IP address information; and
e) telecommunication information.

3.4.2 Network servers

The following network servers exist and need to be backed up:

a) file-sharing servers;
b) print servers;
c) e-mail servers;
d) domain name servers;
e) Intranet and Internet servers;
f) application servers; and
g) database servers.

3.5 Establish an incident management plan (IMP)

An IMP should be established and documented to provide a well-defined, organised approach for handling any potential threat to ICT systems and data, as well as taking appropriate action when the source of the incident is established. The IMP identifies and describes the roles and responsibilities of an incident response team (IRT) that is tasked with executing the IMP.

3.5.1 Incident Response Team (IRT)

An IRT is established to provide a quick, effective and orderly response to ICT systems-related incidents such as virus infections, hacker attempts and break-ins, improper disclosure of confidential information, system service interruptions, breach of information security and other events with serious information security implications. The events above have the potential to lead to a disaster such as denial of service. The IRT's mission is to prevent a serious loss of systems, public confidence or information assets by providing an immediate, effective and skilful response to any unexpected event involving computer information systems, networks or databases. It is authorised to take appropriate steps deemed necessary to contain, mitigate or resolve an ICT security incident. The team is responsible for investigating suspected intrusion attempts or other security incidents in a timely, cost-effective manner and for reporting findings to management and the appropriate authorities as necessary. The Senior Manager ICT will coordinate these investigations. The IRT will subscribe to various security industry alert services to keep abreast of relevant threats, vulnerabilities or alerts from actual incidents.

3.5.2 IRT composition

An IRT should be made up of the following roles or members **however, due to a lack of capacity in STB, members may take up more than one role. This does, however, pose a risk in that the response team may not function adequately with many roles dependent on a single person**. Each of the following areas will have a primary and alternate member:

a) Information Security Office (ISO);
b) Senior Manager ICT;
c) information security administration (ISA);
d) network architecture/administration;
e) operating system architecture/specialist;
f) database administration (DBA);
g) business applications; and
h) internal auditing (Risk Management).

3.5.3 IRT roles and responsibilities

a) ISO

i) Determine the nature and scope of the incident.
ii) Contact qualified information security specialists for advice as needed.
iii) Contact members of the IRT.
iv) Determine which IRT members play an active role in the investigation.
v) Provide proper training on incident handling.
vi) Escalate to executive management as appropriate.
vii) Contact auxiliary departments as appropriate.
viii) Monitor progress of the investigation.
ix) Ensure that evidence gathering, chain of custody and preservation are appropriate.
x) Prepare a written summary of the incident and corrective action taken.

b) Senior Manager ICT

i) Central point of contact for all computer incidents.
ii) Notify Information Security Officer to activate computer incident response team.

c) ISA

i) Coordinate activities with the ISO.
ii) Document the types of personal information that might have been breached.
iii) Provide guidance throughout the investigation on issues relating to privacy of customer and employee personal information.
iv) Assist in developing appropriate communication to impacted parties.
v) Assess the need to change policies, procedures and/or practices as a result of the breach.

d) Network Architecture

i) Analyse network traffic for signs of denial of service, distributed denial of service or other external attacks.
ii) Run tracing tools such as sniffers, transmission control protocol (TCP) port monitors and event loggers.
iii) Look for signs of a network security breach.
iv) Contact external Internet service provider for assistance in handling the incident.
v) Take action necessary to block traffic from suspected intruder.

e) Operating systems Architecture

i) Ensure that all service packs and patches are current on mission-critical computers.
ii) Ensure that backups are in place for all critical systems.
iii) Examine system logs of critical systems for unusual activity.

f) Business applications administrator

i) Monitor business applications and services for signs of attack.
ii) Review audit logs of mission-critical servers for signs of suspicious activity.
iii) Contact the ICT Operations Centre with any information relating to a suspected breach.
iv) Collect pertinent information regarding the incident at the request of the ISO.

g) Internal auditing

i) Review systems to ensure compliance with information security policy and controls.
ii) Perform appropriate audit test work to ensure that mission-critical systems are current with service packs and patches.
iii) Report any system control gaps to management for corrective action.

3.5.4 Types of incidents

There are many types of system incidents that may require IRT activation. Some examples include:

a) breach of Stellenbosch Municipality information,
b) denial of service/distributed denial of service,
c) excessive port scans,

d) network security breach,
e) virus outbreak,
f) hardware failure, and
g) software failure.

3.6 Document System recovery procedures

Recovery procedures are critical for enabling recovery of individual systems. The procedure should enable hardware and software recovery. The procedures include installation instructions, configurations, reset and troubleshooting. STB should develop recovery procedure for the following environments:

a) routing;
b) switching;
c) domain name service information;
d) IP address information;
e) telecommunication information;
f) file-sharing servers;
g) print servers;
h) e-mail servers;
i) domain name servers;
j) Intranet and Internet servers;
k) application servers; and
l) database servers.

4. Stellenbosch Municipality DR arrangements

4.1 RTOs and RPOs

A business impact assessment conducted established the following recovery priorities of the systems, the RTO and the RPOs, shown in table 1. In an event of a disaster, systems will be recovered in line with these priorities, RTOs and RPOs.

Table 1 – Recovery priorities

Process priorities	Priority 1	Priority 2	Priority 3
Recovery time objective (RTO)	1 day	3 days	5 days
Recovery point objective (RPO)	1 day	2 day	5 days
Maximum Tolerable period of disruption(MTD)	1 day	2 days	5 days
Application systems	Active Directory, Network infrastructure, e-mail system, Internet, MS Office, MS Share Point, DHCP, Symantec Antivirus, SQL, VMware & Veeam, SAMRAS, PAYDAY.	CP3, Ignite, IMQS, Cash Focus, I-Force, IPas, Opus, Alarm, Access Control and CCTV, Telecommunications, GIS, SQL database, VOIP	Collaborator, Ignite, Teammate, BarnOwl, GeoReality ,ValuProp, Globe Waiting List and Housing database, Housing subsidy, CAT, Geodebt, Qmatic, eNatis, Imap, WinDeed

4.2 Recovery strategy

The recovery strategies in table 2 below were adopted for each system. The list below will guide the placement of the implementation of the technology architecture and placement of systems in the architecture.

Table 2 – Recovery strategies

System	Strategy
Active Directory	Hot site
Network infrastructure	Hot site
MS Exchange	Hot site
Samras, Payday, Cash Focus	Hot site
Internet	Hot site
ITRON,I-Force, Gismo, IPas, Opus GIS,	Hot site
Telecommunications and VOIP	Hot site
Nature Conservation SQL database,	Hot Site
Alarm, Access Control and CCTV	Hot Site

System	Strategy
Intranet	Hot site
Website	Reciprocal
IMQS	Reciprocal/ Hot Site
GIS	Reciprocal
eNatis, Housing database, Housing subsidy	Reciprocal
Qmatic, GeoReality, ValuProp, Globe Waiting List and, CAT, Geodebt, WinDeed, Imap	Warm Site
I-Force	Reciprocal
Collaborator, Ignite	Warm Site
Teammate, BarnOwl,	Warm Site

4.3 DR location

The current secondary data centre **(TERACO in Claremont)** is used as a failover and mirror site and as a disaster recovery site because of distant proximity should an event that affects the whole area occurs. The DR site has been prepared in line with the technology architecture and the recovery strategy. In an event of a disaster that warrants relocation of ICT operations for recovery, the recovery location will be activated for warm

or cold strategies. Other locations are necessary for safe keeping of recovery procedures, documentation and backup tapes.

4.4 Established DRTs

To enable the execution of the DRP, STB should establish a DR governance structure and various disaster recovery teams. These teams will collective participate in various stages of the DR process and report to the DR steering committee. Each team will have a team leader who is the coordinator of the particular team's activities.

4.4.1 DR Teams

In general, the following teams are needed to support a feasible disaster recovery plan:

a) **Disaster Recovery Committee (DRC):** The DRC is an oversight committee that oversees the activities of the DRP. Members of the DRC are from various departments in STB.

b) **HR/People Assistance Team:** Manage human-related issues for affected people.

c) **Communications Team:** Handle internal and external communications and messages related to BCM program.

d) **ICT DR Team:** Manage the setup and recovery of ICT services and resources.

e) **Security Team:** Handle security aspects in normal and disaster conditions.

f) **Regional Coordinators:** Handle BCM program activities in specific regions/ geographies.

g) **Local DR Coordinators:** Assist in implementing BCM in their areas and handle departmental and other recovery tasks.

The DR structure is depicted in figure 1 below.

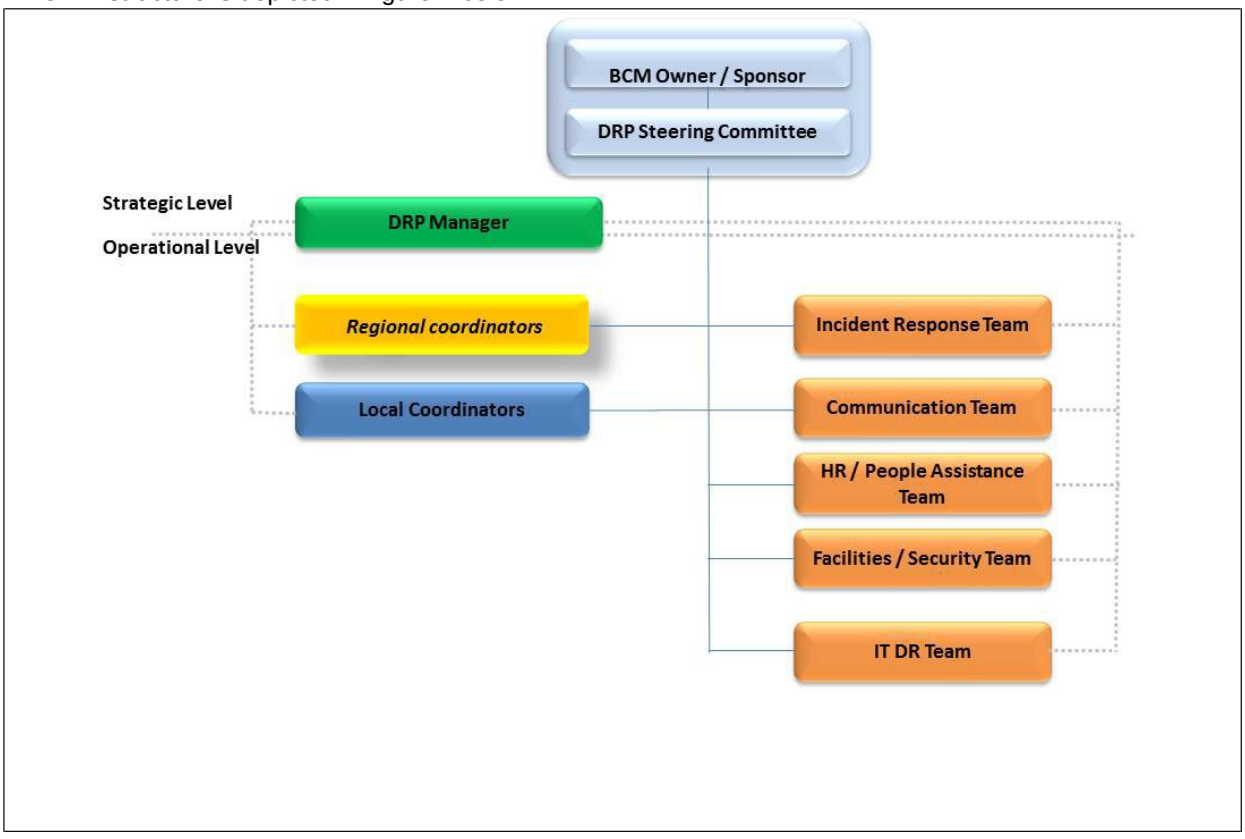


Figure 1 - DRP Structure

4.4.2 DR committee (DRC)

The DRC is an oversight committee that oversees the activities of the DRP. Members of the DRC are from various departments in STB. They individually safeguard the interests of their department and collectively ensure that STB recovers from business interruptive events. Their responsibilities include:

a) approving the DRP;

b) allocating DRP implementation resources;

c) monitoring DRP activities such as testing, review and update;

d) ensuring that DRP policies and procedures are implemented; and

e) in the event that a disaster is declared, activating the DRP.

Table 3 – Disaster Recovery Committee members

Designation	Name	Work	Cell	E-mail address
Senior Manager ICT	Mr. Regan Mooideen	021 808 8538	0829405153	Regan.Mooideen@stellenbosch.gov.za
Manager ICT Systems and Desktop Support	Ms. Tembisa Mafumana	021 808 8582		Vacant (post advertised)
System administrator	Mr. Elvino Williams	021-808 8996	073 701 8784	Elvino.Williams@stellenbosch.gov.za
Municipal Manager	Ms. Geraldine Mettler	021 808 8025	082 312 3063	Municipal.Manager@stellenbosch.gov.za
Manager: Fire & Rescue Services	Mr. Wayne Smith Stellenbosch Station La Motte Station	021 808 8771 021 808-8888	071 443 7337 072 874 8992	Wayne.Smith@stellenbosch.gov.za
Head: Disaster Management	Ms. Shezayd Seigels	021 808 8888	082 050 4834	
Manager: Law Enforcement, Admin & Logistics, Event's Management	Ms Joan Felix Law enforcement Control room	021 808 8840 021 808 8890/1	084 506 5060	Joan.Felix@stellenbosch.gov.za;
Occupational Health & Safety	Ms. Sheila Hlekwana	021 808 8055		Shiella.Hlekwana@stellenbosch.gov.za
Director: Financial Services	Mr. Kevin Carolus	021 808 8520	083 388 5549	kevin.carolus@stellenbosch,gov.za;
Director: Corporate Services	Ms. Annalene De Beer	021 808 8018		Vacant (post to be advertised)
Communication Media	Mr. Stuart Grobbelaar	021 808 8172	084 036 1395	Stuart.grobbelaar@stellenbosch.gov.za
Cape Winelands District – Head: Disaster Management	Mr. Shaun Minnies	021 870 3247 021 888 5847	082 779 9823	Shaun@capewinelands.gov.za

4.4.3 Incident Response Team (IRT)

The IRT's mission is to prevent a serious loss of systems, public confidence or information assets by providing an immediate, effective and skilful response to any unexpected event involving computer information systems, networks or databases. The responsibilities of the IRT are set out below.

a) Provide a quick, effective and orderly response to computer related incidents such as
   i) virus infections,
   ii) hacker attempts and break-ins,
   iii) improper disclosure of confidential information to others,
   iv) system service interruptions, breach information, and
   v) other events with serious information security implications.

b) Take appropriate steps deemed necessary to contain, mitigate or resolve a computer security incident.

c) Investigate suspected intrusion attempts or other security incidents in a timely, cost-effective manner and report findings to management and the appropriate authorities as necessary.

d) Subscribe to various security industry alert services to keep abreast of relevant threats, vulnerabilities or alerts from actual incidents.

e) Execute incident response procedure to resolve incidents.

f) Liaise with other teams regarding incidents and incidents handling.

g) Establish and maintain an incidents resolution knowledge base.

h) Provide incidents reports to management

Table 4 – Incident Response Team

Name	Designation	Work number	Cell	E-mail address
Regan Mooideen	Senior Manager ICT	021-808 8538	0829405153	Regan.Mooideen@stellenbosch.gov.za
Elvino Williams	System Administrator	021-808 8996	0737018784	Elvino.Williams@stellenbosch.gov.za
Tembisa Mafumana	Manager ICT Systems and Desktop Systems	021-808 8582		Vacant (post advertised)
Mr. Shaun Minnies	Cape Winelands District – Head: Disaster Management	021 870 3247 / 021 888 5847	082 779 9823	shaun@capewinelands.gov.za
Provincial Disaster Management Centre	Mrs Jacqueline Pandaram	021	083 440 9698	Jacqueline.Pandaram@westerncape.gov.za;
Mr. Wayne Smith Stellenbosch Station La Motte Station	Manager: Fire & Rescue Services	021 808 8771 021 808-8888	071 443 7337 072 874 8992	Wayne.smith@stellenbosch.gov.za
Vacant	Head: Disaster Management	021 808 8888		
Joan Felix Law enforcement Control room	Manager: Law Enforcement, Admin & Logistics, Event's Management	021 808 8840 021 808-8890/1	084 506 5060	joan.felix@stellenbosch.gov.za

4.4.4 Communication Team

The communication team will be the team responsible for all communication during a disaster. Specifically, they will communicate with STB employees, clients, vendors and suppliers, banks, and even the media if required. The role and responsibilities are as follows:

a) Communicate the occurrence of a disaster and the impact of that disaster to all STB employees.
b) Communicate the occurrence of a disaster and the impact of that disaster to authorities, as required.
c) Communicate the occurrence of a disaster and the impact of that disaster to all STB partners.
d) Communicate the occurrence of a disaster and the impact of that disaster to all STB clients.
e) Communicate the occurrence of a disaster and the impact of that disaster to all STB vendors.
f) Communicate the occurrence of a disaster and the impact of that disaster to media contacts, as required.
g) After STB is back to business as usual, this team will be required to summarize any and all costs and will provide a report to the Disaster Recovery Lead summarizing their activities during thedisaster.

Table 5 – Communication Team

Name	Designation	Work number	Cell	E-mail address
Regan Mooideen	Senior Manager ICT	021-808 8538	0829405153	Regan.Mooideen@stellenbosch.gov.za
Elvino Williams	System Administrator	021-808 8996	0737018784	Elvino.Williams@stellenbosch.gov.za
Vacant	Manager ICT Systems and Desktop Systems	021-808 8582		vacant (post advertised)
Communication Media	Mr. Stuart Grobbelaar	021 808 8172	084 036 1395	Stuart.grobbelaar@stellenbosch.gov.za

4.4.5 Facilities/Security Team

The Facilities Team will be responsible for all issues related to the physical facilities that house ICT systems. They are the team that will be responsible for ensuring that the standby facilities are maintained appropriately and for assessing the damage too and overseeing the repairs to the primary location in the event of the primary location's destruction or damage.

The role and responsibilities of the facilities team are to:

a) Ensure that the standby facility is maintained in working order;
b) Ensure that transportation is provided for all employees working out of the standby facility;
c) Ensure that hotels or other sleeping are arranged for all employees working out of the standby facility;
d) Ensure that sufficient food, drink, and other supplies are provided for all employees working out of the standby facility;
e) Assess, or participate in the assessment of, any physical damage to the primary facility;
f) Ensure that measures are taken to prevent further damage to the primary facility;
g) Work with insurance company in the event of damage, destruction or losses to any assets owned by STB;
h) Ensure that appropriate resources are provisioned to rebuild or repair the main facilities in the event that they are destroyed or damaged; and
i) After STB is back to business as usual, this team will be required to summarize any and all costs and will provide a report to the Disaster Recovery Lead summarizing their activities during thedisaster.

Table 6 – Facilities Team

Name	Designation	Work number	Cell	E-mail address
Theresa Benjamin	Property Management	021 808 8189	084 506 5065	Theresa.Benjamin@stellenbosch.gov.za
Occupational Health & Safety	Ms Sheila Hlekwana	021 808 8055		Shiella.Hlekwana@stellenbosch.gov.za
Regan Mooideen	Senior Manager ICT	021-808 8538	0829405153	Regan.Mooideen@stellenbosch.gov.za
Elvino Williams	System Administrator	021-808 8996	0737018784	Elvino.Williams@stellenbosch.gov.za
Vacant	Manager ICT Systems and Desktop Systems	021-808 8582		vacant (post advertised)

4.4.6 Damage assessment team (DAT)

The DAT has two primary functions. The preliminary responsibility of this team is to gather and relay information about the extent of damage in an event that an incident occurred and was reported. The DAT will assess the extent of damage resulting from the following incidents:

a) breach of STB information;
b) denial of service/distributed denial of service;
c) excessive port scans;
d) network security breach;
e) virus outbreak;
f) hardware failure;
g) software failure;
h) fire and natural disasters that may affect the data centre;
i) cyber attacks;
j) damage to utilities such as electrical supplies; and
k) structural damage to the data centre.

The DAT will assess the damage resulting from an unresolved incident, based on its assessment; the DAT will either declare a disaster or recommend an alternative resolution of a problem.

Table 7 – Damage Assessment Team

Name	Designation	Work number	Cell	E-mail address
Regan Mooideen	Senior Manager ICT	021-808 8538	0829405153	Regan.Mooideen@stellenbosch.gov.za

Elvino Williams	System Administrator	021-808 8996	0737018784	Elvino.Williams@stellenbosch.gov.za
Vacant	Manager ICT Systems and Desktop Systems	021-808 8582		Vacant (post advertised)

Mr. Shaun Minnies	Cape Winelands District – Head: Disaster Management	021 870 3247/ 021 888 5847	082 779 9823	shaun@capewinelands.gov.za
Provincial Disaster Management Centre	Mrs Jacqueline Pandaram	021	083 440 9698	Jacqueline.Pandaram@westerncape.gov.za
Mr. Wayne Smith Stellenbosch Station La Motte Station	Manager: Fire & Rescue Services	021 808 8771 021 808 8888	071 443 7337 072 874 8992	Wayne.smith@stellenbosch.gov.za
Vacant	Head: Disaster Management	021 808 8888		vacant
Ms Joan Felix Law enforcement Control room	Manager: Law Enforcement, Admin & Logistics, Event's Management	021 808 8840 021 808-8890/1	084 506 5060	Joan.felix@stellenbosch.gov.za

4.4.7 Disaster recovery team (DRT)

The DRT will physically recover loss systems and data. This team should comprise specialists across the skill set required for running the Stellenbosch Municipality ICT environment.

Table 8 – Disaster Recovery Team

Name	Designation	Work	Cell	E-mail address
Vacant	Manager ICT Systems	021-808 8582		vacant
Elvino Williams	System Administrator	021-808 8996	0737018784	Elvino.Williams@stellenbosch.gov.za
Regan Mooideen	Senior Manager ICT	021-808 8538	0829405153	Regan.Mooideen@stellenbosch.gov.za

4.4.8 Business recovery team (BRT)

The BRT is composed of business applications users. These are advanced system users who understand the application use in its entirety. Once the application systems are recovered, the DR coordinator will inform the BRT to test the application system to ascertain whether the system is fully recovered. The BRT will indicate to the DR coordinator whether recovery was successful or whether the system is not fully recovered.

Table 9 – Business Recovery Team

Name	Designation	Work	Cell	E-mail address
William September	Document Management	021 808 8774	076 462 2475	William.sptember@stellenbosch.gov.za
Pieter Wagener Amanda Sondlo	Budget & Costing Revenue Expenditure	021 808 8509 021 808 8531 021 808 8533	083 997 7662 082 871 8758 078 212 0301	Pieter.wagener@stellenbosch.gov.za Amanda.sondlo@stellenbosch.gov.za
Vacant	Auditing & Risk	021 808 8555		vacant (post advertised)
Ayanda Royi	Traffic Services	021 808 8		Ayanda.royi@stellenbosch.gov.za
Wayne Smith	Disaster Management Fire Services	021 808 8878	082 050 4834	Wayne.smith@stellenbosch.gov.za
Theresa Benjamin	Property Management	021 808 8189	084 506 5065	Theresa.Benjamin@stellenbosch.gov.za
Mduduzi Nhleko	Planning	021 808 8664	083 293 6693	mduduzi.nhleko@stellenbosch.gov.za
Gurswin Cain	IDP & Performance Management	021 808 8171		Gurswin.Cain@stellenbosch.gov.za
Mervin Williams	Legal Advisor	021 808 8991	083 418 8398	Mervin.Williams@stellenbosch.gov.za;
Ms Joan Felix	Law Enforcement	021 808 8441	084 506 5060	Joan.Felix@stellenbosch.gov.za

Name	Designation	Work	Cell	E-mail address
Bernabe de la Bat	Spatial Planning, Heritage & Environment	021 808 8659	082 788 3727	Bernabe.DeLaBat@stellenbosch.gov.za;
Schalk van der Merwe	Spatial Planning, Heritage & Environment	021 808 8676		Schalk.vandermerve@stellenbosch.gov.za
Ms Ilze Couvaras	Town Planning, Customer Interface and Administration	021 808 8604	083 581 0131	Ilze.couvars@stellenbosch.gov.za

4.4.9 DR coordinators and Regional Coordinators

The DR coordinators will coordinate all the recovery activities.

Table 10 – Disaster Recovery coordinators and regional coordinators

Name	Designation	Work	Cell	E-mail address
Vacant	Manager ICT Systems	021-808 8582		Vacant (post advertised)
Elvino Williams	System Administrator	021-808 8996	0737018784	Elvino.Williams@stellenbosch.gov.za
Regan Mooideen	Senior Manager ICT	021-808 8538	0829405153	Regan.Mooideen@stellenbosch.gov.za

5. General disaster procedures

5.1 Non-ICT-related disasters

A disaster can be the result of a number of incidents. Procedures should be developed and implemented for these incidents. These incidents are not ICT-related; however, they may have undesirable consequences such that they may render the ICT systems unavailable. Stellenbosch Municipality risk management should provide procedures for the following incidents:

a) fire,

b) flooding,

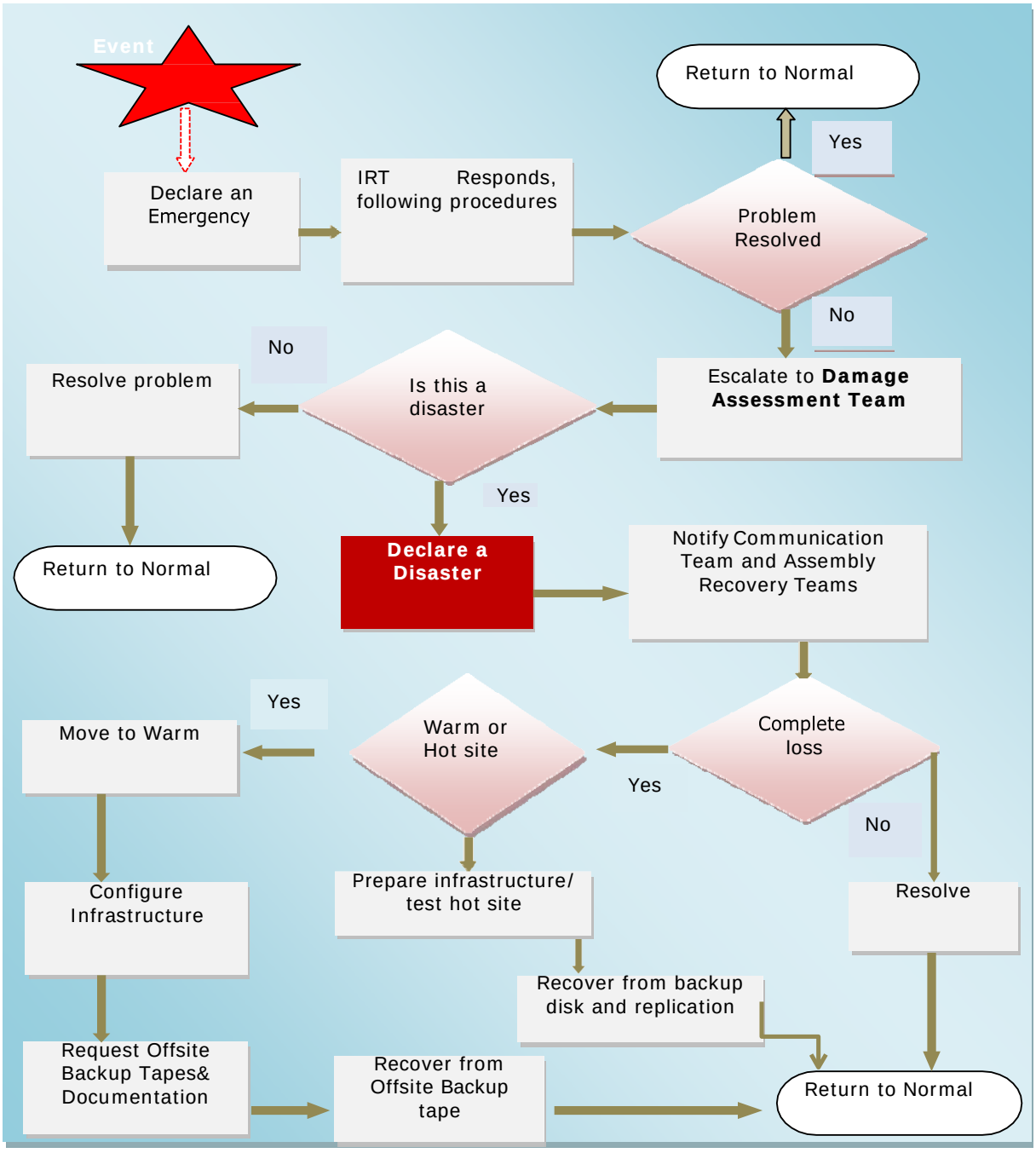
c) power outage, and

d) building evacuation.

6. ICT-related disasters

ICT-related disasters will be dealt with in line with an incident management process indicated in figure 2.

Figure 2 – Disaster recovery process flow



The process in figure 2 assumes that all other arrangements have been put in place to enable recovery. STB will follow the process in an event of a disaster.

7. DR activities

Table 11 – DR activities

Step 1	Incident notification	Responsible
	a) Once an incident occurred, the IRT should be notified of the incident. b) To notify the IRT, a person will call the ICT help desk. c) The help desk attendant or support personnel will then escalate the call to the IRT, notifying the IRT of such an incident after establishing what type of incident occurred. NOTE The contact list of all the disaster recovery teams should be posted where it is visible and/or posted on the STB Intranet.	Any staff member
Step 2	**Initial response**	**Responsible**
	a) Investigate reported incident and try to resolve it. b) Take any appropriate action in the operational space to resolve the incident. c) If the incident cannot be resolved, the damage caused by such an incident should be established; the IRT will then inform the DAT to assess the resultant damage. d) Applicable logging of incident will be performed by the IRT.	IRT
Step 3	**Assess damage caused by incident**	**Responsible**
	a) The DAT will then establish the damage caused by the incident. Facts to consider include: i) scale of the incident, ii) affected areas, iii) possible financial and non-financial losses to be incurred by STB if the incident is not contained, iv) service outages and affected business areas and customers, v) priority of the services or affected systems, and vi) maximum tolerable down time applicable to the services. b) After making a determination, the DAT will declare a disaster or recommend that external experts should be called to assist with the resolution of the incident. c) The DAT will inform the DRC that a disaster has been declared and provide all necessary information relating to the incident that led to the disaster.	DAT
Step 4	**Declare a disaster**	**Responsible**
	a) Inform the DRC of the disaster and resultant damage. b) Inform the DR coordinator of the disaster.	DAT
Step 5	**Communicate to users and customers**	**Responsible**
	a) Issue a communiqué informing the stakeholders (user community, business partners and clients) of the disaster. b) Advice users, business partners and clients of alternative majors (if any) and the plan of action.	DRC
Step 6	**Activate DRP**	**Responsible**
	Inform the DR coordinator to start with the coordination of the disaster recovery process and activate the recovery plans.	DRC
Step 7	**Assemble DRTs**	**Responsible**
	The DR coordinator will inform the following recovery teams to assemble at a venue: a) network recovery team; b) operating system recovery team; c) database recovery team; d) applications recovery team; and e) The BRT should be on stand-by to test business applications.	DR coordinator

Step 8	Access recovery site	Responsible
	a) The recovery site at TERACO Claremont is accessed and prepared for recovery. b) Do the necessary network configurations to allow rerouting of traffic to the recovery site.	DRT and DR coordinator
Step 9	**Collect and distribute recovery procedures**	**Responsible**
	Collect recovery procedures from the safe location and distribute to the DRT members according to their recovery responsibilities. The following recovery procedures should be made available: a) network (for all network devices); b) applications (for all applications); c) operating systems; d) installation manuals; and e) backup restore procedures	DR coordinator
Step 10	**Collect backup and distribute backup tapes**	**Responsible**
	Collect backup tapes from the safe storage and distribute to the DRT members according to their recovery responsibilities.	DR coordinator
Step 11	**Recover systems**	**Responsible**
	a) The DRT members follow the recovery procedures to recover systems. b) The DRT members recover the systems in accordance with their recovery priorities.	DRTs
Step 12	**Recover business operations**	**Responsible**
	Once an application is recovered, it needs to be tested whether it was recovered successfully. a) Inform the BRT members responsible for testing the applications when an application is recovered. b) The BRT members access and test the application functionality to determine whether the application was successfully recovered. c) The BRT informs the DRT of the status of the application recovery. d) The BR team will inform the DRT of any errors and outstanding tasks. e) Successfully recovered applications are then moved to the production environment for user access.	DR coordinator & BRT
Step 13	**Return to normal**	**Responsible**
	Returning to normal is when all systems have been recovered and are available for use by users. When all systems passed the fully recovered test, STB can return to normal mode of operation. This, however, is also dependent on the business continuity arrangements for STB, the number of staff available, the staff location and other logistical arrangements. However, once all systems are recovered fully, irrespective of the status of business continuity arrangements, ICT systems can be declared fully available and back to normal operation. a) Inform the DRC that all systems are fully recovered. b) The DRT vacates the recovery site to an alternative operations site. c) The normal ICT operations resumes. d) The DRC informs stakeholders of the status of the system recovery. e) Complete all the DR forms and sign off the recovery process.	DRC & DR coordinator

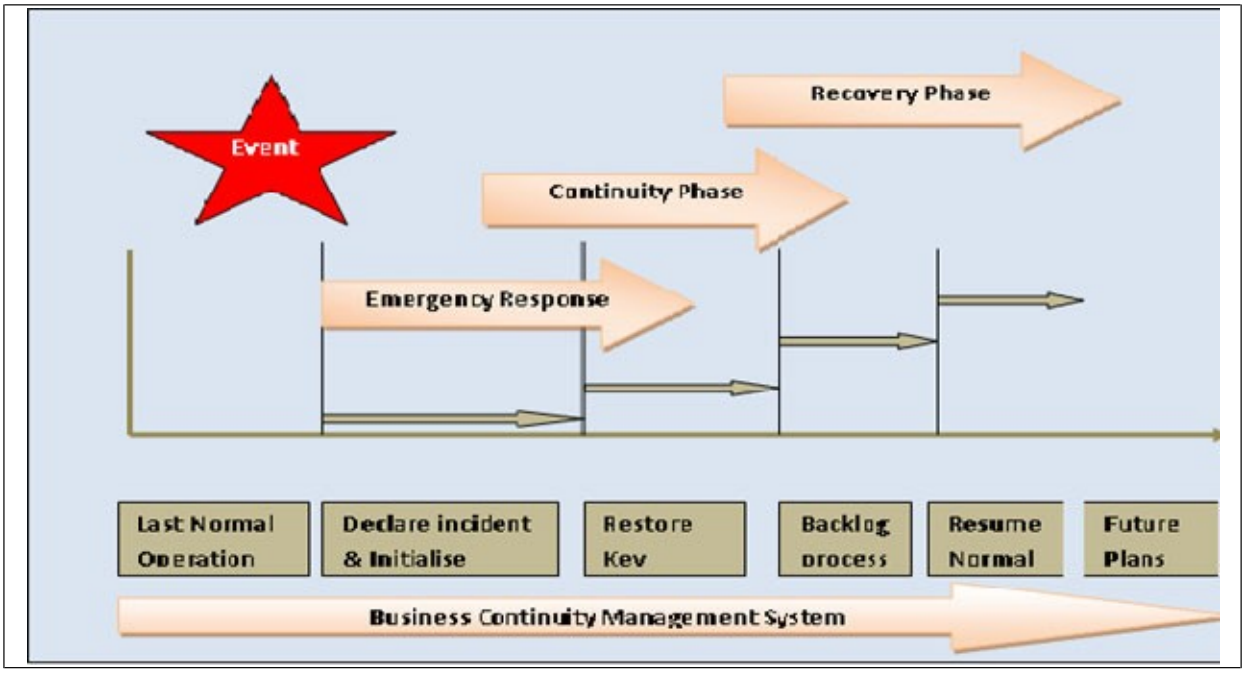


Figure 3 – Recovery Process

8. Key personnel contact information

Participants in the DR process and activities need to be contactable and always available. This applies to both the staff and external people or vendor companies that may be required during the recovery forsupport

8.1 Internal contacts

Table 12 – Internal contacts

Name	Responsibility	Cell number	Land line	E-mail
Brian Mkaza	Senior Manager ICT	021-808 8537	0833767168	Brian.Mkaza@stellenbosch.gov.za
Elvino Williams	System Administrator	021-808 8996	0737018784	Elvino.Williams@stellenbosch.gov.za
Regan Mooideen	Manager Infrastructure	021-808 8538	0829405153	Regan.Mooideen@stellenbosch.gov.za

8.2 External contacts

External contacts are those people outside of Stellenbosch Municipality who may need to be contacted during the disaster such as hardware suppliers, software suppliers, specialists and hosting services. If such contacts exist, the table below lists the contacts.

Table 13 – External contacts

Name	Responsibility	Cell number	Land line	E-mail
Francois Swart	Network Management	084 929 2696	021 300 1777	francois@avalongroup.co.za;

9. Recovery procedures

9.1 Types of recovery procedures

Based on the ICT recovery strategy adopted by Stellenbosch Municipality, there should be two types of recovery procedures, namely:

a) manual recovery procedure, and

b) seamless automated recovery procedures (failover based on clustering and also replication recovery).

9.2 Manual recovery procedures

These procedures are not conclusive at this stage; as the DRP is implemented, procedures will be aligned to the practicality of the implemented solutions. However, generally the procedures will comprise the activities as discussed in the paragraphs that follow.

9.2.1 Network recovery

The following network services need to be recovered:

a) AD;
b) routing;
c) domain network server (DNS);
d) DHCP; and
e) file servers

Step 1 – Assemble network recovery team

After a disaster has been declared, the recovery team will be assembled. Table 12 comprises the contact list for the network recovery team.

Table 14 – Network recovery team

Name	Responsibility	Work number	Cell number
Regan Mooideen	Senior Manager ICT	021-808 8538	0829405153
Elvino Williams	System Administrator	021-808 8996	0737018784
Vernon Sims	Senior Technician	021-808 8400	0837363055
Francois Swart	Network Management	021 300 1777	084 929 2696

Step 2 – Get network documentation and backup tapes

a) Configure routing and switching
b) Configure DNSs
c) Configure DHCP
d) Restore AD from backup tape
e) Restore file servers from tape

9.2.2 E-mail recovery

The following components need to be recovered:

a) mail server operating system;
b) mail server (MS Exchange);
c) configuration files; and
d) user mailboxes and Mimecast.

Step 1 – Assemble e-mail recovery team

Table 15 – E-mail recovery team

Name	Responsibility	Work number	Cell number
Tembisa Mafumana	Manager ICT Systems	021-808 8582	0833767168
Elvino Williams	System Administrator	021-808 8996	0737018784
Regan Mooideen	Senior Manager ICT	021-808 8538	0829405153
Francois Swart	Network Management	021 300 1777	084 929 2696

Step 2 – Get backup tapes and documentation

a) Install operating system
b) Restore mail server (MS Exchange)
c) Restore configuration files
d) Restore mailboxes

9.2.3 Other applications

The following components need to be recovered:

a) server operating system,
b) application, and
c) database.

Step 1 – Assembly application recovery team

Table 16 – Assemble application recovery team

Name	Responsibility	Work number	Cell number
Tembisa Mafumana	Manager ICT Systems	021-808 8582	0833767168
Elvino Williams	System Administrator	021-808 8996	0737018784
Regan Mooideen	Manager Infrastructure	021-808 8538	0829405153
Francois Swart	Network Management	021 300 1777	084 929 2696

a) Application server preparation
    i) Install server operating system
    ii) Restore configuration files from backup tapes
    iii) Install application server software
    iv) Restore application configuration files from backup
b) Database server preparation
    i) Install database server
    ii) Restore configuration files from backup
    iii) Restore database tables from backup tape

Annex A : Abbreviations

AD	Active Directory
BCP	business continuity planning
BIA	business impact analysis
BRT	business recovery team
CIO	chief information officer
DAT	damage assessment team
DBA	database administrator
DHCP	dynamic host configuration protocol
DNS	domain name server
DR	disaster recovery
DRC	Disaster Recovery Committee
DRP	disaster recovery plan
DRT	disaster recovery team
ICT	information and communication management
IMP	incident management plan
IP	Internet Protocol
IRT	incident response team
ISA	information security administration
ISO	Information Security Office
ISS	Information Security Services
IT	information technology
MS	Microsoft
MTD	maximum tolerable down time
RA	risk assessment
RPO	recovery point objective
RTO	recovery time objective
SITA	State Information Security Agency
TCP	transition control protocol

Annex B : Disaster recovery forms

The disaster recovery process is a closely monitored process; at every stage of the process, activities have to be logged. Various forms need to be completed at various stages. Below is a sample of the DR forms.

B.1 Damage assessment form

Key business/process affected	Description of problem	Extent of damage

B.2 Management of DR activities form

a) During the DR process, all activities will be determined by using a standard structure.

b) Where practical, this plan will need to be updated on a regular basis throughout the DR period.

c) All actions that occur during this phase will need to be recorded.

Activity name:			
Reference number:			
Brief description:			
Commencement date/time	**Completion date/time**	**Resources involved**	**Person in charge**

B.3 DR event recording form

a) All key events that occur during the DR phase must be recorded.

b) An event log must be maintained by the DRT leader.

c) This event log should be started at the commencement of the emergency and a copy of the log passed on to the BRT once the initial dangers are controlled.

d) The event log below should be completed by the DRT leader to record all key events during DR, until such a time as responsibility is handed over to the BRT.

Description of disaster:			
Commencement date:			
Date/time DRT mobilised:			
Activities undertaken by DRT	**Date and time**	**Outcome**	**Follow-on action required**
DRT's work completed: <Date>			
Event log passed to BRT: <Date>			

B.4 Mobilizing the DRT form

Following an emergency that requires recovery of technology infrastructure assets, the DRT should be notified of the situation and placed on standby.

Description of emergency:					
Date occurred:					
Date work of DRT completed:					
Name of team member	**Contact details**	**Contacted on (time/ date)**	**By whom**	**Response**	**Start date required**
Relevant comments (e.g. specific instructions issued)					

B.5 Mobilising the BRT form

a) Following an emergency that requires the activation of the disaster recovery team, the business recovery team should be notified of the situation and placed on standby.

b) The format shown below will be used for recording the activation of the BRT once the work of the DRT is completed.

Description of emergency:					
Date occurred:					
Date work of BRT completed:					
Name of team member	**Contact details**	**Contacted on (time/ date)**	**By whom**	**Response**	**Start date required**
Name of team member	**Contact details**	**Contacted on (time/ date)**	**By whom**	**Response**	**Start date required**
Relevant comments (e.g. specific instructions issued)					

B.6 Monitoring business recovery task progress form

a) The progress of technology and business recovery tasks must be closely monitored during this period.

b) Since difficulties experienced by one group could significantly affect other dependent tasks, it is important to ensure that each task is adequately resourced and that the efforts required to restore normal business operations are not underestimated.

NOTE A priority sequence must be identified although, where possible, activities will be carried out simultaneously.

Recovery tasks (order of priority)	**Person(s) responsible**	**Completion date**		**Milestones identified**	**Other relevant information**
		Estimated	**Actual**		
1.					
2.					
3.					
4.					

B.7 Preparing the business recovery report form

a) On completion of business recovery activities, the BRT leader should prepare a report on the activities undertaken and completed.

b) The report should contain information on the disruptive event, who was notified and when, action taken by members of the BRT, as well as outcomes arising from those actions.

c) The report will also contain an assessment of the impact on normal business operations.

d) The report should be distributed to senior management, as appropriate.

e) The contents of the report must include
   i) a description of the incident,
   ii) people notified of the emergency (including dates),
   iii) action taken by the BRT,
   iv) outcomes arising from actions taken,
   v) an assessment of the impact to normal business operations,
   vi) problems identified,
   vii) suggestions for enhancing the disaster recovery and/or business continuity plan, and
   viii) lessons learned.

B.8 Communications form

a) It is very important during the BR and business recovery activities that all affected persons and organisations be kept properly informed.

b) The information given to all parties must be accurate and timely.

c) In particular, any estimate of the timing to return to normal working operations should be announced with care.

d) It is also very important that only authorised personnel deal with media queries.

Groups of persons or organisations affected by disruption	**Persons selected to coordinate communications to affected persons/organisations**		
	Name	**Position**	**Contact details**
Customers			
Management &staff			
Suppliers			
Media			
Stakeholders			
Others			

B.9 Business process/function recovery completion form

The following transition form should be completed and signed by the BRT leader and the responsible business unit leader for each process recovered.

A separate form should be used for each recovered business process.

Name of business process	
Completion date of work provided by business recovery team	
Date of transition back to business unit management *(If different than completion date)*	
I confirm that the work of the BRT was completed in accordance with the DRP for the above process, and that normal business operations are effectively restored. BRT leader name: _____ Signature: _____ Date: _____ *(Any relevant comments by the BRT leader in connection with the return of this business process should be made here.)*	
I confirm that the above business process is now acceptable for normal working conditions. Name: _____ Title: _____ Signature: _____ Date:	

B.10 Disaster recovery activity report form

a) On completion of the initial DR response, the DRT leader should prepare a report on the activities undertaken.

b) The report should contain information on the emergency, who was notified and when, action taken by members of the DRT together with outcomes arising from those actions.

c) The report will also contain an assessment of the impact to normal business operations.

d) The report should be given to business recovery team leader, with a copy to senior management, as appropriate.

e) A DR report will be prepared by the DRT leader on completion of the initial DR response.

f) In addition to the BRT leader, the report will be distributed to senior management

g) The report will include
   - i) a description of the emergency or incident,
   - ii) those people notified of the emergency (including dates),
   - iii) action taken by members of the DRT,
   - iv) outcomes arising from actions taken,
   - v) an assessment of the impact on normal business operations,
   - vi) assessment of the effectiveness of the DRP, and
   - vii) lessons learned

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POLICY NAME	ICT ACCEPTABLE USAGE POLICY
Original Author(s)	Senior Manager: ICT
Policy status	Review 4.0
Date of approval	
Signature of Director	
Signature of MM	
Council Approval	

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1. OBJECTIVE

The objective of the policy is for users to acknowledge the requirements for acceptable use of Stellenbosch Municipality's ICT network, software, hardware and systems.

These rules are in place to protect the users and Stellenbosch Municipality. Inappropriate use exposes Stellenbosch Municipality to risks including virus attacks, compromise of network systems and services, and legal issues.

2. DEFINITION

Glossary of Abbreviations

Abbreviation	Definition
CIS	Center for Internet Security
CD	Compact Disk
DVD	Digital Versatile Disk
ICT	Information and Communication Technology
ID	Identifier
ISO	International Organization for Standardisation
KB	Kilobytes
Mb	Megabytes
OS	Operating System
USB	Universal Serial Bus

Glossary of Terminologies

Terminology	Definition
Council	Stellenbosch Municipality
Administrative rights	Access rights that allow a user to perform high level/administrative tasks on a device/application such as adding users, deleting log files, deleting users.

