



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref no.3/4/2/5

2026-08-14

MAYORAL COMMITTEE MEETING
WEDNESDAY, 2026-08-19 AT 09:00

TO The Executive Mayor, Ald J Fasser

Deputy Executive Mayor, R Buys

COUNCILLORS JC Anthony
R du Toit
S Heneke

T Kumm

L Nkamisa

C Manuel

R Pheiffer

N Olayi

J Williams

Notice is hereby given that a Mayoral Committee Meeting will be held **in Council Chamber** on **Wednesday, 2026-08-19 at 09:00** to consider the attached agenda.

EXECUTIVE MAYOR, ALD J FASSER

CHAIRPERSON

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MAYORAL COMMITTEE MEETING
2026-08-19
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**Confirmation of
Minutes: Mayoral
Committee
Meeting: 2026-07-22**



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref no.3/4/2/5

2026-07-22

MINUTES

MAYORAL COMMITTEE MEETING:

2026-07-22 AT 10:00

MUNITES
MAYORAL COMMITTEE MEETING
2026-07-22
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PRESENT: Executive Mayor, Ald J Fasser (**Chairperson**)

Councillors: Ald JC Anthony
R du Toit
S Heneke
T Kumm
C Manuel
L Nkamisa
N Olayi
R Pheiffer
J Williams

Also Present: Councillor P Crawley (Chief Whip)
Cllr W Pietersen (MPAC Chairperson)
Councillor Q Smit (Speaker)
Councillor R Adams

Officials: Municipal Manager (G Mettler)
Director: Infrastructure Services (S Chandaka)
Director: Community & Protection Services (G Boshoff)
Director : Planning and Economic Development (A Barnes)
Chief Financial Officer (K Calorus)
Acting Director: Corporate Services (L Kaywood)
Chief Audit Executive (L Mvandedwa)
Senior Manager: Development Planning (J Benjamin)
Senior Administrative Officer (B Mgcushe)

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

2.	COMMUNICATION BY THE EXECUTIVE MAYOR
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The Executive Mayor indicated that he will not do his normal address, but Cllr Heneke will lead the house in prayer and a moment of silence be observed for the late Bafana Bafana and Mamelodi Sandown's player Jayden Adams.

3.	DISCLOSURE OF INTERESTS
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NONE

4.	APPLICATIONS FOR LEAVE OF ABSENCE
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NONE

5.	CONFIRMATION OF PREVIOUS MINUTES
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5.1 The minutes of the Mayoral Committee Meeting held on 2026-06-17 were **confirmed as correct without any amendments.**

6.	STATUTORY MATTERS
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6.1	APPROVED TOP LAYER (TL) SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP) AND SIGNED PERFORMANCE AGREEMENTS OF THE MUNICIPAL MANAGER AND MANAGERS DIRECTLY ACCOUNTABLE TO THE MUNICIPAL MANAGER (THE CFO AND DIRECTORS) FOR THE 2026/27 FINANCIAL YEAR
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

22 July 2026

1. **SUBJECT: APPROVED TOP LAYER (TL) SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP) AND SIGNED PERFORMANCE AGREEMENTS OF THE MUNICIPAL MANAGER AND MANAGERS DIRECTLY ACCOUNTABLE TO THE MUNICIPAL MANAGER (THE CFO AND DIRECTORS) FOR THE 2026/27 FINANCIAL YEAR**

2. **PURPOSE**

To submit the following documents to the Council for notification:

- (a) The TL SDBIP 2026/27, as approved by the Executive Mayor on 24 June 2026;
- (b) The signed performance agreements of the Municipal Manager and Managers Directly Accountable to the Municipal Manager for the 2026/27 financial year.

3. **DELEGATED AUTHORITY**

Council.

4. **EXECUTIVE SUMMARY**

Top Layer (TL) Service Delivery and Budget Implementation Plan (SDBIP)

Section 53(1)(c)(ii) of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003) (MFMA) requires the mayor of a municipality to take all reasonable steps to ensure that the municipality's Service Delivery and Budget Implementation Plan (SDBIP) is approved by the mayor within 28 days after the approval of the budget.

The TL SDBIP 2026/27 was approved by the Executive Mayor on 24 June 2026, which falls within the prescribed 28 days after the approval of the Budget.

The TL SDBIP 2026/27 is herewith submitted to the Council for notification.

Performance Agreements of the Municipal Manager, CFO and Directors

According to Section 57(2) of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) (MSA), the performance agreement(s) must be concluded annually:

- “(a) ...within one month after the beginning of each financial year of the municipality.”

The Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003) (MFMA) additionally mandates the prompt submission of the signed performance agreements to the Council.

The Performance Agreements 2026/27 were developed in consultation with the Municipal Manager, CFO, and Directors and signed on 24 June 2026.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2026-07-22: ITEM 6.1

- (a) that the approved TL SDBIP 2026/27 attached hereto as ANNEXURE A be noted; and
- (b) that the signed Performance Agreements 2026/27 of the Municipal Manager, the CFO, and the Directors attached hereto as ANNEXURE B be noted.

NAME	Geraldine Mettler
POSITION	Municipal Manager
DIRECTORATE	Office of the Municipal Manager
CONTACT NUMBERS	021 808 8025
E-MAIL ADDRESS	Municipal.manager@ Stellenbosch.gov.za
REPORT DATE	14 July 2026

6.2	MFMA SECTION 52 REPORTING UP TO THE QUARTER ENDING MARCH 2026
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

22 July 2026

1. SUBJECT: MFMA SECTION 52 REPORTING UP TO THE QUARTER ENDING MARCH 2026

2. PURPOSE

To comply with section 52(d) of the Municipal Finance Management Act and report to Council on the implementation of the budget; and service delivery budget plan of the Municipality for the 4th quarter of the 2025/2026 financial year.

3. DELEGATED AUTHORITY

THE EXECUTIVE MAYOR TO SUBMIT TO COUNCIL

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

"The mayor of a municipality—

(d) must, within 30 days of the end of each quarter; submit a report to the council.

4. EXECUTIVE SUMMARY

The Executive Mayor, must provide general political guidance over the fiscal and financial affairs of the Municipality and is required by Section 52(d) of the Municipal Finance Management Act to submit a report on the implementation of the budget and the financial and non-financial performance of the Municipality, to the Council within 30 days after end of each quarter.

The Section 52 report is a summary of the budget performance. It compares the implementation of the budget to the commitments made and contained in the Service Delivery and Budget Implementation Plan (SDBIP) and is intended to enable Council to give effect to their oversight responsibility.

This report provides the overall performance of the Municipality for the period 1 April 2026 to 30 June 2026.

RECOMMENDATION FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2026-07-22: ITEM 6.2

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

NAME	Monique Steyl
POSITION	Senior Manager Financial Management Services
DIRECTORATE	Financial Services
CONTACT NUMBER	021 – 808 8512
E-MAIL ADDRESS	Monique.Steyl@ Stellenbosch.gov.za
REPORT DATE	29 July 2026

6.3	OVERSIGHT ROLE OF COUNCIL: SUPPLY CHAIN MANAGEMENT POLICY-REPORT ON THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY OF STELLENBOSCH MUNICIPALITY: ANNUAL IMPLEMENTATION REPORT (01 JULY 2025 - 30 JUNE 2026)
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

22 July 2026

1. SUBJECT: OVERSIGHT ROLE OF COUNCIL: SUPPLY CHAIN MANAGEMENT POLICY-REPORT ON THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY OF STELLENBOSCH MUNICIPALITY: ANNUAL IMPLEMENTATION REPORT (01 JULY 2025 - 30 JUNE 2026)

2. PURPOSE

To submit to Management a report for the period 01 July 2025 - 30 June 2026 on the implementation of Council's Supply Chain Management Policy. The report covers the performance of the various delegated functions and the implementation thereof.

3. FOR DECISION BY MUNICIPAL COUNCIL

Section 6 (2) (i) & 4 of the SCM Policy 2025/2026 determines that the Accounting Officer must within 30 days of the end of each financial year submit a report on the implementation of the SCM Policy to the Executive Mayor. This report must be made public in accordance with section 21A of the Municipal Systems Act (32 of 2000).

4. EXECUTIVE SUMMARY

Within 30 days of the end of each financial year the Accounting Officer must submit a report on the implementation of the Supply Chain Management Policy to the Executive Mayor. In terms of the SCM Regulations and Council's SCM Policy the SCM unit has been delegated to perform powers and functions that related to the procurement of goods and services, disposal of goods no longer needed, the selection of contractors to provide assistance in the provision of municipal services.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2026-07-22: ITEM 6.3

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

NAME	<i>Dalleel Jacobs</i>
CONTACT NUMBERS	<i>021 808 8137</i>
E-MAIL ADDRESS	<i>Dalleel.Jacobs@ Stellenbosch.gov.za</i>
DIRECTORATE	<i>Financial Services</i>
REPORT DATE	<i>03 July 2026</i>

6.4	MANAGEMENT OF CONTRACTS OR AGREEMENTS AND CONTRACTOR PERFORMANCE AS AT 01 JANUARY 2026 – 30 JUNE 2026 MFMA S116(2)(d) REPORT
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

22 July 2026

1. **SUBJECT: MANAGEMENT OF CONTRACTS OR AGREEMENTS AND CONTRACTOR PERFORMANCE AS AT 01 JANUARY 2026 – 30 JUNE 2026 MFMA S116(2)(d) REPORT**

2. **PURPOSE**

To report in accordance with MFMA, Section 116(2)(d) on the management of contracts or agreements and the performance of contractors.