Terminology	Definition
Baseline	A set of agreed upon configuration settings defined for all devices with the environment. Baselines are often derived from best practice standards and customized for the environment. CIS standards are recommended by best practice.
Business case	A formal requirement in order for a specific business function to perform its required task.
Clear Screen Policy	A clear screen policy directs all users to lock their computers when leaving their desk and to log off when leaving for an extended period of time. This ensures that the contents of the computer screen are protected from prying eyes and that the computer is protected from unauthorised use.
Devices	Consists of, but is not limited to: Desktops; Laptops; Printers; Switches; Routers; Member Servers; Database Servers; Application Servers; Firewalls; Intrusion Prevention Systems; etc.
Malware	Software that is specifically designed and developed to disrupt or damage a device.

3. RELEVANT LEGISLATION

The policy was developed with the legislative environment in mind, as well as to leverage internationally recognised ICT standards.

The following legislation, amongst others, were considered in the drafting of this policy:

- Constitution of the Republic of South Africa Act, Act No. 108 of 1996;
- Copyright Act, Act No. 98 of 1978;
- Electronic Communications and Transactions Act, Act No. 25 of 2002;
- Minimum Information Security Standards, as approved by Cabinet in 1996;
- Municipal Finance Management Act, Act No. 56 of 2003;
- Municipal Structures Act, Act No. 117 of 1998;
- Municipal Systems Act, Act No. 32, of 2000;
- National Archives and Record Service of South Africa Act, Act No. 43 of 1996;
- Promotion of Access to Information Act, Act No. 2 of 2000;
- Protection of Personal Information Act, Act No. 4 of 2013;
- Regulation of Interception of Communications Act, Act No. 70 of 2002; and
- Treasury Regulations for departments, trading entities, constitutional institutions and public entities, Regulation 17 of 2005.

The following internationally recognised ICT standards were leveraged in the development of this policy:

- Western Cape Municipal Information and Communication Technology Governance Policy Framework, 2014;
- Control Objectives for Information Technology (COBIT) 5, 2012;
- ISO 27002:2013 Information technology — Security techniques — Code of practice for information security controls;
- King Code of Governance Principles, 2009; and
- Center for Internet Security – Security Benchmarks, 2014.

4. COMPUTER ACCESS CONTROL – INDIVIDUAL'S RESPONSIBILITY

4.1. Access to Council's ICT systems is controlled by the use of User IDs and passwords. All User IDs and passwords are to be uniquely assigned to named individuals and consequently, individuals are accountable for all actions on Council's ICT systems

4.2. Line managers must ensure that individuals are given clear direction on the extent and limits of their authority with regard to ICT systems and data

4.3. Individuals must not:

4.3.1. Allow anyone else to use their user ID and password on any Council ICT system

4.3.2. Leave their user accounts logged in at an unattended and unlocked computer

4.3.3. Use someone else's user ID and password to access Council's ICT systems

4.3.4. Leave their password unprotected (for example writing it down)

4.3.5. Perform any unauthorised changes to Council's ICT systems or information

4.3.6. Attempt to access data that they are not authorised to use or access

4.3.7. Exceed the limits of their authorisation or specific business case to interrogate the system or data

4.3.8. Connect any non-Council device to the Council network or ICT systems

4.3.9. Store Council data on any non-authorised equipment

4.3.10. Give or transfer Council data or software to any person or organisation outside Council without the authority of the Municipal Manager

5. INTERNET AND EMAIL CONDITIONS OF USE

5.1. Use of internet and email is intended for business use. Personal use is permitted where such use does not affect the individual's business performance, is not detrimental to Council in any way, not in breach of any term and condition of employment and does not place the individual or Council in breach of statutory or other legal obligations

5.2. All individuals are accountable for their actions on the internet and email systems

5.3. Individuals must not:

5.3.1. Use the internet or email for the purposes of harassment or abuse

5.3.2. Use profanity, obscenities, or derogatory remarks in communications

5.3.3. Access, download, send or receive any data (including images), which Council considers offensive in any way, including sexually explicit, discriminatory, defamatory or libelous material

5.3.4. Use the internet or email to make personal gains or conduct a personal business

5.3.5. Use the internet or email to gamble

5.3.6. Use the email systems in a way that could affect its reliability or effectiveness, for example distributing chain letters or spam

5.3.7. Place any information on the Internet that relates to Stellenbosch Municipality, alter any information about it, or express any opinion about Stellenbosch Municipality, unless they are specifically authorised to do this

5.3.8. Send unprotected sensitive or confidential information externally

5.3.9. Forward Council mail to personal email accounts (for example a personal Gmail account)

5.3.10. Make official commitments through the internet or email on behalf of Council unless authorised to do so

5.3.11. Download copyrighted material such as music media (MP3/MP4) files, film and video files (not an exhaustive list) without appropriate approval

5.3.12. In any way infringe any copyright, database rights, trademarks or other intellectual property

5.3.13. Download any software from the internet without prior approval of the ICT Department

6. CLEAR DESK AND CLEAR SCREEN POLICY

6.1. Computers must be logged off/locked or protected with a screen locking mechanism controlled by a password when unattended
6.2. Care must be taken to not leave confidential material on printers or photocopiers

7. WORKING OFF-SITE

7.1. Working away from the office must be approved by the relevant line manager
7.2. Equipment and media taken off-site must not be left unattended in public places and not left in sight in a car.
7.3. Laptops must be carried as hand luggage when travelling
7.4. Information should be protected against loss or compromise when working remotely (for example at home or in public places)
7.5. Care should be taken with mobile devices such as laptops, tablets and they must be protected at least by a password or a PIN

8. STORAGE DEVICES

8.1. Mobile devices such as memory sticks, CDs, DVDs and removable hard drives must be used only in situations when network connectivity is unavailable or there is no other secure method of transferring data. Only Council authorised mobile storage devices with encryption enabled must be used, when transferring sensitive or confidential data

9. SOFTWARE

9.1. Employees must use only software that is authorised by Council on Council's computers. Authorised software must be used in accordance with the software supplier's licensing agreements. All software on Council computers must be approved by the ICT department / ICT Steering Committee
9.2. Individuals must not:
9.2.1. Store personal files such as music, video, photographs or games on ICT equipment

10. MALWARE AND VIRUSES

10.1. The ICT department has implemented centralized, automated virus detection and virus software updates. All PCs have antivirus software installed to detect and remove any virus automatically
10.2. Individuals must not:
10.2.1. Remove or disable anti-virus software

10.2.2. Attempt to remove virus-infected files or clean up an infection, other than by the use of approved Council anti-virus software and procedures

11. TELEPHONY (VOICE) EQUIPMENT CONDITIONS OF USE

11.1. Use of Council voice equipment is intended for business use

11.2. All non-urgent personal communications should be made at an individual's own expense using alternative means of communications

11.3. Individuals must not:

11.3.1. Use Council's voice facilities for sending or receiving private communications on personal matters, except in exceptional circumstances

11.3.2. Use Council's voice for conducting private business

11.3.3. Make hoax or threatening calls to internal or external destinations

12. ACTIONS UPON TERMINATION OF CONTRACT

12.1. All Council equipment and data, for example laptops and mobile devices including telephones memory devices and CDs/DVDs, must be returned to Council at termination of contract.

12.2. All Council data or intellectual property developed or gained during the period of employment remains the property of Council and must not be retained beyond termination or reused for any other purpose

13. MONITORING AND FILTERING

13.1. All data that is created and stored on Council computers is the property of Council and there is no official provision for individual data privacy, however wherever possible Council will avoid opening personal emails

13.2. ICT system logging will take place where appropriate, and investigations will be commenced where reasonable suspicion exists of a breach of this or any other policy. Council has the right (under certain conditions) to monitor activity on its systems, including internet and email use, in order to ensure systems security and effective operation, and to protect against misuse

14 USER CONFIRMATION & ACCEPTANCE

I _____

(Please use block letters)

Department: _____ Section:_____

Job Title: _____

do hereby declare the following:

a. I have read and understand the terms and conditions of this Policy.
b. I am sufficiently trained in the use of the Councils' Computer System in order to comply with the terms and conditions of this Policy.
c. I am aware that I have no expectation of privacy in accordance with the terms and conditions of this Policy and hereby consent to monitoring of my e-mail and internet usage as described in the 'General Terms and Conditions' of this Policy.
d. I am aware that the terms and conditions of this Policy have the force and effect of Council Standard Conditions of Service and that disciplinary action may be taken against me for violation of the terms and conditions of this Policy.

System	Description	Yes	No
Network	Access to H:drive folders		
Internet	Web browsing		
Outlook	Email		
Payday/ ESS	HR & Payroll		
Collaborator	Document Management		
SAMRAS	Financial System		
Ignite	Performance System		
Other (specify)			

_____ _____
USER SIGNATURE DATE

_____ _____
HEAD OF DEPARTMENT DATE
THIS DOCUMENT WILL BE PLACED IN OUR ICT FILE.

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POLICY NAME	ICT DATA BACKUP AND RECOVERY POLICY
Original Author(s)	Senior Manager: ICT
Policy status	Review 3.0
Date of approval	
Signature of Director	
Signature of MM	
Council Approval	

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1. OBJECTIVE

The primary objective of the policy is to protect the Municipality's data. This policy seeks to outline the data backup and recovery controls for Municipal employees to ensure that the data is correctly and efficiently backed up and recovered in line with best practice.

2. DEFINITION

Glossary of Abbreviations

Abbreviation	Description
AD	Active Directory
HR	Human Resources
UI	User Information
LTO	Linear Tape Open

Glossary of Terminologies

Terminology	Definition
Ad hoc	As and when requested.
Availability	The proportion of time a system is in a functioning condition.
Backup time window	Time slot during a 24hour day that backups are allowed to run in.
Battle box	A battle box is comprised of all the required software and detailed documented information per application, server or data set on how to recover the service in the case of a disaster at the main site.
Critical data	Data that is required to be retained for a set period as determined by law, or data that can severely disrupt services when lost. Examples include: financial data, client personal data etc.
Data medium	Medium on which backups are stored e.g. Tapes, hard disks, CD/DVD etc.
Data referencing	Data that defines the set of permissible values to be used by other data sets.
Downtime	Defined as the periods when a system is unavailable.
Generations	Structural term designating the grandfather-father-son (Full-differential-incremental) backup relationship.
Integrity	Data integrity is defined as is the assurance that data is consistent and correct.

Terminology	Definition
Pseudo generation	Randomly created.
Storage capacity	Amount of space (Tb; Gb; Mb) utilised.

3. RELEVANT LEGISLATION

The policy was developed with the legislative environment in mind, as well as to leverage internationally recognised ICT standards.

The following legislation, amongst others, were considered in the drafting of this policy:

- Constitution of the Republic of South Africa Act, Act No. 108 of 1996;
- Copyright Act, Act No. 98 of 1978;
- Electronic Communications and Transactions Act, Act No. 25 of 2002;
- Minimum Information Security Standards, as approved by Cabinet in 1996;
- Municipal Finance Management Act, Act No. 56 of 2003;
- Municipal Structures Act, Act No. 117 of 1998;
- Municipal Systems Act, Act No. 32, of 2000;
- National Archives and Record Service of South Africa Act, Act No. 43 of 1996;
- Promotion of Access to Information Act, Act No. 2 of 2000;
- Protection of Personal Information Act, Act No. 4 of 2013;
- Regulation of Interception of Communications Act, Act No. 70 of 2002; and
- Treasury Regulations for departments, trading entities, constitutional institutions and public entities, Regulation 17 of 2005.

The following internationally recognised ICT standards were leveraged in the development of this policy:

- Western Cape Municipal Information and Communication Technology Governance Policy Framework, 2014;
- Control Objectives for Information Technology (COBIT) 5, 2012;
- ISO 27002:2013 Information technology — Security techniques — Code of practice for information security controls;
- King Code of Governance Principles, 2009; and
- Center for Internet Security – Security Benchmarks, 2014.

4. DATA BACKUP STANDARDS

4.1. Data, which is critical to the Municipality, must be defined by the Municipality and must be backed up.

4.2. Backup data must be stored at a location that is physically different from its original creation and usage location

4.3. Data restores must be tested quarterlyProcedures for backing up critical data and the testing of the procedures must be documented.

These procedures must include, as a minimum, for each type of data:

4.1.1. A definition of the specific data to be backed up.
4.1.2. The type(s) of backup to be used (e.g., full back up, incremental backup, etc.).
4.1.3. The frequency and time of data backup.
4.1.4. The storage site(s) for the backups.
4.1.5. The storage media to be used.
4.1.6. Transport modes; and
4.1.7. Recovery of backed up data.

5. DATA BACKUP SELECTION

5.1. The catalogue of ICT services may be translated into staff performance agreements.
5.2. All data and software essential to the continued operation of the Municipality, as well as all data that must be maintained for legislative purposes, must be backed up.
5.3. All supporting material required to process the information must be backed up as well. This includes programs; control files, install files, and operating system software.
5.4. For ICT systems provided by vendors / service providers, responsibility for ensuring the backup of data must be clearly defined in the service SLA.
5.5. The system / application owner, together with the Senior Manager: ICT, will determine what information must be backed up, in what form, and how often
5.6. Users must be responsible for backups of the data on their own desktops or laptops.

6. BACKUP TYPES

6.1. Full backups should be run once on weekly basis. This should be scheduled to occur over a weekend as to not impact business due to backup windows which might run into business hours. These full backups will also be written to tape and stored offsite. This will also aid in ensuring that data can be recovered with the minimal set of media used at that time in case of a full system failure.
6.2. Incremental backups should occur daily to ensure daily changes to data is backed up. This ensures that the backup time window is kept to a minimum during the week while allowing for maximum data protection and will ensure that data can be restored with minimal set of media used. These incremental backups will also be written to tape and stored offsite.

7. BACKUP SCHEDULE

7.1. Choosing the correct Backup Schedule:

7.1.1. Backup schedules must not interfere with day-to-day operations. This includes any end of day operations on the systems.

7.1.2. A longer backup window might be required, depending on the type of backups chosen.

7.2. Frequency and time of data backup:

7.2.1. In certain cases where data in a system change frequently, backups need to be taken more frequently to ensure that data can be recovered in the event of a system failure.

Full data backups are recommended when data is changed to a large extent to ensure that data can be recovered in the event of a full system failure or crash.

8. DATA BACKUP PROCEDURES

8.1. The Senior Manager: ICT/team must choose between automated and manual backup procedures based on their requirements and constraints.

8.2. The Senior Manager: ICT/team must choose between centralized and decentralized backup procedures based on their requirements and constraints.

9. STORAGE MEDIUM

9.1. When choosing the data media format for backups, it is important to consider the following:

9.1.1. Write and restore speed

9.1.2. Storage capacity;

9.1.3. Data compression;

9.1.4. Cost of data backup procedure and technology available

9.1.5. Importance of data;

9.1.6. Life and reliability of data media;

9.1.7. Retention schedules; and

9.1.8. Confidentiality and integrity.

10. DATA BACKUP OWNER - nsure

10.1. The Senior Manager: ICT must appoint two employees (One primary, one secondary) to commit and adhere to each backup schedule.

11. ONSITE VS OFFSITE STORAGE SITE

11.1. Data backups must be stored in two locations:

11.1.1. One on-site with current data in machine-readable format in the event that operating data is lost, damaged or corrupted this is performed by backing up to a disk storage; and

11.1.2. One off-site to additionally provide protection against loss to the primary site and on-site data this is performed by writing the backup made to disk to tape media.

11.2. Off-site backups must be sufficiently distant from the on-site storage area to prevent a single destructive event from destroying all copies of the data.

11.3. Minimum requirements are to store all full written tape backup sets off site.

11.4. The site for storing the data media must meet the security requirements required for the content on the data media.

11.5. Backups must be stored offsite for the entire duration of the retention period.

11.6. Receipts of media being collected and delivered must be kept for record keeping purposes and must be signed by ICT staff in attendance.

11.7. Should an off-site media set be required to perform a restore, the data media must be returned to the offsite facility for the remainder of the retention period.

12. TRANSPORT MODES

12.1. When choosing the transport mode for the data (logical or physical), it is important to consider the following:

12.1.1. Time constraints;

12.1.2. Capacity requirements; and

12.1.3. Security and encryption.

13. RECOVERY OF BACKUP DATA

13.1 Backup documentation must be maintained, reviewed and updated:

13.2 Recovery procedures must be tested quarterly.

13.1. Recovery tests must be documented and reviewed by the Senior Manager: ICT

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POLICY NAME	ICT DESKTOP/ LAPTOP REPLACEMENT AND ALLOCATION POLICY
Original Author(s)	Senior Manager: ICT
Policy status	Revision 4.0
Date of approval	
Signature of Director	
Signature of MM	
Council Approval	

1. OVERVIEW:

1.1 Stellenbosch Municipality is committed to providing an appropriate office desktop computers and/or laptop computer for each office bound and other classified staff members as an enabling productivity tool.

1.2 This policy seeks to specifically address the need by some departments and staff members to have laptop computers instead of a desktop computer and other related devices such as 3G.

2. ELIGIBILITY:

2.1 A decision to provide a laptop, desktop computer, and/or the 3G device shall be based upon documented work-related needs, departmental approval, and available budget.

2.2 Laptops, desktop computer and/or 3Gs devices shall be authorized based upon job responsibilities, demonstrated departmental needs, and department approvals.

2.3 The laptop/desktop computer is intended for use for Municipal related business as a productivity tool, and communication. Use of the laptop/desktop for personal purposes should be within the standards of good judgment and common sense, based on the terms and conditions of applicable software license agreements. The use of laptops will enable eligible officials access to Municipal business from various points outside their usual offices.

3. APPROVAL PROCESS:

3.1 All requests for laptops / desktop computers shall be recommended by the Senior Manager of the department demonstrating the job responsibility and the departmental need.

3.2 The Director shall give final approval of all requests made based on the eligibility criterion and the availability of funds in the specific ukeys.

4. REQUIREMENTS:

4.1 Eligible Staff members shall apply for a laptop or a desktop computer stating the reason(s) for their request, and what software and hardware needs they have which shall be work related.

4.2 Specifications for all laptop and desktop computers (as for any technology equipment or software) must be approved by the ICT department to ensure compatibility with the existing systems.

4.3 The laptop and desktop computer must be a configuration, model, and brand approved by the ICT department of the Municipality and must meet or exceed standard specifications.

4.4 Ownership of the laptop and desktop computers shall remain with the Municipality and must be returned in good order when employment ends or when requested to do so should work environment change.

4.5 Only one laptop or desktop computer shall be provided by the Municipality per eligible staff member.

4.6 Laptop and desktop computers shall be maintained on a three-year replacement cycle where possible. At the beginning of each replacement cycle, laptop and desktop computer users shall re-apply to their respective Senior Managers who shall appropriately recommend to the Director for final approval.

4.7 No viewing, storing, downloading or forwarding of sexually explicit or sexual suggestive images, moving images, sound files, sound recording, racial prejudice, harassment, intimidatory or defamatory sites using the Municipal device.

5. RESPONSIBILITY:

5.1 It is the responsibility of the eligible Staff member allocated with a laptop or desktop computer to take appropriate precautions to prevent damage to or loss/theft of laptop or desktop computer in his/her care.

5.2 The eligible Staff member shall be responsible for costs related to repair or replacement of the laptop or desktop computer if the damage or loss is due to negligence or intentional misconduct.

6. THEFT OR LOSS:

6.1 Where the laptop or desktop computer is lost or stolen it must be reported to South African Police Services immediately. The police report must include the serial number and asset number of the lost laptop or desktop computer.

7.2 A copy of the police report with the case number must be sent to the Insurance Department within 48 hours of the discovery of the loss who shall determine the circumstances relating to the loss/theft and forward the documents with recommendations to Finance department for the purpose of filing a claim where applicable.

7.3 Failure to secure and submit a police report to the Insurance department may result in personal liability for the total replacement cost with the same brand, model and quality of the lost laptop or desktop computer.

8. UPGRADES AND TROUBLESHOOTING:

Should a laptop or desktop computer require hardware upgrade (e.g. memory, peripheral, or hard disk), software installation, or have problems that cannot be resolved over the telephone, the ICT team shall physically visit the office of the affected staff member for hardware service, software installation, or remotely diagnose and resolve the problem.

9. SOFTWARE LICENSING:

9.1 The laptop or desktop computers shall be configured with a standard suite of programs that are appropriate for the type of computer.

9.2 Other applications shall be provided to by the Municipality on the strength of professional and departmental needs or the requirements of the laptop or desktop computer.

9.3 Staff members eligible for laptop or desktop computers are not allowed to load unlicensed or pirate software including software for personal use, such as games, entertainment software etc on the Municipality owned laptop or desktop computer.

10. OUT OF OFFICE INTERNET ACCESS:

10.1 Staff members with laptops and/or 3G devices shall have access to connect to the Internet network from wherever they are.

10.2 The laptops shall be configured accordingly to access such a service.

11. BACKUP:

11.1 Staff members are responsible for maintaining an appropriate backup of work done on the laptop or desktop computer, especially of the work-related documents and data files created that are not restored when reinstalling the operating system and programs.

11.2 Staff members using laptops or desktop computers may need to store some documents and data files on the laptop or desktop computer's hard disk drive and on OneDrive. It would be prudent to establish a process of copying the data files used on the laptop or desktop computer to the main server as an added precaution against data loss.

11.3 Personal documents or data files shall not be stored in the main server.

12. VIRUS, HACKING, AND SECURITY PROTECTION:

12.1 To ensure that virus protection and other security patch are current, laptop and desktop computers must be connected to the Municipal network on a regular basis and users must take responsibility for ensuring that security updates take place on laptop and desktop computers in their care.

12.2 In the case of a significant security alert, users may be contacted by e-mail and/or telephone, to bring their laptop or desktop computers to the ICT department to ensure proper security is enabled on them.

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POLICY NAME	ICT DISASTER RECOVERY ARCHITECTURE
Original Author(s)	Senior Manager: ICT
Policy status	Review 3.0
Date of approval	
Signature of Director	
Signature of MM	
Council Approval	

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File Name	ICT DISASTER RECOVERY ARCHITECTURE
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Version Control

Action	Name	Role / Function	Date
Prepared by:	Regan Mooideen	Senior Manager ICT	SEPTEMBER 2022
Reviewed/Approved by:			

Glossary of Abbreviations

Abbreviation	Definition
BCMS	Business Continuity Management System as per ISO22301:2012
DR	Disaster Recovery
DRP	Disaster Recovery Plan
ICT	Information and Communication Technology
MTO	The MTO is the amount of time the identified critical business function may be unavailable before the Municipality is severely impacted.
RPO	The RPO is the worst data loss that the Municipality is willing to accept. In other words, this is the point from which recovery of lost data must take place.
BYOD	Bring Your Own Device

Glossary of Terminologies

Terminology	Definition
Business case	A formal requirement in order for a specific business function to perform its required task such as to implement a project initiative.
Line manager	Each department (HR, Finance, ICT, etc.) should have a manager employed to perform managerial tasks.
Main Site	Municipal Head Office and assumed in some case to be the location of the Municipality Main Data Centre
Procurement	The external acquisition of services, assets and consumables, whether by outright purchase, hire, licensing or outsourcing.
Service	A Service delivered to the municipality by ICT or by 3rd parties. Examples: email, Internet, printing.
Contract	An agreement (which may be verbal or in writing) entered with the intention of creating legally binding consequences. The contract includes all annexures, schedules, etc., as well as any agreed amendments thereto.

1. INTRODUCTION

This document presents the functional detail of the technologies, collectively referred to as ICT Architecture, that are relevant to the Municipal environment, to provide technical components of ICT DR capability. It also provides guidance on the method that technicians and ICT Managers can utilize to undertake any necessary technical assessments, in cases where a baseline audit is required to review existing technology status.

This document was drafted bearing in mind the legislative conditions, as well as to leverage internationally recognized ICT standards.

In general, the following internationally recognized ICT standards were leveraged in the development of this Definition of ICT DR Architecture document, and are anticipated to have greater impact as the document matures in quality through structured review and re-writing during its lifecycle:

- Western Cape Municipal Information and Communication Technology Governance Policy, 2014.
- Control Objectives for Information Technology (COBIT) 5, 2012.
- King Code of Governance Principles, 2009.
- ISO 22301: 2012. The new international standard for Business Continuity Management System (BCMS).

2. PURPOSE

The aim of this document is to guide the Municipality with respect to the ICT infrastructure's capability to restore the Municipality to a state of regular operations in the event of the declaration of a Disaster.

The Municipal Corporate Governance of ICT Policy institutionalizes ICT Disaster Recovery as an integral part of corporate governance within the Municipality.

This Definition of ICT Architecture document therefore represents the following:

- The current state of the Municipality's ICT Live technology environment;
- The current state of the Municipality's ICT Disaster Recovery technology environment;
- A structured document, to guide and assist the Municipality (and service providers) to explain the capabilities of its ICT environment, in dealing with an ICT related Disaster, should one be declared;
- To define the various roles of the technology layers (i.e. logical , physical and application) of the Municipal ICT environment and its interaction in the event of the declaration of an ICT Disaster;
- On the planning of improvement of architecture capability from a DR perspective, by utilisation of baseline assessment templates provided.

3. AIM OF THE ARCHITECTURE

The aim of this Definition of ICT Architecture document is to:

- Separate the technical details such as product literature, functional detail, inter-dependencies across technologies, integration and other related technical details, away from the construct of the ICT DR Plan (which is essentially a plan comprising process, activity and team roles and responsibilities);
- Provide a document that is owned and co-authored by all key engineers, architects, technicians, and 3rd party engineers, so that a collaborative and cohesive architecture can be represented transparently;
- The ICT architecture environment can be in flux in some environments, due to upgrades, refreshes, expansions etc. The representation of the technology architecture needs to be kept current, so that it aligns with overall efforts of developing the ICT DR Plan and especially to support structured testing, as outlined in the ICT DR Test Plan.

4. SCOPE

This Definition of ICT DR Architecture has inter-dependency with the following main documents, of the ICT DR landscape, within the Municipality:

- Business Risk & BIA Assessment: to transcribe a table of critical Application & System requirements (Municipal functions, frequency, MTO, RPO, RTO, systems used, no. of users).
- ICT DR Plan: specifically, to update the overall integrated Implementation Plan & align on key Recovery procedures.
- Key functional attributes and criteria to be checked in the periodic testing of the detailed ICT DR Test Plan.
- Service provider SLA contracts and supporting solutions comprising of technical architectures.
- Backup Policy and specific backup technologies and procedures.
- The same team that owns and improves Availability Management, should be part of the Definition of ICT DR Architecture to complement the allocation of effort and resources to prevent gaps or overlaps.
- Any major changes in ICT environment could impact of change the ICT DR Architecture.

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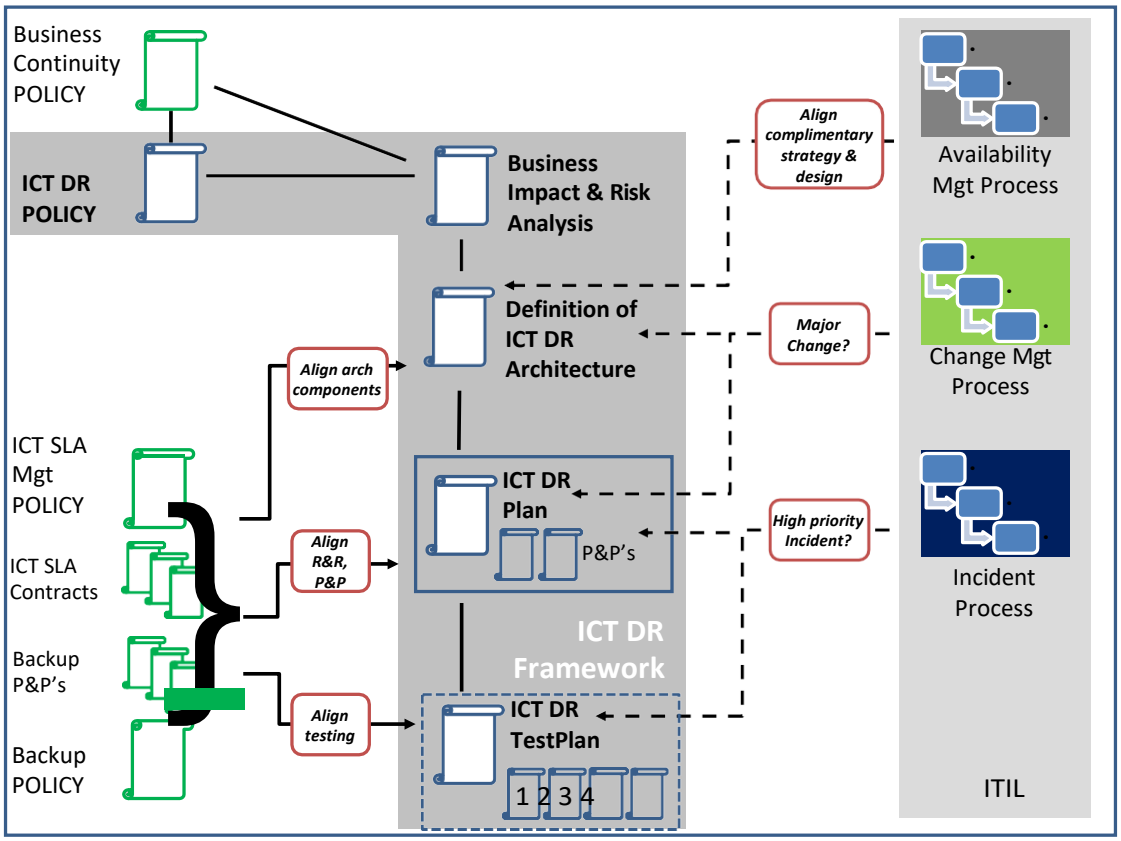


5. DR TECHNOLOGY PRINCIPLES

5.1 All contributing authors must endeavor to follow and develop one agreed table of terminology.

5.2 All contributing authors must endeavor to develop, agree and adhere to the standards and guidelines as provided in this document.

5.3 All DR scenarios should be fully testable.

5.4 Specific instructions for DR functionality must be presented in clear listed actions that are easy to transpose to procedure documents.

5.5 Specific procedures that must be followed in the event of a Disaster must be documented succinctly and sent for approval to the ICT DR Team leader for inclusion into the ICT DR Plan, with appropriate Change Control process.

6. BUSINESS REQUIREMENT SUMMARY

The table below summarises the risk assessment for the business disruptions categories which could potentially impact the Municipality:

Risk category	Risk Rating		
	Likelihood	Criticality	Risk
Loss of data services	Possible	Moderate	Medium
Loss of voice services	Likely	Major	High
Loss of key dependencies	Possible	Major	High
Loss of key staff	Likely	Moderate	High
Loss of vital non-electronic records	Likely	Major	High
Loss of precinct	Rare	Catastrophic	Medium
Loss of building	Unlikely	Major	Medium
Denial of access to building	Possible	Moderate	Medium

The table below summarises the core applications required for each Stellenbosch Municipality Directorate

Directorate	SAMRAS & CP3	Collaborator	GIS	Ignite Assist	Route Master	PAYDAY	ValueProp	IMQS	Internet	Email	Network
Financial Services	□	□	□	□	□	□	□	□	□	□	□
Corporate Services	□	□	□	□	□	□	□	□	□	□	□
Planning and Development	□	□	□	□	□	□	□	□	□	□	□
Infrastructure Services	□	□	□	□	□	□	□	□	□	□	□
Community Services	□	□	□	□	□	□	□	□	□	□	□
Office of the MM	□	□	□	□	□	□	□	□	□	□	□
Minimum RPO	**4 hours**	**1 day**	**1 month**	**SLA**	**1 day**	**1 week**	**1 day**	**2 weeks**	**N/A**	**1 hour**	**4 hours**
Minimum RTO	**4 hours**	**1 day**	**1 day**	**SLA**	**1 day**	**1 week**	**1 hour**	**12 weeks**	**1 day**	**1 day**	**4 hours**

7. CURRENT STATE, LIVE ENVIRONMENT

The ICT portfolio stack consists (but are not limited to) of the following categories, with the municipality providing enough detail as a high-level overview to each of the categories, including the infrastructure/equipment. The ICT portfolio stack is viewed from a high-level perspective but may be expanded upon as required – for detail behind each model refer to Enterprise Architecture of the Stellenbosch Municipality. The stack consists, but not are not limited to the following sections:

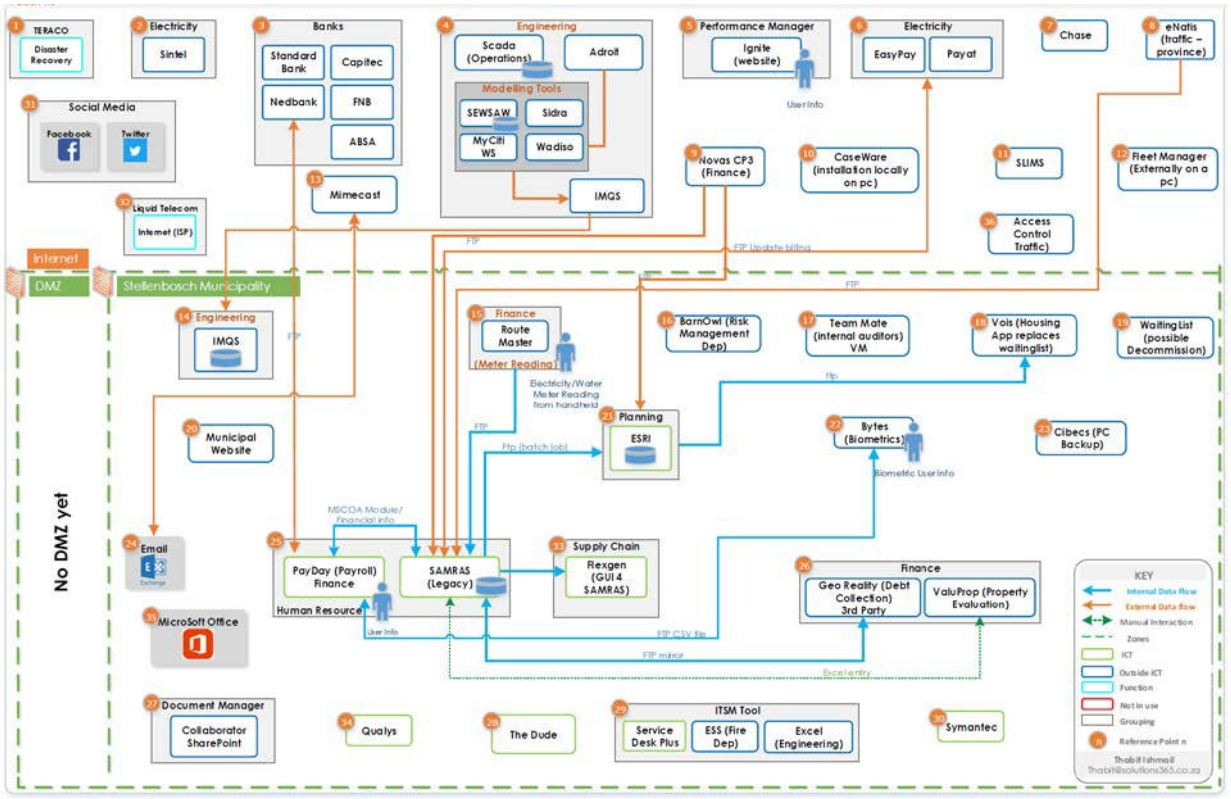
1. Networking, which may further be unpacked under WAN, LAN, SDN, IAAS and PAAS.
2. Wireless, which may further be unpacked under WAN and/or LAN.
3. Servers, which may further be unpacked under VM's, HV's, Hosted/Cloud and Physical.
4. Security, which may be further unpacked under WAN, LAN, Core and End User.
5. Storage, which may further be unpacked under VM's, HV's, Hosted/Cloud, Physical.
6. Operating Systems, which may further be unpacked as required.
7. End User Workstations, which may further be unpacked as required.
8. Telephony, which may further be unpacked under PABX, PBX, IP, SIP, IAAS, PAAS, Hosted/Cloud and Physical.
9. Peripherals, which may further be unpacked under Print, Scan and Docking Stations.
10. Cloud or Hosted, which may further be unpacked under IAAS, PAAS and SAAS.
11. Disaster Management/Recovery, which may further be unpacked under VM, VA, Hosted/Cloud, Physical.
12. Service Providers with SLA's

Each category will be broken down into its own sub-section for ease of identification and understanding of the various items comprising of the specific category i.e.; Servers may be unpacked into Physical and Virtual, etc.

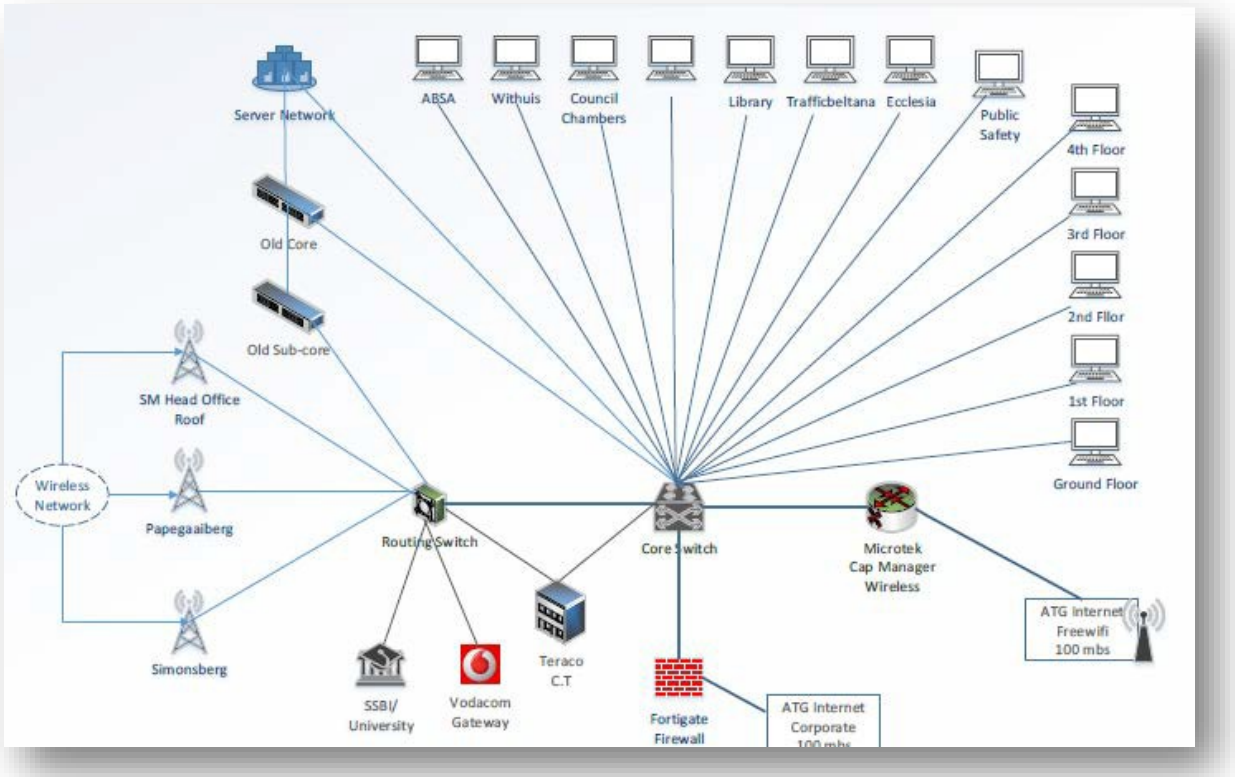
7.1 Hosting overview

Stellenbosch Municipality utilizes a mixture of on premise, 3rd party and cloud-based hosting.

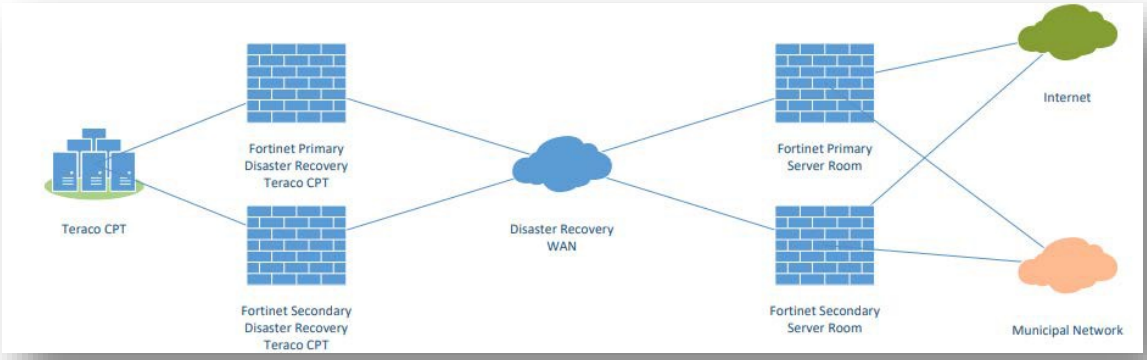
7.1.1 Application Landscape



7.1.2 Networking Wireless WAN & LAN



7.1.3 Security



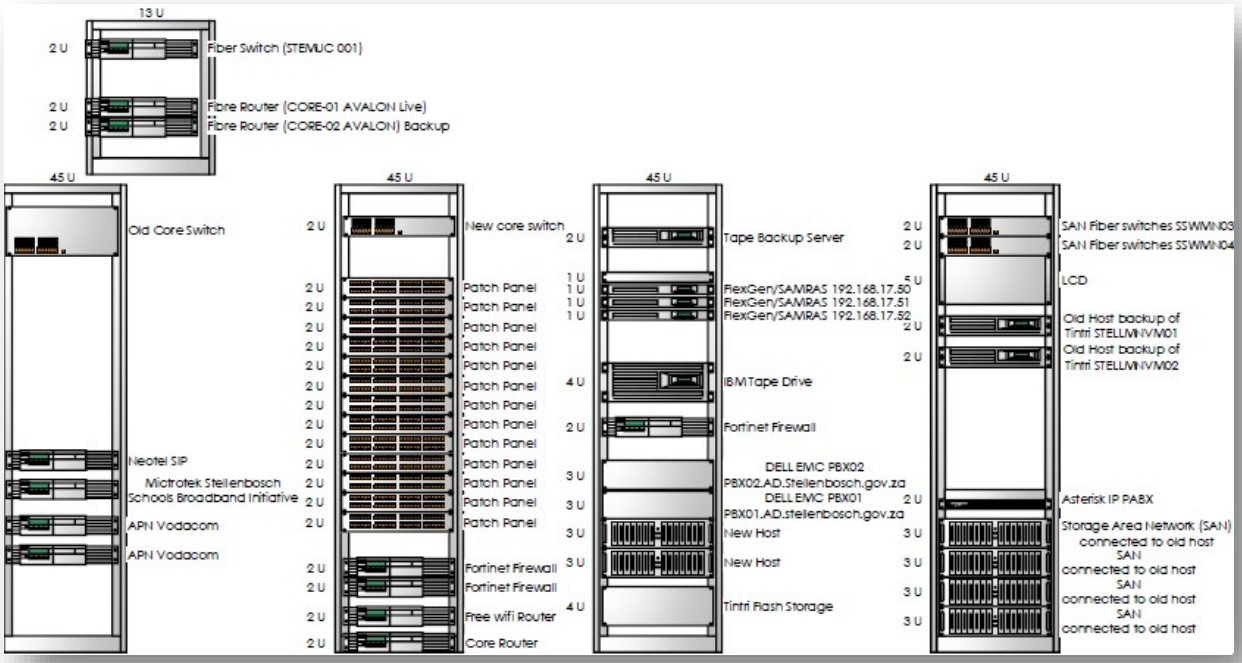
In addition to the Firewall infrastructure, the following solutions have been implemented to address logical security:

- WithSecure Element Endpoint Protection with EDR and vulnerability management
  - Used for performing credentialed vulnerability scans
- The Dude
  - Used for monitoring WAN connections

Physical security has been implemented through the implementation of:

- CCTV
- Biometric Access Control
- Alarm System
- Visitors Logbook

7.1.4 Datacenter Architecture



7.1.5 End User Workstations

The following specification is the minimum requirement for End User Workstations:

Component	Minimum Specification - Desktop PC's
CPU Processor	Intel Core i5
Memory	8 GB DDR4-2400 SDRAM
Storage	128GB SSD hard drive
Connections / ports	Audio out connector Display port VGA 4 usb 2.0 2 usb 3 Power connector Serial
Audio	Conexant CX20632 codec with universal audio jack and 2W internal speaker and headset ports
Graphics Card	Integrated Intel HD Graphics 630
Communication	LAN Realtek RTL8111 HSH GbE LOM network connection
Accessories	Include keyboard and mouse
Operating System	Windows 10 Professional 64 bit
Warranty	Minimum 1 Year

7.1.6 End User Laptops

The following specification is the minimum requirement for End User Laptops:

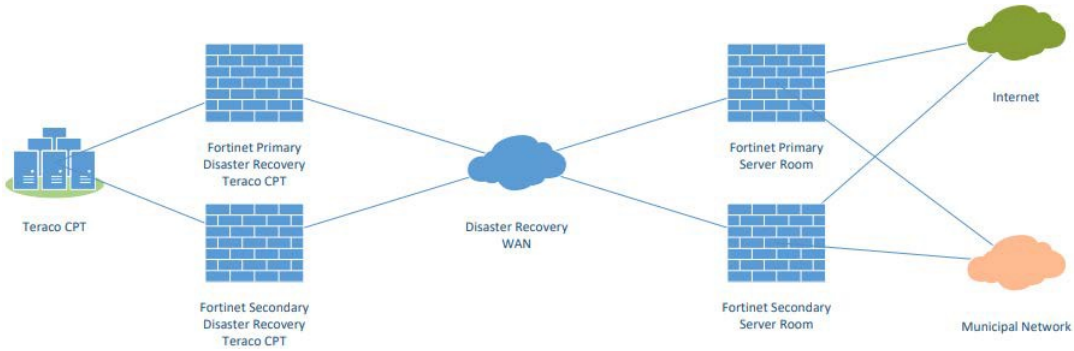
Component	Minimum Specification - Laptops
Processor	Intel Core i5
Memory	8GB DDR4-2133 SO-Dimm memory
Storage	128GB SSD hard drive
Display	13.3” diagonal HD anti-glare LED
Keyboard	backlit keyboard, touchpad; spill-resistant, touchpad with gesture support
Networking	Bluetooth 4.0, IEEE 802.11n, Bluetooth 4.2, Ethernet, Fast Ethernet, Gigabit Ethernet, IEEE 802.11a, IEEE 802.11ac, IEEE 802.11b, IEEE 802.11g
Connections / Ports	USB 3.0 (2) USB 2.0 power port (1) HDMI (1) Headphone/microphone combo (1) AC power (1) RJ-45 (1) VGA (1)
Communication	Intel Dual Band Wireless-AC 8260
Operating System	Windows 10 Professional (64bit)
Warranty	Minimum 1 year

7.1.7 Telephony

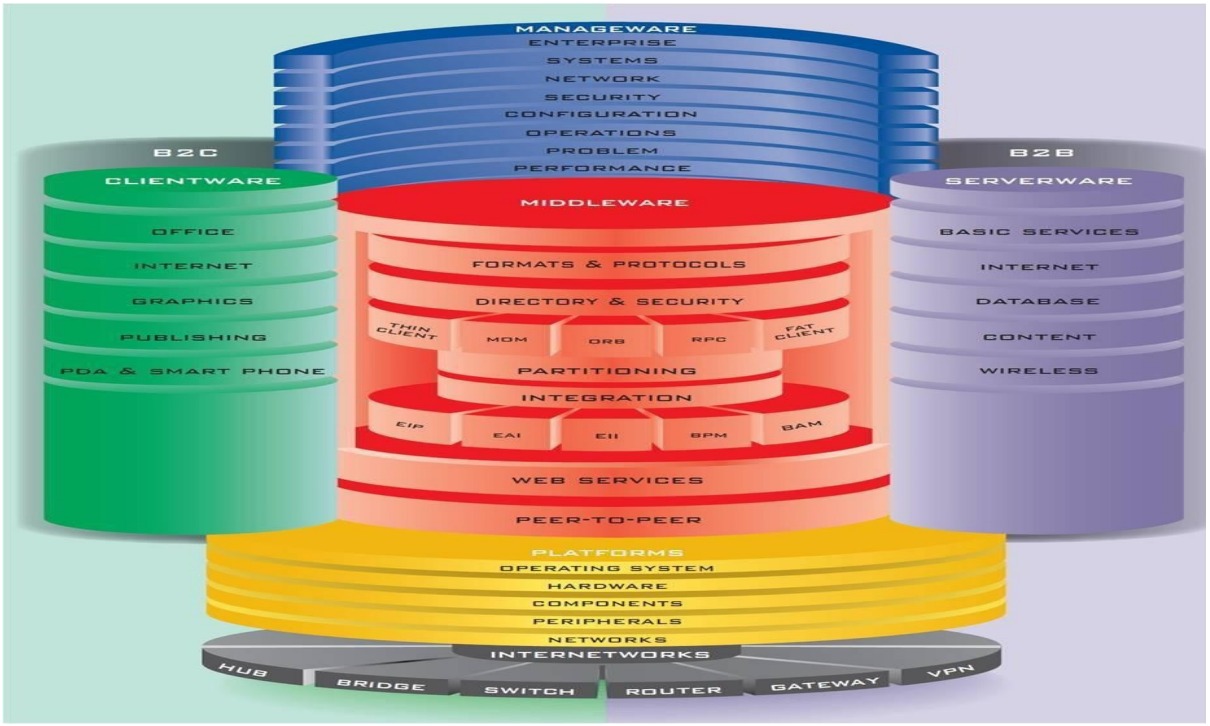
A VOIP telephony has been implemented by Gijima. The system consists of 2 PABX servers (Main Building in Plein Street and Fire Station). Inter-branch routing has been implemented to carry voice traffic over the internal network between the municipal sites.