3. **DELEGATED AUTHORITY**

(FOR DECISION BY MUNICIPAL COUNCIL, EXECUTIVE MAYOR AND MAYORAL COMMITTEE, PORTFOLIO COMMITTEE, EXECUTIVE MANAGEMENT, ETCETERA)

None.

4. **EXECUTIVE SUMMARY**

The report indicates the performance of service providers who were active on contracts secured by means of a competitive bidding process for the period 01 January 2026 to 30 June 2026.

RECOMMENDATION FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2026-07-22: ITEM 6.4

that the Annual MFMA S116(2)(d) report: Management of contracts or agreements and contractor performance from 01 January 2026 to 30 June 2026 be noted.

FOR FURTHER DETAILS CONTACT:

NAME	Kevin Carolus
POSITION	<i>Chief Financial Officer</i>
DIRECTORATE	<i>Financial Services</i>
CONTACT NUMBERS	021 808 8528
E-MAIL ADDRESS	Kevin.carolus@ Stellenbosch.gov.za
REPORT DATE	02 July 2026

6.5	MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR THE PERIOD 09 JUNE 2026 TO 15 JULY 2026
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

22 July 2026

1. SUBJECT: MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR THE PERIOD 09 JUNE 2026 TO 15 JULY 2026

2. PURPOSE

To comply with Regulation 36(2) of the Municipal Supply Chain Management Regulations and Section 36 of the Supply Chain Management Policy 2025/2026 to report the deviations to the Council.

3. DELEGATED AUTHORITY

Council

For noting.

4. EXECUTIVE SUMMARY

Regulation 36(2) of the Municipal Supply Chain Management Regulations and Section 36 of the Supply Chain Management Policy (2025/2026) stipulate that SCM deviations be reported to the Council. In compliance thereto, this report presents to the Council the SCM deviations that occurred during the period 09 June 2026 to 15 July 2026.

RECOMMENDATION FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2026-07-22: ITEM 6.4

that Council notes the deviations approved for the period 09 June 2026 to 15 July 2026.

NAME	<i>Dalleel Jacobs</i>
POSITION	<i>Senior Manager SCM</i>
DIRECTORATE	<i>Finance</i>
CONTACT NUMBERS	<i>021 808 8137</i>
E-MAIL ADDRESS	<i>Dalleel.Jacobs@ Stellenbosch.gov.za</i>
REPORT DATE	<i>03 July 2026</i>

6.6	OVERSIGHT ROLE OF COUNCIL: SUPPLY CHAIN MANAGEMENT POLICY-REPORT ON THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY OF STELLENBOSCH MUNICIPALITY: QUARTER 4 (01 APRIL 2026 – 30 JUNE 2026)
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

22 July 2026

- SUBJECT: OVERSIGHT ROLE OF COUNCIL: SUPPLY CHAIN MANAGEMENT POLICY-REPORT ON THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY OF STELLENBOSCH MUNICIPALITY: QUARTER 4 (01 APRIL 2026 – 30 JUNE 2026)**

- PURPOSE**

To submit to Management a report for the period 01 April 2026 – 30 June 2026 on the implementation of Council's Supply Chain Management Policy. The report covers the performance of the various delegated functions and the implementation thereof.

- FOR DECISION BY MUNICIPAL COUNCIL**

Section 6 (3) & 4 of the SCM Policy 2025/2026 determines that the Accounting Officer must within 10 days at the end of each quarter; submit a report on the implementation of the SCM Policy to the Executive Mayor. This report must be made public in accordance with section 21A of the Municipal Systems Act (32 of 2000).

- EXECUTIVE SUMMARY**

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

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2026-07-22: ITEM 6.6

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

FOR FURTHER DETAILS CONTACT:

NAME	<i>Dalleel Jacobs</i>
CONTACT NUMBERS	<i>8137</i>
E-MAIL ADDRESS	Dalleel.Jacobs@Stellenbosch.gov.za
DIRECTORATE	<i>Supply Chain Management</i>
REPORT DATE	<i>03 July 2026</i>

7.	CONSIDERATION OF ITEMS BY THE EXECUTIVE MAYOR: [CLLR J FASSER]
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7.1	COMMUNITY&PROTECTION SERVICES: (PC: CLLR S HENEKE)
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7.1.1	UPDATED STELLENBOSCH GIS MAP OF DISABILITIES PERSONS ORGANISATIONS
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Collaborator No: 808888
IDP KPA Ref No: Dignified Living
Meeting Date: 22 July 2026

1. SUBJECT: UPDATED STELLENBOSCH GIS MAP OF DISABILITIES PERSONS ORGANISATIONS

2. PURPOSE

To present the reviewed GIS Map of Disability Persons Organisations (DPOs) serving the Stellenbosch Community.

3. DELEGATED AUTHORITY

For information to Mayco.

4. EXECUTIVE SUMMARY

The Stellenbosch Disability Network has completed a map containing the contact details of organisations serving persons with disabilities and their families within the Stellenbosch Municipal area. The map aims to provide easy access to services and contains a GIS Map as well as the contact details of the organisations. The information relating to the organisations was updated for the 2025/2026 financial year.

RECOMMENDATION FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2026-07-22: ITEM 7.1.1

that Council notes the GIS DPO reviewed map.

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	12-06-2026

7.2	SPORTS, YOUTH AND CULTURE: [PC: CLLR N OLAYI]
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7.2.1	DRAFT SPORT AND RECREATION POLICY FOR STELLENBOSCH MUNICIPALITY
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Collaborator No: 808874
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 22 July 2026

1. SUBJECT: DRAFT SPORT AND RECREATION POLICY FOR STELLENBOSCH MUNICIPALITY

2. PURPOSE

The Municipality's responsibility in respect of sport and recreation is limited to the provision of sport and recreation facilities that cater for both formal and informal sport. The organisation of sport (formal and informal sporting activities and events) falls within the ambit of the Stellenbosch Sport and Recreation Association (SSRA).

To fulfil this responsibility, the Department finds it necessary to compile a Sport and Recreation Policy that will guide the Municipality in the provision and management of sport and recreation facilities.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

At the 36th Council Meeting held on 26 November 2025; Council resolved:

- 4.1 That Council approves the advertisement of the Draft Sport and Recreation Policy for public comment.
- 4.2 That the inputs received during the above public participation process be incorporated into a final Sport and Recreation Policy to be submitted to Council for approval.

RECOMMENDATION FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2026-07-22: ITEM 7.2.1

that Council approves the attached draft Sport and Recreation Policy.

NAME	Albert van der Merwe
POSITION	Senior Manager Community Services
DIRECTORATE	Community and Protection Services
CONTACT NUMBERS	021 808 8165
E-MAIL ADDRESS	Albert.Vandermerwe@ Stellenbosch.gov.za
REPORT DATE	12 June 2026

7.2.2	DEMOLITION OF THE EXISTING RUGBY CLUBHOUSE AT IDA'S VALLEY SPORT FACILITY
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Collaborator No: 808879
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 22 July 2026

1. SUBJECT: DEMOLITION OF THE EXISTING RUGBY CLUBHOUSE AT IDA'S VALLEY SPORT FACILITY

2. PURPOSE

To seek approval from Council to demolish the existing rugby clubhouse at Ida's Valley sport facility. The current building structure is not compliant with Section 12 of the National Building Regulations and Building Standards Act (NBR Act).

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

The existing rugby clubhouse at Ida's Valley sport facility sustained structural damage due to severe storms. Stellenbosch Municipality's Building Inspectorate Section inspected the facility (see **ANNEXURE A**) with findings as informed below.

The building's damages include the roof (loose and missing roofing materials), structural crack and deterioration of the walls and possible foundation movement or ground instability as indicated by the visible floor cracks.

The building is currently not in use and is exposed to theft and vandalism that includes the destruction of sanitary facilities, the theft of electrical cables. This has left the wiring exposed.

The Sport Section also received confirmation from the Department: Building Development Management that they could not find a building plan or a Certificate of Occupancy of the rugby clubhouse in their records.

Extracts from the National Building Regulations and Building Standards Act (Act 103 of 1977) determines:

- Section 12(1): If a local authority is of the opinion that a building is dangerous or unsuitable for occupation, it must be taking reasonable steps to ensure public safety.
- Section 12(4): The local authority may order the owner to demolish or alter the building if it is deemed unsafe.
- Section 12(5): If the owner fails to act within the specified timeframe, the local authority may carry out the work at the owner's expense.

To ensure compliance with Section 12 of the National Building Regulations and Building Standards Act (NBR Act) the existing rugby clubhouse must be demolished.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2026-07-22: ITEM 7.2.2

- (a) that Council approve the demolition of the existing rugby clubhouse at the Ida's Valley Sport Facility due to its unsafe structural condition and non-compliance with Section 12 of the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977); and
- (b) that Council authorise the Municipal Manager, or his/her delegate, to undertake all necessary processes required for the demolition of the structure, including the appointment of contractors and compliance with applicable legislative and regulatory requirements.