ETG was appointed to supply multifunction devices. ETG can be contacted at 087 230 03335. Monitoring software has been installed to report any issues with the multifunction devices directly to ETG.

7.1.8 Disaster Management/Recovery



7.1.9 The technology Landscape



CLIENTWARE

Office

- Application Suite: Microsoft Office 2010/2013/Office 365 suite; mSCOA (Flexgen), GeoReality, Waitinglist; eNatis; ESS; Collaborator; EsriGis; Fleet Manager; Payday; Valuprop; SLIMS; Adroit; Scada; Routemaster; Ignite; Caseware; BarnOwl;; Vois; Cibecs
- Personal Database: Microsoft Access
- Web Authoring: None
- Word Processing: Microsoft Word
- Spreadsheet: Microsoft Excel
- Presentation: Microsoft PowerPoint
- PIM & Contact Manager: Microsoft Outlook

Publishing & Document Imaging

- Document Management: Adobe Acrobat/ Reader; Collaborator
- Web authoring : None
- Browser Plugin : None

Internet

- Web Browser: Internet Explorer; Google Chrome; Mozilla Firefox; Opera; Microsoft Edge
- Email Client : Microsoft Exchange ; Office 365, Mimecast
- Browser Plugin : Adobe Flash Player; Java

Graphics

- Drawing – Vector Graphics: AutoCAD, Microsoft Visio
- Painting : None

PLATFORMS

Operating System

- Unix: none
- Linux : Red Hat Enterprise; Ubuntu; CentOS
- Microsoft Windows : Windows 7, 10, Server 2003, 2008, 2012, 2016, 2019

Hardware

- Server : HP; Tintri
- Desktop : Lenovo; HP; Dell
- Notebook : Lenovo; HP; Dell

Components

- CPU: Intel

Peripherals

- Output – Printer: Brother; HP; Epson; Samsung; Canon; Sharp
- Input – Scanner : Brother; HP; Canon; Sharp

MIDDLEWARE

- Web Services
- Vendor Framework : Microsoft .Net

Security Services

- Anti-Virus : WithSecure

Directory & Security

- Anti-Virus : WithSecure
- Directory Service : Active Directory

MANAGEWARE

Network Management

- Network Manager: The Dude
- Operations Management
- Storage Management : Tintri

INTERNET WORKS

- Switch : Cisco; HP; Ubiquiti; Planet
- Router : Mikrotik
- Hub : D-Link

7.1.10 Service Providers with SLA's

SLA's have been entered into with the following service providers:

- SAMRAS (Finance System)
- Business Engineering (Collaborator)
- Ignite Assist – Performance management system
- Mimecast (Mimecast mail archiving, large file send and security filtering)
- GIJIMA (VOIP Telephony)
- ETG (Multifunction devices)
- ESRI (GIS software and professional services)
- Vodacom (APN)
- TELKOM SA (Voice Services)
- Izwi Technology Group (Network Management)

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POLICY NAME	ICT DISASTER RECOVERY TEST PLAN
Original Author(s)	Senior Manager: ICT
Policy status	Review 3.0
Date of approval	
Signature of Director	
Signature of MM	
Council Approval	

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Document Identification

File Name	ICT DISASTER RECOVERY TEST PLAN
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Version Control

Action	Name	Role / Function	Date
Prepared by:	Regan Mooideen	Senior Manager ICT	September 2022
Reviewed/Approved by:			

Glossary of Abbreviations

Abbreviation	Definition
BCMS	Business Continuity Management System as per ISO22301:2012
BC	Business Continuity
DR	Disaster Recovery
DRP	Disaster Recovery Plan
ICT	Information and Communication Technology
IROC	ICT Recovery Operations Centre

Glossary of Terminologies

Terminology	Definition
Line manager	Each department (HR, Finance, ICT, etc.) should have a manager employed to perform managerial tasks.
Main Site	Municipal Head Office and assumed in some case to be the location of the Municipality Main Data Centre
ICT Recovery Operations Centre	The offsite command centre that gets established, by approval within the framework of the ICT DRP, for the purpose of ICT recovery operations & necessary relocation of identified resources.
Procurement	The external acquisition of services, assets and consumables, whether by outright purchase, hire, licensing or outsourcing.
Simulation Room	This is a pre-determined room, preferably offsite, that is used for the Simulation testing.
Simulation Lite	A simulation DR test conducted by 2-3 individuals, usually the ICT Manager, the ICT DR Team Leader and an assistant.

Terminology	Definition
Service	A Service delivered to the municipality by ICT or by 3rd parties. Examples: email, Internet, printing.
Contract	An agreement (which may be verbal or in writing) entered into with the intention of creating legally binding consequences. The contract includes all annexures, schedules, etc., as well as any agreed amendments thereto.

1. INTRODUCTION

This ICT DR Test Plan is structured to provide guidance for the periodic testing of the main ICT DR Plan. Once the Municipality has drafted and accepted a suitable ICT DR Plan, the Municipality DR capability is not complete until it has been tested. This is the first step to ensuring that the plan is effective and complete.

The ICT DRP Test Plan describes the testing approach, objectives, activities, effectiveness criteria, expected outcomes, next steps and reporting in the primary objective of testing the Municipality's DR capability through testing of the ability to utilise the ICT DR Plan under artificial test conditions.

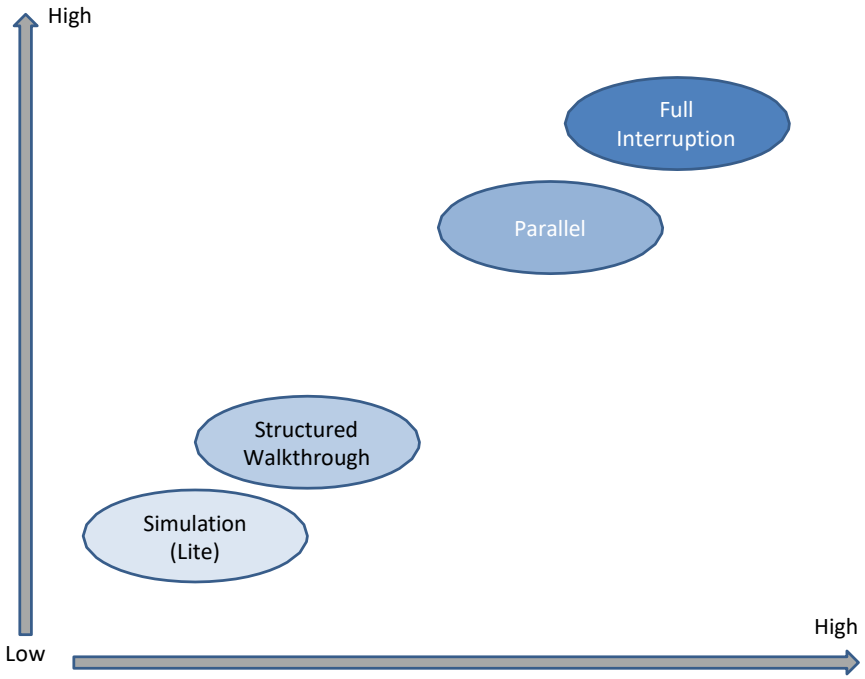
2. TESTING APPROACH

The effectiveness of an ICT DR Plan is only determined when it is fully tested. An ICT DR Plan is a lengthy and complex document. Users of the plan need time to fully digest and comprehend the requirements, and it is not feasible to expect users to conduct a full test with a newly introduced plan. For this reason it is generally accepted that testing of plans should be approached incrementally as shown in Figure 1.

Phase	Description
Walkthrough	Team members and other individuals responsible for recovery meet and walk through the ICT DR Plan step-by-step to identify errors or assumptions
Simulation (Lite)	In this test, the ICT DR Team Leader & ICT Manager perform a reduced version of a simulation. The two managers will take all relevant ICT DR Plan procedures, leave the office, to a Simulation Room, activate VPN and simulate an actual Disaster. This test simulates a real emergency without affecting live activities.
Parallel	This is similar to simulation testing but the primary site is uninterrupted and critical systems are run in parallel at the alternative and primary sites
Full interruption	This test involves all aspects of the company in response to a Disaster. All steps in the plans are performed. Systems are shut down at the primary site and all individuals who would be involved in a real emergency, including internal and if possible, external organisations, participate in the test

Table: Testing phases

The next figure illustrates how the various testing approaches will impact the Municipality, in terms of effort and effectiveness.



Given this is the first time that the Municipality has developed a comprehensive ICT DR capability, the ICT DR Test Plan will initially utilise reduced scope simulations before undertaking other levels of testing (see Implementation Plan for the required approach).

The ICT DR Team take part only in the Structured Walkthrough, Parallel and Full Interruption tests. The IROC should only be tested in the Parallel and Full Interruption tests.

3. TESTING OBJECTIVES

The objectives of any test are as follows:

- To ensure all key management (Municipal Manager, ICT DR Team Leader, the ICT Manager & members of the ICT Steering Committee) are familiarised with the contents of the *ICT DR Plan* and to have periodic reviews of the plan's effectiveness, after structured testing activity.
- To determine any weaknesses in the plan.
- To allow participants to understand that the plan requires high degrees of commitment, coordination and teamwork.
- To identify parts of the plan that need improving.
- By looking for faults and limitations, it is expected participants will become involved and understand what will be expected of them in the event of a Disaster.
- To raise awareness of the need for continuity planning.

With this understanding, it is anticipated that each member will appreciate the necessity for such contingency planning, and this will improve their confidence in their ability to respond appropriately if they are ever called upon to face a real Disaster.

The ICT Manager, Municipal Manager and business representatives should consider staging artificially Disaster scenarios for the tests, as part of the planning. This can be simulated with a few Test team members acting artificial roles. Some additional considerations are:

- What Disaster situation does the Municipality want to test and be ready for specifically?
- During what time period (weekend, during the day, month-end etc., holiday period) does the Municipality want to test?
- Keep the test as close as possible to a real situation. Hence, participants can be warned early in the year to prepare (updated ICT DR Plan, printed documents, data backup). The test should occur on a test day for which the main participants.
- Try to ensure “cheating” does not occur. Remember that there might be flaws in the plan, and it’s important to identify those flaws
- How risky is the testing, with regard to impact to the Municipality and its operations? The idea of testing is to demonstrate and test the ability to recover ICT services and the business it supports, and not to bring it down because you’re testing.

4. TESTING ACTIVITIES

4.1. Testing method

The test will be conducted as follows:

- Selected members within the Municipality executive management and management will be requested to participate.
- The progressive testing approach as recommended in Section 2 will be followed.
- The team will be taken through the entire ICT DR Plan to allow them to familiarise themselves with the contents.
- The ICT DR Plan will be critically assessed to:
    - Evaluate the clarity of the ICT DR in defining how team(s)s, as described in the plan, are to interact with one another.
    - Evaluate the accuracy of the team responsibilities and resumption procedures.
    - Evaluate the logic flow.

- Ensure that selected materials and checklists identified in the plan are accurate.

4.2. Contingency actions

As part of the test it is important that the Municipality ensures the following steps are taken:

- A command centre called the IROC, is established.
- A health and safety officer details are shared (if applicable).
- A designated assembly point is established.
- ICT DR training and awareness is conducted.
- Personnel are assigned to the teams detailed in the ICT DR plan.
- Lists containing details of stakeholders, service providers, and next of kin are completed and are kept up to date.

5. EFFECTIVENESS CRITERIA

The following criteria must be considered by the Senior Manager ICT and the Municipal Manager, as the ICT DR Plan is tested and reviewed:

- Is the ICT DR Plan complete and relevant to address the needs of the Municipality?
- How well participants were able to follow and utilise the plan?
- How well the checklists or defined steps worked to achieve the stated objectives?
- How confident participants felt with their role in the implementation of the plan?
- The logical sequence of the document. Plans should be simple to follow and navigate?
- The accuracy of the document?
- Does the ICT DR Plan mitigate all risks that could cause a Disaster?
- Are the recovery strategies appropriate in relation to the resources available to the Municipality?
- Is the composition of the recovery teams, and roles and responsibilities assigned to them, appropriate for the Municipality considering the current organisational structure and human resource levels?
- Do management, who are involved in the recovery plan, understand their roles and responsibilities?

6. EXPECTED OUTCOMES

The following outcomes are expected from the test:

- The capability of the organisational structure and personnel required to maintain the plan will be tested and confirmed.
- The compositions of teams required to effectively recover the Municipality will be confirmed.
- Roles and responsibilities will be confirmed.
- Procedures required to recover the Municipality are confirmed.
- All contingency actions are completed or are in the process of being completed.
- A detailed record of the actions performed is taken for audit purposes.

7. POST TEST STEPS

This section of recommended post-testing steps is to be covered during the Debriefing stage at the end of a test run.

7.1. Immediate steps required

The following issues should be attended to immediately after the ICT DR test has been completed:

- The confirmation of a person to take full responsibility for the management of ICT Disaster recovery i.e. the ICT DR Team Leader.
- The scheduling of the next follow up meeting to ensure the action items identified in the test are completed as agreed.
- The approval and scheduling of an awareness campaign.
- The formulation of a plan to address the contingency actions that need to be completed.
- The scheduling of the next level of testing, which should be a simulation.

7.2. Awareness campaign

Specifically, after the structured Walkthrough test has been completed by management, awareness needs to be created continuously by the person given the responsibility for ICT DR planning. This will form part of the on-going exercising of the ICT DR Plan to ensure all staff members are always familiar with the requirements of the plan.

Awareness should be conducted in the following manner:

7.1.1 Initially a high-level presentation should be made to all employees. This presentation should introduce the concept of business continuity and the need to have an up to date plan.

7.1.2 The ICT DR should be distributed to all staff, then each business function should receive a detailed explanation of:

- The ICT DR Team and other specific individuals (e.g. service providers, business representatives, partners) that will convene in the event of a Disaster.
- The key individuals who must support the ICT DR Team (e.g. service providers, business representatives, partners) in the event of a Disaster.
- An updated Communications plan.
- The roles and responsibilities of each team
- How the plan will operate at the macro level.
- How the plan will be implemented within each Department's area.
- What a risk classification is and the classifications that have been determined in the BIA.
- The specific roles and responsibilities assigned to each Departmental or Line Manager.

7.3. On-going activities

The following activities should be conducted on an on-going basis:

- Review of the ICT DR Plan to ensure the plan is updated as circumstances change within the Municipality.
- Conducting of user awareness campaigns and training.
- Scheduling of tests, including selected tests for certain critical systems
- Conducting tests as per the agreed schedule.
- Reporting on the status and effectiveness of ICT DR capability in the Municipality.

8. REPORTING

8.1. Reporting after structured Walkthrough, Parallel and Full Interruption tests

The following will be produced from the test conducted by management:

- A full set of minutes recording:
  - Any amendments to the Test Plan.
  - Any additional information that needs to be incorporated into the plan.

- All decisions taken and actions that flow from the decisions.
- A list of items that need to be updated in the Test Plan.

8.2. On-going reporting

The following should be reported on a regular basis:

- Changes made to the Test Plan and the ICT DR Plan, in response to changes within the Municipality.
- The annual schedule of tests to be conducted, including fire drills.
- The results of tests completed.
- The status of the business continuity coordination team.
- The status of business continuity training.
- The status of awareness amongst staff.

9. IMPLMENTATION ROADMAP

Note: the first year will only allocate two Simulation Lite tests. Thereafter in year two, there will be three tests (namely Walkthrough, Simulation and Parallel). In the third year, assuming the maturity of the ICT DR capability is considered to be of high quality, all four tests must be conducted, culminating in a Full Interruption test.

Time Period	Year 1				Year 2				Year 3			
Actions	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Prep & housekeeping												
Prep meeting for testing - review ICT DR Plan with all parties	■				■				■			
Scheduling details	■				■				■			
Awareness campaign		■				■				■		
Reviw Meetings & gap analysis			■				■				■	
Testing												
Walkthrough						■				■		
Simulation Lite		■		■			■		■			
Parallel								■			■	
Full Interuption												■
Reporting	■	■	■	■	■	■	■	■	■	■	■	■
Prep for Audits			■				■				■	

APPENDICES: TEST PROCEDURES FORMS

Appendix T01 : Application Test Template

1.Pre-Test Information

Start Date/ Time	Finish Date/ Time

Type of Test	Select
Simulation Lite	
Walkthrough	
Parallel	
Full interruption	

ICT DRP to be tested (filename)	Ver./Date of issue	Scope of execution

Confirm Test Goal

Test Objectives
1.
2.
3
4.
5.

Additional/Specific Objectives

Test Plan Acceptance
I hereby confirm acceptance and agreement of Test Plan Municipality ICT DR Test Plan <dd.mm.yyyy> and the contents contained within excluding the exceptions described in the notes below. Notes: Signed:

2. Test Scenarios

No	Test Basic Scenarios
1	.
2	
3	*Example: On a hot humid day the ambient temperature reaches 40 degrees, and the data centre air-conditioning fails.*
4	*E.g. On Easter weekend, there's a downpour of rain leading to flooding*
5	*E.g. A virus attack creates havoc, crashing the email service and directory services*

No	Test Assumptions or Constraints
1	.
2	
3	
4	

Seq.	Event/Incident	Planned Date & Time	Actual Date & Time	Message Content/type	Received/ origin	By
1	.					
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						

Instructions/expectations to Participants	Test Role	Name
	E.g. Simulator	

Key Communications for Test	
Name	**Mobile or other**
Test team members	
Call Tree /Groups (Municipal & Government)	
Service providers/partners	
Others	

3.Test Execution

Test facilitator
Test Assistant
Test Design Team Individuals
<name>, <name>, <name>

Simulation Team members	
<name>	<test role>

Test Evaluator

Test Participants	
ICT DR Team role(s)	Name

Test Briefing Location	Date, Time, duration
Test Debriefing Location	**Date, Time, duration**

4. Reporting **(to be submitted with written report within 5 days of test completion)**

Test Debrief Summary:
The test took place on <date>. A total of <number> participants took part in the test. Out of <number) participants, <number> people completed the test evaluation form. <number> people gave verbal feedback
Provide feedback, measurement on key objectives Provide feedback on key failures

Test Evaluation Form	Yes/No or Comments
Was the test goal achieved?	
Did you have the opportunity during the test to participate in at least one objective? IF yes, which objective?	
What did you like best about the test?	
When did you feel uncomfortable most and why?	
Provide honest feedback on what you learnt from the test.	
Did you see evidence that the ICT DRP is adequate to recover some/scoped business functions?	
What worked correctly?	
What didn't work?	

No	Recommendations for Improvement
1	
2	
3	
4	
5	
6	
7	
8	

Name	
Role during Test	
Date & Time	

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POLICY NAME	ICT DR BUSINESS IMPACT & RISK ANALYSIS
Original Author(s)	Senior Manager ICT
Policy status	Review 4.0
Date of approval	
Signature of Director	
Signature of MM	
Council Approval	

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Document Owner	Stellenbosch Municipality

Version Control

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Prepared by:	Brian Mkaza	Senior Manager ICT	1 March 2021
Reviewed/Approved by:			

Glossary of Abbreviations

Abbreviation	Definition
BCMS	Business Continuity Management System
BC	Business Continuity
DR	Disaster Recovery
DRP	Disaster Recovery Plan
HR	Human Resources
ICT	Information and Communication Technology
MTO	Maximum Tolerable Outage
RTO	Recovery Time Objective
RPO	Recovery Point Objective
RACI	Responsible, Accountable, Consulted, Informed

Glossary of Terminologies

Terminology	Definition
Business case	A formal requirement in order for a specific business function to perform its required task, such as to implement a project initiative.
Line manager	Each department (HR, Finance, ICT, etc.) should have a manager employed to perform managerial tasks.
Main Site	Municipal Head Office and assumed in some case to be the location of the Municipality Main Data Centre
Maximum Tolerable Outage	The amount of time the identified critical business function may be unavailable before the Municipality is severely impacted.
Procurement	The external acquisition of services, assets and consumables, whether by outright purchase, hire, licensing or outsourcing.

Terminology	Definition
Recovery Point Objective	The worst data loss that the Municipality is willing to accept. In other words, this is the point from which recovery of lost data must take place.
Inherent Risk	Inherent risk is the initial risk levels
Residual Risk	Residual risk is after the Municipality implement the recommended controls
Service	A Service delivered to the municipality by ICT or by 3rd parties. Examples: email, Internet, printing.
Contract	An agreement (which may be verbal or in writing) entered into with the intention of creating legally binding consequences. The contract includes all annexures, schedules, etc., as well as any agreed amendments.
Incident	Typically impacts a specific service or server. Examples of Incidents include a compromised service resulting from a hacking attack or the partial loss of an office area due to a burst water pipe.
Disaster	A significant or unusual Incident that has long-term implications. An example of a disaster would be the loss of a building due to a fire .
Disaster (formal definition as per The Disaster Management Act)	The Disaster Management Act (Act No. 57 of 2002) defines a disaster as a progressive or sudden, widespread or localised, natural or human-caused occurrence which: • Causes or threatens to cause: o Death, injury and/or disease. o Damage to property, infrastructure and/or the environment. o Disruption of life, within the community. • Is of a magnitude that exceeds the ability of those affected by the disaster to cope with its effects using only their own resources.
Test Plan	The DR Test Plan document provides guidance on the types, details, scheduling, effort and activity required for regular testing every year.

1. INTRODUCTION

This document provides the Municipality with the information, procedures and templates required to conduct a business impact assessment (BIA) and review the risk and vulnerability pertaining to key Municipal operations that are dependent on ICT systems.

The document supports the Municipality's ICT Governance Policy and was developed with the legislative environment in mind, as well as to leverage internationally recognised ICT standards.

This document forms part of the Municipality's ICT DR Policy and is inter-dependant to a few key documents such as:

- The ICT DR Plan
- The Definition of ICT DR Architecture

2. LEGISLATION

The policy was drafted bearing in mind the legislative conditions, as well as to leverage internationally recognised ICT standards.

The following legislation, among others, were considered in the drafting of this policy:

- Constitution of the Republic of South Africa Act, Act No. 108 of 1996;
- Copyright Act, Act No. 98 of 1978;
- Electronic Communications and Transactions Act, Act No. 25 of 2002;
- Minimum Information Security Standards, as approved by Cabinet in 1996;
- Municipal Finance Management Act, Act No. 56 of 2003;
- Municipal Structures Act, Act No. 117 of 1998;
- Municipal Systems Act, Act No. 32, of 2000;
- National Archives and Record Service of South Africa Act, Act No. 43 of 1996;
- Promotion of Access to Information Act, Act No. 2 of 2000;
- Protection of Personal Information Act, Act No. 4 of 2013;
- The Disaster Management Act, Act No. 57 of 2002; Regulation of Interception of Communications Act, Act No. 70 of 2002; and

- Treasury Regulations for departments, trading entities, constitutional institutions and public entities, Regulation 17 of 2005.

The following internationally recognised ICT standards were leveraged in the development of this policy:

- Western Cape Municipal Information and Communication Technology Governance Policy Framework, 2014;
- Control Objectives for Information Technology (COBIT) 5, 2012;
- ISO 27002:2013 Information technology — Security techniques — Code of practice for information security controls; and
- King Code of Governance Principles, 2009.

3. OBJECTIVE OF THE DR Business Impact & Risk Analysis

The objective of this document is to guide Municipal management to conduct regular business impact assessments and risk analysis of the Municipal operations. The business requirements for recovery of systems must be tabulated and stated in technical terms (e.g.: MTO, RPO, RTO), categorised and summarised, so that adequate solutions can be investigated for a successful ICT DR Plan in the event of a disaster.

The objectives of this document are to enable the Municipality to:

- Describe the business organisation, with particular focus on the functions and supporting ICT applications.
- Evaluate any key building features, vulnerabilities and observations.
- Describe the business disruption categories and risk rating scale used.
- Assess the potential risks within each business disruption category.
- Specify the availability and recovery requirements for critical business functions and ICT systems.
- Analyse resource continuity requirements.
- Support a business continuity strategy that must be developed further into a BCMS in future years.

4. THE AIM OF THIS DR Business Impact & Risk Analysis

The aim of this ICT Disaster Recovery Business Impact & Risk Analysis document is to assist the ICT Manager, Line Managers and duly authorised employees within Municipal environments to conduct an effective analysis and representation of the potential risks that might disrupt business operations, specifically within the context of protecting and recovering key supporting ICT

systems. The template is to be tailored and edited, in order to construct a unique Business Impact & Risk Analysis that represents the Municipality.

This analysis then enables the preparation of an effective ICT DR Plan, as well as upgrading or improving underlying applications and technology, for the recovery of ICT systems supporting the Municipality.

5. SCOPE

This document covers the functional activities (pertaining to departments, divisions and key functions) of the employees of the Municipality who are housed in the Municipal building(s) within the Municipality. Key employees from the Municipality, representing the various Municipal operations and functions, should be informed of this BIA document.

The following is not included in the scope of this document:

- Employees located outside of the Municipality based offices
- External stakeholders
- Assessment of any other buildings beside those buildings listed in Appendix A02.

5.1 Associated ICT DR documents

This ICT Disaster Recovery Business Impact & Risk Analysis document resides in a broader ICT DR framework of five key documents as summarised below:

Document	Summary
ICT DR Policy.	• Broad policy, principles, high level framework & obligations.
ICT Risk & Impact Analysis.	• Risk & Vulnerability Analysis; and • Business Impact Assessment.
ICT DR Plan.	• Actionable Plan in event of Disaster incl. teams, processes & forms/templates.
Definition of ICT DR Architecture.	• Technical Assessments; • Architecture(s) for Current Live & DR environment; and • Service details.
ICT DR Test Plan.	• Tiered Test plan.

Table 1: ICT DR Framework documents

6. ASSESSMENT PREPARATION

6.1 General

6.1.1 The Senior Manager ICT must request the help of Municipal Management and specifically all key Line Managers, in order to populate Appendices A01, A02, A03 which are tables pertaining to the organogram, building locations for all key Municipal departments, and the functions pertaining to each division or department.

6.2 Business interviews must be conducted with representatives from each business unit within the Municipality to ensure that a complete view of the recovery requirements is obtained for the ICT DRP Plan. The following information must be obtained through the business interviews:

- *Key* business functions
- *How often* the functions are performed
- What *applications* (if any) are used to perform the functions
- How *critical* is the function to the Municipality (risk matrix)
- *Recovery requirements* for the functions
- Electronic and non-electronic *dependencies*
- Key resources requirements (out of scope/not related to ICT)

6.2.1 The Senior Manager ICT must request assistance from the Line Managers and/or Application owners in order to get an updated and date-stamped tabular representation of all business *applications* (see Appendix A04)

7. ASSESSMENT FRAMEWORK

7.1 Business disruption categories

There are an almost indefinite number of potential threats, with varying levels of likelihood that could result in a severe disruption to normal business operations. The table below summarises the threats into eight business disruption categories, and provides example scenarios for each, along with an indication of which plan it is applicable to.

Disruption category	Example scenarios	Applies to
Loss of data services	Server failure, database corruption	• ICT DRP
Loss of voice services	IPT failure, loss of telephone lines	
Loss of key dependencies	Power failure, water failure	
Loss of key staff	Resignation, illness	
Loss of vital non-electronic records	Fire, damage to files, historical archives	
Loss of precinct	Natural disaster, terrorism	
Loss of building	Fire, structural failure	
Denial of access to building	Labour unrest, localised disaster	

This document will assist the Senior Manager ICT and duly authorised personnel to conduct detailed risk analysis and planning for the disruption scenarios above, that apply to ICT Disaster Recovery of key ICT services and systems, (i.e. DR requirements) being documented.

7.2 Risk rating scale

Risks are classified according to likelihood and consequences to determine a risk rating.

The municipality may already have a classifications/risk matrix implemented already. If so, the Municipality ratings for risk must be adapted to this Business Impact & Risk Analysis document.

If no classifications/risk matrix exists, then the recommended table below summarises the risk rating scale and can be used to assess the business disruption categories highlighted in Section 8: Risk Assessment. The Municipality may want to tailor this table further to their requirement.

Likelihood	Consequences				
	Insignificant	**Minor**	**Moderate**	**Major**	**Catastrophic**
	Minor problem easily handled by normal day to day processes	Some disruption possible	Significant time/resources required	Operations severely damaged	Business survival is at risk
Almost certain (e.g. >90% chance)	Medium	Medium	High	High	High
Likely (e.g. between 50% and 90% chance)	Low	Medium	Medium	High	High
Possible (e.g. between 10% and 50% chance)	Low	Low	Medium	High	High
Unlikely (e.g. between 3% and 10% chance)	Low	Low	Low	Medium	High
Rare (e.g. <3% chance)	Low	Low	Low	Medium	Medium

8. RISK ASSESSMENT

8.1 Loss of data services

The table below summarises the risk assessment for loss of data services.

Potential causes	Potential consequences
• Data/systems failure • Inadequate resources (human and/or technological) • Inadequate internal control systems • Inadequate backup and archiving processes • Security breaches (theft, vandalism, etc.) • Virus/hacker /denial of service • Power failure • Air-conditioning failure • Fire, flooding or structural failure	• Loss of assets • Loss of revenue • Inability to provide services • Client dissatisfaction • Employee dissatisfaction • Creation of liabilities • Reputation risk • Legal penalties • Drain on resources • Additional on-going costs

Control environment overview	
Existing control measures	**Recommended additional control measures**
• Restricted access to computer rooms • Access control into building, office and server rooms • ICT system backups • Offsite backups of some systems • Redundant components and systems • Uninterrupted power supplies (UPS), air-conditioners, smoke detectors • Antivirus and firewalls are implemented • Logical access controls are implemented	• Physical security controls in buildings need further attention to ensure that unauthorised access is prevented • Access must be properly logged • Service level agreements need to be reviewed and implemented for all critical areas • Regular tests of data recovery processes • Offsite storage and data replication for all systems • Configuration and change management • Generators must be installed for all sites
Risk Rating: **Medium**	

8.2 Loss of voice services

The table below summarises the risk assessment for loss of voice services.

Potential causes:	**Potential consequences:**
• Inadequate resources (human and/or technological) • Inadequate internal control systems • Loss of server room • PABX failure • Carrier failure • Power failure • Cable theft	• Difficulty in providing services • Client dissatisfaction • Employee dissatisfaction • Reputation risk • Drain on resources • Additional on-going costs
Control environment overview	
Existing control measures:	**Recommended additional control measures:**
• Limited access to PABX room • Telephone Management Systems with buffers	• Implement redundant telecommunication path

• Service contract in place for all telephony equipment • Battery backups • Air-conditioning in server room	
Risk Rating: **High**	

8.3 Loss of key dependencies

The table below summarises the risk assessment for loss of key dependencies.

Potential causes	**Potential consequences**
• Inadequate supplier resources (human and/or technological) • Inadequate internal control systems (supplier) • Data/systems failure • Breaches of security (supplier) • Virus/hacker/denial of service • Power failure • Air-conditioning failure • Fire • Flooding • Structural failure	• Loss of assets • Inability to provide services • Client dissatisfaction • Manual control of lights, water, generators and cooling • No monitoring of lights, water, generators and cooling • Action by regulators • Employer dissatisfaction • Creation of liabilities • Reputation risk • Legal penalties • Drain on resources • Additional on-going costs
Control environment overview	
Existing control measures	**Recommended additional control measures**
• UPS battery backup • Smoke detection and fire suppression systems are serviced regularly according to a service schedule • Antivirus and firewalls are implemented • Restricted access to server rooms • Smoke detectors	• Combined business continuity planning and testing with key suppliers • Generators need to be installed for all hosting facilities to ensure continuous supply of power • Operating procedures and check-lists to reduce reliance on individuals and suppliers • Service level agreements need to be reviewed and implemented
Risk Rating **High**	

8.4 Loss of key staff

The table below summarises the risk assessment for loss of key staff.

Potential causes	Potential consequences
• Breaches of physical security • Biological threat (e.g. Avian influenza) • Injury or illness • Resignation	• Loss of knowledge • Reduced productivity • Drain on resources • Additional on-going costs
Control environment overview	
Existing control measures	**Recommended additional control measures**
• Security at main entrance and office entrances	*Note: Municipality should apply to both ICT staff and operations staff:* • Detailed job descriptions and performance agreements (identify which teams, roles, ICT?) • Good knowledge transfer between staff is happening – should be categorised. • Succession planning for key staff • Improve turnaround time to acquire resources • Standard operating procedures to reduce reliance on individuals and suppliers • Hiring of additional staff • Outsourcing of some functions • Documentation of all business processes • Employee incentive schemes • Additional staff training • Standing agreement with recruitment agencies • Security need to verify the identity of visitors
Risk Rating: **High**	

8.5 Loss of vital non-electronic records

The table below summarises the risk assessment for loss of vital non-electronic records.

Potential causes	**Potential consequences**
• Natural disaster • Fire • Flood damage • War or civil disturbance • Terrorism • Severe weather • Structural failure • Theft • Employee negligence	• Loss of assets • Inability to provide services • Client dissatisfaction • Action by regulators • Employee dissatisfaction • Creation of liabilities • Reputation risk • Legal penalties • Drain on resources • Additional on-going costs
Control environment overview	
Existing control measures	**Recommended additional control measures**
• Fire suppression. (E.g. hose reels, fire extinguishers & blankets) • Offices are well maintained • Security at main building entrance and office entrance BC only • Filing room	• Automated fire suppression needs to be installed in critical areas • Verification of visitor identities • Electronic archiving system • File tracking system • Non electronic copies to be made and kept offsite • Offsite storage and backups for electronic archives • Alternative business site to be established *Pertaining to BC*: • Fire marshals need to be identified and trained • Fire resistant safe and filing areas need to be established • Fire and smoke detection systems need to be implemented in all critical areas
Risk Rating **High**	

8.6 Loss of precinct

The table below summarises the risk assessment for loss of precinct.

Potential causes	**Potential consequences**
• Natural disasters • Severe weather • Fire • Flood • Biological threat (e.g. Avian Influenza) • War or civil disturbance • Terrorism	• Loss of assets • Inability to provide services • Client dissatisfaction • Action by regulators • Employee dissatisfaction • Creation of liabilities • Reputation risk • Legal penalties • Drain on resources • Additional on-going costs
Control environment overview	
Existing control measures	**Recommended additional control measures**
• Fire and smoke detection systems • Fire suppression. (E.g. Data centre and ICT wiring closets) • Offsite Data Backup's (partial/tape)	• Remote connectivity to be made available to key staff • Offsite storage and backups for electronic data • Detailed ICT and system recovery procedures • Replication of virtual servers to alternative sites • Alternative business site to be established Typical BC controls: • Fire marshals need to be identified and trained • Fire resistant safe and filing areas need to be established
Risk Rating: **Medium**	

8.7 Loss of building

The table below summarises the risk assessment for loss of building.

Potential causes	Potential consequences
• Natural disaster • Fire • Flood • War or civil disturbance • Terrorism • Severe weather • Structural failure	• Loss of assets • Inability to provide services • Client dissatisfaction • Action by regulators • Employee dissatisfaction • Creation of liabilities • Reputation risk • Legal penalties • Drain on resources • Additional on-going costs
Control environment overview	
Existing control measures	**Recommended additional control measures**
• Offices are well maintained • Security at main building entrance and office entrance • Offsite storage for some systems • Replication of virtual servers to alternative sites	• Remote connectivity to be made available to key staff • Fire and smoke detection systems need to be implemented in all areas • Verification of visitor identities • Offsite storage and backups for all electronic data • Detailed ICT and system recovery procedures • Replication of virtual servers to alternative sites • Alternative business site to be established BC specific controls • Fire marshals need to be identified and trained • Fire resistant safe and filing areas need to be established
Risk Rating: **Medium**	

8.8 Denial of access to building

The table below summarises the risk assessment for denial of access to building.

Potential causes	Potential consequences
• Natural disaster • Fire • Flood • Biological threat (e.g. Avian Influenza, Anthrax hoax) • Chemical spill • War or Civil disturbance • Terrorism • Severe weather • Structural failure • Industrial dispute	• Loss of assets • Inability to provide services • Client dissatisfaction • Action by regulators • Employee dissatisfaction • Reputation risk • Legal penalties • Drain on resources • Additional on-going costs
Control environment overview	
Existing control measures	**Recommended additional control measures**
• Fire and smoke detection systems • Fire suppression. (E.g. Data centre and ICT wiring closets) • Offices are well maintained. ICT office is well maintained • Security at main building entrance and office entrance • Offsite storage of some data • Replication of virtual servers to alternative sites	• Remote connectivity to be made available to key staff • Verification of visitor identities • Offsite storage and backups for all electronic data • Detailed ICT and system recovery procedures • Replication of virtual servers to alternative sites • Alternative business site to be established BC controls: • Fire marshals need to be identified and trained • Fire resistant safe and filing areas need to be established
Risk Rating: **Medium**	

9. RISK SUMMARY

The table below summarises the risk assessment for the business disruptions categories which could potentially impact the Municipality:

Risk category	Risk Rating		
	Likelihood	Criticality	Risk
Loss of data services	Possible	Moderate	Medium
Loss of voice services	Likely	Major	High
Loss of key dependencies	Possible	Major	High
Loss of key staff	Likely	Moderate	High
Loss of vital non-electronic records	Likely	Major	High
Loss of precinct	Rare	Catastrophic	Medium
Loss of building	Unlikely	Major	Medium
Denial of access to building	Possible	Moderate	Medium

10. AVAILABILITY AND RECOVERY REQUIREMENTS

10.1 Critical business functions

The sample table provided in Appendix B01 summarises the critical business functions being performed by the Departments, the frequency, systems used, the maximum tolerable outage (MTO), recovery point objective (RPO) and the number of onsite users.

The MTO is the amount of time the identified critical business function may be unavailable before the Municipality is severely impacted. The RPO is the worst data loss that the Municipality is willing to accept. In other words, this is the point from which recovery of lost data must take place. The MTO and RPO are based on a 24-hour day/ 7-day week allowed for recovery.

10.2 ICT recovery requirements

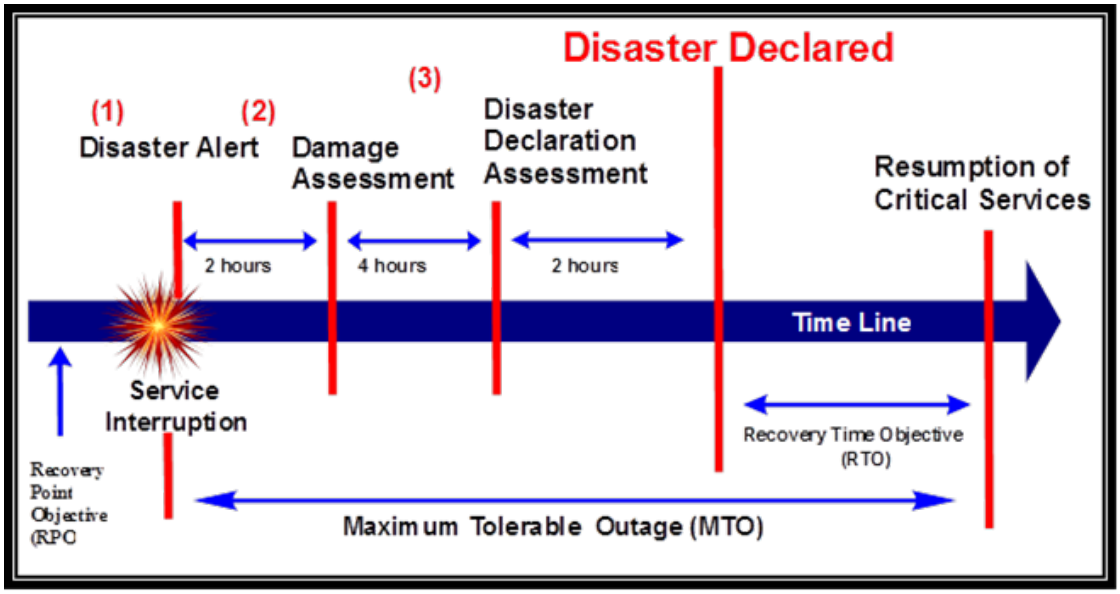
10.2.1 General Terms

The figure below depicts an example of ICT recovery requirements in terms of:

(1) Disaster alert: The time taken to alert Municipality that a potential disaster has occurred

(2) Evaluation/Damage assessment: The time taken to assess the damage of a potential disaster

(3) Disaster declaration assessment: The time taken to assess whether to declare an actual disaster situation



The recovery time objective (RTO) is the time taken to restore the infrastructure and hand it over to the business teams. The RTO is the difference between the MTO and the time required to declare a disaster.

For example:

- If the MTO for a system is 24 hours and it takes the Municipality 8 hours to declare a disaster, the RTO for that system is 16 hours.

10.2.2 Deriving the ICT Service Recovery requirements

The ICT service recovery requirements are derived by assessing the business systems (applications) and dependent technology that support the critical business functions (see Section 10.1). These are then mapped into the ICT recovery requirements table, and the recovery requirements (MTO, RPO and RTO), and dependencies are mapped to these ICT services

[The sample table (See Appendix B02) summarises the ICT service recovery requirements for the Municipality, derived from Section 10.1 and the interviews with key users.]

Note: The MTO, RTO and RPO are based on a 24-hour day allowable for recovery.

11. CONTINUITY RESOURCE ANALYSIS

This section assesses the employees, resources and applications required to ensure business continuity in the event of a disaster.

This draft version of this document has not included assessment guidelines for employees and resources (e.g. alternative accommodation for staff in the event of a loss of building). Such planning is assumed to be conducted in future business continuity analysis and/or the development of a BCMS.

11.1 Applications required per Directorate

The table below summarises the core applications required for each Stellenbosch Municipality Directorate

Directorate	SAMRAS	Collaborator	GIS	Ignite Assist	Route Master	PAYDAY	ValueProp	IMQS	Internet	Email	Network
Financial Services	✓	✓	✓	✓	✓	✓	✓	×	✓	✓	✓
Corporate Services	✓	✓	✓	✓	×	✓	×	×	✓	✓	✓
Planning and Development	✓	✓	✓	✓	×	✓	✓	×	✓	✓	✓
Infrastructure Services	✓	✓	✓	✓	×	✓	✓	✓	✓	✓	✓
Community Services	✓	✓	✓	✓	×	✓	×	×	✓	✓	✓
Office of the MM	✓	✓	×	✓	×	✓	×	×	✓	✓	✓
Minimum RPO	4 hours	1 day	1 month	SLA	1 day	1 week	1 day	2 weeks	N/A	1 hour	4 hours
Minimum RTO	4 hours	1 day	1 day	SLA	1 day	1 week	1 hour	12 weeks	1 day	1 day	4 hours

12. HIGH LEVEL ICT DR STRATEGY

The following strategy regarding ICT provision of controls and DR capability, can be implemented to support the business functions with their business continuity requirements.

12.1 ICT DR Phase 1 – Replication

Core systems replicated to the replication site in at Teraco, Rondebosch. This ICT DR strategy can be utilised to manage localised ICT DR incidents such as:

- Loss of data services
- Loss of voice services
- Loss of key dependencies
- Loss of key staff
- Loss of vital non-electronic records
- Loss of precinct
- Loss of building
- Denial of access to building

12.2 ICT DR Phase 2 – ICT DR Recovery Site

Core systems to be re-established at a cold / warm site situated at either the Teraco in Rondebosch. This ICT DR strategy can be utilised to manage major ICT DR incidents such as:

- Loss of precinct
- Loss of building
- Denial of access to building

13. ADMINISTRATION OF Business Impact & Risk Analysis

The Senior Manager ICT is responsible for maintaining the ICT DR Business Impact & Risk Analysis document. The document must be reviewed and approved by the ICT Steering Committee on an annual basis.