NAME	Albert van der Merwe
POSITION	Senior Manager Community Services
DIRECTORATE	Community and Protection Services
CONTACT NUMBERS	021 808 8165
E-MAIL ADDRESS	Albert.Vandermerwe@ Stellenbosch.gov.za
REPORT DATE	11 June 2026

7.2.3	ADOPTION OF THE STELLENBOSCH MUNICIPALITY SPORT ASSET MANAGEMENT POLICY
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Collaborator No:	809095
IDP KPA Ref No:	Good Governance and Compliance
Meeting Date:	22 July 2026

1. SUBJECT: ADOPTION OF THE STELLENBOSCH MUNICIPALITY SPORT ASSET MANAGEMENT POLICY

2. PURPOSE

For Council to adopt the Stellenbosch Municipality Sport Asset Management Policy that includes the standardised User Agreement framework that is applicable to municipal sport facilities.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

The Stellenbosch Municipality owns and manages a portfolio of sport and recreation facilities across the municipal area (WC024). These facilities are strategic community assets that contribute to social cohesion, youth development, health promotion, and economic activity.

The Sport Asset Management Policy provides a structured governance framework to:

- Regulate the use and management of municipal sport assets.
- Clarify the roles and responsibilities of the Municipality, Sport Councils, and the Stellenbosch Sport and Recreation Association (SSRA).
- Strengthen financial accountability and reporting requirements.
- Align asset management practices with national legislation and municipal strategies.
- Standardize User Agreements replacing historical lease-based arrangements.

The policy consolidates existing practices under the approved hybrid Sport Facility Management Model (29 July 2020) and enhances compliance with the Municipal Finance Management Act (MFMA) and related legislation.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2026-07-22: ITEM 7.2.3

- (a) that Council approves and adopts the Stellenbosch Municipality Sport Asset Management Policy that includes the standardised user agreement framework; and
- (b) that the Municipal Manager be mandated to implement the policy and oversee compliance monitoring through the Department Community Services.

FOR FURTHER DETAILS CONTACT:

NAME	Albert van der Merwe
POSITION	Senior Manager Community Services
DIRECTORATE	Community and Protection Services
CONTACT NUMBERS	021 808 8165
E-MAIL ADDRESS	Albert.Vandermerwe@ Stellenbosch.gov.za
REPORT DATE	July 2026

7.3	CORPORATE SERVICES: (PC: CLLR L NKAMISA)
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7.3.1	DEMOLITION OF COUNCIL OWNED PROPERTY SITUATED ON FARM 369 STELLENBOSCH
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

22 July 2026

1. SUBJECT: DEMOLITION OF COUNCIL OWNED PROPERTY SITUATED ON FARM 369 STELLENBOSCH

2. PURPOSE

To consider and approve the demolishing of a Council owned building situated on Farm 369 Stellenbosch. The item further seeks Council's approval of the statutory conditions that must be met before the demolition may be executed, as set out in recommendations (c) to (h).

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

Farm 369 Stellenbosch in Paradyskloof is a Council owned property, a portion of which is subject to a long-term agricultural lease agreement, and the remaining portion consists of a parking lot and a dilapidated building.

The dilapidated building is considered unsafe and is currently being used as a drug den. Demolition of the building appears to be the most viable and legally compliant option.

Since the Municipality is itself the registered owner of the property, the enforcement provisions of section 12 of the National Building Regulations and Building Standards Act 103 of 1977, which empower a local authority to order an owner to demolish a dilapidated or dangerous building, cannot be applied by the Municipality against itself. The demolition must therefore be authorised by Council in its capacity as owner and thereafter executed in compliance with the approval, permitting and occupational health and safety requirements set out in paragraph 6.2.4 below.

Three compliance requirements were not addressed in the item as originally drafted and are now included. First, the inspection report records that asbestos roofing sheets have been taken down, which engages the Asbestos Abatement Regulations, 2020. Second, the date of erection of the structure has not been established; if it is older than 60 years, a permit issued by Heritage Western Cape under section 34(1) of the National Heritage Resources Act 25 of 1999 is required before demolition. Third, no funding source has been identified for the demolition. Approval is accordingly recommended subject to conditions.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2026-07-22: ITEM 7.3.1

- (a) that Council confirms, in terms of section 14(2)(a) of the Local Government: Municipal Finance Management Act 56 of 2003 read with the Municipal Asset Transfer Regulations, 2008 and the Municipality's Asset Management Policy, that the dilapidated building situated on a portion of Farm 369 Stellenbosch is not needed to provide the minimum level of basic municipal services;
- (b) that Council approves, in its capacity as owner of the property, the demolition of the dilapidated building situated on a portion of Farm 369 Stellenbosch in accordance with the recommendation in the inspection report dated 18 November 2025, subject to paragraphs (c) to (h) below;
- (c) that Council directs that no demolition work may commence until the date of erection of the structure has been established and, where the structure or any part of it is older than 60 years, a permit contemplated in section 34(1) of the National Heritage Resources Act 25 of 1999 has been issued by Heritage Western Cape;
- (d) that Council directs that no demolition work may commence until an asbestos identification, inventory and risk assessment contemplated in regulations 3 to 5 of the Asbestos Abatement Regulations, 2020 has been completed by a competent person, a registered asbestos contractor has been appointed, and the notification contemplated in regulation 10 has been submitted to the Chief Director: Provincial Operations of the Department of Employment and Labour at least seven days before commencement of the asbestos work;
- (e) that Council directs that no demolition work may commence until the demolition has been approved by the Municipality in its capacity as local authority in terms of section 4(1) of the National Building Regulations and Building Standards Act 103 of 1977 read with regulations A2(1)(e) and A22 and Part E of the National Building Regulations, and a competent person has been appointed to supervise the demolition;
- (f) that Council directs that no demolition work may commence until the Municipal Manager has confirmed in writing that no person occupies the structure as a home, alternatively that an order authorising eviction has been granted in terms of the Prevention of Illegal Eviction from and Unlawful Occupation of Land Act 19 of 1998, and that the structure does not fall within the portion of the property subject to the existing long-term agricultural lease;
- (g) that Council directs that no expenditure may be incurred until the Chief Financial Officer has confirmed the availability of funding on an approved budget vote as contemplated in section 15 of the Local Government: Municipal Finance Management Act 56 of 2003, and that the demolition contractor is to be appointed in accordance with section 217 of the Constitution and the Municipality's Supply Chain Management Policy; and
- (h) that Council directs that, upon completion of the demolition, the structure be derecognised in the fixed asset register in accordance with GRAP 17 and the Municipality's Asset Management Policy, that all demolition waste, including asbestos-containing waste, be disposed of at a facility licensed in terms of the National Environmental Management: Waste Act 59 of 2008, and that the Municipal Manager report back to Council on compliance with paragraphs (c) to (g) within 30 days of completion.

FOR FURTHER DETAILS CONTACT:

<i>NAME</i>	Lungelwa Kaywood
<i>POSITION</i>	<i>Acting Director: Corporate Services</i>
<i>DIRECTORATE</i>	<i>Corporate Services</i>
<i>CONTACT NUMBERS</i>	<i>021-8088018</i>
<i>E-MAIL ADDRESS</i>	Lungelwa.Kaywood@ Stellenbosch.gov.za
<i>REPORT DATE</i>	<i>14/05/2026</i>

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

7.5	HUMAN SETTLEMENTS: (PC: CLLR R DU TOIT)
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7.5.1	COMMUNITY HOUSING PROJECT FOR FARMWORKERS IN KLAPMUTS (ERVEN 192, 193, 195–200): PROGRESS REPORT AND MUNICIPAL SUPPORT
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Collaborator No: 808924
 IDP KPA Ref No: Good Governance
 Meeting Date: 22 July 2026

1. SUBJECT: COMMUNITY HOUSING PROJECT FOR FARMWORKERS IN KLAPMUTS (ERVEN 192, 193, 195–200): PROGRESS REPORT AND MUNICIPAL SUPPORT

2. PURPOSE

To inform Council of the implementation of a privately initiated Community Housing Project in Klapmuts, supported through the Provincial Individual Housing Subsidy Programme (First Home Finance subsidy), private funding and donor contributions, and to note the role played by Stellenbosch Municipality in facilitating the project.

3. DELEGATED AUTHORITY

(FOR DECISION BY MUNICIPAL COUNCIL, EXECUTIVE MAYOR AND MAYORAL COMMITTEE, PORTFOLIO COMMITTEE, EXECUTIVE MANAGEMENT, ETCETERA)

Council.

4. EXECUTIVE SUMMARY

Simonsvlei Estate (Pty) Ltd has initiated a community housing development on Erven 192, 193 and 195–200, Klapmuts, to provide affordable housing opportunities for qualifying farmworker households.

The development consists of 34 residential opportunities which will be implemented in two phases:

- Phase 1 – 20 housing units (implementation ready); and
- Phase 2 – 14 housing units (to commence following the upgrading of the Klapmuts Wastewater Treatment Works).

The project is financed through a combination of:

- Provincial Individual Housing Subsidies (First Home Finance);
- private funding by Simonsvlei Estate; and
- donor funding secured through an international supermarket partner, resulting in no financial contribution being required from the qualifying beneficiaries.