14. DELEGATION OF RESPONSIBILITY

In accordance with the ICT Governance Policy, it is the responsibility of the Municipal Manager to determine the delegation of authority, personal responsibilities and accountability to the Management with regards to the Corporate Governance of ICT.

15. EXCEPTIONS

15.1 This Business Impact & Risk Analysis template does not include the Business Continuity Plan or the Business Continuity Management System, which are typically created in larger or mature municipalities, who have the resources, management, budget and intent, to drive such comprehensive frameworks. (Such BC documents apply not just to ICT Recovery procedures for ICT disaster, but also to other elements such as emergency response (e.g. fire, evacuation, loss of life), financial, HR, Media, logistics and communication).

Appendix A Appendix A: Business Overview

Appendix A.1 Organogram

Annalene de Beer
Director: Corporate Services
Administrative Services; Legal and Compliance; Human Resources Management; Individual Performance Management; Information and Communication Technology; Councillor's Support; Committee Services; Municipal Court; and Properties Management and Municipal Building Maintenance.

Anthony Barnes
Director: Planning and Economic Development
Development Management; Development Planning; Integrated Human Settlements; Building Management; Heritage Resource Management; Spatial Planning and Land Use Management; Local Economic Development and Tourism, Housing Development; Informal Settlements; and Housing Administration.

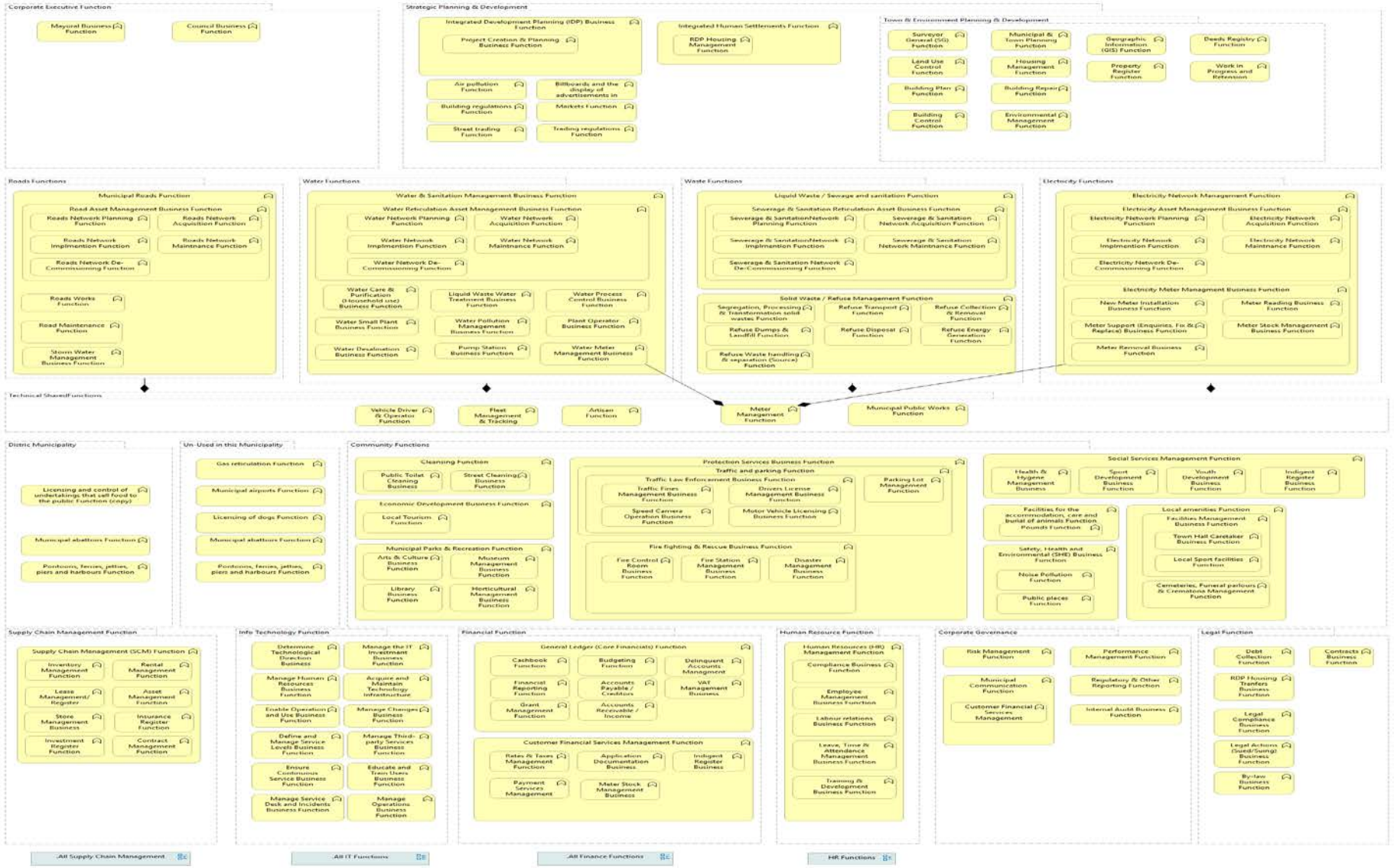
Geraldine Mettler
Municipal Manager
Strategic Management; Internal Audit; Corporate Governance; Risk Management; Intergovernmental Relations; International Relations; Integrated Development Planning; Organisational Performance Management; Communications; and Knowledge Management.

Kevin Carolus
Chief Financial Officer
Revenue Management; Expenditure Management; Budget Preparation and Management; Management of Financial Statements; Supply Chain Management; Financial Systems; and Asset Management.

Shane Chandaka
Director: Infrastructure Services
Roads, Transport and Storm Water; Water and Wastewater Services; Electrical Services; Waste Management; and Infrastructure Planning, Development and Implementation.

Gary Boshoff
Director: Community and Protection Services
Community Development; Protection Services; Disaster Management and Fire Services, Traffic and Law Enforcement Services; Library Services; Parks and Cemeteries; Recreation, Sport and Halls; and Environmental Management.

Appendix A.2 Municipal High Level Functions



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POLICY NAME	ICT LAPTOP SECURITY POLICY
Original Author(s)	Senior Manager: ICT
Policy status	Review 4.0
Date of approval	
Signature of Director	
Signature of MM	
Council Approval	

INTRODUCTION

By receiving this laptop, the user accepts responsibility for the safeguarding thereof for the period it is signed out to him/her.

1. The user must take the following precautions:

   - When leaving the workspace for long periods, store your laptop in a locked drawer or cabinet;
   - If you are stationed in a private office, lock the door if you leave during the course of the day;
   - If you take your laptop home, ensure that your doors are locked in the event of you leaving your premises and activate your home security system if you have one installed;
   - If you are staying in a hotel, lock your laptop in a safe when you leave your room;
   - Keep your laptop in your sight when passing airport checkpoints.
     (Many travellers find it helpful to tape their business card to their laptops which will assist you to identify your laptop in airport security);
     - Do not leave your laptop in your vehicle. If it is necessary to leave the laptop in your vehicle for a very short period of time, the laptop must be locked in the trunk of the vehicle.
   - Refrain from using your laptop in locations that might increase the likelihood of damage and/or loss;
   - Keep food and beverages away from the computer;
   - Use a padded carrying case for your laptop;
   - Keep your laptop locked with the cable locker.

2. In the event of you being robbed of your laptop, or if it is damaged or stolen despite you having taken the aforementioned precautions, replacement of the laptop will be considered subject to availability of funds.

3. In the event of your laptop being damaged or stolen and the aforementioned precautions were not taken, the user will be held responsible for the repair or replacement thereof.

4. In the event of your laptop being damaged or stolen, the same must be reported as soon as possible to the Asset Management department for insurance purposes. If the theft or loss occurred outside Stellenbosch Municipality offices, the same must be reported to the South African Police Services and obtain a police report forthwith.

5. The laptop must be returned to the Information and Communication Technology (ICT) Department when the user leaves the employ of Stellenbosch Municipality.
6. Only software that has been licensed by the Stellenbosch Municipality may be loaded on a laptop.
7. The ICT helpdesk maintain records of the make, model, serial number, and The Stellenbosch Municipalities asset label of your laptop, then do not transfer it to the next

person without ICT consent.

8. Keep a record of your laptop make, model, serial number, and departmental inventory number in your work notebook. You may need this information to open a police case in the case of theft and to facilitate a speedy recovery.
9. Laptops are provided for official use by authorised employees. Do not loan your laptop or allow it to be used by others such as family and friends
10. A laptop user shall not use the laptop for private financial gain.

Policy Violations

Violation of this policy may be grounds for disciplinary action up to and including termination of employment. If an employee's laptop is stolen due to negligence, the employee will be responsible for the cost of replacing the laptop.

Please sign below to indicate receipt of the laptop security policy and to authorize the deduction of wages if the laptop is lost or stolen.

I have received and read the LAPTOP SECURITY POLICY and understand the same.

SIGNED AT_____ON THIS_____DAY OF _____

EMPLOYEE SIGNATURE: _____

EMPLOYEE NAME: _____

Supervisor Signature : _____

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POLICY NAME	ICT NETWORK MAINTENANCE POLICY
Original Author(s)	Senior Manager: ICT
Policy status	Review 3.0
Date of approval	
Signature of Director	
Signature of MM	
Council Approval	

1. OVERVIEW

The Information and Communications Technology Section is responsible for monitoring and maintaining the devices that comprise the Stellenbosch Municipality data centre as well as several satellite locations. This responsibility includes tracking and repairing problems that arise on the Stellenbosch Municipality network (and the networks for which Stellenbosch Municipality is responsible in the satellite locations), performing installations of new network devices, and performing maintenance on existing devices.

2. PURPOSE

The networks for which the ICT section is responsible are composed of a variety of network devices that provide connectivity for users which allow accessibility to the Stellenbosch Municipality, single network segments and the field office, and the Stellenbosch Municipality systems and services LANs. These devices include switches, firewalls, VPNs, Access Points and content services. As with all forms of computer equipment, these devices need to be maintained. They require regular maintenance (hardware and software) upgrades, and in the event of a failure, replacement. In addition, certain devices require changes to configurations to support applications housed within the network segments for which the ICT section is responsible.

The ICT section performs operations that potentially impact the services provided through Stellenbosch Municipality. In an attempt to minimize disruption in service, the ICT section works within announced timeframes/windows when possible. The purpose of this document is to clarify the policies and procedures governing maintenance work on the networks for which the ICT section is responsible and the communication of issues that occur on these networks.

3. DISRUPTIONS

A disruption consists of any event or condition that may negatively impact either performance or service to the users. Disruptions are classified as one of the following types:

a) **Transparent** - Transparent maintenance should not impact network services.

b) **Degradation** - Degradation is a reduction in network service to a device or area. Degradation can occur with respect to connectivity or other services that are provided on the network. The service or network is still functioning, but it is functioning in a diminished capacity.

c) **Outage** - An outage is a loss in network service to a device or area. An outage can occur with respect to connectivity or other services that are provided on the network. The service or network is not functioning, and there is a total loss in connectivity.

Disruptions can be caused by failure of a network device or server, power outages, failed cables, lost configurations, improper configuration, failure of a service, denial of service attacks, and a variety of other activities that can occur on a network. In all cases, a disruption will result in maintenance activity.

4. DISRUPTIONS IMPACT

a) **Switch outages** - Since the switch is the connecting point for the equipment to the rest of the network, if a switch outage is scheduled, everything that uses the switch will also be impacted.

b) **Firewall outages** - Different firewalls within the Stellenbosch Municipality are setup to handle outages differently (see list below). The one common setup for a firewall outage will be access from outside the firewall to a system behind the firewall (a service name or a server) will be denied during the firewall outage.

c) Internet - firewall outage

- Any traffic from or to the web servers will fail.
- Any traffic from or to any systems on the inside (databases, servers, desktops, etc.) to access outside Stellenbosch Municipality will fail.

d) Intranet- firewall outage

- Any traffic from or to the servers that reside behind the firewall will fail.
- Any traffic from or to the workgroup address space will fail.
- Any traffic from or to the address spaces behind the Stellenbosch Municipality tunnel will fail.

5. MAINTENANCE

All work performed on the networks for which the ICT section is responsible is conducted as a form of maintenance. This work may or may not result in a disruption of service, depending on the scope of the activity. There are two types of maintenance activities:

a) **Scheduled Maintenance** - Proactive work to address service enhancements or changes, architecture modifications, infrastructure upgrades, equipment replacement or reconfiguration, etc. Regularly scheduled maintenance occurs as follows:

- Production Network Maintenance (devices which could potentially affect production services)
    - Network Maintenance:
        - Maintenance to be performed outside of business hours before 08:00 and after 16:30

b) **Emergency Maintenance** - Reactive or proactive work to address an extant service disruption or credible threat thereof. This includes responding to power failures, device failures, security vulnerabilities, etc. While these activities will be announced and consideration given to lead time, remediation of disruptions or mitigation of credible threats will receive precedence. These types of maintenance might have to occur during business hours from 08:00 to 16:30.

6. COMMUNICATIONS

All disruptions and maintenance activities are communicated to Stellenbosch Municipality staff. The ICT section staff will provide an electronic notification regarding scheduled maintenance on the Friday prior to the week of scheduled maintenance. Scheduled maintenance will also be announced at the regular Weekly Review Meetings (held every Friday morning). It is the responsibility of the Senior Manager ICT to disseminate scheduled maintenance announcements to parties outside the Stellenbosch Municipality if need be (ex. Business users which may be affected).

Announcements attempt to clearly indicate the nature of the event, and where practical, include a summary of the event, network status, start time and end times, and the list of affected devices and/or services. Announcements regarding the activities occurring on the network will take place before and after an action has taken place. The following is a list of announcements that take place prior to activity:

a) **Regularly Scheduled Maintenance Announcement** - Made in advance of work to be performed. An initial announcement will be made on the Friday prior to the work date. A second announcement will be at the regular Weekly Review Meetings.

b) **Emergency Maintenance** - Made when a credible threat of disruption in service requires work to be performed on a network or service. The announcement will be made upon determining the work necessary to restore the network to normal operation.

The following is a list of announcements that take place once maintenance or a disruption has been resolved:

c) **Resolved Maintenance Announcement** - Made when scheduled work has been completed.

d) **Resolved Disruption Announcement** - Made when a degradation or outage is resolved. A final notice will be sent by the Senior Manager ICT to communicate that the network has returned to normal operation.

As with any scheduled maintenance, it is the responsibility of the Senior Manager ICT to determine and coordinate testing of services upon completion of the maintenance window(s).

This policy will be reviewed at least on an annual basis.

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POLICY NAME	ICT OPERATING SYSTEM SECURITY CONTROLS POLICY
Original Author(s)	Senior Manager: ICT
Policy status	Review 3.0
Date of approval	
Signature of Director	
Signature of MM	
Council Approval	

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1. OBJECTIVE

The objective of the policy is to reduce and/or prevent the risk of damage that can be caused to the Municipality's data information and data infrastructure. This policy seeks to outline operating system security controls for users of Municipal ICT systems which must ensure that the controls are applied correctly to all devices and are in line with best practice. The operating system currently installed on Municipal systems is by default Microsoft Windows Operating system unless other is specified.

2. DEFINITION

Glossary of Abbreviations

Abbreviation	Definition
CIS	Center for Internet Security
COBIT	Control Objectives for Information and Related Technology
HR	Human Resources
ICT	Information and Communication Technology
ID	Identifier
ISO	International Organization for Standardization
KB	Kilobytes
Mb	Megabytes
OS	Operating System
USB	Universal Serial Bus

Glossary of Terminologies

Terminology	Definition
Administrative rights	Access rights that allow a user to perform high level/administrative tasks on a device/application such as adding users, deleting log files, deleting users.
Baseline	A set of agreed upon configuration settings defined for all devices with the environment. Baselines are often derived from best practice standards and customized for the environment. CIS standards are recommended by best practice.
Business case	A formal requirement in order for a specific business function to perform its required task.

Terminology	Definition
Clear Screen Policy	A clear screen policy directs all users to lock their computers when leaving their desk and to log off when leaving for an extended period of time. This ensures that the contents of the computer screen are protected from prying eyes and that the computer is protected from unauthorised use.
Devices	Consists of, but is not limited to: Desktops; Laptops; Printers; Switches; Routers; Member Servers; Database Servers; Application Servers; Firewalls; Intrusion Prevention Systems; etc.
End Point OS Firewall	Default software Firewall found on all windows operating systems.
Exception	A rule or configuration setting that does not adhere to the normal settings or rules defined within the environments baseline.
Malware	Software that is specifically designed and developed to disrupt or damage a device.
Segregation of duties	The principle of dividing a task up based on varying levels of authority in order to prevent fraud and error by requiring more than one person to complete a task.

3. RELEVANT LEGISLATION

The policy was developed with the legislative environment in mind, as well as to leverage internationally recognized ICT standards.

The following legislation, amongst others, were considered in the drafting of this policy:

- Constitution of the Republic of South Africa Act, Act No. 108 of 1996;
- Copyright Act, Act No. 98 of 1978;
- Electronic Communications and Transactions Act, Act No. 25 of 2002;
- Minimum Information Security Standards, as approved by Cabinet in 1996;
- Municipal Finance Management Act, Act No. 56 of 2003;
- Municipal Structures Act, Act No. 117 of 1998;
- Municipal Systems Act, Act No. 32, of 2000;
- National Archives and Record Service of South Africa Act, Act No. 43 of 1996;
- Promotion of Access to Information Act, Act No. 2 of 2000;
- Protection of Personal Information Act, Act No. 4 of 2013;
- Regulation of Interception of Communications Act, Act No. 70 of 2002; and
- Treasury Regulations for departments, trading entities, constitutional institutions and public entities, Regulation 17 of 2005.

The following internationally recognized ICT standards were leveraged in the development of this policy:

- Western Cape Municipal Information and Communication Technology Governance Policy Framework, 2014;
- Control Objectives for Information Technology (COBIT) 5, 2012;
- ISO 27002:2013 Information technology — Security techniques — Code of practice for information security controls;
- King Code of Governance Principles, 2009; and
- Center for Internet Security – Security Benchmarks, 2014.

4. PASSWORD AND ACCOUNT LOCKOUT POLICY

4.1. All users must be assigned unique usernames that require passwords to allow access to the environment and its applications. All account passwords must confirm to the following password policy dependent on the system or application in place:

ACTIVE DIRECTORY (INCLUDING SINGLE-SIGN ON)

4.1.1. This policy is enforced on all municipal owned Windows based systems unless specified as other
4.1.2. Minimum password length of 8 characters or more.
4.1.3. A combination of upper- and lower-case letters, numbers, and special characters
4.1.4. Maximum password age of 30 days or less; and
4.1.5. Password history of 12 passwords or more remembered.
4.1.6. Login attempts set to 3

SAMRAS

4.1.7. Minimum password length of 8 characters or more
4.1.8. A combination of upper- and lower-case letters, numbers, and special characters.
4.1.9. Maximum password age of 30 days
4.1.10. Password history of 9 months remembered
4.1.11. Login attempts is set to 5

PAYDAY

4.1.12. Minimum password length of 8 characters or more
4.1.13. Must contain a mix of alpha and numeric characters
4.1.14. Maximum password age of 30 days
4.1.15. Login attempts set to 3

ROUTEMASTER (SQL DB: IMPLEMENTED BY USING ACTIVE DIRECTORY POLIC))

4.1.16. Minimum password length of 8 characters or more.
4.1.17. A combination of upper- and lower-case letters, numbers, and special characters.
4.1.18. Maximum password age of 30 days or less; and
4.1.19. Password history of 12 passwords or more remembered.
4.1.20. Login attempts set to 3

FIREWALL

4.1.21. Minimum password length of 8 characters or more.
4.1.22. A combination of upper- and lower-case letters, numbers, and

special characters.

4.1.23. Maximum password age of 30 days or less; and
4.1.24. Password history of 12 passwords or more remembered.
4.1.25. Login attempts set to 3

SQL DATABASES (SQL DB IMPLEMENTED BY USING ACTIVE DIRECTORY POLICY)

4.1.26. Minimum password length of 8 characters or more.
4.1.27. A combination of upper- and lower-case letters, numbers, and special characters.
4.1.28. Maximum password age of 30 days or less; and
4.1.29. Password history of 12 passwords or more remembered.
4.1.30. Login attempts set to 3

4.2. Accounts with administrative/super user access rights must conform to the following password configuration:
4.2.1. Minimum password length of 8 characters or more;
4.2.2. A combination of upper- and lower-case letters, numbers and special characters.
4.2.3. Maximum password age of 30 days or less; and
4.2.4. Password history of 12 passwords or more remembered.
4.2.5. Login attempts set to 3

4.3. User accounts must conform to the following account lockout configurations:
4.3.1. Account lockout duration of 60 minutes or more.
4.3.2. Account lockout threshold of 3 attempts or less; and
4.3.3. Account lockout counter must be reset after 60 minutes.

4.4. Accounts with administrative/super user access rights must conform to the following account lockout configuration:
4.4.1. Account lockout duration of 60 minutes or more.
4.4.2. Account lockout threshold of 3 attempts or less; and
4.4.3. Account lockout counter must be reset after 60 minutes.

4.5. Should compliance with 5.1 – 5.4 above be restricted due to technical limitations a deviation must be approved by the Senior Manager: ICT and reported to the ICT Steering Committee. Deviations must be reviewed on at least an annual basis.

5. AUDIT AND EVENT LOGS

5.1. All devices and applications must have auditing/logging enabled.
5.1.1. All accounts, at a minimum, must conform to the following audit configuration:
5.1.2. Account logon events for failures.
5.1.3. Account management for success and failures.
5.1.4. Logon events for failures.
5.1.5. Policy changes for success and failures;
5.1.6. Privilege use for success and failures; and
5.1.7. System events for failures.
5.1.8. All event logs must be set to override as required.

5.2. Logs must be reviewed once a month for any suspicious and malicious activities by system administrators.

5.3. All reviews must be formally documented and signed off by the Senior Manager: ICT. Documentation must be kept for record keeping purposes. Records of audit and event log reviews must be stored for a minimum of 5 years.

5.4. Should compliance with 6.1 – 6.4 above be restricted due to technical limitations a deviation must be approved by the Senior Manager: ICT and reported to the ICT Steering Committee. Deviations must be reviewed on at least an annual basis.

6. CLEAR SCREEN POLICY

6.1. All devices must be locked if unattended. It is the responsibility of the ICT Steering Committee to ensure that all users are educated in the need for a clear screen policy and how they can adhere to the policy.

6.2. All devices must automatically lock after 5 minutes of inactivity.

7. NETWORK SHARES

7.1. Network shares must be secured, and access granted in line with the ICT User Access Management Policy.

7.2. Where possible, shares must be made available from a hierarchical structure

7.3. Shares must be renamed to identify its use.

8. MANAGEMENT OF ADMINISTRATOR ACCOUNTS

9.1. Each administrator must be given their own accounts within the administrator group. Should shared accounts be required to fulfil a business function, this account must then be approved by the Senior Manager: ICT and reported to the Risk Committee.

9.2. Application access must be controlled in similar fashion with segregation of duties being practiced. Application administrators must not be able to perform general user tasks on an application to prevent any fraudulent activities from taking place.

9.3. Where possible, the default administrator account must be renamed, and a password kept in a secure location.

9.4. Where possible, the default guest account must be removed or renamed and disabled.

9. MALWARE AND ANTI-VIRUS

10.1. All devices must be protected from malware and viruses.

10.2. Anti-virus applications must be kept up to date and scheduled scans must automated on all devices.

10.3. Anti-virus application settings must be managed by the ICT team and must not be editable by users.

10.4. Anti-virus must perform scans on all foreign devices, such as USB flash drives, on connection to a Municipal device.

10.5. Should compliance with 10.1 – 10.4 above be restricted due to technical limitations a deviation must be approved by the Senior Manager: ICT and reported to the ICT Steering Committee. Deviations must be reviewed on at least an annual basis.

10. END POINT OS FIREWALL

11.1. End point OS firewalls must be enabled at all times or should be protected by anti-virus firewall in the event it is disabled.

11.2. Although most environments have at least one hardware Firewall at the perimeter of their network, Operating System software firewalls must still be enabled.

11.3. All firewall rules must have a defined description.

11.4. Firewall settings must be managed by the ICT team and must not be editable by users.

11.5. Should compliance with 11.1 – 11.4 above be restricted due to technical limitations a deviation must be approved by the Senior Manager: ICT and reported to the ICT Steering Committee. Deviations must be reviewed on at least an annual basis.

11. SECURITY UPDATES, PATCHES AND HOT FIXES

12.1. Devices and applications must be kept updated on at least a monthly basis to prevent vulnerabilities from being exploited.

12.2. Updates, patches and hot fixes must only be obtained from the vendor of the software in question.

12.3. System administrators must monitor the release of vendor patches.

12.4. Where possible, updates, patches and hot fixes must be tested by system administrators within a separate environment, such as Development, Test or Quality Assurance, before being deployed in the Production environment.

12.5. Should compliance with 12.1 – 12.4 above be restricted due to technical limitations a deviation must be approved by the Senior Manager: ICT and reported to the ICT Steering Committee. Deviations must be reviewed on at least an annual basis.

12. PASSWORD RESET PROCEDURES

13.1. Should a user's password become compromised, a formal request must be sent to the system administrator via the ICT Helpdesk in order to reset the password this is done by logging a ticket with the Helpdesk operators,

13.2. Requests to reset passwords for a user account that is not the requesting individual's account must be approved by the relevant Director/Senior Manager/Line manager/Supervisor via an email to the helpdesk support,

13.3. The new temporary password must be communicated directly to the

Director/Senior Manager/Line manager/Supervisor, on validation of their identity,

13.4. The user must be forced to change their temporary password on first log on.

13. ANNEXURE A: OPERATING SYSTEM SECURITY SETTINGS

Security Configuration	Setting
Password Policy - General User Accounts	
Minimum password length	8 characters
Maximum password age	30 days
Password history	12 passwords remembered
Password complexity	Enabled
Password Policy - Administrative/Super User Accounts	
Minimum password length	8 characters
Maximum password age	30 days
Password history	12 passwords remembered
Password complexity	Enabled
Account Lockout Policy - General User Accounts	
Account lockout duration	60 minutes
Account lockout threshold	3 attempts
Account lockout counter threshold	60 minutes
Account Lockout Policy - Administrative/Super User Accounts	
Account lockout duration	60 minutes
Account lockout threshold	3 attempts
Account lockout counter threshold	60 minutes
Audit Policy	
Account logon events	Failure
Account management	Success, Failure

Logon events	Failure
Policy change	Success, Failure
Privilege use	Success, Failure

Additional Settings	
Screen saver	Enable
Screen saver: Wait	5 minutes
On resume, display logon screen	Enabled
Accounts: Rename administrator account	Not Administrator or admin
Accounts: Rename guest account	Not Guest
Accounts: Guest account status	Disabled
Windows Firewall: Firewall state (Domain)	Enabled (1)
Windows Firewall: Firewall state (Private)	Enabled (1)
Windows Firewall: Firewall state (Public)	Enabled (1)

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POLICY NAME	ICT SECURITY CONTROLS POLICY
Original Author(s)	Senior Manager ICT
Policy status	Review 4.0
Date of approval	
Signature of Director	
Signature of MM	
Council Approval	

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1. OBJECTIVE

The objective of the policy is to reduce the risk of harm that can be caused to the Municipality's ICT systems, information and infrastructure. This policy also seeks to outline the acceptable use of ICT resources by Officials and 3rd party service providers, to ensure that the investment in modern technology is applied to the best advantage of the Municipality.

This policy defines the collective controls to prevent Information Security related risk from hampering the achievement of the Municipality's strategic goals and objectives.

2. DEFINITION

Glossary of Abbreviations

Abbreviation	Definition
BYOD	Bring Your Own Device
COBIT	Control Objectives for Information and Related Technology
ICT	Information and Communication Technology
IP	Internet Protocol
ISO	International Organization for Standardisation
ODBC	Open Database Connectivity
PIN	Personal Identification Number
SSH	Secure Shell
UPS	Uninterrupted Power Supply
USB	Universal Serial Bus
WPA2	Wi-Fi Protected Access 2

Glossary of Terminologies

Terminology	Definition
Administrative rights	Access rights that allow a user to perform high level/administrative tasks on a device/application such as adding users, deleting log files, deleting users.

Terminology	Definition
Biometric information	Personal information obtained through biometric measurements, such as fingerprints, retina, DNA, etc.
Internal system processes	Processes that are performed by the system with no human intervention. Part of the internal working of the system or application.

3. RELEVANT LEGISLATION

The policy was developed with the legislative environment in mind, as well as to leverage internationally recognised ICT standards.

The following legislation, amongst others, were considered in the drafting of this policy:

- Constitution of the Republic of South Africa Act, Act No. 108 of 1996;
- Copyright Act, Act No. 98 of 1978;
- Electronic Communications and Transactions Act, Act No. 25 of 2002;
- Minimum Information Security Standards, as approved by Cabinet in 1996;
- Municipal Finance Management Act, Act No. 56 of 2003;
- Municipal Structures Act, Act No. 117 of 1998;
- Municipal Systems Act, Act No. 32, of 2000;
- National Archives and Record Service of South Africa Act, Act No. 43 of 1996;
- Promotion of Access to Information Act, Act No. 2 of 2000;
- Protection of Personal Information Act, Act No. 4 of 2013;
- Regulation of Interception of Communications Act, Act No. 70 of 2002; and
- Treasury Regulations for departments, trading entities, constitutional institutions and public entities, Regulation 17 of 2005.

The following internationally recognised ICT standards were leveraged in the development of this policy:

- Western Cape Municipal Information and Communication Technology Governance Policy Framework, 2014;
- Control Objectives for Information Technology (COBIT) 5, 2012;
- ISO 27002:2013 Information technology — Security techniques — Code of practice for information security controls;
- King Code of Governance Principles, 2009; and
- Center for Internet Security – Security Benchmarks, 2014.

4. PROTECTION OF CLASSIFIED INFORMATION

4.1. The Municipal Systems Act, Act No. 32 of 2000, Schedule 1: Code of Conduct for Councillors and Schedule 2: Code of Conduct for Municipal Staff Members require Councillors and Officials to employ a strict level of self-discipline in order to prevent communication of sensitive or classified information. Councillors and Officials may not disclose any privileged or confidential information to an unauthorised person.

4.2. All Municipal data must be classified in accordance with the Minimum Information Security Standards, as approved by Cabinet in 1996. Therefore all official matters requiring the application of security measures must be classified either as "Restricted" or "Confidential". By default, Municipal data has been classified as Restricted.

Classification	Description
Restricted	Information that may be used to hamper Municipal activities.
Confidential	Information that may be used harm the objectives and functions of the Municipality.

4.3. Access to classified information is determined either by the level of security clearance, or if the information is required in the execution of their duties.

4.4. Officials, in conjunction with the Senior Manager ICT , must ensure that classified information receives adequate protection to prevent compromise.

4.5. Officials who generate sensitive information are responsible for determining the information classification levels. This responsibility includes the labelling of classified documents.

5. PROTECTION OF PUBLIC RECORDS

5.1. The National Archives and Records Service of South Africa Act, Act 43 of 1996 requires sound records management principles to be applied to electronic records and e-mails created or received in the course of official business and which are kept as evidence of the Municipality's functions, activities and transactions. The detail of these requirements can be found in:

5.1.1. The National Archives and Records Service of South Africa Regulations.

5.2. The Records Manager is responsible for the implementation of sound records management principles and record disposal schedules for the Municipality.

5.3. The Senior Manager ICT must work with the Records Manager to ensure that public records in electronic form are managed, protected and retained for as long as they are required.

5.4. Information Security plays an important role in records management as a means to protect the integrity and confidentiality of public records. The Senior Manager ICT must ensure that systems used for records management of electronic public records and e-mails are configured and managed as follows:

5.4.1. Systems must capture appropriate metadata (background and technical information about the data);

5.4.2. The systems must establish an audit trail to log all attempts to alter or edit electronic records and their metadata;

5.4.3. The system must protect the integrity of records until they have reached their approved retention. Integrity of records can be accomplished through procedures such as backup test restores, media testing, data migration controls and capturing the required audit trails;

5.4.4. Access controls must protect records against unauthorized access and tampering;

5.4.5. Access controls must prevent removal of data from premises without the explicit permission of the Senior Manager ICT ;

5.4.6. Systems must be free from viruses;

5.4.7. The system must ensure that electronic records, that have to be legally admissible in court and carry evidential weight, are protected to ensure that they are authentic, not altered or tampered with, auditable and produced in systems which utilise security measures to ensure their integrity.

5.4.8. Access to server rooms and storage areas for electronic records media must be restricted to IT staff with specific duties regarding the maintenance of the hardware, software and media.

5.4.9. The Senior Manager ICT must ensure that the suitability of new system for records management are assessed during its design phase. The Records Manager must be involved during the design specification.

6. PROTECTION OF PERSONAL INFORMATION

6.1. The Bill of Rights in the Constitution states that the public has a right to privacy, as well as a right to access personal information held by the Municipality.

6.2. The Promotion of Access to Information Act, Act No. 2 of 2000, gives effect to the right to access personal information held by the Municipality and must be complied with.

6.3. The Protection of Personal Information Act, Act No. 4 of 2013, gives effect to the right to privacy. The Act requires that the Municipality

ensure that personal information is lawfully obtained and processed.

6.4. The Senior Manager ICT and Officials must work together to ensure the following with respect to personal information (only key points of the Act included):

6.4.1. Identify the systems and locations where personal information can be found;

6.4.2. Ensure that Municipal policies, in particular those that deal with Information Security, are applied to the systems and locations where personal information is collected, processed and disposed of;

6.4.3. Put in place business process controls to ensure that personal information is collected lawfully, is complete and accurate, and updated where necessary;

6.4.4. Dispose of excessive personal information, after consultation with the Records Manager;

6.4.5. Put in place structures and systems to allow the access of persons to their personal information stored by the Municipality. The requester may request to have their personal information deleted or corrected if it is incorrect or obtained unlawfully;

6.4.6. Ensure that systems do not use personal information as the sole basis to decide legal consequences for a person or group of persons (referred to as “automated decision making”).

6.5. The Protection of Personal Information Act, No. 4 of 2013, Section 6, contains certain general exceptions where the Act does not apply e.g. the processing of personal information for national security, defence, public safety, law enforcement or for the judicial functions of a court.

6.6. The Protection of Personal Information Act, No. 4 of 2013 prohibits the processing of certain categories of special personal information. The general exception is where a competent person (e.g. in the case of children) have given consent, or if an exception applies. Examples are shown hereunder (refer to the Act for further detail):

Sections	Special personal information	Collection and processing prohibited unless exceptions apply. Examples of exceptions provided:
Sections 6, 34 to 37	Children’s information	Establishment or protection of a right of the child.
Sections 6 & 28	Religious or philosophical beliefs	To protect the spiritual welfare of a community.

Sections	Special personal information	Collection and processing prohibited unless exceptions apply. Examples of exceptions provided:
Sections 6 & 29	Race or ethnic origin	Protection from unfair discrimination or promoting the advancement of persons.
Sections 6 & 30	Trade union membership	To achieve the aims of trade union that the person belongs to.
Sections 6 & 31	Political persuasion	To achieve the aims of a political institution that the person belongs to.
Sections 6 & 32	Health or sex life	Provision of healthcare services, special support for pupils in schools, childcare or support for workers.
Sections 6 & 33	Criminal behavior or biometric information	Necessary for law enforcement.

6.7. The following personal information are not regarded as special personal information and must be protected in terms of the general rules for the protection of personal information:

6.6.1. Gender, sex, marital status, age, culture, language, birth, education, financial, employment history, identifying number, symbol, e-mail address, physical address, telephone number, location, online identifier, personal opinions, views, preferences, private correspondence, views or opinions about a person, or the name of the person if the name appears next to other personal information or if the name itself would reveal personal information about the person

6.8. The Promotion of Access to Information Act, Act No. 2 of 2000, prohibits the disclosure of certain types of information held by the Municipality, including, but not limited to personal information. These include:

6.7.1. Commercial information of a third party;
6.7.2. Information that falls under a confidentiality agreement;
6.7.3. Information that is likely to endanger the safety of individuals if it is made public;
6.7.4. Police dockets in bail proceedings;
6.7.5. Records privileged from production in legal proceedings;
6.7.6. Research information of a third party;
6.7.7. Security information about a building, structure or system;

6.7.8. Methods, techniques, procedures or guidelines for law enforcement and legal proceedings;
6.7.9. Information that will prejudice the defence, security and international relations of the Republic;
6.7.10. Information that will jeopardise the economic interests and financial welfare of the Republic and commercial activities of the Municipality;
6.7.11. Research information of the Municipality; and
6.7.12. Information about the operations of the Municipality.

6.9. The Promotion of Access to Information Act, Act No. 2 of 2000, require that information relating to public safety, environmental risk, or a substantial contravention of, or failure to comply with the law, be disclosed immediately.

7. GENERAL CONTROL ENVIRONMENT

7.1. To ensure reliability of ICT services and to comply with legislation, all Municipal systems and infrastructure must be protected with physical and logical security measures to prevent unauthorised access to Municipal data.

7.2. Physical and logical security is a layered approach that extends to user access, application security, physical security, database security, operating system security and network security.

7.3. Refer to the ICT User Access Management Policy and the ICT Operating System Security Controls Policy for the requirements relating to user access, applications and operating system security.

8. PHYSICAL SECURITY

8.1. The Senior Manager ICT must take reasonable steps to protect all ICT hardware from natural and man-made disasters to avoid loss and ensure reliable ICT service delivery. ICT hardware under control of the ICT function must be hosted in server rooms or lockable cabinets. Server rooms must be of solid construction and locked at all times.

8.2. The ICT department must retain an access control list for the server room. Access must be reviewed every six (6) months by the Senior Manager ICT .

8.3. All server rooms must be equipped with air-conditioning, UPS and fire detection and suppression.

8.4. Server rooms must be kept clean to avoid damage to hardware and reduce the risk of fire.

8.5. Cabling must be neat and protected from damage and interference.

8.6. No ICT equipment may be removed from the server room or offices without prior authorisation from the Senior Manager ICT .

8.7. Officials of the Municipality must be made aware of the acceptable use of ICT hardware.

8.8. All data and software on hardware must be erased prior to disposal or re-use.

8.9. ICT hardware and software must be standardised as far as possible to promote fast, reliable and cost-effective ICT service delivery to the Municipality.

9. NETWORK SECURITY

9.1. The Senior Manager ICT must document the network structure and configuration including IP addresses, location, make and model of all hubs, switches, routers and firewalls.

9.2. The Senior Manager ICT must implement a firewall between the Municipal network and other networks.

9.3. The Senior Manager ICT must limit administrator access to the firewall.

9.4. The Senior Manager ICT must check and ensure that firewall upgrades and patches are installed on a weekly basis. An obsolete firewall (one that is not supported by the vendor any longer and / or has known security vulnerabilities) must be replaced.

9.5. The Senior Manager ICT must ensure that firewall rulesets and configuration settings are documented. The rulesets and configuration settings must be reviewed every six (6) months to ensure that it remains current (i.e. remove unused services) and that services that expose the Municipality to security risk are reviewed continuously. Please see Annexture A for a list of Firewall Rulesets.

9.6. The Senior Manager ICT must ensure that the firewall is configured to block all incoming ports, unless the service is required to connect to a server on the internal network (e.g. port 80 and port 443 for web servers). When an incoming port is allowed, the service may only connect to the specific servers on the internal network. Internal IP addresses may not be visible outside of the internal network.

9.7. The system administrators must set the firewall to block intrusion attempts and to alert the Senior Manager ICT when additional action needs to be taken, if technically possible. The Senior Manager ICT must raise an incident and deal with the root causes of the event.

9.8. The Senior Manager ICT must place infrastructure, user devices (e.g. personal computers) and servers facing externally on separate network domains.

9.9. The ICT department must scan the entire network with security software on a monthly basis to detect security vulnerabilities.

9.10. Officials and the Senior Manager ICT must remove all modems from the internal network to avoid intruders bypassing the firewall.

9.11. Officials may not disable firewalls.

10. E-MAIL AND INTERNET

10.1. The Senior Manager ICT must make all users aware of the safe and responsible use of e-mail and Internet services. E-mail and Internet should only be used for official use. Personal usage can be permitted if it does not interfere with job functions. E-mail and Internet may not be used for any illegal or offensive activities.

10.2. Officials may not use Internet cloud services (e.g. Google drive, Gmail, Dropbox etc.) for official purposes unless approved by the Senior Manager ICT .

11. WIRELESS NETWORKS

11.1. System administrators must configure all wireless networks to the following standard:

11.1.1. WPA2 security protocol or better;

11.1.2. Password strength of at least 8 characters with a combination of alpha-numeric characters and symbols;

11.1.3. The latest firmware must be installed; and

11.1.4. Default system usernames and passwords must be removed.

11.2. Officials may not set up wireless networks that are attached to the internal network.

12. MOBILE DEVICES AND OWN HARDWARE (BYOD)

12.1. The Senior Manager ICT must approve all hardware and software, owned by Officials and service providers, which is to be used for official purposes.

13. TRANSFER OF INFORMATION

13.1. The Senior Manager ICT must ensure that classified information may only be transmitted over external networks using encryption.

13.2. Officials may not use personal storage devices (e.g. USB memory sticks or portable hard drives) to store Municipal data. When required for official purposes, these devices must be encrypted where technically possible.

14. MONITORING

14.1. The Municipal Manager authorises the monitoring of Municipal systems by the Senior Manager ICT .

14.2. Municipal officials must be made aware that the network is being monitored to ensure network security, to track the performance of the network and systems, and to protect the network from viruses.

14.3. If users give their written consent, any e-mail, Internet and other network service may be monitored. A signed acceptable user agreement is required in order to achieve this consent.

15. SECURITY INCIDENT MANAGEMENT

15.1. All suspected IT security breaches or IT security weaknesses must be reported to the ICT Helpdesk – 021 8088558/9.

15.2. The ICT Manager or delegated official must analyse the reported cases and remediate were possible.

15.3. The ICT Manager must review all the information security incidents on a quarterly basis to ensure that the root cause of the problems is addressed.

15.4. Investigations into security incidents may only be carried out by the ICT Manager or a nominated person.

15.5. The Protection of Personal Information Act, Act No. 4 of 2013 prescribes that the Information Regulator and the person affected by the breach must be notified in the event of a breach of personal information

15.6. General Incident Management is carried out in line with the ICT Helpdesk Support Policy

16. CHANGE CONTROL

16.1. All changes to Municipal applications and infrastructure must be managed in a controlled manner to ensure fast and reliable ICT service delivery to the Municipality, without impacting the stability and integrity of the changed environment.

16.1.1. Corrections, enhancements and new capabilities for applications and infrastructure will follow a structured change control process.

16.1.2. An emergency change must follow a structured change control process, but with the understanding that documentation must be completed afterwards. Emergency changes are only reserved for fixing errors in the production environment that cannot wait for more than 48 hours.

16.1.3. Recurring change requests from users (e.g. user access requests, a password reset, an installation, move or change of hardware and software etc.) must follow the help-desk processes designed to deliver ICT services in the most effective way.

16.1.4. Recurring operational tasks are excluded from the structured change control process.

16.2. The following additional rules with respect to change control must be adhered to. In some cases this may not be cost-effective or technically possible, in which case it is the duty of the ICT Steering Committee to review and approve alternative controls:

16.2.1. The same person who performs the change may not implement the change.

16.2.2. Systems must have a test environment where testing is conducted to avoid testing in the production environment.

16.2.3. If a vendor performs the change, the Municipality must also test the change.

16.2.4. The data inside a database may not be edited, except through an approved application front-end. This excludes internal system processes or interfaces, or work required to convert data during a system implementation.

16.2.5. Commercial software must be selected after considering Information Security requirements.

16.2.6. The affected user's willingness to change must always be considered when documenting all that can go wrong with the change.

16.3. The Senior Manager ICT must record all change requests across the Municipality in a central tool, file server or spreadsheet. This implies that changes performed by ICT and those changes requested by the business from vendors, without ICT involvement, must be recorded together.

17. SOFTWARE AUTHORISATION AND LICENSING

17.1. The Senior Manager ICT must retain a record of all licenses owned by the Municipality.

17.2. The Senior Manager ICT must scan all ICT resources on an annual basis to verify that only authorised software is installed.

17.3. Officials may not install or change the software on their computers.

CYBER SECURITY AWARENESS & TRAINING

To ensure that the appropriate level of information security awareness training is provided to all Information Technology (IT) users. This is applicable to all departments and users of IT resources and assets.

18.1 The Stellenbosch ICT department shall Schedule a monthly online security awareness training for all users.

18.2 IT shall determine the appropriate content of security awareness training and security awareness techniques.

18.3 The content shall: Include a basic understanding of the need for information security and user actions to maintain security and to respond to suspected security incidents. Address awareness of the need for operations security.

18.4 Provide practical exercises in security training that reinforce training objectives; practical exercises may include, for example, security training for software developers that includes simulated cyber-attacks exploiting common software vulnerabilities or spear/whale phishing attacks targeted at senior leaders/executives.

18.5 Provide training to its specified staff on how to recognize suspicious communications and anomalous behaviour in organizational information systems.

ANNEXURE A

Firewall Rulesets.xlsx

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POLICY NAME	ICT USER ACCESS MANAGEMENT POLICY
Original Author(s)	Senior Manager ICT
Policy status	Review 3.0
Date of approval	
Signature of Director	
Signature of MM	
Council Approval	

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1. OBJECTIVE

The objective of the policy is to define the user access management control measures for the Municipality's ICT systems, information and infrastructure where it would apply to both the Municipal users and Service Providers. This policy seeks to further ensure that it protects the privacy, security, integrity and confidentiality of the Municipality's information.

The main objective of this policy is to provide the Municipality with best practice User Access Management controls and procedures to assist the Municipality in securing their user access management procedure.

2. DEFINITION

Glossary of Abbreviations

Abbreviation	Definition
COBIT	Control Objectives for Information and Related Technology
HR	Human Resources
ICT	Information and Communication Technology
ID	Identifier
ISO	International Organization for Standardisation
ODBC	Open Database Connectivity
PIN	Personal Identification Number
APN	Access Point Name

Glossary of Terminologies

Terminology	Definition
Administrative rights	Access rights that allow a user to perform high level/administrative tasks on a device/application such as adding users, deleting log files, deleting users.
Bring Your Own Device	The practice of allowing employees to use their own devices, such as cell phones, tablets, laptops, or other devices for work purposes.