The Municipality has supported the Provincial subsidy application and confirmed its support for the project to the Western Cape Department of Infrastructure (see attached **ANNEXURE 1**). Subsequently, the Department confirmed that funding for up to twenty (20) beneficiaries will be reserved during the current financial year, subject to beneficiary eligibility verification (attached as **ANNEXURE 2**).

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2026-07-22: ITEM 7.5.1

- (a) that Council notes the implementation of the Community Housing Project on Erven 192, 193 and 195–200, Klapmuts, comprising thirty-four (34) residential opportunities for qualifying farmworker beneficiaries;
- (b) that Council notes that the Municipality has supported the Provincial Individual Housing Subsidy application for the project and that the Provincial Department of Infrastructure has confirmed the reservation of subsidy funding for up to twenty (20) qualifying beneficiaries during the current financial year, subject to beneficiary screening;
- (c) that Council notes that the project will be implemented in two phases, with the second phase commencing once sufficient wastewater treatment capacity becomes available in Klapmuts; and
- (d) that Council notes the granting of the Development Charges (DC) exemption in accordance with Clause 12.6 of the DC Policy.

7.6	INFRASTRUCTURE SERVICES : (PC : R PHEIFFER)
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NONE

7.7	PARKS, OPEN SPACES AND ENVIRONMENT: (PC: CLLR J WILLIAMS)
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7.7.1	DRAFT TREE MANAGEMENT POLICY FOR MUNICIPAL TREES
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Collaborator No: 808872
 IDP KPA Ref No: Good Governance
 Meeting Date: 22 July 2026

1. SUBJECT: DRAFT TREE MANAGEMENT POLICY FOR MUNICIPAL TREES

2. PURPOSE

For Council to consider and approve the revised Tree Management Policy.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

The policy is developed for the management of trees within the WCO24. The Tree Management Policy addresses all tree-related aspects to ensure the sustainable management of municipal trees.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2026-07-22: ITEM 7.7.1

- (a) that Council approves the Tree Management Policy;
- (b) that Council approves the advertisement of the revised Tree Management Policy for a period of 30 days for public input; and
- (c) that the final draft of the Tree Management Policy be submitted to Council for final approval, after the comments received have been considered.

NAME	TAMMY LEIBRANDT
POSITION	MANAGER: ENVIRONMENTAL MANAGEMENT
DIRECTORATE	COMMUNITY AND PROTECTION SERVICES
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REPORT DATE	4 JUNE 2026

7.7.2	DEMOLITION OF THE EXISTING TWO BUILDINGS AT GROENDAL CEMETERY
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Collaborator No:	808872
IDP KPA Ref No:	Good Governance
Meeting Date:	22 July 2026

1. SUBJECT: DEMOLITION OF THE EXISTING TWO BUILDINGS AT GROENDAL CEMETERY

2. PURPOSE

To seek Council approval for the demolition of the existing public toilet and storeroom at Groendal Cemetery. The buildings have been extensively vandalised and are contributing to illegal activities within the cemetery.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

Groendal Cemetery, located in Groendal, Franschhoek, is no longer an active burial site. The municipality is only responsible for the maintenance of the cemetery.

There are two buildings within the cemetery, namely a public toilet and a storeroom used by municipal workers. Both buildings have been subjected to repeated vandalism and theft and are no longer fit for use. In addition, the perimeter fence surrounding the cemetery has been stolen and vandalised, resulting in unrestricted access to the site.

RECOMMENDATION FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2026-07-22: ITEM 7.7.2

that Council approves the demolition of the existing public toilet and storeroom at Groendal Cemetery.

7.8	PLANNING AND LOCAL ECONOMIC DEVELOPMENT AND TOURISM :(PC: CLLR T KUMM)
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7.8.1	REQUEST FOR THE RE-ADVERTISEMENT OF THE REVIEWED STELLENBOSCH MUNICIPALITY EVENTS BY-LAW, 2026 FOR PUBLIC PARTICIPATION
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Collaborator No: 809016
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 22 July 2026

1. SUBJECT: REQUEST FOR THE RE-ADVERTISEMENT OF THE REVIEWED STELLENBOSCH MUNICIPALITY EVENTS BY-LAW, 2026 FOR PUBLIC PARTICIPATION

2. PURPOSE

To provide Council with the pertinent facts to consider the re-advertisement of the reviewed Stellenbosch Municipality Events By-Law, 2026.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

The reviewed Events By-Law have undergone substantial further amendments following the previous public participation process. Additional revisions were made after consideration of public comments, benchmarking workshops between Stellenbosch Municipality and the City of Cape Town, and further engagements with local schools. As these amendments materially affect the content of the proposed By-Law, it is considered appropriate and consistent with the principles of transparent public participation that the revised draft be re-advertised for a further round of public comment before being submitted to Council for adoption.