Terminology	Definition
Business case	A formal requirement in order for a specific business function to perform its required task.
Clear text	Clear text refers to a message that has not been encrypted in anyway and can be intercepted and read by anyone.
COBIT	A best practice framework created by ISACA for Information Technology Management and IT Governance.
Line manager	Each department (HR, Finance, ICT, etc.) should have a manager employed to perform managerial tasks.
Personal Identification Number	A number allocated to an individual and used to validate electronic transactions.
Principle of least privilege	A user or a program must be able to access only the information and resources that are necessary for its legitimate purpose.
Remote Access Service	A service which allows for a user to connect to a remote machine from any network point, as long as the targeted device resides on the network.
Segregation of duties	The principle of dividing a task up based on varying levels of authority in order to prevent fraud and error by requiring more than one person to complete a task.
VPN	A network that uses a public telecommunication infrastructure, such as the Internet, to provide remote offices or individual users with secure access to their organisation's network.
Wi-Fi	Wi-Fi is a wireless networking technology that allows computers and other devices to communicate over a wireless signal.

3. RELEVANT LEGISLATION

The policy was developed with the legislative environment in mind, as well as to leverage internationally recognized ICT standards.

The following legislation, amongst others, were considered in the drafting of this policy:

- Constitution of the Republic of South Africa Act, Act No. 108 of 1996;
- Copyright Act, Act No. 98 of 1978;
- Electronic Communications and Transactions Act, Act No. 25 of 2002;
- Minimum Information Security Standards, as approved by Cabinet in 1996;

Municipal Finance Management Act, Act No. 56 of 2003;

- Municipal Structures Act, Act No. 117 of 1998;
- Municipal Systems Act, Act No. 32, of 2000;
- National Archives and Record Service of South Africa Act, Act No. 43 of 1996;
- Promotion of Access to Information Act, Act No. 2 of 2000;
- Protection of Personal Information Act, Act No. 4 of 2013;
- Regulation of Interception of Communications Act, Act No. 70 of 2002; and
- Treasury Regulations for departments, trading entities, constitutional institutions and public entities, Regulation 17 of 2005.

The following internationally recognised ICT standards were leveraged in the development of this policy:

- Western Cape Municipal Information and Communication Technology Governance Policy Framework, 2014;
- Control Objectives for Information Technology (COBIT) 5, 2012;
- ISO 27002:2013 Information technology — Security techniques — Code of practice for information security controls;
- King Code of Governance Principles, 2009; and
- Center for Internet Security – Security Benchmarks, 2014.

4 NEW USER REGISTRATION

4.1. A formalized user registration process must be implemented and followed in order to assign access rights.

4.2. All user access requests must be formally documented, along with the access requirements, and approved by authorized personnel by making use of a user access request form contained in the Acceptable Usage Policy

4.3. User access requests must be obtained from ICT after registration of a new employee by HR. The form must be sent to the line manager for access requirements to be requested. Once the requirements have been requested and signed off by the departmental manager, the form must be sent to the ICT department for approval following which the activation of the employee based on the specified requirements will be completed. The form must then be kept for record keeping purposes.

4.4. For vendors / contractors / service providers, the user department must request the access form from ICT and must complete the access form and permissions will only be granted in accordance with the timeframes or period of the applicable contract.

4.5. User access must be created on receipt of the approved user access request form by ICT but access must only be granted to the user once on signing the Acceptable Usage Policy.

4.6. All users must be assigned unique user IDs in order to ensure accountability for actions performed. Should shared accounts be required to fulfil a business function, this account must be approved by the Senior Manager ICT.

5 TERMINATIONS AND DISABLING OF ACCOUNTS

5.1. A formalised user termination process must be implemented and followed in order to revoke access rights.

5.2. All user termination requests must be initiated by the HR department and should be formally documented and approved by duly authorised personnel.

5.3. Terminated user lists should be sent by HR department on a monthly basis to ICT and accounts should be disabled immediately once received.

5.4. Users created as part of the process in 4.4 must be terminated on completion of the contractual agreement,by instruction of user department who requested new registration.

5.5. User accounts that have not accessed the municipal Active directory- or municipal log in services (Microsoft apps) for 60 days will manually be disabled and will be required to complete the NEW USER REGISTTRATION steps as indicated in point 4.1 – 4.5

6 USER PERMISSION/ROLE CHANGE REQUESTS

6.1. A formalised user access management process must be implemented and followed in order to adjust user access rights.

6.2. User access changes must follow the same process as the creation of new users and all existing permissions must be revoked before new permissions are applied.

7 GENERAL USER ACCESS RIGHTS ASSIGNMENT

7.1. Access rights include, but are not limited to:

- 7.1.1. General office applications (E-mail, Microsoft Office cloud applications, SharePoint, etc.);
- 7.1.2. Department specific applications;
- 7.1.3. Network Shares;
- 7.1.4. Administrative tasks;
- 7.1.5. APN Access;
- 7.1.6. Wi-Fi; and

7.2. Access must follow a “principle of least-privilege” approach, whereby all access is revoked by default and users are only allowed access based on their specific requirements.

7.3. The levels or degrees of access control to classified information must be restricted in terms of legislative prescripts.

7.4. Access rights must be assigned to a group/role. A user must then be assigned to that group. Access rights must not be assigned to

individual users.

8 NETWORK USER ACCESS RIGHTS ASSIGNMENT

8.1. Access to the Municipality's network must only be allowed once a formal user registration process has been followed.

8.2. APN access must only be granted to users who require the service to fulfil their business function.

8.3. Best practice states that APN access must only be granted to employees who:

8.3.1. Work remotely (Not at the office);

8.3.2. Work overtime, or not within regular office hours.

8.4. It is the responsibility of the ICT Steering Committee to ensure all users must be made aware of the security risks and obligations associated with APN access.

8.4.1. The Senior Manager ICT must approve all hardware and software, owned by Municipal employees and service providers/vendors that is required to connect to the Municipality.

9 OPERATING SYSTEM ACCESS RIGHTS ASSIGNMENT

9.1. Each system administrator must be given their own accounts within the administrator group. If generic accounts are required, then the password should only be known by one individual.

9.2. The default guest account must be removed or renamed and disabled.

9.3. Should compliance with 9.1 – 9.2 above be restricted due to technical limitations a deviation must be approved by the Senior Manager ICT and reported to the ICT Steering Committee. Deviations must be reviewed on at least an annual basis.

10 APPLICATION USER ACCESS RIGHTS ASSIGNMENT

10.1. Segregation of duties must be practiced, in such a way that application administrators cannot perform general user tasks on an application. This is to prevent any fraudulent activity from taking place.

10.2. Applications administrators must remain independent of the department utilising the application, with the exception of the ICT department.

10.3. Should compliance with 10.1 – 10.2 above be restricted due to technical limitations a deviation must be approved by the Senior Manager ICT and reported to the ICT Steering Committee. Deviations must be reviewed on at least an annual basis.

11 DATABASE USER ACCESS RIGHTS ASSIGNMENT – unsure

11.1. The Senior Manager ICT or business owners' databases must limit

full access to databases (e.g. sysadmin server role, db_owner database role, sa built-in login etc.) to ICT staff and providers who need this access. Municipal employees who use applications may not have these rights to the application's databases.

11.2. The Senior Manager ICT must approve all instances where Municipal employees have edit or execute access to databases.

11.3. Should compliance with 11.1 – 11.2 above be restricted due to technical limitations a deviation must be approved by the Senior Manager ICT and reported to the ICT Steering Committee. Deviations must be reviewed on at least an annual basis.

12 REVIEWING USER ACCESS PERMISSIONS

12.1. On a monthly basis, HR must send a list of all terminated employees for that month to the ICT department, payroll and any other relevant section to process these terminations. This list must be used to ensure that all terminated users have had their access revoked.

12.2. On a quarterly basis, the Senior Manager ICT must review all users with administrative access to the environment and assess their rights for appropriateness.

12.3. All reviews must be formally documented and signed off by the Senior Manager ICT. Documentation must be kept for record keeping purposes.

13 USER AND ADMINISTRATOR ACTIVITY MONITORING

13.1. User and administrator activity must be monitored through audit and event logging.

13.2. Logs must be reviewed once a month for suspicious and malicious activities by system administrators by applicable software in place in said financial year.

13.3. All reviews must be formally documented and signed off by the senior manager of the department and supported the Senior Manager ICT. Documentation must be kept for record keeping purposes.

13.4. Should compliance with 12.1 – 12.3 above be restricted due to technical limitations a deviation must be approved by the Senior Manager ICT and reported to the ICT Steering Committee. Deviations must be reviewed on at least an annual basis.

9.3	**SPONSORSHIP OPPORTUNITY TO ATTEND THE ASIA PACIFIC CITIES SUMMIT (APCS) AND MAYORS FORUM IN DUBAI FROM 27 - 29 OCTOBER 2025**

Collaborator No:
IDP KPA Ref No:
Meeting Date: **25 June 2025**

1. SUBJECT: SPONSORSHIP OPPORTUNITY TO ATTEND THE ASIA PACIFIC CITIES SUMMIT (APCS) AND MAYORS FORUM IN DUBAI FROM 27 - 29 OCTOBER 2025

2. PURPOSE OF THE REPORT

To obtain Council's permission for the Executive Mayor and two (2) Officials to attend the Asia Pacific Cities Summit and Mayors Forum, which is taking place from the 27th to the 29th of October 2025.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

Stellenbosch Municipality has been singled out as a city of significant interest. As a result, Gratiya Advisory is offering sponsorship to the Executive Mayor, which will cover travel and accommodation expenses for attending the Asia Pacific Cities Summit and Mayors Forum in Dubai from 27 to 29 October 2025 (**ANNEXURE 1**).

The 2025 Asia Pacific Cities Summit, a worldwide convention hosted by Dubai, brings together Executive Mayors, city officials, business leaders, innovators, and young professionals from Asia Pacific, Europe, the Middle East, Africa, South Asia, and other regions to discuss the future development of urban areas.

Taking place at Expo City Dubai, the venue that previously hosted Expo 2020 and COP28, the 2025 APCS lies at the center of international dialogue and innovation. Dubai's role as a central hub for trade, logistics, and innovation positions the Summit as a platform for global collaboration, progress, and practical solutions.

According to the Mayoral Programme Pack (**ANNEXURE 2**), the Summit is organised around the main themes of Collaborate, Inspire, and Transform, with a focus on three specific subtopics:

- **Centers of Connection** – Enabling connectivity through infrastructure, mobility, and digital networks;
- **Centers of Solution** – Promoting scalable innovation and integrated solutions to urban issues;
- **Centers of Resilience** – Developing adaptive, inclusive strategies for climate and economic stability.

5. RECOMMENDATIONS

(a) that Council note the invitation received from Gratiya Advisory, annexed hereto as **APPENDIX 1**;

(b) that Council note the overview of the 2025 Asia Pacific Cities Summit and Mayors Forum as **APPENDIX 3**;

(c) that Council approve the Executive Mayors' and two Officials' attendance at the summit; and

(d) that Council grant approval to the permit the Municipal Manager to sanction expenses related the registration of the delegates;

(e) that Council note that an item detailing the costs for visas, accommodation and travel and subsistence allowance (estimated at R1 801.80 per person, per day) be submitted to Council once a quotation has been obtained.

(f) that Council note that the names of the officials who will accompany the Executive Mayor will be included in the follow-up item.

6. DISCUSSION / CONTENTS

6.1 Background

The Asia Pacific Cities Summit 2025, a Brisbane-born programme will be held in the Middle East, Africa and South Asia region for the first time in 29 years and will bring together Executive Mayors, leaders and professionals from across the globe to discuss and shape the future of our cities.

The 2025 summit is open to Executive Mayors, business executives, industry experts, entrepreneurs and young professionals from every part of the world.

Gratiya Advisory, a global firm uniquely rooted in the Global South, offering international, regional, and local expertise to deliver tailored solutions that empower governments, businesses, and institutions to achieve meaningful and lasting impact, has been appointed to organise the 2025 summit.

Stellenbosch Municipality was identified as a city of high interest. In recognition of this, Gratiya Advisory is offering sponsorship support **specifically for the Mayor**, which will cover **flights and accommodation** to attend the Asia Pacific Cities Summit and Mayors Forum taking place in Dubai from the 27th- 29th October 2025.

Advantages arising from participation will include:

Broadened Global Networks & Strategic Partnerships

- **Elite international exposure**: Executive Mayors will join a network of peers from over 600 cities, with more than 118 mayors at the 2023 edition, enabling high-level peer exchange; and

- **Cross-sector engagement**: The summit draws business executives, startups, and investors, opening doors to public-private partnerships that could drive sustainable urban projects back home.

Insight into Investment & Project Opportunities

- **Showcase city projects**: Previous summits presented over **AUD 2.3 billion** in city initiatives Executive Mayors can pitch their own infrastructure or smart-city proposals to potential international funders; and

- **Access to "Meet@APCS" programme**: This structured business-matching feature connects public-sector delegates with global investors and developers.

Learning & Benchmarking Best Practices

- **Global exemplar exposure**: Hosted in Expo City Dubai—built upon lessons from Expo 2020 and COP28—Executive Mayors can study real-world urban resilience and innovative urban frameworks; and

- **Solutions-oriented dialogue**: Panels on "Centres of Solutions" and "Centres of Resilience" offer knowledge exchange on climate adaptation, smart infrastructure, and inclusive governance.

Enhancement of City Brand & International Profile

- **Positioning on global stage**: Attendance places Stellenbosch in the spotlight alongside leading global peers, strengthening civic identity and credibility; and

- **Media narrative opportunities**: Engagements at this level often attract media and thought-leader attention, boosting reputational value for both Executive Mayor and municipality.

Strengthening Regional Linkages and Economic Diplomacy

- **Gateway to MEASA markets**: Dubai's role as a hub linking Africa, the Middle East, and Asia provides access to emerging trade corridors relevant to South Africa; and

- **Regional urban diplomacy**: Collaborating within the forum and subsequent "Mayors' Accord" builds durable intercity and international development alliances.

Leadership Growth and Professional Development

- **Mayors' Forum**: A peer-led space to discuss strategy, tested in past editions with deputy mayors and equivalents from across 171 cities; and

- **City Leaders' Forum**: Executives gain exposure to cutting-edge governance models and management strategies, enhancing municipal service delivery.

6.3 Financial Implications

Council is required to purchase registration tickets. The pricing is as follows:

- Register as a Mayor ($500 USD for Mayors, exclusive of VAT);
- Register up to two City Leaders ($530 USD for City Leaders, exclusive of VAT); and
- Register additional delegates (currently the lowest price offer for standard tickets, for an individual ticket) $710 USD before VAT.

These fees must be paid by 26 June 2025.

Accommodation and flights, however, are only free for the Executive Mayor and not the delegates. These fees are not available at this stage.

Apart from accommodation, a subsistence allowance estimated at R1 801.80 per person, per day, payable to the Executive Mayor and delegates, will also be applicable.

A follow-up item detailing the costs for visas, accommodation and travel and subsistence will be submitted to Council once a quotation has been obtained.

6.4 Legal Implications

The item is in line with relevant legislation.

6.5 Staff Implications

Two (2) Officials will be out of the office for the duration of the summit.

6.6 Previous / Relevant Council Resolutions

There are no previous Council Resolutions relevant to this item.

6.7 Risk Implications

None

6.8 Comments from Senior Management

6.8.1 Municipal Manager

None required.

6.8.2 Chief Financial Officer

ANNEXURES

Annexure 1: Invitation
Annexure 2: Mayoral Programme Pack
Annexure 3: Overview of the 2025 Asia Pacific Cities Summit and Mayors Forum

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	19 June 2025

ANNEXURE 1

Donovan Muller

From: Robert Cranenburgh <Robert.Cranenburgh@expodubaigroup.ae>
Sent: Wednesday, 18 June 2025 12:06
To: Charlotte De Wet (Mayor Assistant)
Cc: 'angela.kan@gratiya.com'; Nasra Al Rahma; Alanood Burhaima; Robert Cranenburgh
Subject: [EX] Sponsorship Opportunity to attend the Asia Pacific Cities Sumit
Attachments: 2025APCS FAQs.pdf; 2025APCS_Overview.pdf; Gratiya Advisory x APCS - Shaping the Future of Cities Together.pdf

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

Dear Mayor Fasser,

We are pleased to share that one of our Major Partners, **Gratiya Advisory**, has identified your city as a city of high interest. In recognition of this, Gratiya Advisory is offering sponsorship support **specifically for the Mayor**, which will cover **flights and accommodation** to attend the Asia Pacific Cities Summit and Mayors Forum taking place in Dubai from the 27th- 29th October 2025.

More information can be found in the attached overview and FAQs.

Please note that **the Mayor is still required to complete the registration process and purchase a registration ticket**. Upon completion of registration (see details below), we will connect your office directly with Gratiya Advisory's dedicated logistical concierge—who are cc'd on this email—to coordinate the next steps.

For your reference, please find attached the company profile.

Additionally, we are pleased to offer an **early bird discounted registration for Mayors and their delegates at a rate of $500 USD** (exclusive of VAT). This offer is valid until **26 June 2025**.

- Register as a Mayor here ($500 USD for Mayors (exclusive of VAT)
- Register up to two City Leaders here ($530 USD for City Leaders (exclusive of VAT)
- Register additional delegates (currently our lowest price offer for standard tickets, for an individual ticket) $710 USD before VAT - link here

Should you wish to register additional delegates or explore group registration options, please let us know and we'll be happy to assist.

Accommodation information, including special rates at our partner hotels, is available here. Please note that these **accommodation options and rates are intended for delegates** and do not apply to the Mayor, whose accommodation will be arranged separately by Gratiya advisory.

We look forward to hearing from you soon.

Warm regards,
Expo City Dubai

Robert Cranenburgh
Coordinator - Mayoral Outreach - Expo City Dubai Global Initiatives & Advisory
PO Box 2020, Dubai, UAE
Robert.Cranenburgh@expodubaigroup.ae

Note - For seamless access to the Expo City Dubai, please ensure to apply on the link:
https://expocityprd.powerappsportals.com/registervisitor/

ANNEXURE 2

2025 ASIA PACIFIC CITIES SUMMIT & MAYORS' FORUM

Expo City Dubai, UAE 27–29 October

Host city
مـدينة إكـسبو دبـي
EXPO CITY DUBAI

An initiative of
BRISBANE CITY
Dedicated to a better Brisbane

Frequently asked questions

Quick links

General information
What is the Asia Pacific Cities Summit and Mayors' Forum 2025 (2025APCS)?

Mayors' Forum
What is the Mayors' Forum?
What if I, as Mayor, cannot attend? Can someone represent my city?
Can my entire delegation attend the Mayors' Forum?

City Leaders' Forum
What is the City Leaders' Forum?
Who can attend from my city?
Can City Leaders attend the Mayors' Forum?
How do I nominate City Leaders?

Business opportunities at 2025APCS
What business opportunities does 2025APCS offer?
What is the APCS Market Square Exhibition?
How can cities and businesses participate?

Young Professionals Forum (YPs@APCS)
What is the Young Professionals Forum?
Who can join?
How do I register?
Are there registration fees?
What are the benefits?

2025APCS Programme and benefits
What are the key benefits of attending as a Mayor?
What topics and themes will be explored?

Speaking opportunities
Are there speaking opportunities for mayors?

Registration and costs
How do I register for 2025APCS?
Is there a registration fee?
I cannot use the payment link. Are there alternative payment options?

Travel, accommodation and translation services
Will travel and accommodation be funded?
Are there recommended hotels?
Do I need a visa to enter the UAE?
Will translation services be available?

Contact and support
Q27: Who can I contact for assistance?

General information

What is the Asia Pacific Cities Summit and Mayors' Forum 2025 (2025APCS)?

2025APCS is a global forum hosted by the City of Dubai, uniting mayors, city leaders, business executives, innovators, and young professionals from across Asia Pacific, Europe, the Middle East, Africa, South Asia, and beyond to shape the future of cities.

Held at **Expo City Dubai—host of Expo 2020 and COP28**—2025APCS is positioned at the heart of global dialogue and innovation. Dubai's leadership as a trade, logistics, and innovation hub makes the Summit a launchpad for international collaboration, growth, and practical outcomes.

The Summit is framed by the core themes of **Collaborate, Inspire, and Transform,** and structured around three key subthemes:

- **Centres of Connection** – Connectivity through infrastructure, mobility, and digital networks
- **Centres of Solution** – Scalable innovation and integrated approaches to urban challenges
- **Centres of Resilience** – Adaptive, inclusive strategies for climate and economic resilience

Mayors' Forum

What is the Mayors' Forum?

A high-level, invitation-only programme exclusively for **mayors and deputy mayors,** offering a closed-door environment for peer exchange, bilateral and multilateral meetings, and the signing of the **Mayors' Accord,** a collective statement of commitment and collaboration.

What if I, as Mayor, cannot attend? Can someone represent my city?

Yes. Your **Deputy Mayor or equivalent** may be nominated to represent your city. Other officials (e.g. councillors, advisers) are welcome to attend the wider Summit but **cannot participate in the Mayors' Forum.**

Can my entire delegation attend the Mayors' Forum?

No. The Forum is restricted to **mayors and deputy mayors only.** Broader delegations are encouraged to participate in other parts of 2025APCS, such as workshops, the City Leaders' Forum, and the APCS Market Square.

City Leaders' Forum

What is the City Leaders' Forum?

A programme for **non-elected senior public officials** responsible for delivering strategic urban outcomes. This includes city CEOs, department heads, and executive-level directors. The forum promotes peer learning, knowledge exchange, and international collaboration.

More information here

Who can attend from my city?

Each city may nominate **up to two City Leaders.** Eligible individuals must be:

- Non-elected senior government officials who work alongside mayors and deputy mayors.
- Department directors or executive-level professionals in planning, infrastructure, environment, digital services, or similar roles who play a key role in city governance and urban development. Examples include Chief Sustainability Officers, Chief Transportation Officers, Chief Innovation Officers etc.

**Please note: All City Leader nominations are subject to approval at the discretion of the host.*

Can City Leaders attend the Mayors' Forum?

No. City Leaders are not eligible for the Mayors' Forum but have full access to all other forums and sessions.

How do I nominate City Leaders?

City Leaders must be formally nominated by the Mayor or senior city administration. See the **Registration section** below for instructions.

Business opportunities at 2025APCS

What business opportunities does 2025APCS offer?

2025APCS provides a dedicated commercial platform for engagement between **city leaders and global businesses, investors, and innovators.** It helps cities access practical solutions, form partnerships, and drive investment.

Opportunities include:

- **G2B and B2B matchmaking**
- Participation in the **Mayors-Business Forum, Major Project Briefings, and Trade & Investment Hub**
- Curated networking with **CEOs, infrastructure firms, and urban tech providers**

What is the APCS Market Square Exhibition?

The **Market Square Exhibition** is a dynamic showcase of urban innovations and technologies.
It allows mayors and city leaders to:

- Discover practical, scalable solutions for key urban challenges
- Engage directly with solution providers and institutions
- Explore technologies aligned with city strategic goals
- Initiate public-private partnerships and procurement conversations
- Experience live demonstrations of deployable tools

How can cities and businesses participate?

All registered delegates get access to the Meet@APCS platform to schedule meetings and explore the exhibition.

Cities may also:

- Present major projects in bilateral briefings
- Engage through the **Trade & Investment Hub**
- Explore sponsorship, exhibition booths, or host branded sessions

More on APCS Business Opportunities

Young Professional Forum (YPs@APCS)

What is the Young Professionals Forum?

YPs@APCS is a global platform for emerging leaders (ages 18–30) to collaborate on shaping future cities, alongside mayors and urban experts.

Who can join?

Young professionals aged 18–30 with a strong interest in the subthemes: **Centres of Connection, Solution, and Resilience.** Regional and international applicants are welcome.

How do Young Professionals register?

Registration is open until **26 September 2025** (or until full).

Register here

Applicants must also complete a brief survey to help personalise the experience.

Are there registration fees?

Yes. Young professionals enjoy the most discounted offers to attend 2025APCS. However, these discounts are time-sensitive.

- **Young professional: Super Early Bird discount** - 62% off (until 26 June 2025): $420 USD. (Excl. VAT)

  Participants receive full access to the Summit, networking events, and a certificate of participation. Invitation letters can be issued to support funding requests.

What are the benefits?

- Participate in online urban development sessions
- Develop and present solutions to city leaders
- Full access to 2025APCS programme
- Certificate of Participation
- Join the YPs@APCS Alumni and Expo City Dubai networks
- Build relationships with peers and professionals globally

2025APCS Programme and benefits

What are the key benefits of attending as a Mayor?

- Exclusive access to the **Mayors' Forum**
- Signing of the **Mayors' Accord**
- Participation in roundtables and bilateral meetings
- Engagement with peers and thought leaders
- Access to the **Meet@APCS** networking platform
- Insight into city leadership innovations
- Participation in the Sustainable Destinations Forum hosted by Green Destinations –**Please note that this is a separately ticketed event and requires separate registration**

What topics and themes will be explored?

The programme centres around:

- **Centres of Connection** – Infrastructure, mobility, digital inclusion
- **Centres of Solution** – Best practices and scalable innovation
- **Centres of Resilience** – Urban preparedness and inclusive strategies

Key focus areas include:

- Climate adaptation and regeneration
- Smart city technologies
- Affordable housing and inclusive growth
- Urban safety, health, and well-being
- Cultural investment and tourism
- Trade, investment, and economic development

Explore the full programme

Speaking opportunities

Are there speaking opportunities for mayors?

Yes. Mayors can speak across a range of formats including:

- Keynotes & Big Picture Sessions
- Thematic Panels and Deep Dives
- Mayoral Showcases
- World Urban Majlis Discussions
- Media Spotlights and Project Briefings

Topics align with the Summit's themes and subthemes. **Speaking opportunities are limited and allocated on a first-come, first-served basis, so early registration is strongly encouraged.** Interested mayors should indicate their interest during the registration process or contact the team directly.

Speaker enquiries

Registration and costs

How do I register for 2025APCS?

- Register as a Mayor
- Register up to two City Leaders

Is there a registration fee?

Yes. Mayors and City Leaders enjoy special discounts off the standard delegate registration fee. However, the discounts are time-sensitive.

- **Mayors: Super Early Bird discount** - 55% off (until 26 June 2025): $500 USD
- **City Leaders: Super Early Bird discount** - 52% off (until 26 June 2025): $530 USD

General delegates

You can also register additional delegates to attend the forum.

- **Standard delegates: Super Early Bird discount -** 36% off (until 26 June 2025): $710 USD
- **Group discounts:**
  $150 off per delegate (5–9 delegates)
  $250 off per delegate (10+ delegates)

Note: Registration for 2025APCS does **not** include access to separately ticketed side events such as the **Sustainable Destinations Forum.** These require additional registration and may be limited in capacity.

Please note: Places are **limited and allocated on a first-come, first-served basis.** We encourage early registration to secure your participation and benefit from discounted rates.

I cannot use the payment link. Are there alternative payment options?

Yes. Bank transfer is available. Please email apcs.invite@expocitydubai.ae to request transfer details.

Travel, accomodation and translation services

Will travel and accommodation be funded?

While Expo City Dubai cannot directly fund travel or accommodation, sponsors have expressed interest in supporting participation from specific cities. This support may include flights, lodging, or on-ground logistics, offered on a case-by-case basis.

All participants **must still purchase a registration ticket.**

Are there recommended hotels?

Yes. Paid delegates will receive access to **preferred rates** at partner hotels.

2025apcs.expocitydubai.com/accommodation

Do I need a visa to enter the UAE?

Visa requirements vary by country. Upon registration, you will automatically receive a **visa support letter** to assist with your application. Please also consult your nearest UAE embassy or consulate for specific requirements.

Will translation services be available?

English is the official language. **Simultaneous interpretation may be offered** for select sessions. For bilateral meetings, delegations should bring their own interpreters if needed. Please notify us early if language support is required.

Contact and support

Who can I contact for assistance?

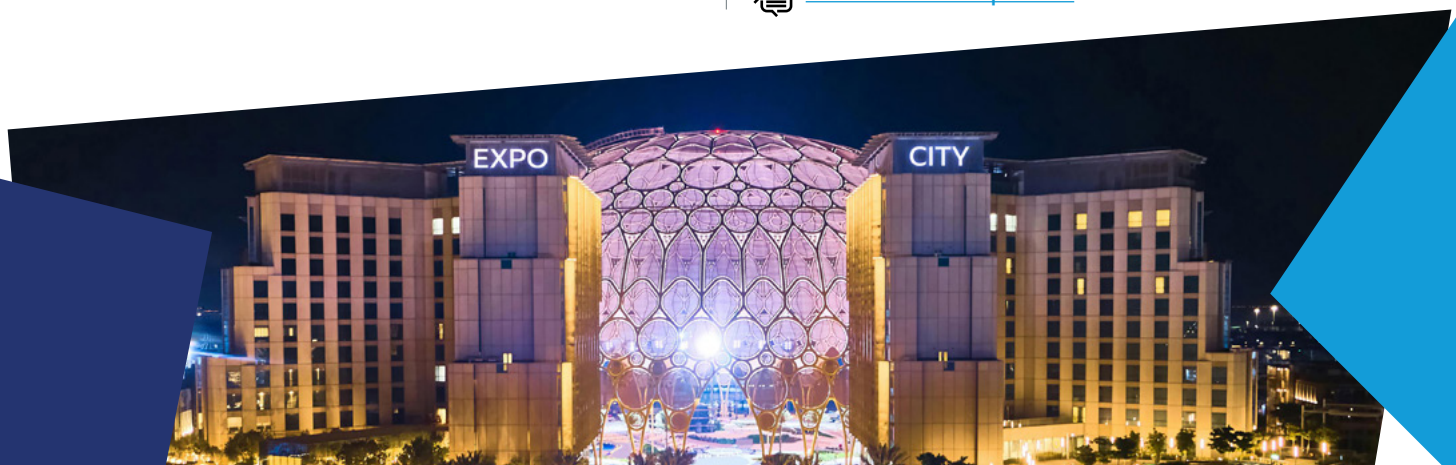
General enquiries & registration:
apcs.invite@expocitydubai.ae

Mayoral Coordinator:

Robert Cranenburgh
robert.cranenburgh@expodubaigroup.ae

Website

Subscribe for updates



ANNEXURE 3

2025 ASIA PACIFIC CITIES SUMMIT & MAYORS' FORUM

Expo City Dubai, UAE
27–29 October

Host city

مـدينة إكـسبو دبـي
EXPO CITY DUBAI

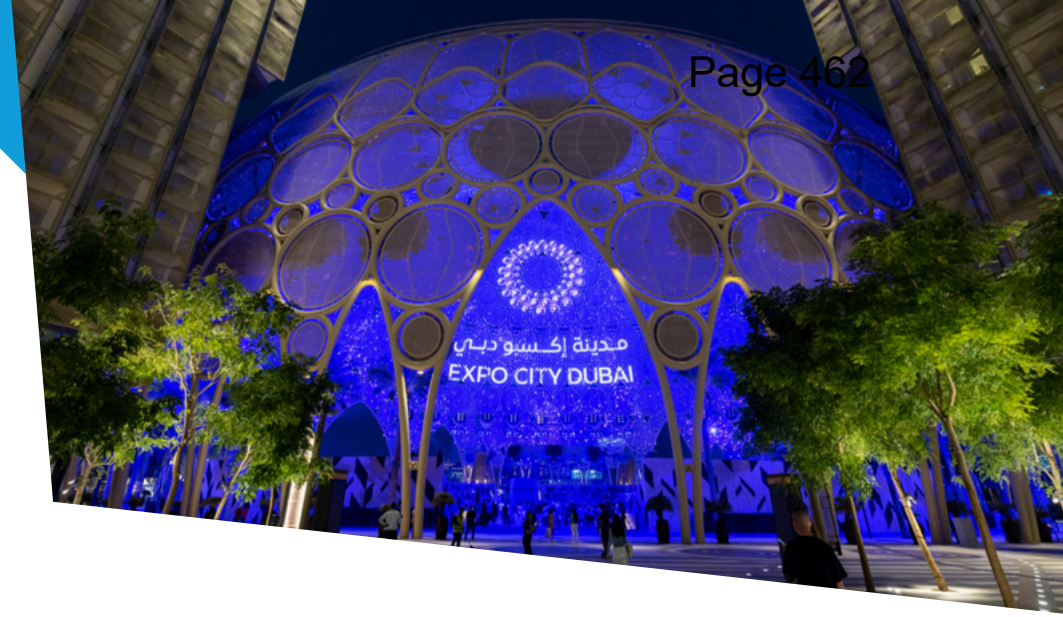
An initiative of

BRISBANE CITY
Dedicated to a better Brisbane

Super early bird tickets Available now

Overview

In October 2025, we are hosting one of the most diverse convenings of mayors, city leaders and business executives worldwide



"

Expo City Dubai is proud to have been selected from a competitive bid of global cities to host the 2025 Asia Pacific Cities Summit… We draw upon a decade of key insights and lived experience, from the successful World Exhibition that was Expo 2020 Dubai, delivered with 192 nations, to hosting COP28, to our urban development journey that has seen us transform into a city of opportunity and knowledge creation and exchange.

Her Excellency Reem Al Hashimy
UAE Minister of State for International Cooperation and CEO of Expo City Dubai Authority

"

Cities are catalysts for investment, community wellbeing and the productive exchange of ideas, and we are embracing innovative solutions to make cities more liveable, efficient, and resilient. In this way, Expo City Dubai is playing an essential role in the advancement of future cities in the region and far beyond.

His Excellency Abdulla Mohammed Al Basti
Secretary General of The Executive Council of Dubai

"

We are excited to see what Expo City Dubai will bring to the 2025 Asia Pacific Cities Summit & Mayors' Forum.

The Brisbane-born programme will be held in the Middle East, Africa and South Asia region for the first time in 29 years and will bring together mayors, leaders and professionals from across the globe to discuss and shape the future of our cities.

Adrian Schrinner
Lord Mayor of Brisbane City Council

2025APCS will deliver long-term value for cities and businesses seeking trade and investment opportunities in the Asia Pacific, MEASA and beyond

28 years of impact

Powering economic growth and deeper collaboration between cities and continents

600 cities

Welcoming over 15,000 delegates to date, including mayors, policy makers, business leaders, innovators and young professionals

First time in MEASA

Presenting a unique opportunity to access international markets and unlock new global trade networks

Driven by Dubai

Enabling cities and businesses to leverage Dubai's unique position as a convenor and catalyst for global economic opportunities

2025APCS is open to city leaders, business executives, industry experts, entrepreneurs and young professionals from every part of the world

Who will attend?

- City mayors, councillors and CEOs
- Company and business CEOs, directors, managers and leaders
- Trade associations and government representatives
- Government heads of local, state and federal departments
- Policy makers in the urban agenda
- Leaders in city tourism
- Emerging leaders, researchers, change advocates and youth
- Innovators, influencers and trend setters

What's in it for delegates?

- Insights on emerging opportunities in cities
- Connections to world-class speakers and city mayors and leaders
- Access to the award-winning APCS network and alumni
- Contributions to essential conversations around the future of cities
- Business leads, commercial outcomes and ongoing business development support

Theme and subthemes

Collaborate. Inspire. Transform.

Centres of Connection

Centres of Solutions

Centres of Resilience

Learn more about the 2025APCS Programme

Centres of Connection

- The pivotal role of transportation networks, digital infrastructure and community spaces in driving economic opportunity and bridging geographic and demographic divides in cities

Illustrative focus areas

Solutions for integrated and sustainable public transportation systems

Effective approaches for expanding digital access to underserved populations for inclusive connectivity

Best practices for designing public spaces that foster social cohesion and vibrant urban life

Centres of Solutions

- How urban innovation can drive transformative change through scalable and adaptable solutions that balance technological advancement with community empowerment

Illustrative focus areas

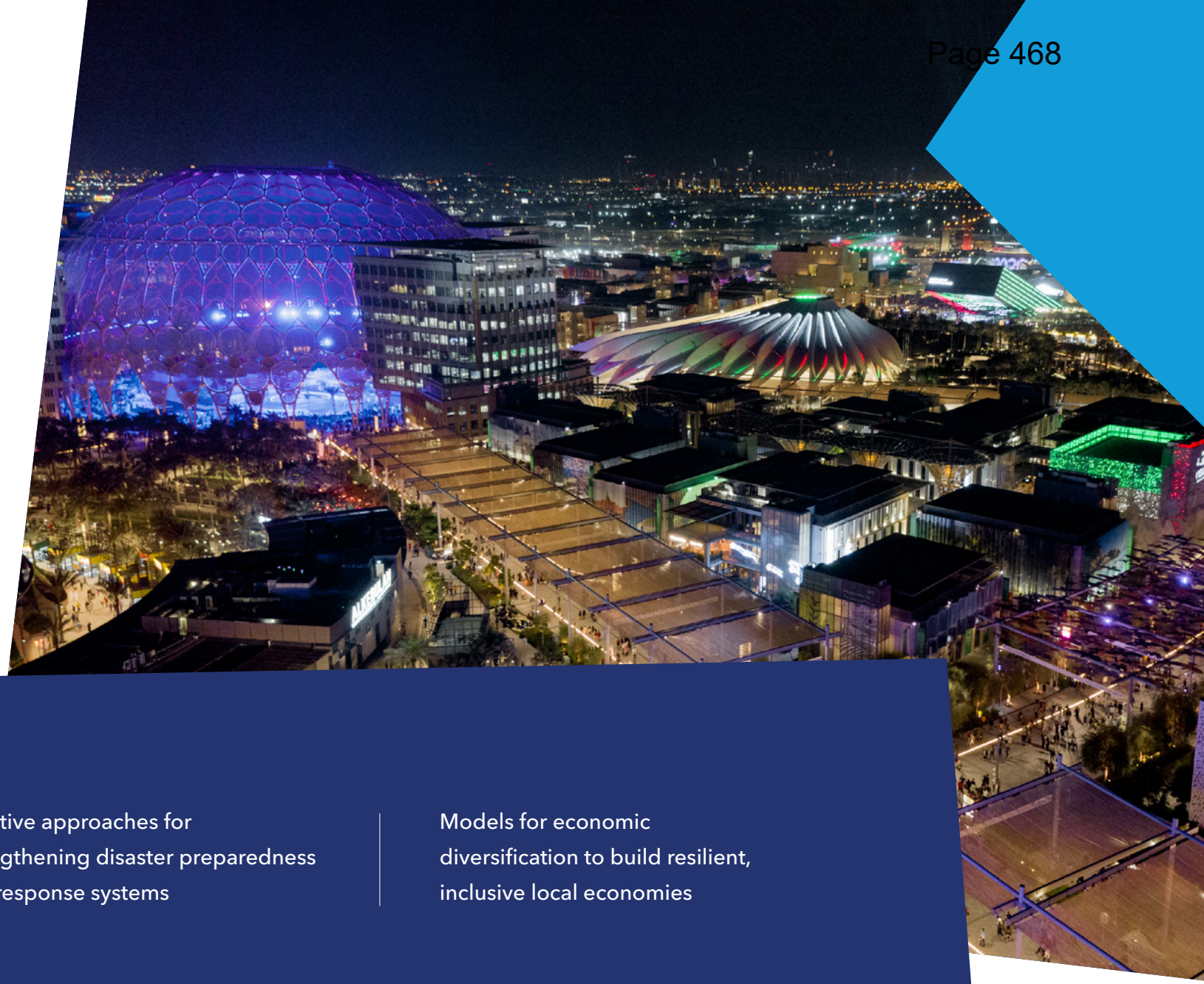
Smart city technologies to optimise governance and public services

Affordable and sustainable housing models for growing urban populations

Best-in-class community-led development solutions for equitable socioeconomic impact

Centres of Resilience

- Fortifying cities against climate impacts, natural disasters and economic instability, and creating urban environments that empower communities to thrive in the face of change



Illustrative focus areas

Climate adaptation measures, including nature-based solutions and urban heat and flood management

Effective approaches for strengthening disaster preparedness and response systems

Models for economic diversification to build resilient, inclusive local economies

Tracks and topics

Centres of Connection

Digital Transformation and Urban Futures

- Urban Intelligence
- New Energy
- Mobility
- Education and Talent
- Mission Driven Ecosystems

City Leadership and Economic Development

- City Funding
- City Branding and Identity
- Trade and Investment Hubs
- Planned Urban Expansion
- City Diplomacy
- City Leadership and Capacity Building

Centres of Solutions

Quality of Life

- Tourism and Visitor Economy
- Affordable and Inclusive Housing
- Urban Health Systems
- Active City Living
- Urban Safety and Security
- Social Value Infrastructure
- Orange Economy and Cultural Investment

Centres of Resilience

Environmental Solutions and Urban Regeneration

- Urban Heat
- Climate Adaptation and Mitigation
- Decarbonising the Built Environment
- Nature Positive Cities
- Blue Economy
- Urban Water and Food Security
- Zero Waste and Resource Circularity

Youth | Community | Sustainability | The Business Case | Tech & innovation

Draft programme

2025 ASIA PACIFIC CITIES SUMMIT & MAYORS' FORUM

Expo City Dubai, UAE 27–29 October

Host city مـدينة إكـسبو دبـي EXPO CITY DUBAI

An initiative of BRISBANE CITY Dedicated to a better Brisbane

DRAFT

Sunday 26 October		
10:00-5:30 pm	Arrivals and Registration Opens	Field Trips
5:30-6:30 pm	Mayors, City Leaders and Young Professionals Networking Function	
7:00-8:00 pm	Opening Ceremony	

Monday 27 October

7:00-8:00 am	Expo City Dubai Urban Walk					
8:00-9:00 am	Arrivals, Registration and Coffee					
9:00-9:30 am	Welcome and Keynotes					
9:30-10:15 am	Big Picture Session **Centres of Connection**					
10:15-10:45 am	Coffee Break					
10:45-11:45 am	Deep Dive	Deep Dive	Deep Dive	Young Professionals' Forum Orientation		
11:45-12:45 pm	Deep Dive	Deep Dive	Deep Dive			
12:45-1:45 pm	Lunch					
1:45-2:30 pm	World Urban Majlis					
2:30-3:30 pm	Big Picture Session **Centres of Solutions**					
3:30-4:00 pm	Coffee Break					
4:00-5:00 pm	Deep Dive	Deep Dive	Deep Dive	Young Professionals' Forum		
5:00-6:00 pm	Big Picture Session **Centres of Resilience**					

On the Sidelines

- Workshops
- Mayoral Roundtables
- Bilateral Meetings

APCS Market Square

Meet@APCS Matchmaking

City Hall Programme

- Major Project Briefings
- Mayoral Showcases
- Media Spotlights

Tuesday 28 October

7:00-8:00 am	Expo City Dubai Urban Walk				APCS Market Square Meet@APCS Matchmaking City Hall Programme Major Project Briefings Mayoral Showcases Media Spotlights	Sustainable Destinations Forum Plenary
8:00-9:00 am	Arrivals and Registration					
9:00-10:00 am	Deep Dive Blue Economy	Deep Dive City Branding and Identity	Deep Dive Tourism and Visitor Economy			
10:00-10:30 am	Coffee Break					
10:30-1:30 pm	Mayors' Forum	City Leaders' Forum	Young Professionals' Forum	Workshops		
1:30-3:00 pm	Mayors and City Leaders Networking Brunch		Lunch			
3:00-6:00 pm	Mayors' Forum	City Leaders' Forum	Field Trips			
	Gala Dinner					

Wednesday 29 October

7:00-8:00 am	Expo City Dubai Urban Walk						
8:00-8:30 am	Arrivals, Registration and Coffee				On the Sidelines Workshops Mayoral Roundtables Bilateral Meetings	APCS Market Square Meet@APCS Matchmaking City Hall Programme Major Project Briefings Mayoral Showcases Media Spotlights	Sustainable Destinations Forum Workshops
8:30-10:00 am	Mayors' Business Forum						
10:00-11:30 am	Workshops						
11:00-11:30 am	Coffee Break						
11:30-12:30 pm	Deep Dive	Deep Dive	Deep Dive	Young Professionals' Forum			
12:30-1:30 pm	Deep Dive	Deep Dive	Deep Dive				
1:30-2:30 pm	Lunch						
2:30-3:15 pm	Women's World Urban Majlis						
3:15-3:30 pm	Mayors' Accord Signing						
3:30-3:45 pm	Young Professionals' Presentation						
3:45-4:15 pm	Closing Ceremony						

2025APCS Programme components

Mayors' Forum and Mayors' Accord

Dedicated to mayors and deputy mayors

A closed room of influential peers establishing and expanding city-to-city collaborations

High level dialogues to share city priorities, showcase best practices and learn the latest trends in city management

Bilateral and multilateral meetings to strengthen diplomatic ties and initiate MOUs with other cities

Learn more

City Leaders' Forum

Open to public sector leaders shaping the future of cities around the world

Global collaborations to drive local city and community priorities

Investments into cities and innovative solutions across the city value chain

Knowledge exchange on public sector-led opportunities for urban transformation

Learn more

Keynotes and panel sessions

Led by renowned thought leaders, policy makers and decision makers

The global agenda for cities and sustainable urban development

Cross-regional dialogue and collaborations: G2G, G2B, B2B, P2P

Expert insights on fostering prosperity and improving quality of life in cities

Meet@APCS business programme

Open to business and industry leaders

Trade and investment links across hundreds of cities in all continents and regions

Strategic opportunities for companies seeking entry into key global markets

Bespoke partnership opportunities for corporate and brand objectives

Learn more

APCS Market Square exhibition

100+ exhibition spaces open to exhibitors from public, private and not-for-profit sectors

Spotlight cities and projects to attract investment and partnerships

Showcase solutions for cities and businesses to prospective clients

Debut technologies and innovations that address critical urban challenges

Download our exhibitor pack

Young Professionals' Forum (YPs@APCS)

An exclusive programme for leading young minds and future industry leaders

Connects young professionals aged 18–30, with their global peers as well as city and business leaders

Equips the next generation of city leaders with tailored mentorship and professional development

Great opportunity for cities, corporate institutions, NGOs and universities to empower young talent

Learn more

Speakers

Urban Visionaries @2025APCS

H.E.
Reem Al Hashimy
Minister of State for International Cooperation and CEO of Expo City Dubai

Lord Mayor
Adrian Schrinner
Lord Mayor of Brisbane, Australia

H.E.
Abdulla Mohammed Al Basti
Secretary General of The Executive Council of Dubai

H.E.
Bruno Araújo
Former Minister of the Cities, Brazil and Co-Chairman, LIDE Emirates

H.E.
Dawood Al Shezawi
President, AIM

Mayor
Mohamed Sefiani
Mayor of Chefchaouen, Morocco

Mayor
Helen Blackburn
Region of Bundaberg, Australia

Deputy Mayor
Josh Gilligan
Wyndham City Council, Australia

Mayor
Mia Shaw
Wyndham City Council, Australia

Mayor
Nicolas Zanca
Gaiba, Italy

Councillor
Asier Abaunza Robles
Delegate for Urban Planning, Strategic Projects and Public Space, Bilbao City Council

H.E.
Bryony Hilless
Consul-General Dubai and the Northern Emirates and GM Middle East, Africa and Pakistan, Australian Trade and Investment Commission (Austrade)

Dr. Anas Al Mughairy
Director General, Arab Urban Development Institute (AUDI)

Mr. Mahir Julfar
Executive Vice President, DWTC

Mr. Gurjit Singh
Chief Development Officer, Aldar

Ms. Farah Naz
Director of Climate and Sustainable Advisory, AECOM Middle East

Dr. Adib El Moubadder
CEO, Emicool

Mr. Kweku Lisk
Deputy Mayor, Freetown, Sierra Leone

Dr. Naim Maadad
Chairman, Australian Business Council

Mr. Bakulesh Kanakia
Chief Development Officer, Emicool

Learn more about speaking opportunities

Knowledge Partners @2025APCS

To engage impactfully with city challenges and priorities around the world, we are proud to collaborate with a growing list of Knowledge Partners, who will co-curate and enrich the 2025APCS programme

قمة AIM للاستثمار
AIM CONGRESS

ArabBrazilian Chamber of Commerce
الغرفة التجارية العربية البرازيلية

المعهد العربي لإنماء المدن
Arab Urban Development Inst.

CHARTER CITIES INSTITUTE

GLOBAL COVENANT of MAYORS for CLIMATE & ENERGY

KENYA GREEN BUILDING SOCIETY
Build Green, Save Kenya

ORF MIDDLE EAST

Smart City Institute Japan

UNITED NATIONS
الاسكوا
ESCWA

UN-HABITAT

Premier Partner

إيميكول
EMICOOL

Major Partners

غرف دبي
DUBAI CHAMBERS

GRATIYA
ADVISORY

Official Partner

FUTURE
CTRL COMMAND: FUTURE

Download our partnership pack

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Super early bird

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2025 ASIA PACIFIC CITIES SUMMIT & MAYORS' FORUM

Expo City Dubai, UAE
27–29 October

Host city

مـدينة إكـسبو دبـي
EXPO CITY DUBAI

An initiative of

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Thank you

Visit the 2025APCS website

10.	**MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC): [CLLR WF PIETERSEN]**

10.1	**CONSIDERATION OF EXPENDITURE INCURRED ON BSM 86/24: FRANSCHHOEK FLOOD REHABILITATION – RECONSTRUCTION OF DIRKIE UYS AND AKADEMIE STREET BRIDGES**

Collaborator No: **785452**
IDP KPA Ref No: **Good Governance and Compliance**
Meeting Date: **12 & 20 June 2025 and 25 June 2025**

1. SUBJECT:INVESTIGATION INTO IRREGULAR EXPENDITURE RELATED TO EXPENDITURE INCURRED ON BSM 86/24: FRANSCHHOEK FLOOD REHABILITATION – RECONSTRUCTION OF DIRKIE UYS AND AKADEMIE STREET BRIDGES

2. PURPOSE OF REPORT

To present information for the consideration of MPAC regarding expenditure that may constitute irregular expenditure and to recommend appropriate actions based on the findings.

3. EXECUTIVE SUMMARY

During the September 2023 floods, record levels of rainfall were recorded in the Franschhoek valley, 391 millimetres of rain fell in 41 hours, the high volume of rainfall coupled with high intensities caused the Lacotte River to burst its banks. Private properties and Municipal infrastructure such as electricity, water services, roads, bridges etc. incurred significant damage.

A National Disaster was declared and the Municipality successfully attained disaster response funding from the National Department of Co-operative Governance and Traditional Affairs (COGTA). Planning and design processes commenced immediately, and the necessary environmental and heritage approvals attained. Due to the current circumstances namely, eroded water courses, damaged and exposed municipal infrastructure, an approaching winter season etc., emergency procurement processes were followed.

Contract BSM 86/24, The Reconstruction of the Dirkie Uys and Akademie Street Bridges was awarded to Amandla GCF Construction Pty (Ltd) amounting to R8 572 569.26 (Incl. Vat), on the 13th of May 2024.

The following events that had occurred, during construction that resulted in additional expenditure:

a) Heavy rainfall experienced during the 2024 winter season while the contractor was on site.

b) Large quantities of debris, silt, and gravel being washed away (out of the work area),

c) On other occasions, materials were washed into the works area. This has caused an increase in unstable ground conditions, which required additional excavation and material removal beyond the original scope, leading to increased labour and material costs.

d) Adjustments to the approach roads to accommodate reduced gradients resulted in the need for more road construction materials than originally planned. These additional materials added procurement and transportation costs.

e) Minor improvements to the bridge design were required, which included the addition of apron slabs and wing walls, which required more concrete, falsework, and reinforcement. These changes, essential for stability and durability, increased both material and labour costs.

f) Additional works also comprised the accommodation of bulk Municipal Services which was damaged during the flood. Delays were encountered when a support structures for a temporary bulk water line had to be constructed across the river to ensure continuous water supply to residents.

The challenges encountered and design modifications required, understandably led to an overrun in both the time and cost of the project. See Annexure A, Close out Report. These overruns were submitted by the Contractor to the Consultant, just before practical completion (December 2024), as official Contractual Claims

The Consultant was however only able to analyse and assess the claim after the December holidays and submitted the outcome of the analysis and assessment to the Municipality at the end of February 2025.The outcomes confirmed that additional costs were in fact justified, the outcome also confirmed the total additional cost of R 3 606 287.79 (Inc. VAT) (42% increase to initial budget). Following a review, the Municipality concurred with the Consultant's ruling on the claims.

In terms of Section 32 of the Municipal Financial Management Act (MFMA) the additional cost is irregular because the additional work exceeded the 20% allowable variation was completed prior to Municipal approval being granted.

4. BACKGROUND AND SEQUENCE OF EVENTS

In September 2023, the Franschhoek valley experienced an unprecedented weather event, recording 391mm of rainfall within a 41-hour period. The high intensity and volume of rain caused the Lacotte River to overflow its banks, resulting in widespread damage to private properties and municipal infrastructure, including electricity, water services, roads, and notably, the Dirkie Uys and Akademie Street bridges. The Dirkie Uys bridge was completely washed away, while the Akademie Street bridge was damaged beyond repair, severely limiting access to Franschhoek town.

Following the declaration of a National Disaster and confirmation of the event as a 1:100-year flood, the Municipality secured disaster response funding from the National Department of Co-operative Governance and Traditional Affairs (COGTA). Among the priority projects identified for rehabilitation was the reconstruction of the aforementioned bridges. The Municipality was allocated approximately R30 million, with specific conditions requiring the full expenditure of funds within six months or risk forfeiture.

Given the urgency, the Municipality initiated accelerated planning, design, and environmental and heritage approval processes. Due to the seasonal constraints and degraded site conditions, an emergency procurement process was followed. Amandla GCF Construction (Pty) Ltd was appointed through Bid B/SM 86/24, with the contract amounting to R8,572,569.26 (VAT inclusive). Work commenced in May 2024 under tight time constraints to ensure completion before the December holiday period and to meet grant conditions.

Sequence of events

Date	Event
September 2023	Severe flooding occurs in Franschhoek; bridges are damaged/destroyed.
October 2023	The National Disaster declared; 1:100-year flood designation confirmed.
Late 2023	Municipality applies for and is granted disaster funding from COGTA.
February 2024	Disaster grant (±R30 million) received; six-month expenditure condition to spend the funds.
March – April 2024	Planning, design, and regulatory approvals fast-tracked.
May 13, 2024	Contract B/SM 86/24 awarded to Amandla GCF Construction (Pty) Ltd.
Winter 2024	Construction proceeds under challenging weather; heavy rains and site flooding recur.
July – October 2024	Construction disrupted by unstable ground, increased debris, and design adjustments.
November 2024	Final design changes and municipal service accommodations implemented.
December 2024	Practical completion achieved in time for holiday season; the contractor submits contractual claims.
February 2025	Consultant finalises assessment of claims post-holiday period.
February 2025	Final verified claim of R3,606,287.79 (incl. VAT) submitted and accepted by the Municipality.
June 2025	Matter submitted to MPAC for investigation in terms of Section 32 of the MFMA.

b) MITIGATING CONTROLS TO PREVENT REOCCURRENCE

Service providers will be contractually required to submit claims promptly upon completion of work stages to ensure timely processing and budget alignment. Robust performance management measures will be applied to all contracts, enabling continuous monitoring of deliverables against agreed timelines and quality standards. Furthermore, consultants will be expected to provide reliable cost estimates during site meetings to support proactive project planning, expenditure forecasting, and decision-making.

c) CONFIRMATION BY AUTHOR OF REPORT

The author of the report confirmed in the MPAC meeting that the information provided is a true and accurate reflection of the facts.

d) INVESTIGATION BY MUNICIPAL PUBLIC ACCOUNTS COMMITTEE

7.1 **Classification of Expenditure**

Indicate the type of UIFWE applicable (mark with an X):

[ ] Unauthorised Expenditure

[x] Irregular Expenditure

[ ] Fruitless and Wasteful Expenditure

7.2 **Nature of the Expenditure**

Indicate the nature of the expenditure (mark with an X):

[x] Not a result of criminal conduct or fraud

[ ] Likely the result of criminal conduct or fraud

7.3 **Value for money assessment (mark with an X):**

Assessment	***Yes***	***No***
Did the Municipality receive the goods or services	*X*	
If received were the goods or services aligned to the specifications	*X*	
Are the cost for the goods and services market related.	*X*	
Did the official act in good faith	*X*	
Any financial loss incurred		*X*

5. Assessment of recoverability

No financial loss was incurred, therefor the expenditure is not assessed for recoverability.

6. FINANCIAL IMPLICATIONS

Total UIFWE amount: R 3 606 287.79

Financial loss to municipality: R 0

Amount recommended for recovery from officials/office bearers: R 0

7. LEGAL IMPLICATIONS

This matter was considered in line with the following legislation and policies:

- Municipal Finance Management Act and the regulations issued under the Act
- Municipal Systems Act and the regulations issued under the Act
- Municipal Supply Chain Management Policy

8. RISK IMPLICATIONS

Failure to complete the work could result in significant damage to both private properties and municipal infrastructure due to the increased risk of flooding. Timely

completion is therefore critical to mitigate these risks and to ensure the reinstatement of essential services to the affected community.

9. CONCLUSION

MPAC has completed its investigation and concludes as follows:

That the expenditure to the amount of R3 606 287.79 is irregular expenditure. The Committee established through its investigation of the expenditure concluded:

- The expenditure was not a result of criminal conduct or fraud
- The Municipality received the goods and services which were aligned to the specifications
- The cost of the goods and services are marker related
- The official acted in good faith
- There was no financial loss to the Municipality

MPAC DISCUSSIONS: 2025-06-12: ITEM 5.1

MPAC Committee notes the report from the officials.

The Committee requested that more information be provided to them with regards to the actual claims of the consultants before a decision is taken.

The Committee requested that time item be dealt with after the additional information has be submitted to them, then the item can be deal with at the continuation meeting of MPAC.

RECOMMENDATIONS FROM MPAC TO COUNCIL: 2025-06-12&20: ITEM 5.1

MPAC recommends the following actions based on its investigation:

(a) that Council certifies the irregular expenditure to the amount of R 3 606 287.79 (including VAT) for Amandla GCF Construction Pty (Ltd) as irrecoverable; and

(b) that Council writes off the irregular expenditure as irrecoverable in terms of MFMA Section 32(2).

Annexures

A. Report from the User Department
B. Additional information requested by MPAC - invoices

FOR FURTHER DETAILS CONTACT:

NAME	***Johan Fullard***
POSITION	***Senior Manager: Roads, Transport and Stormwater***
DIRECTORATE	***Infrastructure Services***
CONTACT NUMBERS	***021 808 8207/021 808 8222***
E-MAIL ADDRESS	**Johan.fullard@stellenbosch.gov.za**
REPORT DATE	***9 May 2025***

ANNEXURE A

STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Collaborator No:

IDP KPA Ref No: **Good Governance and Compliance**

Meeting Date:

---

1. SUBJECT

CONSIDERATION OF EXPENDITURE INCURRED ON BSM 86/24: FRANSCHHOEK FLOOD REHABILITATION – RECONSTRUCTION OF DIRKIE UYS AND AKADEMIE STREET BRIDGES

2 PURPOSE

To request the Municipal Public Accounts Committee (MPAC) to investigate and consider the expenditure incurred by service provider *Amandla GFC Construction (Pty) Ltd* on Bid B/SM 86/24.

3. DELEGATED AUTHORITY

Municipal Council.

4. EXECUTIVE SUMMARY

During the September 2023 floods, record levels of rainfall were recorded in the Franschhoek valley, 391 millimetres of rain fell in 41 hours, the high volume of rainfall coupled with high intensities caused the Lacotte River to burst its banks. Private properties and Municipal infrastructure such as electricity, water services, roads, bridges etc. incurred significant damage.

A National Disaster was declared and the Municipality successfully attained disaster response funding from the National Department of Co-operative Governance and Traditional Affairs (COGTA). Planning and design processes commenced immediately and the necessary environmental and heritage approvals attained. Due to the current circumstances namely, eroded water courses, damaged and exposed municipal infrastructure, an approaching winter season etc., emergency procurement processes were followed.

Contract BSM 86/24, The Reconstruction of the Dirkie Uys and Akademie Street Bridges was awarded to *Amandla GCF Construction* amounting to R8 572 569.26 (Incl. Vat), on the 13th of May 2024.

The following events that had occurred, during construction that resulted in additional expenditure:

a) Heavy rainfall experienced during the 2024 winter season while the contractor was on site.
b) Large quantities of debris, silt, and gravel being washed away (out of the work area),
c) On other occasions, materials were washed into the works area. This has caused an increase in unstable ground conditions, which required additional excavation and material removal beyond the original scope, leading to increased labour and material costs.
d) Adjustments to the approach roads to accommodate reduced gradients resulted in the need for more road construction materials than originally planned. These additional materials added procurement and transportation costs.
e) Minor improvements to the bridge design were required, which included the addition of apron slabs and wing walls, which required more concrete, falsework, and reinforcement. These changes, essential for stability and durability, increased both material and labour costs.
f) Additional works also comprised the accommodation of bulk Municipal Services which was damaged during the flood. Delays were encountered when a support structures for a temporary bulk water line had to be constructed across the river to ensure continuous water supply to residents.

The challenges encountered and design modifications required, understandably led to an overrun in both the time and cost of the project. See **Annexure A,** Close out Report. These overruns were submitted by the Contractor to the Consultant, just before practical completion (December 2024), as official Contractual Claims

The Consultant was however only able to analyse and assess the claim after the December holidays, and submitted the outcome of the analysis and assessment to the Municipality at the end of February 2025.The outcomes confirmed that additional costs were in fact justified, the outcome also confirmed the total additional cost of R 3 606 287.79 (Inc. VAT) (42% increase to initial budget). Following a review, the Municipality concurred with the Consultant's ruling on the claims.

In terms of Section 32 of the Municipal Financial Management Act (MFMA) the additional cost is irregular because the additional work exceeded the 20% allowable variation was completed prior to Municipal approval being granted.

5. RECOMMENDATIONS

(a) MPAC to investigate and consider the expenditure incurred, by service provider *Amandla GFC Construction (Pty) Ltd* on Bid B/SM 86/24, in terms of Section 32 of the Municipal Financial Management Act (MFMA).

6. DISCUSSION / CONTENTS

6.1 Background

During the September 2023 floods, record levels of rainfall were recorded in the Franschhoek valley, 391 millimetres of rain fell in 41 hours, the high volume of rainfall coupled with high intensities caused the Lacotte River to burst its banks. Private properties

and Municipal infrastructure such as electricity, water services, roads, bridges etc. incurred significant damage. The bridge at Dirkie Uys Street was completely washed away and the bridge on Akademie Street was damaged beyond repair, also restricting access to the Franschoek Town.

The September 2023 rains in Franschhoek was declared a National Disaster and 1:100 - year flood event, and the Municipality applied for disaster response funding from the National Department of Co-operative Governance and Traditional Affairs (COGTA), which was granted by the Department. Amongst other projects, the reconstruction of the Dirkie Uys and Akademie Street Bridges were approved and the Municipality received approximately R30 million in total. The funding was received in February 2024, however the grant conditions stipulated that the funding should be spent within 6 months and or be returned to COGTA should conditions not be met and adequate progress not be made.

Planning and design processes were commenced immediately and the necessary environmental and heritage approvals attained. Due to the current circumstances namely, eroded water courses, damaged and exposed municipal infrastructure, an approaching winter season etc., emergency procurement processes were followed and a contractor was appointed in a very short time. However, this meant that the Contractor would be establishing on site, to carry out work within the river during the winter months, which is not ideal.

6.2 <u>Discussion</u>

Contract BSM 86/24: The Reconstruction of the Dirkie Uys and Akademie Street Bridges was awarded to *Amandla GCF Construction* amounting to R8 572 569.26 (Incl. Vat), on the 13th of May 2024.

The project was on a very tight timeline in order to try and meet the milestones set by COGTA to design, procure and construct within a truncated time period. It understandably did face the following challenges which were outside of the control of the project team and Contractor, resulting in the stated over-expenditure:

a) Heavy rainfall experienced during the 2024 winter season while the contractor was on site.
b) Large quantities of debris, silt, and gravel being washed away (out of the work area),
c) On other occasions, materials were washed into the works area. This has caused an increase in unstable ground conditions, which required additional excavation and material removal beyond the original scope, leading to increased labour and material costs.
d) Adjustments to the approach roads to accommodate reduced gradients resulted in the need for more road construction materials than originally planned. These additional materials added procurement and transportation costs.
e) Minor improvements to the bridge design were required, which included the addition of apron slabs and wing walls, which required more concrete, falsework, and reinforcement. These changes, essential for stability and durability, increased both material and labour costs.
f) Additional works also comprised the accommodation of bulk Municipal Services which was damaged during the flood. Delays were encountered when a support structures for a temporary bulk water line had to be constructed across the river to ensure continuous water supply to residents.

It should be noted that having the contractor on site (during the 2024 winter season) to manage and control water flowing through the river, also prevented further damage

to private properties and already-exposed municipal infrastructure, which could have had further devastating consequences.

The challenges encountered and design modifications required, understandably led to an overrun in both the time and cost of the project. See **Annexure A,** Close out Report. These overruns were submitted by the Contractor to the Consultant, just before practical completion (December 2024), as official Contractual Claims. It should also be noted that the Municipality had stipulated that practical completion must be obtained by the middle of December 2024, when the work on the bridges are to be complete and roadways opened for the upcoming tourist season.

The Consultant was however only able to analyse and assess the claim after the December holidays, and submitted the outcome of the analysis and assessment to the Municipality at the end of February 2025. The outcomes confirmed that additional costs were in fact justified, the outcome also confirmed the total additional cost of R 3 606 287.79 (Inc. VAT) (42% increase to initial budget). Following a review, the Municipality concurred with the Consultant's ruling on the claims.

In terms of Section 32 of the Municipal Financial Management Act (MFMA) the additional cost is irregular because the additional work exceeded the 20% allowable variation was completed prior to Municipal approval being granted.

6.3 Financial Implications

Sufficient funding is available

6.4 Legal Implications

The expenditure is clarified as irregular according to the definition in the MFMA. The matter is reported to MPAC in terms of Section 32 of the MFMA.

6.5 Staff Implications

No additional staff implications

6.6 Previous / Relevant Council Resolutions:

None

6.7 Risk Implications

There is no risk to the Municipality, the works was successfully completed, See Annexure C. Close Out Report.

6.8 Comments from Senior Management:

6.8.1 Chief Financial Officer

The goods and services were received at the standard and quality that was requested. The service provider was appointed on a competitive bid (tender). The over expenditure on the total award was only known after the completion of the project. The same was also communicated to the Municipality after completion. A detailed

assessment was performed by the Consulting Engineers to confirm the invoices amounts of the service provider. Sufficient funding is available on the capital budget to pay the outstanding invoices**.**

6.8.2 *Municipal Manager*

All irregular expense must be referred to MPAC for investigation and recommendation to Council for further handling

ANNEXURES

Annexure A: Close Out Report.

FOR FURTHER DETAILS CONTACT:

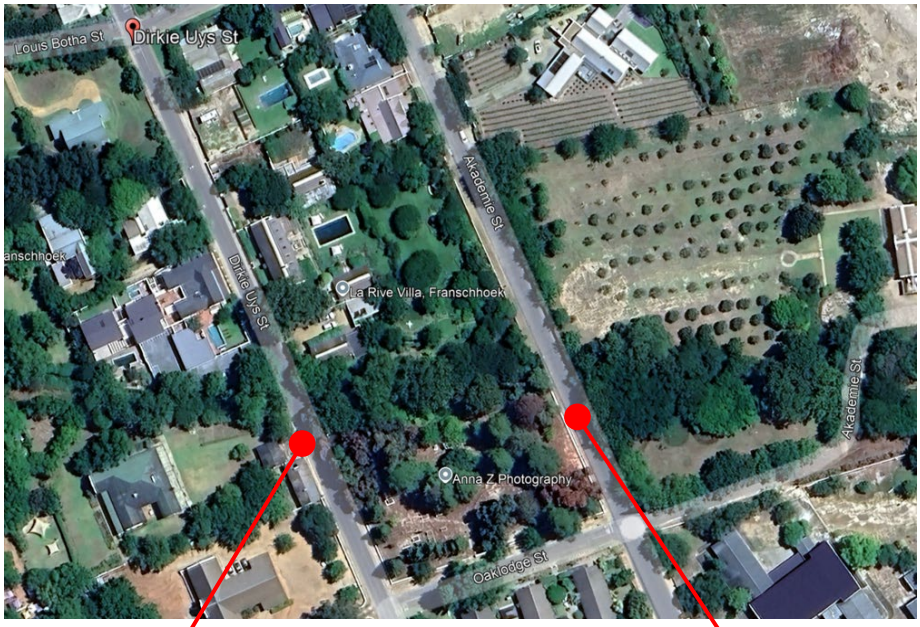
NAME	***Johan Fullard***
POSITION	***Senior Manager: Roads, Transport and Stormwater***
DIRECTORATE	***Infrastructure Services***
CONTACT NUMBERS	***021 808 8207/021 808 8222***
E-MAIL ADDRESS	**Johan.fullard@stellenbosch.gov.za**
REPORT DATE	***9 May 2025***

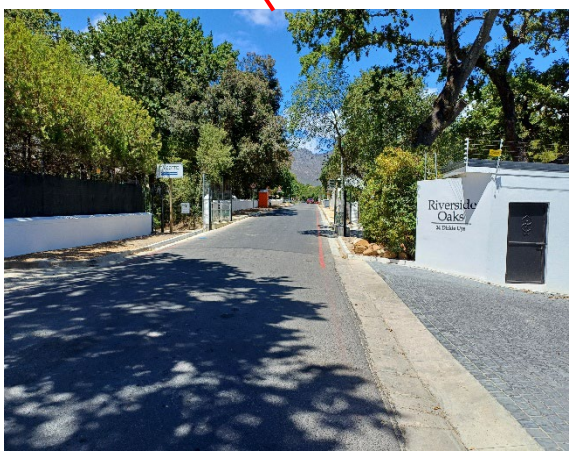
_____ _____

DIRECTOR: INFRASTRUCTURE SERVICES **DATE**

CONTRACT BSM 86/24: RECONSTRUCTION OF DIRKIE UYS AND AKADEMIE STREET BRIDGES IN FRANSCHHOEK

CLOSE OUT REPORT





Prepared for:

The Municipal Manager
Stellenbosch Municipality
PO Box 17
Stellenbosch,7599

Prepared By

EAS Infrastructure Engineers
Suite 303, The Landing
20 Lower Burg Street
Cape Town, 8001

Revision Summary

Project Name: Reconstruction of Dirkie Uys and Akademie Street Bridges

Contract No: BSM 86/24

OA	April 2025	AE / RE	GR	Close Out Report
Revision	**Date**	**By**	**Checked**	**Description of Revision**

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EXECUTIVE SUMMARY

The Dirkie Uys Street culvert crossing over the La Cotte River in Franschhoek was totally washed away during a flood event in 2023. This project involved the construction of a new concrete structure at Dirkie Uys Street as well as demolition of the existing culvert crossing and reconstruction of a new structure at Akademie Street upstream of Dirkie Uys.

Both new structures were designed to withstand major flood events in future and to improve the flow of the river by having larger waterway openings. The work also included extensive stone filled gabion basket retaining walls to better protect and stabilise the river embankments for future flood events.

The Contract commenced on 6 June 2024 and what was planned to be a three-month contract turned out to be a six-month contract. The delays were not only due to the abnormally adverse weather conditions that were experienced from June to August 2024 that made the site unworkable but were also due to delays of the major water supply services under the road that had to be temporarily relocated and subsequently reinstated at the Akademie Street culvert crossing.

These delays resulted in numerous extensions of time claims being submitted by the Contractor which together with a few other claims for additional rain days and a public holiday that fell outside the original contract period, amounted to a total of 99 calendar days.

Progress was further exacerbated by the confined working space, limited access and restricted storage/stockpiling areas and having to deal with the adjacent property owners' concerns. An additional factor was that the Scope of the Works had to be significantly increased due to the need to construct additional concrete walls, aprons and stone gabions as a result of the extensive riverbank erosion that occurred during the construction period.

The original contract tender value was R8 572 569.26 (Incl. VAT) with an increased expenditure off and the final contract amount was R 12 178 857.05 (Incl VAT). This represented an over-expenditure of 42%. Full details of the reasons for the over-expenditure are given in this report.

The immense challenges that the Contractor had to contend with that resulted in the extended construction time period and the concomitant additional costs, were very capably handled by the Contractor's construction team and they must be commended for their perseverance.

Despite the very difficult circumstances under which the Contractor had to operate, the quality of the finished work was to a very high standard, particularly the concrete finishes.

INTRODUCTION

2.1 Project Background

During the September 2023 floods, record levels of rainfall were experienced in the Franschhoek Valley. The high volume of rainfall coupled with high rainfall intensities caused the La Cotte River to burst its banks. Private properties and municipal infrastructure incurred significant damage. The bridge at Dirkie Uys Street was completely washed away and the bridge on Akademie Street was also damaged. Disaster funding amounting to R30 million was received from the National Department of Co-operative Governance and Traditional Affairs (COGTA) in February 2024 with the grant conditions stipulating that the funding should be spent within 6 months failing which the money would have to be returned.

Planning and design processes were urgently undertaken by AECOM SA (Pty) Ltd, and the necessary environmental and heritage approvals were obtained. Due to timelines this meant that the Contractor would be establishing on site during the winter months.

In June 2024, Stellenbosch Municipality (hereinafter referred to as the Employer), appointed EAS Infrastructure Engineers (Pty) Ltd (hereinafter referred to as Employer's Agent), to oversee and monitor the construction phase of this project. The planning, design and procurement phases had previously been undertaken by AECOM SA (Pty) Ltd.

The Contractor, AmandlaGCF Construction (hereinafter referred to as the Contractor), was appointed by AECOM after an open tender process and the Site was handed over to them on 6 June 2024.

2.2 Objectives of the Project

The Employer's objectives were to repair flood damage on Dirkie Uys Steet by replacing the culvert on the La Cotte River that had failed during a flood event in 2023 and also to demolish and replace the existing Akademie Street culvert on the La Cotte River to improve capacity.

2.3 Main Role Players

2.3.1 Stellenbosch Municipality

Johan Fullard	Senior Manager: Roads and Storm Water
Kamogelo Mogale	Manager: Roads and Storm Water
Goodman Zaza	Principal Technician: Roads and Storm Water

2.3.2 EAS Infrastructure Engineers

Goolam Rooknodien	Project Leader
Alan Espey	Employer's Agent
Reggie Engelbrecht	Employer's Agent's Representative
Dawid Joubert	Employer's Agent's Representative's Assistant

2.3.3 AmandlaGCF Construction

Robby Dreyer	Contract Manager
Morne Gouws	Contract Manager
Edward Mopp	Construction Manager

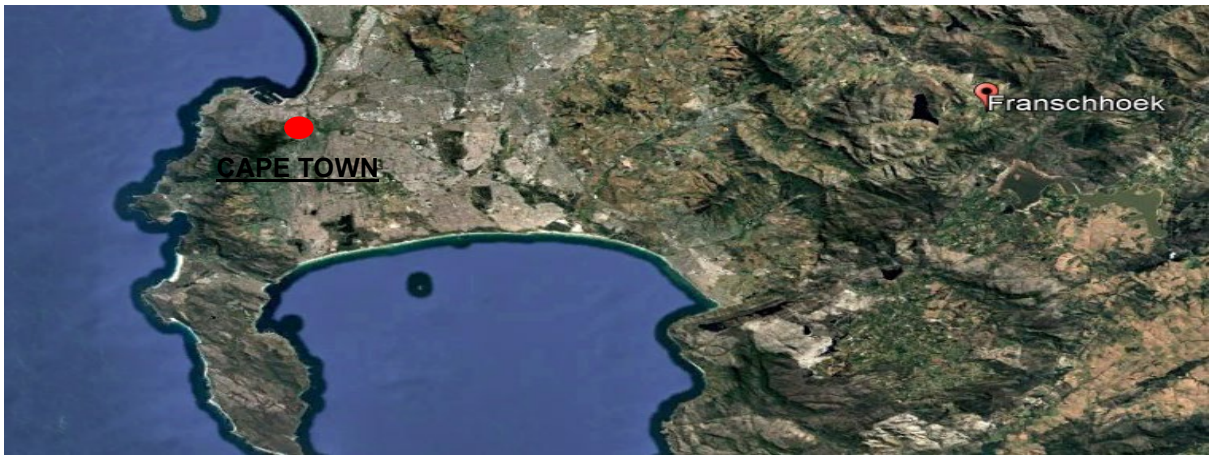
PROJECT OVERVIEW

3.1 Project Description

The construction activities essentially comprised the following:

- Full demolition of the Akademie culvert, wingwalls, base and apron slabs. It also included dismantling of the existing hand railings, removal of existing kerbs, channels, fences and the approach sections of roadway.
- Reinstatement of Akademie and Dirkie Uys culverts using cast in place concrete. This also included concrete head walls and wing walls. Diversion of the La Cotte River was also necessary during the construction process. This was achieved by means of temporary coffer dams, weirs and storm water pipes.
- Reinstatement of erosion protection in the form of stone packed gabion baskets and stone pitching. Damaged gabion baskets were also removed during the construction process. The riverbed was also reinstated once the construction work had been completed.
- Reinstatement of the approach roads and associated infrastructure such as storm water channels, kerbs, road signs, handrails, fencing, electrical/optic fibre services, water mains and foul sewers.

3.2 **Project Location**



Locality within the Western Cape

Locality within Franschhoek

Dirkie Uys Street and Akademie Street

3.3 Timeline and Milestones

3.3.1 Relevant Dates

Contract Commencement Date:	6 June 2024
Original Contract period	90 calendar days
Original Due Completion Date	5 September 2024
Certificate of Practical Completion:	12 December 2024
Actual Contract Duration (06 June to 12 December 2024)	189 calendar days
Extended Contract Period (05 September to 12 December 2024)	99 calendar days

(Refer to Item 6.1)

Completion Certificate (Was issued once all the defects had been rectified) 6 February 2025

3.4 Stakeholders Involved

The main stakeholders on this project were the Stellenbosch Municipality and the Riverside Oaks Body Corporate represented by Dennis Belter of Gadomski Consulting Engineers. A number of constructive meetings and discussions were held with them to discuss their various concerns during the course of the project. This applied particularly to the Dirkie Uys culvert site.

3.5 Project Budget and Financial Overview

The original tender amount was R8 572 569.26. This amount included a 10% contingency and VAT. The final contract value was determined as R12 178 857.05, an overspend of R3 606 287.79 (42%). This includes a retention amount of R372 720.40 (excl. VAT) that will become due at expiry of the Defects Liability Period on 12 December 2025. The reasons for the over-expenditure are fully explained under Items 6.1 and 6.2 of this report as well as being fully detailed in the Employer's Agent's report letter that is included as Item 10.2.1 in the Appendices.

CONSTRUCTION PROCESS

4.1 Design and Planning Phase

As was mentioned earlier, another firm of Consultants, AECOM SA (Pty) Ltd, was involved with the planning and design phases.

4.2 Construction Activities

The construction activities are fully described under Item 3.1 of this report.

4.3 Quality Control and Assurance

Notwithstanding the fact that the Contractor is not an accredited ISO 1000 company, no problems due to a lack of adequate Quality Control or Quality Assurance procedures were evident. All the Process Control and Acceptance Control testing was carried out in strict accordance with the Specifications.

4.4 Health and Safety

Frontline SHEQ was the appointed Health and Safety Consultants for this project and a representative attended every monthly site meeting. They conducted fortnightly audit inspections and besides a few minor findings, the Contractor was generally found to be compliant with all the Health and Safety requirements and no major incidents were reported.

4.5 Environmental Considerations

UMD Environmental Services represented by Abdul Davids and Rashaad Salie, were appointed as the Environmental Consultants for the project. They also conducted fortnightly audit inspection and despite the Contractor having to work under extremely challenging and difficult conditions in a very environmentally sensitive area, no major findings were issued due to non-compliances with the Environmental Management Plan.

PROJECT PERFORMANCE

5.1 Timeline Adherence

Considerable delays were experienced largely due to the exceptionally wet winter that caused continual flooding of the river as well as delays caused by existing water mains having to be temporarily relocated and later reinstated at the Akademie Street culvert. None of these delays could be attributed to the Contractor as they were all considered to be due to circumstances beyond his reasonable control. Refer to Item 6 in this report for further details.

5.2 Budget Performance

As was discussed under Item 3.5 of this report, The final contract cost far exceeded the original tender amount. The reasons for this have been dealt with under Item 6 of this report.

5.3 Change Orders and Variations

One Variation Order was approved by the Employer. This Variation Order to the value of R200 816.00 (excl. VAT) was required to cover the costs of the reinstatement of a 110mm diam HDPE water main at Dirkie Uys and a 110mm diam. UPVC watermain as well as a 200mm diam. stainless steel watermain at Akademie, by the contractor to avoid further delays.

5.4 Quality of Work and Compliance with Standards

Despite the very difficult circumstances under which the Contractor had to operate, the quality of the finished work was considered to be of a very high standard, particularly the concrete finishes.

5.5 Contractor Performance

The immense challenges that the Contractor had to contend with as described under Item 6.1.1 of this report, that resulted in the extended time period and the concomitant additional costs, were very capably handled by the Contractor’s construction team and they must be commended for their perseverance.

ISSUES AND CHALLENGES ENCOUNTERED

6.1 Delays and Causes

6.1.1 Extension of Time Claims

A total of seven extension of time claims were submitted by the Contractor. The Employer's Agent's rulings on these claims were as follows:

Claim No 1 (Extension of time due to delays caused by existing services) 84 calendar days

Claim No 2 (Extension of time of 60 calendar days due to abnormal climatic conditions

but was not considered as the time period ran concurrently with Claim No. 1).

Claim No 3 (Extension of time due to public holiday outside original contract period) 3 calendar days

Claim No 4 (Extension of time due to abnormal climatic conditions) 1 calendar day

Claim No 5 (Extension of time due to abnormal climatic conditions) 2 calendar days

Claim No 6 (Extension of time for a collapsed wall) and Claim No 7 (Extension of time due to reinstatement of services). These two claims were consolidated and the Employer's Agent ruled that an extension of time of 9 calendar days be granted for both.

The total number of calendar days on which the Employer's Agent ruled in respect of the above-mentioned extension of time claims was 99.

The rulings on all of these extension of time claims was formally made by the Employer's Agent in accordance with the relevant clauses of the General Conditions of Contract.

6.1.2 Challenges encountered and reasons for delays

6.1.2.1 Dealing with unknown services

It was only after the Contractor had commenced excavation work on the Akademie Street culvert on 19 June 2024, that various unknown services in the form of an electrical cable, an optic fibre cable, a 110 mm diam. UPVC watermain and a 200 mm diam. asbestos cement watermain were discovered. None of these existing services had been shown on the construction drawings and no allowance had been made in the contract document for this eventuality.

The Employer's Agent was immediately informed of these services and the relevant service authorities were contacted. The approved Initial Construction Programme had scheduled that both culverts were to be constructed simultaneously and were therefore both on the critical path but due to the prevailing circumstances, work could only proceed on the Dirkie Uys culvert. The 200 mm diameter water main under the road was eventually temporarily deviated by constructing a temporary bridge crossing upstream of the existing Akademie Street culvert. The asbestos cement water main under the roadway was subsequently removed from the Site on 4 September thereby enabling the Contractor to commence work on the culvert on 5 September 2024, the same day as the original Due Completion Date of the project.

6.1.2.2 Adverse Weather Conditions

One of the wettest winters in many years was experienced during the three-month period between the Contract Commencement Date, 6 June 2024 and the original Contract Due Completion Date, 5 September 2024 and this was also a major factor in retarding progress.

The Contractor did everything in his power to expedite progress despite the very trying and challenging abnormal weather conditions that resulted in continual flooding of the river. This required extensive temporary erosion protection work in the form of sandbagging and revetment of the exposed riverbanks and removal of tonnes of debris, fallen trees and material that was washed down the river and the approach roads.

It is very clear that if a Contractor had not been present on the Site when the abnormally inclement weather occurred from 6 June onwards, enabling monitoring, stabilisation and protection of the riverbanks, considerable damage would probably have been caused to the adjacent properties at a very high cost.

6.1.2.3 Other factors that caused delays

Progress was further exacerbated by the confined working space, limited access and restricted storage/stockpiling areas, having to deal with the adjacent property owners' concerns as well as the fact that the Scope of the Works was significantly increased due to the need to construct additional concrete walls, aprons and stone gabions as a result of the extensive river bank erosion that occurred during the construction period.

6.2 Budget Overruns

The budget overruns have been dealt with under Items 3.5 and 6 of this report.

6.3 Safety Incidents and Resolutions

No major or reportable incidents occurred.

6.4 Environmental or Regulatory Issues

No major non-compliant environmental or regulatory issues were recorded or reported during the duration of the project. Wherever concerns did arise, they were promptly dealt with to the Environmental Consultant's satisfaction.

6.5 Stakeholder Communication Challenges

The main challenges centred around the property owners' concerns regarding erosion and collapsing of the riverbanks during periods when the river rose to alarmingly high levels. Every effort was made by the construction team to mitigate the risk of collapse by installing additional temporary shoring and sandbag revetment. This applied particularly to the Dirkie Uys culvert site. Refer to Item 3.4 in this regard.

FINAL PROJECT DELIVERABLES

7.1 Completed Work and Final Inspection

A site inspection with the construction team was held on 12 December 2024. A Certificate of Practical Completion with a “snags” list was issued on the same day.

A final inspection was held before the final site meeting on 6 February 2025 and a Completion Certificate was issued on that day.

Copies of both certificates have been included in the Appendices as Items 10.2.3 and 10.2.4 respectively.

7.2 Handover Documentation

7.2.1 As-Built Drawings

Hard copies of the as-built information will be handed over to AECOM Pty Ltd in order for them to update their drawings to as-built status. These drawings will then be formally issued to the Employer.

7.2.2 Operation and Maintenance Manuals

This project did not require such documents.

7.3 Final Financial Report

Refer to Item 3.5 of this report.

7.4 Warranty and Guarantees

This project is subject to a 12-month Defects Liability period that will expire on 6 February 2026.

LESSONS LEARNT

8.1 Areas for Improvement

Recommendations for Future Projects

8.1.1 Ensure Continuity

Wherever possible, ensure continuity by appointing one consultant for all phases of a project – planning, conceptual, preliminary and final design, tender documentation, pre-tender meeting, tender evaluation and site supervision.

8.1.2 Avoid commencing a project involving work in a water course at the start of winter

If possible and where budgetary constraints permit, it would be advisable not to start a project such as this at the start of a Cape winter that in this case turned out to be one of the worst that has been experienced for many years.

8.1.3 Use of Service Authorities to relocate services.

Before a project starts, ensure that the services authorities/departments have the capacity and sufficient resources to relocate and reinstate service quickly and efficiently, thereby minimising possible delays to the construction work.

8.1.4 Contract Duration Periods

Realistic and achievable time periods for projects to be completed timeously should be allowed, especially during the wet winter months in the Western Cape.

CONCLUSION

9.1 Summary of Project Completion

It was recorded under Item 7.15 of the minutes of the final site meeting (No. 7) that the Employer's Agent closed the meeting by thanking all the team members for their invaluable input in ensuring that this project that had been constructed under extremely difficult and challenging circumstances, had been completed to a very high standard. This had been due to the excellent spirit of cooperation between all the team members. He also paid a special vote of thanks to the Stellenbosch Municipality's Roads and Stormwater management team in this regard.

APPENDICES (PHOTOS)

June 2024 - Site Establishment

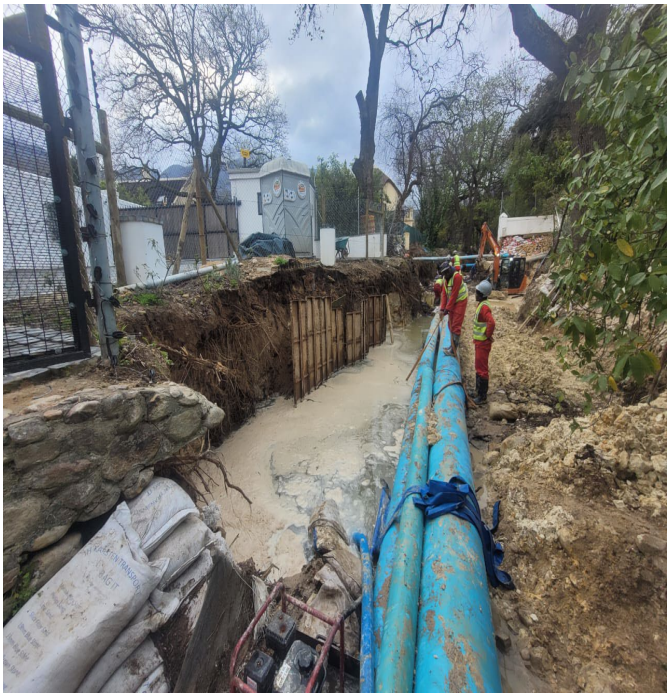
June 2024 - Intermediate excavation in saturated riverbed

July 2024 - Eroded embankments after rainfall

July 2024- Flooded riverbed

August 2024 - Temporary deviation of bulk watermain in Akademie Street

August 2024 - Riverbed clearing after heavy rainfall

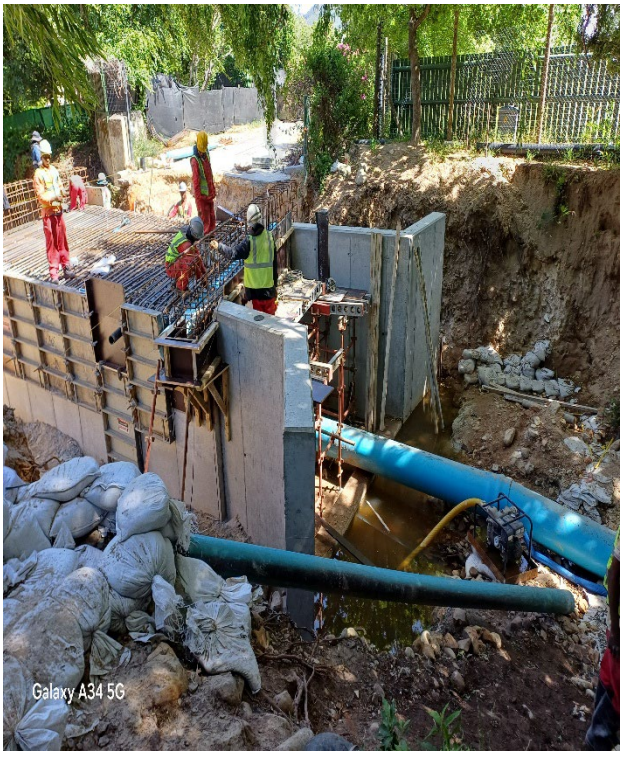


September 2024 - Sand bags support to boundary wall foundations and lateral support of embankments

September 2024 - Reinstatement of construction ramp after the heavy rainfall

October 2024 - Construction of street culverts in Dirkie Uys Street

October 2024 - Construction of street culverts in Dirkie Uys Street



November 2024 - Construction of street culverts in Akademie Street

November 2024 - Construction of street culverts in Akademie Street Culvert

December 2024 - Construction of street culverts in Dirkie Uys Street Culvert

February 2025 – Final Completion Dirkie Uys Street Culvert

February 2025 – Final Completion Akademie Street Culvert

10.2 Relevant Correspondence

10.2.1 Employer's Agent's report letter dated 4 February 2025, explaining the reasons for the final project cost exceeding the project budget cost.

10.2.2 Summary of the Bill of Quantities Sections that were the main contributors to the additional costs. (Over expenditure Summary).

10.2.3 Certificate of Practical Completion.

10.2.4 Completion Certificate.

ANNEXURE B

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26 December 2024

Our Ref: 24011i - BSM 50-23-SE.6 Dirkie Uys & Akademie Culverts

Amandla Construction
18 Ferrous Crescen6t
Brackenfell
7560

ATTENTION: Mr Morne Gouws

Dear Sir

CONTRACT NO BSM 86/24 : FRANSCHHOEK: FLOOD REHABILITATION : REQUEST FOR EXTENSION OF TIME FOR RULING ON CLAIM NO 01 FOR DELAYS CAUSED BY EXISTING SERVICES ON AKADEMIE STREET BRIDGE

We hereby request your agreement to an extension of a further 28 days to the period allowed in Clause 10.1.5 of the General Conditions of Contract (GCC) for the Employer's Agent to make a ruling on your extension of time claim No #01. This extension of time is requested in terms of Clause 10.1.5.1 of the GCC.

Yours faithfully

Alan Espey Pr Eng
Employer's Agent

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06 January 2025

Our Ref: 24011i - BSM 50-23-SE.6 Dirkie Uys & Akademie Culverts

Amandla Construction
18 Ferrous Crescen6t
Brackenfell
7560

ATTENTION: Mr Morne Gouws

Dear Sir

CONTRACT NO BSM 86/24 : FRANSCHHOEK: FLOOD REHABILITATION : REQUEST FOR EXTENSION OF TIME FOR RULING ON CLAIM NO 07 FOR DELAYS CAUSED BY RE-INSTATEMENT OF SERVICES ON AKADEMIE STREET BRIDGE

We hereby request your agreement to an extension of a further 28 days to the period allowed in Clause 10.1.5 of the General Conditions of Contract (GCC) for the Employer's Agent to make a ruling on your extension of time claim No 02. This extension of time is requested in terms of Clause 10.1.5.1 of the GCC.

Yours faithfully

Alan Espey Pr Eng
Employer's Agent

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18 February 2025

Our Ref: 24011i - BSM 50-23-SE.6 Dirkie Uys & Akademie Culverts

Stellenbosch Municipality
Infrastructure Services
Manager: Development
Plein Street
Stellenbosch
7600

ATTENTION: Mr. Johan Fullard

Dear Sir

CONTRACT NO BSM 86/24 : FRANSCHHOEK: FLOOD REHABILITATION : RULING ON CLAIM FOR EXTENSION OF TIME FOR A PUBLIC HOLIDAY (24 SEPTEMBER 2024) DURING THE EXTENDED CONTRACT PERIOD : CLAIM NO 03

1. INTRODUCTION

Amandla Construction (hereinafter referred to as the Contractor), in his attached letter dated 24 October 2024, has applied for an Extension of Time in terms of Clause 2.2 of the General Conditions of Contract (2015), hereinafter referred to as the GCC. His claim was preceded by a notification of intention to claim, dated 26 September 2024 in terms of Clause 10.1.1.1 of the GCC.

2. CIRCUMSTANCES AND EVENTS THAT GAVE RISE TO THE CLAIM

As the original Contract Due Completion Date was 5 September 2024, which included special non-working days, the public holiday on Tuesday 24 September fell outside the original construction duration period and was therefore obviously not included in the approved initial programme. As the public holiday fell into the extended construction period, it must be therefore be allowed as an additional special non-working day.

3. CONTRACTOR'S ENTITLEMENT TO THE CLAIM

The Contractor's claim for an extension of time is based on the following clauses of the GCC :

- Clause 2.3. Technical data.
- Clause 5.12. Extension of time for Practical Completion.
- Clause 6.8.4. Subsequent changes of legislation. (Our note : Not applicable in this case).

4. QUANTIFICATION OF THE CLAIM

By inserting the circumstances and events described in Section 2 above into the Programme, the revised Due Completion Date of 29 November as determined in Claim No. 01, the new Due Completion Date becomes 2

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December 2024. When comparing the revised Due Completion date with the current Due Completion date, this equates to 3 calendar days.

By way of explanation as to why the one day public holiday becomes 3 days, as was applicable to Claim No 01, it must be borne in mind that the duration of each activity on the Contractor's programme is based on working days and not calendar days. Where an activity spans a weekend, for example, its starting date is on a Friday and it is a 3 working day activity, the actual activity duration becomes 5 calendar days i.e. Friday, Saturday (non-working day), Sunday (non-working day), Monday and Tuesday. This is the reason why in this case, the actual period claimed equates to 3 calendar days.

In terms of Clause 5.12.3 of the GCC, if an extension of time is granted, the Contractor is entitled to be to be paid such additional time-related General items, including for special non-working days, if applicable, as are appropriate.

With reference to the attached revised Annexure B, the time-related and General costs have been determined as R25 999.99 per calendar day. (Note : Annexure B that was attached to the Contractor's claim letter dated 24 October was subsequently amended and the corrected time related and General cost is R25 999 .99 per calendar day).

The Contractor has included for labour costs in his claim. We are not in agreement with this as labour costs are deemed to be included in the billed rates for each construction activity and they are only paid for days on which they physically work. We have therefore removed these costs from this claim.

The total payment claimed by the Contractor has therefore been revised to : 3 calendar days x R25 999.99 per day = **R77 999.97.**

5. CONCLUSION

We are satisfied that the Contractor has complied with all the contractual requirements of the GCC in submitting this claim. We are also satisfied that the record of events and circumstances leading up to this claim are correct.

6. EMPLOYER'S AGENT'S RULING RECOMMENDATION

Based on the afore going, we therefore recommend the Contractor's claim in terms of Clause 10.1.5 of the GCC, for an extension of time of **3 calendar days** with time-related General costs in the amount of **R77 999.97** for your approval in terms of Item No 12 (Clause 3.2.3 of the Contract Data). Based on approval of Claim No 01, this additional extension of time of 3 calendar days will result in the revised Contract Due Completion Date being extended to 2 December 2024.

We trust that this ruling will receive your favourable consideration. Please advise us should you require further information or wish to arrange a joint meeting with the Contractor and ourselves at which we could further discuss any aspects of this claim.

Yours faithfully

Alan Espey Pr Eng

Employer's Agent

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Attachments

24 October 2024 Contractor's letter in which he has claimed an extension of time.

Annexure B. Determination of Time-Related and General Costs

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18 February 2025

Our Ref: 24011i - BSM 50-23-SE.6 Dirkie Uys & Akademie Culverts

Stellenbosch Municipality
Infrastructure Services
Manager: Development
Plein Street
Stellenbosch
7600

ATTENTION: Mr. Johan Fullard

Dear Sir

CONTRACT NO BSM 86/24 : FRANSCHHOEK: FLOOD REHABILITATION : RULING ON CLAIM FOR EXTENSION OF TIME FOR ABNORMAL CLIMATIC CONDITIONS DURING THE EXTENDED CONTRACT PERIOD : CLAIM NO 04

1. INTRODUCTION

Amandla Construction (hereinafter referred to as the Contractor), in his attached letter dated 22 November 2024, has applied for an Extension of Time in terms of Clause 2.2 of the General Conditions of Contract (2015), hereinafter referred to as the GCC. His claim was preceded by a notification of intention to claim, dated 25 October 2024 in terms of Clause 10.1.1.1 of the GCC.

2. CIRCUMSTANCES AND EVENTS THAT GAVE RISE TO THE CLAIM

Heavy rains were experienced on the Site on 30 September 2024. No allowance had been made for rain days beyond the original Due Completion Date (5 September 2024) as per the approved initial programme in terms of Clause 5.12.2.2 of the Contract Data. Allowance had therefore only been made for inclement weather in the respective months up to 5 September 2024. Inclement weather delays occurring after the original Due Completion Date then become a valid reason for the Contractor to claim an extension of time.

3. CONTRACTOR'S ENTITLEMENT TO THE CLAIM

The Contractor's claim for an extension of time is based on the following clauses of the GCC :

- Clauses 2.2 and 2.2.1. Adverse physical conditions.
- Clause 2.2.4. Contractor's right to claim.
- Clause 5.12. Extension of time for Practical Completion.
- Clause 5.12.2.2. Abnormal climatic conditions
- Clause 5.12.2.4. Any disruption which is entirely beyond the Contractor's control.
- Clause 5.12.3. Relevant adjustments to General items.

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- Clause 10.1. Contractor's claims.

4. QUANTIFICATION OF THE CLAIM

By inserting the circumstances and events described in Section 2 above into the Programme, the revised Due Completion Date of 2 December 2024 as determined in Claim No. 03, the new Due Completion Date becomes 3 December 2024. The Contractor's letter dated 22 November states this date as being 28 November which following the previous extension of time claims 01, 02 and 03, does logically not make any sense at all. We are therefore regarding 3 December 2024 as the revised Due Completion Date.

In terms of Clause 5.12.3 of the GCC, if an extension of time is granted, the Contractor is entitled to be to be paid such additional time-related General items, including for special non-working days, if applicable, as are appropriate.

As with the previous extension of time claims, the time-related General costs have been determined as R25 999.99 per calendar day.

The total payment claimed by the Contractor is therefore : 1 calendar day x R25 999.99 per day = **R25 999.99**

5. CONCLUSION

We are satisfied that the Contractor has complied with all the contractual requirements of the GCC in submitting this claim. we are also satisfied that the record of events and circumstances leading up to this claim are correct and that the reasons for submitting this claim are valid.

6. EMPLOYER'S AGENT'S RULING RECOMMENDATION

Based on the afore going, we therefore recommend the Contractor's claim in terms of Clause 10.1.5 of the GCC, for an extension of time of 1 **calendar day** with time-related General costs in the amount of **R25 999.99** for your approval in terms of Item No 12 (Clause 3.2.3 of the Contract Data). Based on approval of Claims Nos 01, 02 and 03 this additional extension of time of 1 calendar day will result in the revised Contract Due Completion Date being extended to 3 December 2024.

We trust that this ruling will receive your favourable consideration. Please advise us should you require further information or wish to arrange a joint meeting with the Contractor and ourselves at which we could further discuss any aspects of this claim.

Yours faithfully

Alan Espey Pr Eng

Employer's Agent

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Attachments

22 November 2024 *Contractor's letter in which he has claimed an extension of time.*

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18 February 2025

Our Ref: 24011i - BSM 50-23-SE.6 Dirkie Uys & Akademie Culverts

Stellenbosch Municipality
Infrastructure Services
Manager: Development
Plein Street
Stellenbosch

7600

ATTENTION: Mr. Johan Fullard

Dear Sir

CONTRACT NO BSM 86/24 : FRANSCHHOEK: FLOOD REHABILITATION : RULING ON CLAIM FOR EXTENSION OF TIME FOR ABNORMAL CLIMATIC CONDITIONS DURING THE EXTENDED CONTRACT PERIOD : CLAIM NO 05

1. INTRODUCTION

Amandla Construction (hereinafter referred to as the Contractor), in his attached letter dated 22 November 2024, has applied for an Extension of Time in terms of Clause 2.2 of the General Conditions of Contract (2015), hereinafter referred to as the GCC. His claim was preceded by a notification of intention to claim, dated 25 October 2024 in terms of Clause 10.1.1.1 of the GCC.

2. CIRCUMSTANCES AND EVENTS THAT GAVE RISE TO THE CLAIM

2.1. Heavy rains were experienced on the Site on 28 October 2024 and as a result, no work was possible that day as per Annexure 1.

2.2. Heavy rains were experienced on the Site on 04 November 2024 and as a result no work could continue that day as per Annexure 2.

2.3. No allowance had been made for rain days beyond the original Due Completion Date (5 September 2024) as per the approved initial programme. As per Clause 5.12.2.2 of the Contract Data, allowance had therefore only been made for inclement weather in the respective months up to 5 September 2024. Inclement weather delays occurring after the original Due Completion Date then become a valid reason for the Contractor to claim an extension of time.

3. CONTRACTOR'S ENTITLEMENT TO THE CLAIM

The Contractor's claim for an extension of time is based on the following clauses of the GCC :

- Clauses 2.2 and 2.2.1. Adverse physical conditions.
- Clause 2.2.4. Contractor's right to claim.
- Clause 5.12. Extension of time for Practical Completion.

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- Clause 5.12.2.2. Abnormal climatic conditions
- Clause 5.12.2.4. Any disruption which is entirely beyond the Contractor's control.
- Clause 5.12.3. Relevant adjustments to General items
- Clause 10.1. Contractor's claims.

4. QUANTIFICATION OF THE CLAIM

By inserting the circumstances and events described in Section 2 above into the Programme (Annexure A), the revised Due Completion Date of 3 December 2024 as determined in Claim No. 04, the Contractor has asserted that the new Due Completion Date is 7 December 2024. The Contractor has also asserted that comparison of the revised with the current Due Completion Date equates to a period of 4 calendar days. We disagree with these assertions however and have determined that the revised Due Completion Date is 5 December 2024 and that following the previous extension of time claims, the actual period claimed should be **2 calendar days.**

In terms of Clause 5.12.3 of the GCC, if an extension of time is granted, the Contractor is entitled to be to be paid such additional time-related General items, including for special non-working days, if applicable, as are appropriate.

With reference to the attached revised Annexure B, the time-related General costs have been determined as R25 999.99 per calendar day

The total payment claimed by the Contractor but revised by ourselves is therefore :

- 2 calendar days x R25 999.99 per day ..... **R51 999.98.**

4. CONCLUSION

We are satisfied that the Contractor has complied with all the contractual requirements of the GCC in submitting this claim. We are also satisfied that the record of events and circumstances leading up to this claim are correct and that the reasons for submitting this claim are valid.

5. EMPLOYER'S AGENT'S RULING RECOMMENDATION

Based on the afore going, we therefore recommend the Contractor's claim in terms of Clause 10.1.5 of the GCC, for an extension of time of **2 calendar days** (revised from 4 calendar days by ourselves), with time-related General costs in the amount of **R51 999.98,** for your approval in terms of Item No 12 (Clause 3.2.3 of the Contract Data). Based on approval of Claim Nos. 01 to 04, this additional extension of time of 3 calendar days will result in the revised Contract Due Completion Date being extended to 5 December 2024.

We trust that this claim will receive your favourable consideration. Please advise us should you require further information or wish to further discuss any aspects of it with us in this regard.

Yours faithfully

Alan Espey Pr Eng

Employer's Agent

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Attachments

22 November 2024 *Contractor's letter in which he has claimed an extension of time*

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18 February 2025

Our Ref: 24011i - BSM 50-23-SE.6 Dirkie Uys & Akademie Culverts

Stellenbosch Municipality
Infrastructure Services
Manager: Development
Plein Street
Stellenbosch
7600

ATTENTION: Mr. Johan Fullard

Dear Sir

CONTRACT NO BSM 86/24 : FRANSCHHOEK: FLOOD REHABILITATION : RULING ON CLAIM FOR EXTENSION OF TIME FOR COLLAPSE OF WALL : CLAIM NO 06 AND REINSTATEMENT OF SERVICES AT THE AKADEMIE STREET CULVERT : CLAIM NO 07

1. INTRODUCTION

It has been decided to deal with these two claims in one ruling letter because they were both submitted by the Contractor at a relatively late stage of the Contract.

1.1 CLAIM NO 06 (Collapse of Wall)

Amandla Construction (hereinafter referred to as the Contractor), in his attached letter dated 9 December 2024, has applied for an Extension of Time in terms of Clause 2.2 of the General Conditions of Contract (2015), hereinafter referred to as the GCC. His claim was preceded by a notification of intention to claim, dated 25 November 2024 in terms of Clause 10.1.1.1 of the GCC.

In our letter dated 6 January 2025, we requested an Extension of Time of 28 days to the period allowed in clause 10.1.5 for the Employer's Agent to make a ruling. The Contractor confirmed his agreement to this request in his letter dated 8 January 2025.

1.2 CLAIM NO 07 (Reinstatement of Services at Akademie Street Culvert)

Amandla Construction (hereinafter referred to as the Contractor), in his attached letter dated 11 December 2024, has applied for an Extension of Time in terms of Clause 2.2 of the General Conditions of Contract (2015), hereinafter referred to as the GCC. His claim was preceded by a notification of intention to claim, dated 9 December 2024 in terms of Clause 10.1.1.1 of the GCC.

In our letter dated 6 January 2025, we requested an Extension of Time of 28 days to the period allowed in Clause 10.1.5 for the Employer's Agent to make a ruling. The Contractor confirmed his agreement to this request in his letter dated 8 January 2025.

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2. CIRCUMSTANCES AND EVENTS THAT GAVE RISE TO THE CLAIMS

2.1 CLAIM NO 06 : (Collapse of Wall)

On 28 October 2024, a section of the heritage boundary wall at the cemetery on Akademie Street partially collapsed due to heavy rains. Refer to Annexure 1 and Item 2 of the Contractor's letter dated 9 December 2024 for full details in this regard. This was a totally unforeseen event and therefore reconstruction of the wall had obviously not been allowed for.

2.2 CLAIM NO 07 : (Reinstatement of Services at the Akademie Street Culvert)

Refer to Item 2 of the Contractor's letter dated 11 December 2024 for full details in this regard.

3. CONTRACTOR'S ENTITLEMENT TO THE CLAIMS

3.1 CLAIM NO 06 : (Collapse of Wall)

The Contractor's claim for an extension of time is based on the following clauses of the GCC :

- Clause 2.1. Available data and information.
- Clause 2.2. Adverse physical conditions.
- Clause 2.3. Technical data.
- Clause 5.12. Extension of Time for Practical Completion..
- Clause 5.12.3. Indirect costs i.e. recurring of time-related costs.

3.2 CLAIM NO 07 : (Reinstatement of Services at the Akademie Street Culvert)

- Clause 2.1. Available data and information.
- Clause 2.2. Adverse physical conditions.
- Clause 2.3. Technical data
- Clause 5.12. Extension of time for Practical Completion
- Clause 6.3. Variations

4. QUANTIFICATION OF THE CLAIMS

4.1 CLAIM NO 06 : (Collapse of Wall)

The Contractor has stated in his letter dated 9 December 2024 "*By inserting the circumstances and events described in Item 2 above into the approved Programme, the revised Due Completion Date is 15 November 2024. The delay in adverse conditions resulted in a delay in the completion of the work in Akademie Road. When comparing the revised due completion date with the current Due Completion Date, this equates to 70 calendar days. The programme of this claim is attached as Annexure A".*

The Contractor has further stated : "*The appropriate time-related and general costs due to the circumstances described in Section 2 above equates to R25 999.99 per calendar day as per attached Annexure A.*

We have not further considered this claim due to the fact that the revised Due Completion Date of 15 November 2024 does not have any relevance because the revised Due Completion Date that was determined in Claim No 05 has already been confirmed as 5 December 2024.

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4.2 **2 CLAIM NO 07 (Reinstatement of Services at Akademie Street Culvert)**

The Contractor has stated in his letter dated 9 December 2024 *""By inserting the circumstances and events described in Item 2 above into the approved Programme, the revised Due Completion Date is 17 January 2025. The delay in the reinstatement of services resulted in a delay in the completion of the work. When comparing the revised due completion date with the current Due Completion Date, this equates to 133 calendar days. The programme of this claim is attached as Annexure A".*

The Contractor has claimed time-related and General costs of 133 calendar days at R25 999.99 per calendar day = R3 457 998.67. It should be noted that this period is the total period starting from the Commencement Date (6 June 2024). This claim has however been reduced by ourselves to **9 calendar days** with time-related General costs of R25 999.99 per calendar day = **R233 999.91** for the reasons stated below.

5. CONCLUSIONS

5.1 CLAIM NO 06 : (Collapse of Wall)

As stated earlier, we have not further considered this claim due to the fact that the revised Due Completion Date of 15 November 2024 does not have any relevance for the reasons stated in Item 4 above.

5.2 CLAIM NO 07: (Reinstatement of Services at the Akademie Street Culvert)

Because Practical Completion was achieved on 12 December 2024, we are only prepared to consider recommending an Extension of Time of 9 calendar days as no time-related General costs are payable after Practical Completion is achieved. This period has been determined as follows :

(A) Original Commencement Date : 6 June 2024

(B) Practical Completion Date : 12 December 2024

(C) Period between 6 June and 12 December 2024 : 189 calendar days.

(D) Original Contract period : 90 calendar days.

(E) Total Extensions of Time claimed in previous Claims 01 to 05 : 90 calendar days

(F) Original Contract period (D) + Total extensions of time previously claimed (E). : 180 calendar days

(C - F) Balance = No of days that can be considered for this claim : **9 calendar days**.

We are satisfied that the Contractor has complied with all the other contractual requirements of the GCC in submitting this claim. We are also satisfied that the record of events and circumstances leading up to this claim are correct and that the reasons for submitting this claim are valid.

6. EMPLOYER'S AGENT'S RULING RECOMMENDATION

As confirmed in Item 4.1 above, we have not considered Claim No 06 for the stated reasons. Based on the afore going, we therefore recommend the Contractor's claim in respect of Claim No 07 in terms of Clause 10.1.5 of the GCC, for an extension of time of **9 calendar days** with time-related General costs in the amount of **R233 999.91** for your approval in terms of Item No 12 (Clause 3.2.3 of the Contract Data).

We trust that this claim will receive your favourable consideration. Please advise us should you require further information or wish to further discuss any aspects of it with us in this regard.

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Yours faithfully

Alan Espey Pr Eng

Employer's Agent

Attachments

9 and 11 December 2024. Contractor's letters in which he is claiming extensions of time.(Claims 06 and 07 respectively).

10.2	CONSIDERATION OF EXPENDITURE INCURRED 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 SELF LOADSHEDDING IMPLEMENTATION PROJECT

Collaborator No: 785703
IDP KPA Ref No: Good Governance and Compliance
Meeting Date: 12 June 2025

1. SUBJECT:CONSIDERATION OF EXPENDITURE INCURRED 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 SELF LOADSHEDDING IMPLEMENTATION PROJECT

2. PURPOSE OF REPORT

To present information for the consideration of MPAC regarding expenditure that may constitute irregular expenditure and to recommend appropriate actions based on the findings.

3. EXECUTIVE SUMMARY

Neil Lyners and Associates (Pty) Ltd was appointed to assist the Municipality with the implementation of the Alternative Energy Generation (AEG) 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 in the public sector as such ventures primarily took place in the private sector industry. Stellenbosch Municipality is the first Category B municipality attempting to achieve the municipalities strategic AEG objectives by means of these pioneering projects.

Neil Lyners and Associates (Pty) Ltd 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 were R 3 000 000.00, with Neil Lyners and Associates (Pty) Ltd’s initial estimate being R 2 932 500.00 (Inc.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 initial 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 and council approved AEG strategy. These projects are aligned 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 Programme, did not strictly adhere to the original scope of the consultant as expected, and therefore a Section 116 process was followed to apply for a scope amendment as per the above.

This was partially expected because this was the first time that a Category B Municipality was attempting a self-loadshedding program, as well as an Alternative Energy Generation Programme.

This matter was presented to Bid Evaluation Committee (BEC) and the Committee recommended that Section 116 (3) process be followed to expand the scope to include these projects which were not in the original scope. As per Section 116(3) protocol, a public notice was advertised to explain this, and no comments or objections were received. However, the expenditure incurred to date under these projects is regarded as irregular as it was for services rendered outside of the original scope of works.

It was also recommended during the formulation and preparation of the Section 116 item that the expenditure amounting to R3 280 855.66 (Inc. VAT) must be reported to the Municipal Public Accounts Committee (MPAC).

4. BACKGROUND AND SEQUENCE OF EVENTS

Inception of the Programme

In 2022, Stellenbosch Municipality initiated the Alternative Energy Generation (AEG) Programme, aimed at reducing reliance on Eskom and mitigating the impacts of loadshedding. The programme sought to develop and implement a Self-Loadshedding strategy, a pioneering effort for a Category B municipality in South Africa.

Appointment of Neil Lyners and Associates

Neil Lyners and Associates (Pty) Ltd was appointed on 19 May 2023 under tender B/SM 13/21 – ESP.6 for a 3-year term ending 30 June 2026. The estimated value of the contract was R3 000 000, with the initial quote from the consultant being R2 932 500 (incl. VAT and 15% discount).

Project Characteristics and Challenges

The project was designed as an iterative and exploratory process due to the lack of a clear public sector precedent. Early phases were largely investigative, focusing on determining what Eskom would permit, requiring intensive technical support and adaptive planning. Several sub-projects emerged from engagements with Eskom and internal strategic planning, including SLA with Eskom, SCADA system, IPP Project Management, and PV feasibility for critical infrastructure.

Change in Scope

Due to shifting priorities and learning gained throughout the implementation, certain services rendered were outside the original scope. A Section 116(3) process in terms of the MFMA was followed and the amendment was approved by Council on 26 February 2025. No objections were received during the public participation process. The revised scope had an estimated value of R5 342 527.04 (incl. VAT).

Financial Expenditure

2023/2024 Financial Year:R912 237.50 (irregular)
2024/2025 Financial Year: R2 368 618.16 (irregular)
Total Irregular Expenditure : R3 280 855.66

Sequence of events

No.	Date	Event
1	In 2022	Stellenbosch Municipality initiates the Alternative Energy Generation (AEG) Programme.
2	Early 2023	Scope for Works for Tender B/SM 13/21 – ESP.6 developed. The challenge was the absence of a precedent or established methodology in the public sector as such ventures primarily took place in the private sector industry. Stellenbosch Municipality is the first Category B municipality attempting to achieve the municipalities strategic AEG objectives by means of these pioneering projects.
3	19 May 2023	Appointment of Neil Lyners and Associates (Pty) Ltd.
4	June 2023	Inception phase begins.
5	July 2023	Master Plan & Battery Studies; IPP RFP issued; Eskom engagement starts.
6	July 2023	SCADA and PV/Battery feasibility work for plants and buildings.
7	Aug 2023 – Feb 2025	Sub-projects evolve outside the original scope.
8	Jan 2025	Section 116(3) process initiated for the amendment to the scope of works.
9	Feb 2025	Public notice issued for Section 116 (3) process; no objections received.
10	26 Feb 2025	Council approves amended scope under Item 12.1.

5. MITIGATING CONTROLS TO PREVENT REOCCURRENCE

The department will hold regular project meetings with the service provider to discuss, among other matters, the scope of work, progress against the approved deliverables, key milestones, and actual expenditure in relation to the allocated budget.

6. INVESTIGATION BY MUNICIPAL PUBLIC ACCOUNTS COMMITTEE

7.1 Classification of Expenditure

Indicate the type of UIFWE applicable (mark with an X):

[ ] Unauthorised Expenditure

[x] Irregular Expenditure

[ ] Fruitless and Wasteful Expenditure

7.2 Nature of the Expenditure

Indicate the nature of the expenditure (mark with an X):

[x] Not a result of criminal conduct or fraud

[ ] Likely the result of criminal conduct or fraud

7.3 Value for money assessment (mark with an X):

Assessment	***Yes***	***No***
Did the Municipality receive the goods or services	*X*	
If received were the goods or services aligned to the specifications	*X*	
Are the cost for the goods and services market related.	*X*	
Did the official act in good faith	*X*	
Any financial loss incurred		*X*

7.4 Assessment of recoverability

No financial loss was incurred, therefor the expenditure is not assessed for recoverability.

8. FINANCIAL IMPLICATIONS

Total UIFWE amount: R 3 280 855.66

Financial loss to municipality: R 0

Amount recommended for recovery from officials/office bearers: R 0

9. LEGAL IMPLICATIONS

This matter was considered in line with the following legislation and policies:

- Municipal Finance Management Act and the regulations issued under the Act
- Municipal Systems Act and the regulations issued under the Act
- Municipal Supply Chain Management Policy

10. RISK IMPLICATIONS

Continuation of the AEG Programme is critical to:
- o Reducing dependence on Eskom.
- o Ensuring continuity of services during power outages.
- o Supporting the Municipality's Net-Zero Carbon and Climate Change goals.

In the IDP it sets a target for 30% of energy supply to come from IPPs by 2027—a goal only achievable through the successful execution of these sub-projects.

11. CONCLUSION

MPAC has completed its investigation and concludes as follows:

That the expenditure to the amount of R 3 280 855.66 is irregular expenditure. The Committee established through its investigation of the expenditure concluded:

- The expenditure was not a result of criminal conduct or fraud
- The Municipality received the goods and services which were aligned to the specifications
- The cost of the goods and services are marker related
- The official acted in good faith
- There was no financial loss to the Municipality

RECOMMENDATIONS FROM MPAC TO COUNCIL: 2025-06-12: ITEM 5.2

(a) that Council certifies the irregular expenditure to the amount of R 3 280 855.66 (including VAT) for Neil Lyners And Associates (Pty) Ltd as irrecoverable; and

(b) that Council writes off the irregular expenditure as irrecoverable in terms of MFMA Section 32(2).

Annexure A - Report from the User Department

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	***09 May 2025***

ANNEXURE A

5.2	**CONSIDERATION OF EXPENDITURE INCURRED 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 SELF LOADSHEDDING IMPLEMENTATION PROJECT**

Collaborator No: **785703**
IDP KPA Ref No: **Good Governance and Compliance**
Meeting Date: **12 June 2025**

1. SUBJECT:CONSIDERATION OF EXPENDITURE INCURRED 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 SELF LOADSHEDDING IMPLEMENTATION PROJECT

2. PURPOSE

To request the Municipal Public Accounts Committee to investigate and consider the expenditure incurred by service provider Neil Lyners and Associates (Pty) Ltd on Bid B/SM 13/21 - ESP.6. For MPAC to note that Council on 26 February 2025 approved the Scope Amendment request. Annexure A.

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

RESOLVED:

a) That Council notes the public participation process that was followed and that no comments were received
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
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.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

Neil Lyners and Associates (Pty) Ltd was appointed to assist the Municipality with the implementation of the Alternative Energy Generation (AEG) 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 in the public sector as such ventures primarily took place in the private sector industry. Stellenbosch Municipality is the first Category B municipality attempting to achieve the municipalities strategic AEG objectives by means of these pioneering projects.

Neil Lyners and Associates (Pty) Ltd 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 were R 3 000 000.00, with Neil Lyners and Associates (Pty) Ltd's initial estimate being R 2 932 500.00 (Inc.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 initial 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 lasted 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 and council approved AEG strategy. These projects are aligned 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 Programme did not strictly adhere to the original scope of the consultant as expected, and therefore a Section 116 process was followed to apply for a scope amendment as per the above. This was partially expected because this was the first time that a Category B Municipality was attempting a self-loadshedding program, as well as an Alternative Energy Generation Programme.

This matter was presented to Bid Evaluation Committee (BEC) and the Committee recommended that Section 116 (3) process be followed to expand the scope to include these projects which were not in the original scope. As per Section 116(3) protocol, a public notice was advertised to explain this, and no comments or objections were received. However, the expenditure incurred to date under these projects is regarded as irregular as it was for services rendered outside of the original scope of works.

It was also recommended during the formulation and preparation of the Section 116 item that the expenditure amounting to R3 280 855.66 (Inc. VAT) must be reported to the Municipal Public Accounts Committee (MPAC).

5. DISCUSSION / CONTENTS

5.1 Background

Stellenbosch Municipality initiated the Alternative Energy Generation Programme in 2022 with the primary objective of developing and implementing Self Loadshedding. Neil Lyners and Associates (Pty) Ltd were appointed to assist the municipality by providing professional electrical engineering services under bid B/SM 13/21 – ESP.6. As the programme evolved, additional critical projects were identified that fall outside the original scope of work, necessitating an amendment to include these deliverables. This extension supports the advancement of these initiatives, ensuring their alignment with the Municipality's strategic energy objectives.

5.2 Discussion

In 2022, the Municipality embarked on the Alternative Energy Generation Programme, an innovative effort with a primary aim of developing and implementing a Load-Shedding Mitigation Strategy. The challenge was the absence of a defined scope, precedent or established methodology for the Municipality to follow to achieve this, except for City of Cape Town, which already had a Hydro-Electric plant in operation.

The Municipality recognized the need for technical support to define the scope of the project but was uncertain about the specific requirements for this support. We sought the advice from our Master Electrical Planning consultant and developed a deliberately broad scope for this tender.

Neil Lyners and Associates was then appointed on 19 May 2023 for a period of three years ending 30 June 2026 under bid B/SM 13/21 – ESP .6. The estimated consultant fees for the bid were R 3 000 00.00 and Neil Lyners and Associates' initial estimate was R 2 932 500.00 (all inclusive), Inc. VAT and less 15% discount.

The rationale was that the Department: Electrical Services need specialist skills and knowledge. Key studies would be necessary to determine the feasibility, a functional SCADA system would be a requirement; critical engagements with Eskom would be required, and some Load-shedding mitigation strategies would need to be developed.

The project was designed to be iterative, incorporating trial-and-error methods, with a focus on learning from failures and refining strategies accordingly. Most of the work was investigative and relied heavily on guidance from Eskom during various engagements to determine what was permissible Therefore, the scope was deliberately left broad, allowing for investigative and exploratory approaches.

In June 2023, Neil Lyners submitted a project plan with indicative time frames. The deliverables were explanatory by nature and not as specific as those in the tender's scope of work. The deliverables included:

1. Inception and scope agreement
2. Perspective on loadshedding
3. Objectives of loadshedding
4. Eskom discussion process

At the time the scope of work and deliverables for the tender were drafted, the municipality lacked a clear understanding of the specific requirements for implementing self-load shedding. As a result, there is a discrepancy between the deliverables outlined in the tender and the actual deliverables required. This variance

should not be interpreted as an oversight on the municipality's part but rather as a natural progression in the learning curve, given that this project represents the first instance of a category B municipality undertaking such an initiative, as previously highlighted.

As the process unfolded, it became clear to the AEG committee that the following projects took priority as the first phase of the Loadshedding mitigation strategy, phase 1:

1. Service Level Agreement (SLA) with Eskom
2. Supervisory Control and Data Acquisition (SCADA)
3. Independent Power Producers (IPP'S)
4. Request For Proposals (RFP'S)

None of the projects listed above are in the tender's original scope of works, however they were necessary for the implementation of self-loadshedding implementation project.

This has proven to be a successful strategy as the programme has now evolved into clearly defined projects that are currently in progress.

Neil Lyners Milestone Timeline	
Milestone	**Date**
1. Neil Lyners and Associates Appointment	23-May-23
2. Neil Lyners scope agreement	Jun-23
3. Analysis of GLS Master Plan and US Battery Storage Studies	Jul-23
4. Engagements with Western Cape Government for Pool Buying	Jul-23
5. Request for Proposals for Renewable Energy Proposals	Jul-23
6. Negotiations with Eskom /loadshedding mitigation	Jul-23
7.Battery storage and PV Investigation for critical buildings	Jul-23
8.Battery storage and PV Investigation for critical plants	Jul-23

The cost incurred by the service provider for services outside of the original scope of work in the 2023/2024 financial year amounts to R 912 237.50. This amount is irregular.

The cost incurred by the service provider for services outside of the original scope of work in the 2024/2025 financial year amounts to R 2 368 618. This amount is irregular.

This matter was presented to Bid Evaluation Committee (BEC) and the Committee recommended that Section 116 (3) process be followed to expand the scope to include these projects which were not in the original scope. As per Section 116(3) protocol, a public notice was advertised to explain this, and no comments or objections were received. Refer to Annexure B for council approved item and supporting annexures. However, the expenditure incurred to date under these projects is regarded as irregular as it was for services rendered outside of the original scope of works.

6 Financial Implications

Funding is available in the Directorate's 2024/25 approved budget to cover expenditure incurred in the 2023/2024 and 2024/2025 financial years.

7 Legal Implications

The expenditure is classified as irregular according to the definition in the MFMA. The matter is reported to MPAC in terms of Section 32 of the MFMA.

8 Staff Implications

This report has no staff implications to the Municipality.

9 Previous / Relevant Council Resolutions:

Not applicable.

10 Risk Implications

The Municipality must continue with the various Alternative Energy Generation initiatives to address the energy crisis by reducing dependence on Eskom and creating alternative energy sources. These projects are in alignment with the strategic focus areas: Safest Valley & Greenest Municipality as outlined in the Integrated Development Plan (IDP) and support net zero and climate change goals.

The Portfolio Infrastructure Services five-year plan contained within the IDP lists the Directorate: Infrastructure Services and the Department: Electrical Services as being responsible for developing alternative energy supply, and the purchasing of electricity from IPPs and the conclusion of an IPP tender as a key priority, with a target of 30% of total energy supply to be purchased from IPP's by 2027, this can only be achieved if these projects are completed.

11 Conclusion

It is acknowledged that services were provided outside the initially defined scope. However, these initiatives were essential to support the municipality in reducing its dependency on Eskom for electricity and achieving the target of sourcing 30% of its total electricity supply from Independent Power Producers (IPPs) by 2027. It is therefore reported to MPAC in terms of Section 32 of the MFMA

12 Comments from Senior Management:

Chief Financial Officer

The municipality received the services as requested and the department is satisfied with the standard and quality. The cost is market-related and there is no financial loss to the municipality.

Annexure A – Amended Scope of Work
Annexure B – S116 (3) Item to Council

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	***09 May 2025***

ANNEXURE A

Annexure A

Annexure A	Original tasks as per tender B/SM 13/21 ESP.6			
	Objective/Task	2023/2024 Fees	2024/2025 Fees	2024/2025 Fees
#		Claimed (Paid)	Services rendered not paid	Ongoing work until 30 June 2025
1	Daily Load profile analysis as per feeder/breaker per substation intake			
2	Determine Load Reduction requirements per stage of loadshedding			
3	Develop & Reconfigure functional feeder/breaker supply zones per substation			
4	Geospatial location of SSEG installations			
5	Assess the impact of increased SSEG penetration on reducing loadshedding stages throughout the day			
6	Assess the impact of fuel switching (i.e. Solar HWC, Gas Stoves) on demand			
7	Identify Load Curtailment for very large customers		R19 950.00	R37 050.00
8	Loadshedding Schedule			
9	Impact of Co-Generation of Diesel Plants vs Loadshedding		R60 000.00	
10	Project Management for the Implementation of the SCADA System	R412 775.00	R182 400.00	R182 400.00
11 - Item 3 under section 4 of RFP and LOA	Additional Services - Construction Monitoring /Project Management	R1 343 911.96	R370 000.00	
	Excl Vat	**R1 756 686.96**	**R632 350.00**	**R219 450.00**
	Inc VAT	**R2 020 190.00**	**R727 202.50**	**R252 367.50**

ANNEXURE B

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SUBJECT MATTER: 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 SELF LOADSHEDDING IMPLEMENTATION PROJECT				
Dates of MPAC, portfolio committee, Mayco and Council meeting where item must be tabled:	MPAC	PORTFOLIO COMMITTEE	MAYCO	COUNCIL
				26 February 2025

	SIGNATURE	ITEM APPROVED?	DATE
OFFICIAL WHO COMPILED ITEM	Regina Mdludlu		21/02/25
MANAGER: PLANNING DESIGN, CONSTRUCTION & SERVICES	Mark Benson	(Yes) / No	21/02/2025
SENIOR MANAGER	Nombulelo Zitshe	(Yes) / No	21/2/25
DIRECTOR	Shane Mahlaba	(Yes) / No	21/2/25
CHIEF FINANCIAL OFFICER	Kevin Carolus	(Yes) / No	21/02/25
DIRECTOR: CORPORATE SERVICES	Annalene de Beer	Yes / No	
MUNICIPAL MANAGER	Geraldine Mettler	Yes / No	
MMC'S	Reginald Kneifel	(Yes) No	21-02-25
EXECUTIVE MAYOR	Jeremy Fesser	(Yes) / No	21-02-25
COLLABORATOR REFERENCE			

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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 SELF LOADSHEDDING IMPLEMENTATION PROJECT

2. **PURPOSE**

2.1 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.

5. RECOMMENDATIONS

a) That Council note 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.

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.

6. DISCUSSION / CONTENTS

6.1 Background

Stellenbosch Municipality initiated the Alternative Energy Generation Programme in 2022 with the primary objective of developing and implementing Self Loadshedding at the time. Neil Lyners and Associates (Pty) Ltd were appointed to assist the municipality by providing professional electrical engineering services under bid B/SM 13/21 –

ESP.6. As the programme evolved, additional critical projects were identified which evolved from the programme, necessitating an amendment to include these deliverables. This extension supports the advancement of these initiatives, ensuring their alignment with the Municipality's strategic energy objectives.

6.2 Discussion

In 2022, the Municipality embarked on the Alternative Energy Generation Programme, an innovative effort with a primary aim of developing and implementing a Load-Shedding Mitigation Strategy. The challenge was the absence of a defined scope, precedent or established methodology for a Municipality to follow to achieve this, with the exception of the City of Cape Town, which already had a Hydro-Electric plant in operation.

The Municipality recognized the need for technical support to define the scope of the project but had no previous industry experience to work on about the specific requirements for this support.
The Department sought advice and developed a broad scope for this tender, as outlined below and in Annexure D, based on available knowledge at the time.

A tender was put out and Neil Lyners and Associates were successfully awarded the bid on 19 May 2023 for a period of three years ending 30 June 2026 under bid B/SM 13/21 – ESP .6. The estimated consultant fees for the project was R 3 000 00.00 and Neil Lyners and Associates' initial bid was R 2 932 500.00 (all inclusive), incl VAT and less 15% discount.

The rationale was that the Electrical Department would require specialist skills and knowledge in order to run such a program. Key studies would be necessary to determine the feasibility; a functional SCADA system would be a requirement; critical engagements with Eskom would be required, and some Load-shedding mitigation strategies would need to be developed.

Some of the work was investigative and relied heavily on guidance from Eskom during various engagements to determine what was permissible. Therefore, the scope was left broad, allowing for investigative and exploratory approaches.

In June 2023, Neil Lyners submitted a project plan with indicative time frames. The deliverables were exploratory by nature and not as specific as those in the tender's scope of work. The deliverables included:

1. Inception and scope agreement
2. Perspectives on self-loadshedding
3. Objectives of self-loadshedding
4. Eskom engagement process

At the time the scope of work and deliverables for the tender were drafted, no municipality had a clear understanding of the specific requirements for implementing self-load shedding. As a result, there is a discrepancy between the deliverables outlined in the tender and the actual deliverables required. This variance should not be interpreted as an oversight on the municipality's part but rather as a natural progression in the learning curve, given that this project represents the first instance of a category B municipality undertaking such an innovative initiative, as previously highlighted.

As the process unfolded, it became clear to the AEG committee that the following projects took priority as the first phase of the Loadshedding mitigation strategy:

1. Service Level Agreement (SLA) with Eskom
2. Supervisory Control and Data Acquisition (SCADA)
3. Independent Power Producers (IPP'S)
4. Request For Proposals (RFP'S)

The projects listed above were necessary for the implementation of self-loadshedding implementation project.

This has proven to be a successful strategy as the programme has now evolved into clearly defined projects that are currently in progress.

Neil Lyners Milestone Timeline	
Milestone	Date
1. Neil Lyners and Associates Appointment	23-May-23
2. Neil Lyners scope agreement	Jun-23
3. Analysis of GLS Master Plan and US Battery Storage Studies	Jul-23
4. Engagements with Western Cape Government for Pool Buying	Jul-23
5. Request for Proposals for Renewable Energy Proposals	Jul-23
6. Negotiations with Eskom /loadshedding mitigation	Jul-23
7.Battery storage and PV Investigation for critical buildings	Jul-23
8.Battery storage and PV Investigation for critical plants	Jul-23

MPAC items in terms of Section 32 of MFMA:

The cost incurred by the service provider for services not aligned to the original scope of work in the 2023/2024 financial year amounts to R 912 237.50. This amount is hereby requested to be deemed irregular. It will be reported to MPAC in terms of Section 32 of MFMA.

The cost incurred by the service provider for services outside of the original scope of work in the 2024/2025 financial year amounts to R 2 368 618. This amount is requested to be deemed irregular. It will be reported to MPAC in terms of Section 32 of MFMA.

The total amount for financial years 2023/2024 and 2024/2025 is R 3 280 855.66 (inclusive of VAT and a 15% discount).

Section 116 (3) deliverables and estimated fees:

The cost incurred for services outside of the original scope of work in the 2024/2025 financial year up to December 2024 is R 2 368 618.16 (inclusive of VAT and a 15% discount).

The status of the sub-projects are as follows:

1) Installation of hybrid inverters and battery backup at community buildings – the project is at BEC, the service provider's services will cease after tender award.
2) Assistance to establish control room phase 1 – to be completed by June 2025.
3) Energy Efficient Demand Side Management (EEDSM)) – to be completed by June 2025.
4) Installation of PV and battery storage to ensure business continuity at NPK building – service provider is preparing the tender document; the service provider's services on this project will cease after completion of the tender document.

The estimated fees for these projects is R 624 757.88 (inclusive of VAT and a 15% discount).

The following projects will continue until the completion of Niel Lyners and Associates contract:

1) Main building – Phase 1 – Electrical and Mechanical Fire Compliancy which is currently in detailed design, the estimated fee for this project is R 2 081 868.00 (inclusive of VAT and a 15% discount). This project is scheduled for completion by June 2026 aligning with the conclusion of the current service provider's appointment.
2) 20MW IPP Project – This project is currently under PPA contract finalization stage after which it will undergo the Section 33 process, followed by official approval of the tender. The estimated fees for this project is R 1 385 750.00 (inclusive of VAT and a 15% discount). The actual construction project is scheduled for completion by June 2027 but the work of Niel Lyners and Associates will end at their contract at the end of June 2026.

A summary of the total amounts per financial year requested under Section 116(3) is provided on the table below:

Section 116 (3) amount:	
Services rendered in FY 2024/2025 not paid	R2 368 618.16
Ongoing services until end of June 2025 (FY 2024/2025)	R1 855 441.88
Ongoing services until end of June 2026 (FY 2025/2026)	R1 118 467.00
Total Section 116 requested amount Inc VAT	**R5 342 527.04**

For the remaining projects scheduled for 2025/26, it is proposed that separate bids be prepared and these will go out on separate open tenders.

The successful implementation of these projects will significantly lower the municipality's electricity costs, resulting in substantial operational savings. These savings can be reallocated to support other critical municipal functions and services.

6.3 Objective

The objective of the Municipality is to amend the scope of work for Neil Lyners and Associates (Pty) Ltd.

7. Financial Implications

7.1 Funding is available in the Directorate's 2024/25 approved budget.
7.2 Funding is available in the 2025/2026 approved budget.

8. Legal Implications

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

9. Staff Implications

This report has no staff implications to the Municipality.

10. Previous / Relevant Council Resolutions:

Not applicable.

11. Risk Implications

All processes for the Section 116(3) were adhered to and no comments or objections were received from the public advertisement process. Risk of delays in some of the sub-projects such as the Independent Power Producers contract and Power Purchase Agreement conclusion.

12. Comments from Senior Management:

12.1 Director: Infrastructure Services

Supports the recommendations.

12.2 Chief Financial Officer:

Comments have been taken up into the Item.

12.3 Director: Corporate Services:

No comment.

12.4 Municipal Manager:

Municipal Manager's recommendations are incorporated into the item.

ANNEXURES
Annexure A: Original scope of works deliverables.
Annexure B: Advertisement for Section 116(3).
Annexure C: Proof - No objections received.
Annexure D: Amended scope of works

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	*21 February 2025*

21/2/25
DATE

PRESHANE CHANDAKA
DIRECTOR: INFRASTRUCTURE SERVICES

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

21-02-25
DATE

CLLR REGINALD PHEIFFER
PORTFOLIO HOLDER: INFRASTRUCTURE SERVICES

10.3	CONSIDERATION OF EXPENDITURE INCURRED RELATING TO SERVICES RENDERED AR PROJECTS & DEVELOPMENT (PTY) LTD

Collaborator No:
IDP KPA Ref No: **Good Governance and Compliance**
Meeting Date: **12 June 2025 and 25 June 2025**

1. SUBJECT: CONSIDERATION OF EXPENDITURE INCURRED RELATING TO SERVICES RENDERED AR PROJECTS & DEVELOPMENT (PTY) LTD

2. PURPOSE OF REPORT

To present information for the consideration of MPAC regarding expenditure that may constitute irregular expenditure and to recommend appropriate actions based on the findings.

3. EXECUTIVE SUMMARY

B/SM 66/23 was awarded to AR Projects & Development on 2 June 2023 for the Structural Maintenance/ Upgrading of Stellenbosch Townhall Complex. An order number: 000000900009910 was generated for a total amount of R 5 193 789,18 (VAT inclusive) for the service (see Annexure A). After the project commenced, it was discovered by testing that there was more asbestos slate roof than what was quantified in the Bill of Quantities (BoQ). The BoQ only made provision for 6 m2 while the entire roof was 1390 m2. Due to the increase, the cost of the removal of- and disposal of the asbestos slate material, appointment of an Asbestos Inspection Authority (AIA) and to meet the statutory requirements for asbestos, work increased from the initial quoted cost of R 25 740.00 to R 297 509.40 VAT inclusive (See Annexure B).

The contingencies of R 588 424.78 from the total of R 589 509.40 was used for additional painting of the walls, supply and installation of the flashing, supply and install extra membranes to ridges, extra purlins, additional roof slate material, additional safety requirements (additional time), Community Liaison Officer (additional time), Supply and install ridge capping, removal of rusted sheets at the Building Control Section, replace ceiling and broken glass in Office 115E, toilets and passage, removal roof slate removal, repainting of the foyer and fixing and repainting the counter area at Building Control Section.

Due to the statutory nature of the asbestos work, the work had to be carried out by a registered and approved AIA and registered asbestos contractor.

4. BACKGROUND AND SEQUENCE OF EVENTS

On 2 June 2023, Stellenbosch Municipality awarded Tender B/SM 66/23 to AR Projects & Development (Pty) Ltd for the structural maintenance and upgrading of the Stellenbosch Townhall Complex. The total contract value amounted to R 5,193,789.18 (VAT inclusive), and an official purchase order (No. 000000900009910) was generated.

Shortly after project initiation, it was discovered that the asbestos slate roof coverage was grossly underestimated in the Bill of Quantities (BoQ). While the BoQ accounted for only 6 m², the actual area requiring asbestos removal amounted to 1390 m².

Given the statutory requirements around asbestos removal, additional services became necessary, including:

- Appointment of a certified Asbestos Inspection Authority (AIA)
- Procurement of a registered asbestos contractor
- Compliance with health and safety regulations
- Removal and disposal of asbestos materials

This resulted in an increase in costs for the removal of asbestos from R 25,740.00 to R 297,509.40 (VAT inclusive). In comparison with the total award of R5,193,789.18 the increase is approximately 5% and within the limits of a variation order (limit for construction projects is 20%).

Sequence of Events

Date/Period	**Event**
2 June 2023	Tender B/SM 66/23 awarded to AR Projects & Development.
Post Award	Project begins; unanticipated volume of asbestos discovered.
Mid-Project	Additional work conducted to meet legal and safety standards (registered AIA and asbestos contractor appointed).
During Construction	All 8 payment claims processed through Purchase Order 000000900009910 totaling R 4,984,233.16.
Post Completion	Service provider queries non-payment for additional asbestos-related work.
Internal Review	Project Manager verifies claim was not included or paid.
Report Compiled	The department compiles variation report as expenditure was under the 20% expansion threshold, however approval must be obtained before the additional work commenced. Finance advises MPAC route.
New Purchase Order Created	Purchase Order 000000900016902 opened in 2024/2025 financial year to process outstanding payments. Retention is still unpaid.
June 2025	Expansion cost finalised at R 162,677.65 (VAT inclusive), below 20% limit. Funding identified from available budget.

5. MITIGATING CONTROLS TO PREVENT REOCCURRENCE

The department will perform a comprehensive reconciliation on all supply chain management awards, including orders amounts, payments, orders carried over, cancellations and retention.

6. CONFIRMATION BY AUTHOR OF REPORT

The author of the report confirmed in the MPAC meeting that the information provided is a true and accurate reflection of the facts.

7. INVESTIGATION BY MUNICIPAL PUBLIC ACCOUNTS COMMITTEE

7.1 Classification of Expenditure

Indicate the type of UIFWE applicable (mark with an X):

[ ] Unauthorised Expenditure

[x] Irregular Expenditure

[ ] Fruitless and Wasteful Expenditure

7.2 Nature of the Expenditure

Indicate the nature of the expenditure (mark with an X):

[x] Not a result of criminal conduct or fraud

[ ] Likely the result of criminal conduct or fraud

7.3 Value for money assessment (mark with an X):

Assessment	***Yes***	***No***
Did the Municipality receive the goods or services	*X*	
If received were the goods or services aligned to the specifications	*X*	
Are the cost for the goods and services market related.	*X*	
Did the official act in good faith	*X*	
Any financial loss incurred		*X*

7.4 Assessment of recoverability

No financial loss was incurred, therefor the expenditure is not assessed for recoverability.

8. FINANCIAL IMPLICATIONS

Total UIFWE amount: R 162 677.65

Financial loss to municipality: R 0

Amount recommended for recovery from officials/office bearers: R 0

9. LEGAL IMPLICATIONS

This matter was considered in line with the following legislation and policies:

- Municipal Finance Management Act and the regulations issued under the Act
- Municipal Systems Act and the regulations issued under the Act
- Municipal Supply Chain Management Policy

10. RISK IMPLICATIONS

Health and Safety Risk
The presence of undetected and underestimated asbestos in the original BoQ posed a serious health hazard to workers, municipal staff, and the public.

If not discovered and mitigated in time, this could have resulted in exposure to airborne asbestos fibers, which is linked to diseases such as asbestosis, mesothelioma, and lung cancer.

11. CONCLUSION

MPAC has completed its investigation and concludes as follows:

That the expenditure to the amount of R162 677.65 is irregular expenditure. The Committee established through its investigation of the expenditure concluded:

- The expenditure was not a result of criminal conduct or fraud
- The Municipality received the goods and services which were aligned to the specifications
- The cost of the goods and services are marker related
- The official acted in good faith
- There was no financial loss to the Municipality

RECOMMENDATIONS FROM MPAC TO COUNCIL: 2025-06-12: ITEM 5.3

(a) that Council certifies the irregular expenditure to the amount of R 162 677.65 (including VAT) for AR Projects & Development (Pty) Ltd as irrecoverable; and

(b) that Council writes off the irregular expenditure as irrecoverable in terms of MFMA Section 32(2).

Annexure A – Report from User Department

FOR FURTHER DETAILS CONTACT:

NAME	**Ehrel Maletzky**
POSITION	**Project Manager: Capital & Operational Projects**
DIRECTORATE	**Corporate Services**
CONTACT NUMBERS	**021 808 8153**
E-MAIL ADDRESS	**Ehrel.Maletzky@stellenboch.gov.za**
REPORT DATE	**17 April 2025**

ANNEXURE A

5.3	**CONSIDERATION OF EXPENDITURE INCURRED RELATING TO SERVICES RENDERED AR PROJECTS & DEVELOPMENT (PTY) LTD**

Collaborator No:
IDP KPA Ref No: **Good Governance and Compliance**
Meeting Date: **12 June 2025**

1. SUBJECT: CONSIDERATION OF EXPENDITURE INCURRED RELATING TO SERVICES RENDERED AR PROJECTS & DEVELOPMENT (PTY) LTD

2. PURPOSE OF REPORT

To provide information regarding the expenditure incurred for investigation by MPAC and to be recommended to and consideration by Council to expand the Tender in terms of the Stellenbosch Municipality Supply Chain Management Policy of 2023/2024 Section 53. The expenditure with regard to the procurement of services the maintenance/ upgrading of Stellenbosch Townhall B/SM 66/23 Maintenance/ Upgrading of Stellenbosch Townhall Complex, which is regarded as irregular because it breached the procurement process.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

B/SM 66/23 was awarded to AR Projects & Development on 2 June 2023 for the Structural Maintenance/ Upgrading of Stellenbosch Townhall Complex. An order number: 000000900009910 was generated for a total amount of R 5 193 789,18 (VAT inclusive) for the service (see Annexure A). After the project commenced, it was discovered by testing that there was more asbestos slate roof than what was quantified in the Bill of Quantities (BoQ). The BoQ only made provision for 6 m^2 while the entire roof was 1390 m^2. Due to the increase, the cost of the removal of- and disposal of the asbestos slate material, appointment of an Asbestos Inspection Authority (AIA) and to meet the statutory requirements for asbestos, work increased from the initial quoted cost of R 25 740.00 to R 297 509.40 VAT inclusive (See **ANNEXURE B**).

The contingencies of R 588 424.78 from the total of R 589 509.40 was used for additional painting of the walls, supply and installation of the flashing, supply and install extra membranes to ridges, extra purlins, additional roof slate material, additional safety requirements (additional time), Community Liaison Officer (additional time), Supply and install ridge capping, removal of rusted sheets at the Building Control Section, replace ceiling and broken glass in Office 115E, toilets and passage, removal roof slate removal, repainting of the foyer and fixing and repainting the counter area at Building Control Section.

Due to the statutory nature of the asbestos work, the work had to be carried out by a registered and approved AIA and registered asbestos contractor.

5. RECOMMENDATION

FOR CONSIDERATION.

6. DISCUSSION

It is recognised that; an Accounting Officer of a Municipality may deem it necessary to expand or vary orders against the original contract. As per the Stellenbosch Municipality Supply Chain Management Policy of 2023/2024 Section 53, “Contracts may be expanded or varied by not more than 20% of the original contract value for the construction related goods, services and/ or infrastructure projects and 15% for all other good and/or services.”

Any expansion or variation in excess of these thresholds must be dealt with in terms of the provisions of Section 116(3) of the MFMA which will be regarded as an amendment to the contract.

Variation of the orders can only be approved by the delegated authority who initially presided over the award of the original contract.

Continuation of service providers

The appointed contractor was a registered asbestos contractor; hence the work was completed to not delay the project.

Payment of service provider

All the payments to the service provider were made for the work, except the retention (R 126 473.93 VAT inclusive) and the additional work for the asbestos requirements (R 297 509.40). This was an oversight as the service provider did not claim for this work during the construction process and only enquired about this after the project was completed.

Orders

The following Purchase Orders were created during or for the project:

Purchase Order 000000900008616 (Annexure C): No payments were made from this purchase order since the funding from the operational uKey was not included. Therefore, the purchase order was cancelled.

Purchase Order 000000900009910 (Annexure D): All the eight claims during the construction period were made from this purchase order totalling R4 984 233.16 (Annexure E). Therefore R 209 556.02 (VAT inclusive) was remaining on the purchase order, this is inclusive of the R 126 473.93 (VAT Inclusive). If the retention is paid, there will be R134 831.75 (VAT Inclusive).

Purchase Order 000000900016902 (Annexure F): Due to the retention of R 126 473.93 (VAT Inclusive) and the savings of R134 831.75 (VAT Inclusive) remaining on the previous purchase order totalling R 209 556.02 (VAT inclusive), this purchase order was created in the 2024/2025 financial year.

This purchase order is still valid, and the retention has not been paid to the contractor also. This purchase order has savings of R 134 831.75.

Process followed by user department

Once the Service provider enquired about the payment for the additional asbestos requirement work, the Project Manager studied the BoQ and previous claims to check whether any errors were observed.

Once it was concluded that the work was not paid for, the Project Manager informed the Director and a report on the deviation of work/ expansion of the contract was compiled since the expansion was less than 20% of the initial contract. However, the Department was advised by Finance to follow the MPAC route since the project was already completed.

7. FINANCIAL IMPLICATIONS

Currently, there are savings of R 134 831.75. (VAT Inclusive) on the tender, therefore the revised contract amount for Tender B/SM 66/23 will be R 5 356 466.83 (VAT inclusive). The additional amount of R 162 677.65 (VAT Inclusive) will only increase the original award by 3.13216% that is well below the permissible contract expansion of 20% in terms of the regulations. This amount will be used to pay the service provider for the removal of the asbestos slate roof tiles, the implementation of the asbestos requirements during the removal of the tiles and the primer used in the foyer.

The expansion amount of R 162 677.65 (VAT inclusive) will be funded from uKey 20220630077718: Structural Improvement General where an amount of R 98 662.00 (R113,461.30 VAT Inclusive) is still available as of 3 June 2025 and R 42 796.83 (R 49 216.35 VAT inclusive) will be virement from uKey 20220630077745 Upgrading Fencing where R 315 804.00 is still available.

8. LEGAL IMPLICATIONS

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

Stellenbosch Municipality Supply Chain Management Policy of 2023/2024 Section 53.

9. RISK IMPLICATIONS

All intent was in good faith; the breach can be attributed to the initial planning processes and the lack of capacity with regard to ensuring required financial compliances are adhered to.

10. CONCLUSION

It is acknowledged that there was an oversight from the Department in ensuring that the work is claimed for during the implementation/execution phase of the project. Council incurred no loss during this process and there was no intentional disregard of Council's procurement processes. It is therefore requested that the expenditure be certified as irrecoverable and be written off because the services were rendered.

11. COMMENTS FROM THE SUPPLY CHAIN MANAGER

The department are advised to complete a comprehensive reconciliation on all orders, payments, orders carried over, cancellations and committed amount to the service provider. If work is completed without authorisation/approval, it is seen as irregular expenditure, and the amount should be reported to MPAC.

12. COMMENTS FROM THE CFO

The expenditure incurred exceeds the amount awarded to the contractor, resulting in irregular expenditure.

However, the goods and services were required, and the project was provided for in the approved budget. Furthermore, sufficient provision is made in the capital budget for the incurred expenditure.

Based on the information in the report, there is no financial loss to the Municipality.

The irregular expenditure is referred to MPAC in terms of Section 32 of the Municipal Finance Management Act, Act 56 of 2003.

13. COMMENTS FROM THE MUNICIPAL MANAGER

The department must ensure that proper reconciliation is done before accounts are process and finalised. Work was necessary to complete the project and there was no financial loss to the municipality. The Department is urged to have better checks and controls in place to ensure proper reconciliation.

Annexure A – BAC Items Tender B/SM 66/23
Annexure B – Asbestos Additional Work and Cost
Annexure C – Purchase Order 000000900008616
Annexure D – Purchase Order 000000900009910
Annexure E – List of All the Payments
Annexure F – Purchase Order 000000900016902 (Current/ Active Purchase)

FOR FURTHER DETAILS CONTACT:

NAME	**Ehrel Maletzky**
POSITION	**Project Manager: Capital & Operational Projects**
DIRECTORATE	**Corporate Services**
CONTACT NUMBERS	**021 808 8153**
E-MAIL ADDRESS	**Ehrel.Maletzky@stellenboch.gov.za**
REPORT DATE	**17 April 2025**

ANNEXURE A

STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

MEMORANDUM

TO	:	**CHAIRPERSON: BID ADJUDICATION COMMITTEE**
FROM	:	**CHAIRPERSON: BID EVALUATION COMMITTEE**
Re	:	**STRUCTURAL MAINTENANCE / UPGRADING OF STELLENBOSCH TOWNHALL COMPLEX.**
BID NO.	:	**B/SM 66/23**

1. PURPOSE

To obtain approval in terms of Regulations 29 (1) (a) and (b) (i) of the Municipal Supply Chain Management Regulations and paragraph 5(2) (b) (1) of the Stellenbosch Municipal Supply Chain Management Policy for the appointment of a contractor for the Structural Maintenance and Upgrading of the Stellenbosch Townhall Complex.

2. BACKGROUND

Structural Maintenance on the Stellenbosch Townhall Complex was completed in 2008, which was 14 years ago. The Townhall Complex includes the Main Office Building, Plein Street Library, Neetling House, Generator Building, Law Enforcement Building, Building Control Building, Municipal Offices, Town Hall Building and De Witt Huis. Upgrading for the building is currently due for maintenance. As part of the planning phase a professional quantity surveyor was appointed for the compilation of the technical specifications bill of quantities. The scope of works for the upgrading and structural maintenance repairs of the Town Hall Complex includes the following:
Repaint exterior walls of all buildings
Remove and replace roofs
Remove and replace gutters
Repaint existing gutters

3. BID SPECIFICATION COMMITTEE

SCM regulation 27 (1): "A bid specification committee must compile the specifications for each procurement of goods or services by the Municipality." SCM Regulations 27 (2) (g): Specifications must be approved by the Accounting officer prior to the publications of the invitations for bids.

The specification committee consisted of Ms. A. De Beer (Director: Strategic and Corporate Services), C. Chandaka (Director: Infrastructure Services), A. Barnes (Director: Planning and Economic Developments), G. Boshoff (Director: Community and Protection Services), D. Jacobs (SCM) and A. Barnes (Director: Planning and Economic Development), who were responsible for the development and compilation of the specification.

Additional members were: G. Kraukamp (SCM), I Thesen (SCM), J.Arends (SCM), S. Slingers (SCM) and T. Benjamin (Project Manager).

3.1 DISCUSSION

The bid was advertised in "Die Burger, E-Portal on the Stellenbosch municipal website, municipal notice boards based on the 80/20 Preference Points System, and on the CIDB website with a CIDB grading of 5GB or higher.

Date Advertised	4 March 2023
Compulsory site meeting	13 March 2023
Closing date	27 March 2023
Days at user department	26
Date submitted to SCM	23 April 2023
Evaluation date	10 May 2023 and 31 May 2023
Validity expiring date	23 September 2023

4. BID SUBMISSIONS

A compulsory briefing session was conducted on 13 March 2023 and attended by Thirty two (32) Prospective bidders (see attendance register) and on the closing date only 18 offers were received and opened in public.

NO	BIDDERS	BRIEFING SESSION	SUBMITTED BIDS	TOTAL BID PRICE As per DOCUMENT (15% VAT and 15% Contingency fees Incl.)
1	ABDA Building and Interior Projects	√	√	R 6 669 220.70
2	Alert Developments (Pty) Ltd	√	√	R 6 514 036.57
3	AR Projects and Developments (Pty) Ltd	√	√	R 5 193 789.18
4	Bambana Management Services (Pty) Ltd	√	√	R 8 116 329.29
5	Batsini (Pty) Ltd	√	√	R 15 356 645.78
6	Capidek (Pty) Ltd	√	√	R 6 326 990.64
7	Direction Developers (Pty) Ltd	√	√	R16 296 413.18
8	Ismail Davids & Associates	√	√	R 5 822 590.59
9	Luvthis Tarading & Investment t/a Indawo Construction	√	√	R 8 554 252.69
10	Mambamba Civils cc	√	√	R 5 188 379.10
11	Mbuelo Trading Enterprise cc	√	√	R 7 108 116.13
12	Mpiyahe04 Construction and Traffic Services (Pty) Ltd	√	√	R 6 635 287.57
13	Phunya Consulting cc	√	√	R 7 229 630.08
14	Qqbani National (Pty) Ltd	√	√	R 6 641 298.28
15	Siyakhana Civil Construction	√	√	R9 187 407.50
16	The Construction Company (Pty) Ltd	√	√	R 8 544 987.84
17	Tops Construction	√	√	R 9 332 750.25
18	Xigombe /MIH	√	√	R 5 285 043.67

5. BID RESPONSIVENESS

5.1 TECHNICAL EVALUATION.

The Technical evaluation was done by T. Benjamin (Project Co-ordinator), Zelda Janse Van Rensburg and Freda Geyser (Quantity Surveyors of Q-Source) who examined the bids in terms of its compliance with the stipulated bid and submissions requirements.

This bid has the following **pre-qualification** criteria, whereby bidders had to comply with.

Prospective bidders must have a CIDB status of **5GB or higher**.

Bidders should provide full detail of at least **4 projects** of **similar size and nature** that were successfully completed during the past 5 years. Failure to provide such information **will** invalidate his/her offer.

Please refer to **Annexure A** for the technical report that will address any further technical enquiries.

5.2 PROPOSALS NOT CONSIDERED FOR FURTHER EVALUATION DUE TO THE FOLLOWING REASONS (LEGISLATION AND REASONS APPLICABLE).

NO	BIDDERS	REASONS
2	Alert Developments (Pty) Ltd	Non-compliant. Bidder did not provide details of 4 projects in similar size
9	Luvthis Trading & Investment t/a Indawo Construction	Non-compliant. Bidder did not complete their BOQ in the tender document, but submit a memory stick with the BOQ. The bid noticed clearly indicated that Late, electronic format, telephonic or faxed Tenders will not be considered.
10	Mambamba Civils cc	Non-compliant. Bidder did not provide details of 4 projects in similar size
11	Mbuelo Trading Enterprise cc	Non-compliant. Bidder did not provide details of 4 projects in similar size
14	Qabani National (Pty) Ltd	Non-compliant. Bidder did not complete their BOQ in the tender document, but submit a memory stick with the BOQ. The bid noticed clearly indicated that Late, electronic format, telephonic or faxed Tenders will not be considered.
15	Siyakhana Civil Construction	Non-compliant. Bidder did not provide details of 4 projects in similar size

5.3 SUPPLY CHAIN MANAGEMENT COMPLIANCE CHECK

NO	BIDDERS	TAX STATUS	MBD4-DECLARATION OF INTEREST	MBD6.1-PREFERENCE POINTS	MBD8-PAST SCM PRACTICE	MBD9-INDEPENDENT BID DETERMINATION	CIDB GRADING ≥5GB
1	ABDA Building and Interior Projects	Compliant	YES	YES	YES	YES	6GB 113920
3	AR Projects and Developments (Pty) Ltd	Compliant	YES	YES	YES	YES	7GB 10001954
4	Bambana Management Services (Pty) Ltd	Compliant	YES	YES	YES	YES	8GB 105170
5	Batsini (Pty) Ltd	Compliant	YES	YES	YES	YES	6GB 265688
6	Capidek (Pty) Ltd	Compliant	YES	YES	YES	YES	7GB 10034576
7	Direction Developers (Pty) Ltd	Compliant	YES	YES	YES	YES	6GB 10144923
8	Ismail Davids & Associates	Compliant	YES	YES	YES	YES	5GB 151443
12	Mpiyajhe04 Construction and Traffic Services (Pty) Ltd	Compliant	YES	YES	YES	YES	7GB 10025278
13	Phunya Consulting cc	Compliant	YES	YES	YES	YES	8GB 10103442
16	The Construction Company (Pty) Ltd	Compliant	YES	YES	YES	YES	9GB 223254
17	Tops Construction	Compliant	YES	YES	YES	YES	6GB 131855
18	Xigombe /MIH	Compliant	YES	YES	YES	YES	7GB 103948

6. EVALUATION
6.1 DISCUSSON

The original Technical Evaluation was done by T. Benjamin (Project Co-ordinator), Zelda Janse Van Rensburg and Freda Geyser (Quantity Surveyors of Q-Source) who examined the bids in terms of its compliance with the stipulated bid and submissions requirements.

It was requested that the PMU department present the technical evaluation in the absence of T. Benjamin. The technical evaluation was checked internally by Andre Slabbert, Anele Mamela and Myra Francis. They confirmed that they agreed with the previous technical evaluation that was done by T. Benjamin and the Quantity Surveyors of Q-Source. The implementation of the project did not form part of the appointment of the Quantity Surveyors, whose appointment was only for the planning phase of the project. Therefore, the PMU recommended that a SLA between the successfully Service Provider and the municipality be signed, to clarify the milestones and tender requirements during the implementation phase

6.2 BID EVALUATION COMMITTEE

The evaluation committee consisted of B. Louw (Manager: Demand Management), Myra Francis (Senior Manager: Assets Management & Systems Developments) and J. Arends (Senior SCM Professional), who examined the bids in terms of its compliance with the stipulated bid and submissions requirements. Additional official G. Kraukamp

The 80/20 points system was utilized. This tender will be evaluated in terms of the General Conditions of Contract, Supply Chain Management Policy and relevant specification as depicted in the document and also the Stellenbosch Preferential Procurement Policy effective from 16 January 2023 in accordance with the Preferential Procurement Regulations that was promulgated by the Minister of Finance on 04 November 2022 in Government Gazette No 47452.

Bids will be evaluated on the **Total price**
The Preferential points system which will apply to the tender is as follows:

Price	80
B-BBEE status level of contribution	20
Total points for Price and B-BBEE	100

NO	BIDDERS	TENDER		TENDER EVALUATION POINTS		
		TOTAL BID PRICE (15% VAT and 15% Contingency fees Incl.)	PRICE POINTS (MAX 80)	BBBEE STATUS LEVEL	BBBEE POINTS (20)	TOTAL POINTS
1	ABDA Building and Interior Projects	R 6 669 220.70	57,27	1	20	77,27
3	AR Projects and Developments (Pty) Ltd	R 5 193 789.18	**80,00**	**1**	**20**	**100,00**
4	Bambana Management Services (Pty) Ltd	R 8 116 329.29	34,98	1	20	54,98
5	Batsini (Pty) Ltd	R 15 356 645.78	-76,54	1	20	-56,54
6	Capidek (Pty) Ltd	R 6 326 990.64	62,55	*1	0	62,55
7	Direction Developers (Pty) Ltd	R16 296 413.18	-91,01	2	18	-73,01
8	Ismail Davids & Associates	R 5 822 590.59	70,31	1	20	90,31
12	Mpiyahe04 Construction and Traffic Services (Pty) Ltd	R 6 635 287.57	57,80	*1	0	57,80
13	Phunya Consulting cc	R 7 229 630.08	48,64	*1	0	48,64
16	The Construction Company (Pty) Ltd	R 8 544 987.84	28,38	1	18	46,38
17	Tops Construction	R 9 332 750.25	16,25	2	18	34,25
18	Xigombe /MIH	R 5 285 043.67	78,59	1	20	98,59

Reasons for not awarding B-BBEE Points

No.	Name of Bidder	Reasons for not awarding B-BBEE points	LEGISLATIVE SECTION	REFERENCE
6	Capidek (Pty) Ltd	Sworn Affidavit did not verified through SANAS, and therefore no points.	BBBEE Commission	**Practice Guide 01 of 2018**
12	Mpiyahe04 Construction and Traffic Services (Pty) Ltd	Sworn Affidavit did not indicated the capacity of bidder and therefore no points.	BBBEE Commission	Practice Guide 01 of 2018
13	Phunya Consulting cc	Sworn Affidavit did not indicated the capacity of bidder and therefore no points.	BBBEE Commission	Practice Guide 01 of 2018

7. DISCUSSION

The PMU department also agreed with the steps that was taken for clarity in terms of the commercial risk and offer received. An e-mail was send to AR Projects and Developments (Pty) Ltd indicating their Commercial risk and if they will go ahead with this project as per the amount offered in their tender document. The estimated budgeting for this project, was R7.2 million rand, therefore the bid was advertised as a CIDB grading of 5GB, but AR Projects and Developments bid came in at R 5 193 789.18, which falls in the CIDB grading of 4GB. They agreed in writing that they will go ahead for the price offered in their tender document. They also indicated in their MBD6.1 that their subcontracting is 0%.

The Townhall Complex Project awaits Heritage approval before the project can commence.

The leading partner of Xigombe /MIH Joint Venture do have a 7GB and the Joint Venture calculation confirmed that there is no change in their grading

8. FINANCIAL IMPLICATION:

The expenditure for the Structural Maintenance and Upgrading of the Stellenbosch, Townhall Complex, will be financed through u-key's 20220630077718 (Structural Improvement General) and 20220630077938 (Maintenance of Buildings and Facilities).

9. RECOMMENDATION TO THE BAC:

9.1 That the offer of **R 5 193 789.18 (15% VAT and 15% contingency fees inclusive)** of **AR Projects and Developments (Pty) Ltd** for the Structural Maintenance and Upgrading of the Stellenbosch Townhall Complex, be accepted and approved, as they scored the highest points, subjected to the approval of Heritage Western Cape.

9.2 A **SLA** between **AR Projects and Developments (Pty) Ltd** and the municipality be drafted, agreed on and signed.

9.3 Their Tax status is compliant. They signed and completed their MBD 4, MBD6.1, MBD 8 and MBD 9 forms. Their director submitted municipal accounts for the directors and lease agreements for the business. The details of the proposed bidder was also verified to be not listed on either National Treasury's Register for Tender Defaulters, the Stellenbosch Municipality Suspension list or the Database of Restricted Suppliers and their directors were found not to be in the service of the state.

RECOMMENDATION BY BEC.		
Name	**Signature**	**Date**
M. Francis		1/06/2023
J. Arends		1/6/2023
B. Louw (Chairperson)		01/06/2023

RECOMMENDATION APPROVED BY THE STELLENBOSCH MUNICIPAL BID ADJUDICATION COMMITTEE		
Name	**Signature**	**Date**
G. BOSHOFF		2/6/2023
J L Alexander		2/6/2023
S Chandaka	online	2/6/2023
A Barnes	Online	2/6/2023
A de Beer	online	2/6/2023

Comments:

Act Off

.....

K Carolus (Chairperson)

.....

Date

ANNEXURE B

AR PROJECTS & DEVELOPMENTS (PTY) LTD

VAT# 4270252135/ REG# 2016/357515/07

Unit 4, Glenkey Mews
Sheffield Business Park,
Purdey Road, Philippi, 7750

+27 201 8896
+27 867 256 428
info@arprojects.co.za
www.arprojects.co.za

22nd November 2023

Re: Neetling Huis Slate Roof removal and Replacement

Good day Ehrel,

Trust you are well. As per our informal site meeting 21st November 2023, you raised the following concerns with regards to the variation order submitted for Neethling Huis.

To clarify the rates and its legal obligation of AR Projects to the Department of Labour, the client, employees and environment, we have broken down the submitted revised rates for your perusal.

BOQ item no 1/6/1

"Contract the services of an AIA registered with the Department of Labour required for the project in line with Asbestos Regulations 2020 and ensure that an AIA has been appointed in writing by the asbestos subcontractor before commencement of asbestos work."

VO (variation order) Rate breakdown

AIA Quote	UOM	QTY	RATE	AMOUNT
Drafting of an asbestos plan of works	Sum	1	R4 000,00	R 4 000,00
Admin and laboratory preparation	Sum	1	R3 400,00	R 3 400,00
Monitoring session while asbestos work is being done	No	18	R4 500,00	R 81 000,00
Clearance / background monitoring session on completion of asbestos removal. Clearance certificate to be issued	No	8	R3 500,00	R 28 000,00
Laboratory analyses of samples	No	10	R 600,00	R 6 000,00
Completion & quality check of report	Sum	1	R4 000,00	R 4 000,00
Travelling - 50km/ trips	/km	650	R 6,00	R 3 900,00
				R130 300,00

The rates are based on the fact this building will be occupied during construction works.
Should the building be unoccupied the rate build up will be as follows:

AIA Quote	UOM	QTY	RATE	AMOUNT
Drafting of an asbestos plan of works	Sum	1	R4 000,00	R 4 000,00

Admin and laboratory preparation	Sum	1	R1 400,00	R 1 400,00
Monitoring session while asbestos work is being done	No	10	R4 500,00	R 45 000,00
Clearance / background monitoring session on completion of asbestos removal. Clearance certificate to be issued	No	4	R3 500,00	R 14 000,00
Laboratory analyses of samples	No	10	R 600,00	R 6 000,00
Completion & quality check of report	Sum	1	R4 000,00	R 4 000,00
Travelling - 50km/ trips	/km	360	R 6,00	R 2 160,00
				R 76 560,00

As can be determined from this, the cost rises due to the complexity of the project and the monitoring required. Should you, as the client, not wish to go ahead with the services of an AIA, we as AR Projects can not be held liable as set out in the regulations.

STATUTORY REQUIREMENTS

BOQ item no 1/6/2

"Provision to comply with all statutory requirements regarding removal of structures containing asbestos cement products (to be omitted as a whole if not required)"

The Occupational Health & Safety Act, Act 85 of 1993, requires the employer (ARP) to provide and maintain as far as practicable a work environment that is safe and without risk to the health of the employees and general public.

All Employees on site who are or may be exposed to asbestos in the workplace, shall obey any lawful instruction given by or on behalf of AR Projects, regarding—

(a) the prevention of asbestos dust from becoming airborne;

(b) the wearing and use of personal protective equipment and clothing;

(c) the wearing of monitoring equipment to measure personal exposure to asbestos;

(d) the reporting for medical surveillance as required by **Regulation 9 of the Asbestos Regulations of 2001;**

(e) the cleaning up and disposal of any material containing asbestos;

(f) housekeeping at the workplace, personal hygiene, good environmental and health practices, including eating, drinking and smoking in designated places provided; and

(g) information and training received as above .

1. **Removal of Asbestos Roof Tiles, Gutters and downpipes**

AR Projects shall ensure that—

(a) if any roof work is performed, suitable roof ladders or duckboards or crawling boards are used in accordance with regulation **12 of the General Safety Regulations published by Government Notice No. R. 1031 of 30 May 1986**;
(b) written work procedures are laid down and followed to prevent the release of asbestos dust into the environment;
(c) any water which contains asbestos shall be treated in accordance with regulation **13(2)(*b*) and (*c*); of the Asbestos Regulations of 2001**
(d) the work procedures contemplated in paragraph (*b*) shall be available for perusal by the relevant health and safety representative or relevant health and safety committee and for inspection by an inspector;
(e) removal work is conducted under controlled conditions in accordance with regulations **11 and 13; of the Asbestos Regulations of 2001**
(f) cutting or drilling is performed under controlled conditions in accordance with regulation **11 and 13; of the Asbestos Regulations of 2001**, including the use of wet methods where possible, and a suitable slow-speed cutter is used, provided that a respirator shall be used by the operator and others at risk of exposure;
(g) asbestos waste of any form, including dust, is collected and disposed of in accordance with regulation **20 of the Asbestos Regulations of 2001**;

2. Record keeping

AR Projects shall—

(a) keep records of the results of all assessments, air monitoring, medical surveillance reports and the asbestos inventory required by **regulations 7, 8, 9 and 14(1)(b) of the Asbestos Regulations of 2001** respectively: Provided that personal medical records shall only be made available to an occupational health practitioner;
(b) make the records, excluding personal medical records, available for inspection by an inspector;
(c) make the records of all assessments and air monitoring, and the asbestos inventory available for perusal by the relevant health and safety representative or relevant health and safety committee;
(d) keep all records of assessments and air monitoring, and the asbestos inventory for a minimum period of **40 years**;
(e) keep all medical surveillance records for a minimum period of **40 years** and, if AR Projects ceases activities relating to asbestos work, shall hand over or forward by registered post all these records to the relevant provincial director: Provided that those records contain at least the following information:
(f) keep a record of the tests and investigations carried out in terms of regulation **18 (b) of the Asbestos Regulations of 2001** and of any repairs resulting from the relevant tests and investigations, and keep that record for at least three years; and
(g) keep a record of training given to an employee in terms of regulation **5(5) of the Asbestos Regulations of 2001** for as long as the employee remains employed at the workplace in which he or she is being exposed to asbestos.

3. Personal protective equipment and facilities

See list of PPE to meet statutory requirements:

DESCRIPTION	UOM	QTY	RATE	AMOUNT
Asbestos warning stickers 150x150mm vinyl white	No	1500	R 10,00	R 15 000,00
Disposible white overall 2pce 5XL	No	300	R 85,00	R 25 500,00
Black u/lay plastic 250mic sabs 3x30m	Rolls	3	R 1 199,00	R 3 597,00
Cable ties 305mm black(100)	No	100	R 85,00	R 8 500,00
Glove gladiator blue latex large per pair	No	200	R 28,00	R 5 600,00
Filter dust mask white p2(2)	No	200	R 100,00	R 20 000,00
Respirator dbl cartridge r744d	No	400	R 116,27	R 46 508,00
Hiring of skip	No	7	R 1 500,00	R 10 500,00
Transport to dumping site	Item	7	R 6 000,00	R 42 000,00
Labour to erecting fence	m	100	R 25,00	R 2 500,00
Hire of ready fence panels	Sum	1	R109 804,40	R109 804,40
Training of labourers	Sum	1	R 6 500,00	R 6 500,00
ontainer as containment area	Sum	1	R 1 500,00	R 1 500,00

R297 509,40

4. Labeling, packaging, transportation and storage

AR Projects shall, in order to avoid the spread of asbestos dust, take steps, as far as is reasonably practicable, to ensure that—

(a) the asbestos in storage or being transported is properly identified, classified and handled in accordance with **SABS 0228**;
(b) a container or a vehicle in which asbestos is transported is clearly identified, classified and packed in accordance with **SABS 0228 and SABS 0229**; and

(c) any article or substance which contains asbestos is clearly labeled, in the form of **Annexure 1**. At the end of this Method statement

5. Disposal of asbestos

AR Projects shall as far as is reasonably practicable ensure that—

(a) all asbestos waste is placed in containers that will prevent the likelihood of exposure during handling;
(b) all vehicles, re-usable containers or any other similar articles which have been in contact with asbestos waste are cleaned and decontaminated after use, in such a way that such vehicles, containers or similar articles do not cause a hazard inside or outside the workplace concerned;
(c) all asbestos waste which can cause exposure, is disposed of only at **Vissershok** Dump site - specifically designated for this purpose in terms of the **Environment Conservation Act, 1989 (Act No. 73 of 1989),** and the **National Environmental Management Act,1998 (Act No. 107 of 1998),** and in such a manner that it does not cause a hazard inside or outside the site concerned;

(d) all employees involved with the collection, transport and disposal of asbestos waste, who may be exposed to that waste, are provided with suitable personal protective equipment; and
(e) all asbestos waste which can cause exposure, is disposed of only at **Vissershok** Dump site - specifically designated for this purpose in terms of the **Environment Conservation Act, 1989 (Act No. 73 of 1989),** and the **National Environmental Management Act,1998 (Act No. 107 of 1998),** and in such a manner that it does not cause a hazard inside or outside the site concerned;

Conclusion

We as AR Projects are obligated under South African law, The Department of Labor, The OSH act and the signed agreement with Stellenbosch Municipality under clause 37.2 mandatory agreement with regards to health and safety. To ensure and practice as far as reasonable works to a standard safety specification as set out under the conditions of the regulations mentioned above.

As a contractor we take instruction from our client for the scope of works required, however the methodology, quality standards and specifically the H&S requirements are set out for all stakeholders as is regulated under preambles and gazetted regulations.

We hope the above gives more clarity and will aid in making a positive decision to move forward.

AR Projects has already procured the relevant materials for the replacement of the roof and only require your approval for the removal process and cost to be confirmed.

Sincerely Yours,

Kim Jack

Contracts Manager

ANNEXURE C

STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

All orders are subjected to the Supply Chain Management Policy.

VAT REG NO	OFFICIAL ORDER NO	ORDER DATE
4700102181	000000900008616	24/07/2023

TO: AR PROJECTS AND DEVELOPMENTS
021 201 8896
0212008600
Philippi East
Philippi
Tel:
Fax:
Email: info@arprojects.co.za

Invoice To: Stellenbosch Local Municipality
Stellenbosch Main Building
17 Plein Street
Stellenbosch
7600
Tel: (021) 8088111
Fax:
Email:

DELIVERY ADDRESS:
3DR FLOOR NPK BUILDING
STELLENBOSCH MUNICIPALITY
STELLENBOSCH

7600

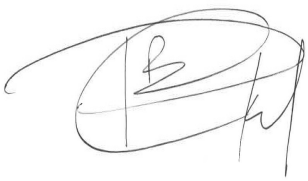
CONTACT DETAILS
Melissa Jacobs

CREDITORS / SUPPLIER NUMBER	REQUEST NO.	CONTRACT NO.	TENDER NO.
MAAA0054367	000000100021000	BSM 66/23	

PLEASE SUPPLY AND DELIVER THE UNDERMENTIONED GOODS / SERVICES TO THE STIPULATED DELIVERY ADDRESS

#	COMMODITY CODE	STOCK CODE	ORDER LINE DESCRIPTION	QTY	UNIT PRICE	GROSS (EXCL VAT)	VAT	TOTAL COST (INCL VAT)
1	72101501	72101501	STRUCTURAL MAINTENANCE / UPGRADE OF STELLENBOSCH TOWN HALL COMPLEX	1.00	4 516 338.42	4 516 338.42	677 450.76	5 193 789.18

TOTAL ORDER: **R 5 193 789.18**



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24/07/2023 21:31:49

1. Ensure that prices as quoted are correctly reflected on this order and quote this order number on all invoices.
2. Payment will be made within 30 days of the statement date on items printed on the original order.
3. Upon receipt of official orders, suppliers must commence within at least seven (7) days or prior with the disposal of the order, failure to do so without any substantial reasons may lead to cancellation of this order.
4. No provider or prospective provider may order or grant any inducement or reward, gift or favour to any official or role player.
5. Stellenbosch Local Municipality may cancel a contract and claim any damages for any losses incurred due to poor performance based on a performance rating assessment.

6. Any cancelled contract due to poor performance may lead to the suspension of service providers.
7. All invoices must be emailed to creditors@stellenbosch.gov.za
   Please note only emailed invoices will be process for payment
8. All statements must me emailed to creditors@stellenbosch.gov.za by the 10th of every month.

ANNEXURE D

STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

All orders are subjected to the Supply Chain Management Policy.

VAT REG NO	OFFICIAL ORDER NO	ORDER DATE
4700102181	000000900009910	04/09/2023

TO: AR PROJECTS AND DEVELOPMENTS
021 201 8896
0212008600
Philippi East
Philippi
Tel:
Fax:
Email: info@arprojects.co.za

Invoice To: Stellenbosch Local Municipality
Stellenbosch Main Building
17 Plein Street
Stellenbosch
7600
Tel: (021) 8088111
Fax:
Email:

DELIVERY ADDRESS:
3DR FLOOR NPK BUILDING
STELLENBOSCH MUNICIPALITY
STELLENBOSCH

7600

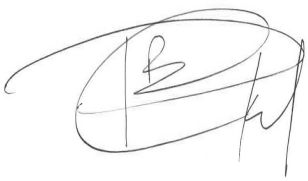
CONTACT DETAILS
Melissa Jacobs

CREDITORS / SUPPLIER NUMBER	REQUEST NO.	CONTRACT NO.	TENDER NO.
MAAA0054367	000000100023222	BSM 66/23	

PLEASE SUPPLY AND DELIVER THE UNDERMENTIONED GOODS / SERVICES TO THE STIPULATED DELIVERY ADDRESS

#	COMMODITY CODE	STOCK CODE	ORDER LINE DESCRIPTION	QTY	UNIT PRICE	GROSS (EXCL VAT)	VAT	TOTAL COST (INCL VAT)
1	72101501	72101501	STRUCTURAL MAINTENANCE/UPGRADE OF STELLENBOSCH TOWN HALL COMPLEX	1.00	2 875 833.91	2 875 833.91	431 375.09	3 307 209.00
2	72101501	72101501	STRUCTURAL MAINTENANCE/UPGRADE OF STELLENBOSCH TOWN HALL COMPLEX	1.00	1 640 504.50	1 640 504.50	246 075.68	1 886 580.18

TOTAL ORDER: **R 5 193 789.18**



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04/09/2023 16:04:00

1. Ensure that prices as quoted are correctly reflected on this order and quote this order number on all invoices.
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ANNEXURE E

STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

All orders are subjected to the Supply Chain Management Policy.

VAT REG NO	OFFICIAL ORDER NO	ORDER DATE
4700102181	000000900009910	04/09/2023

TO: AR PROJECTS AND DEVELOPMENTS
021 201 8896
0212008600
Philippi East
Philippi
Tel:
Fax:
Email: info@arprojects.co.za

Invoice To: Stellenbosch Local Municipality
Stellenbosch Main Building
17 Plein Street
Stellenbosch
7600
Tel: (021) 8088111
Fax:
Email:

DELIVERY ADDRESS:
3DR FLOOR NPK BUILDING
STELLENBOSCH MUNICIPALITY
STELLENBOSCH

7600

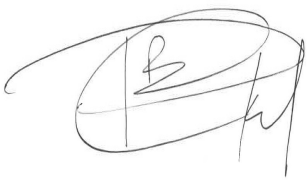
CONTACT DETAILS
Melissa Jacobs

CREDITORS / SUPPLIER NUMBER	REQUEST NO.	CONTRACT NO.	TENDER NO.
MAAA0054367	000000100023222	BSM 66/23	

PLEASE SUPPLY AND DELIVER THE UNDERMENTIONED GOODS / SERVICES TO THE STIPULATED DELIVERY ADDRESS

#	COMMODITY CODE	STOCK CODE	ORDER LINE DESCRIPTION	QTY	UNIT PRICE	GROSS (EXCL VAT)	VAT	TOTAL COST (INCL VAT)
1	72101501	72101501	STRUCTURAL MAINTENANCE/UPGRADE OF STELLENBOSCH TOWN HALL COMPLEX	1.00	2 875 833.91	2 875 833.91	431 375.09	3 307 209.00
2	72101501	72101501	STRUCTURAL MAINTENANCE/UPGRADE OF STELLENBOSCH TOWN HALL COMPLEX	1.00	1 640 504.50	1 640 504.50	246 075.68	1 886 580.18

TOTAL ORDER: **R 5 193 789.18**



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04/09/2023 16:04:00

1. Ensure that prices as quoted are correctly reflected on this order and quote this order number on all invoices.
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ANNEXURE F

STELLENBOSCH

All orders are subjected to the Supply Chain Management Policy.

VAT REG NO	OFFICIAL ORDER NO	ORDER DATE
4700102181	000000900016902	19/08/2024

TO: AR PROJECTS AND DEVELOPMENTS
021 201 8896
0212008600
Philippi East

Philippi
Tel:
Fax:
Email: info@arprojects.co.za

Invoice To: Stellenbosch Local Municipality
Stellenbosch Main Building
17 Plein Street
Stellenbosch

7600
Tel: (021) 8088111
Fax:
Email:

DELIVERY ADDRESS:
3DR FLOOR NPK BUILDING
STELLENBOSCH MUNICIPALITY
STELLENBOSCH

7600

CONTACT DETAILS
Melissa Loggenberg
(021) 808 8189

CREDITORS / SUPPLIER NUMBER	REQUEST NO.	CONTRACT NO.	TENDER NO.
MAAA0054367	000000100034626	BSM 66/23	

PLEASE SUPPLY AND DELIVER THE UNDERMENTIONED GOODS / SERVICES TO THE STIPULATED DELIVERY ADDRESS

#	COMMODITY CODE	STOCK CODE	ORDER LINE DESCRIPTION	QTY	UNIT PRICE	GROSS (EXCL VAT)	VAT	TOTAL COST (INCL VAT)
1	72101501	72101501	STRUCTURAL MAINTENANCE/UPGRADING OF STELLENBOSCH TOWNHALL COMPLEX	1.00	182 222.63	182 222.63	27 333.39	209 556.02

TOTAL ORDER: **R 209 556.02**

Digitally signed by dalleelj
19/08/2024 09:33:01

1. Ensure that prices as quoted are correctly reflected on this order and quote this order number on all invoices.
2. Payment will be made within 30 days of the statement date on items printed on the original order.
3. Upon receipt of official orders, suppliers must commence within at least seven (7) days or prior with the disposal of the order, failure to do so without any substantial reasons may lead to cancellation of this order.
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8. All statements must me emailed to creditors@stellenbosch.gov.za by the 10th of every month.

11.	**URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER**

12.	**MATTERS TO BE CONSIDERED IN–COMMITTEE**

SEE PINK DOCUMENTATION

THE AGENDA HAS BEEN DISCUSSED WITH THE SPEAKER, CLLR Q SMIT AND HE AGREES WITH THE CONTENT.