The aim of the reviewed Events By-Law is to provide clarity and to ensure that the By-Law stays relevant, effective and aligned to the evolving needs of the community of Stellenbosch. Furthermore, an updated Events By-Law will contribute in a sustainable manner toward growth in job creation, investments, and social inclusivity.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2026-07-22: ITEM 7.8.1

- (a) that Council takes note that substantial amendments have been made to the reviewed Stellenbosch Municipality Events By-Law, 2026 following the previous public participation process, benchmarking workshops conducted with the City of Cape Town and further engagements with local schools; and
- (b) that Council **approves** the re-advertisement of the reviewed Stellenbosch Municipality Events By-Law, 2026 for a period of thirty (30) days due to the extensive amendments made following the previous public participation process.

<i>NAME</i>	<i>Joh-ne Jansen</i>
<i>POSITION</i>	<i>Senior Economic Development Officer</i>
<i>DIRECTORATE</i>	<i>Planning and Economic Development</i>
<i>CONTACT NUMBERS</i>	<i>021 808 8144</i>
<i>E-MAIL ADDRESS</i>	<i><u>joh-ne.jansen@stellenbosch.gov.za</u></i>
<i>REPORT DATE</i>	<i>15 July 2026</i>

7.9	RURAL MANAGEMENT: (PC: CLLR C MANUEL)
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NONE

7.10	MUNICIPAL MANAGER
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NONE

8.	REPORTS SUBMITTED BY THE EXECUTIVE MAYOR
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NONE

9.	URGENT MATTERS
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NONE

10.	MATTERS TO BE CONSIDERED IN-COMMITTEE
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NONE

Meeting adjourned at 10:55

CHAIRPERSON:

DATE:

Confirmed on

6.	STATUTORY MATTERS
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6.1	SDF / IDP / BUDGET TIME SCHEDULE / PROCESS PLAN FOR 2027/28
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Collaborator No: 810483
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 19 August 2026

1. SUBJECT: SDF / IDP / BUDGET TIME SCHEDULE / PROCESS PLAN FOR 2027/28

2. PURPOSE

To table to the Council for consideration:

- (a) The SDF / IDP / Budget Time Schedule / Process Plan for 2027/28, attached as **ANNEXURE A**.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

The Spatial Development Framework (SDF) / Integrated Development Plan (IDP) / Budget Time Schedule for 2027/28 is submitted to the Council for consideration and adoption. The time schedule is an essential planning tool for the Council to promote transparent, accountable, and effective local governance. It outlines the key strategic activities and deadlines for legislative public participation processes, strategic planning, budget preparation and reporting, spatial planning, disaster management and performance management.

The SDF / IDP / Budget Time Schedule for 2027/28 includes the key public participation activities that will guide the planning, drafting, and adoption of the 6th Generation Integrated Development Plan (IDP) 2027 – 2032, as well as the drafting of the Medium-Term Revenue Expenditure Framework (the Budget) for the period 2027/28 – 2029/30.

The SDF / IDP / Budget Time Schedule / Process Plan for 2027/28 is compiled in terms of Section 21(1)(b) of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003) (MFMA), which states that “the mayor of a municipality **must** – at least 10 months before the start of the budget year, table in the municipal council a time schedule outlining key deadlines for the preparation, tabling and approval of the annual budget. Following this, Section 29 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) (MSA) specifies the process followed by a municipality to draft its integrated plan, including its consideration and adoption of the draft plan.

The public participation process for the needs analysis phase in the drafting of the 6th Generation IDP 2027 - 2032 will commence within the period set for 07 September – 15 October 2026. The physical IDP municipal open days have been scheduled from 08 – 15 September 2026 to provide community members, stakeholders and role-players the opportunity to engage with municipal officials from the different departments on their community needs.

The community needs solicited during the open days will be presented to the Council to consider in the planning and drafting of the 6th Generation IDP 2027- 2032.

The final IDP open days schedule will be published in the local newspaper, on the municipal website, on the notice boards of libraries, and on social media platforms (Facebook, X, WhatsApp, and Email) to notify the community of the dates, venues and transport plan for the open days.

5. RECOMMENDATIONS

- (a) that the Council adopts the SDF / IDP / Budget Time Schedule / Process Plan for 2027/28 for the compilation of the annual budget in terms of Section 21(1) of the MFMA and Section 29 of the MSA to guide the planning, drafting, and adoption of the 6th Generation IDP 2027 – 2032, attached as **ANNEXURE A**; and
- (b) that an advertisement is placed on the official website of the Municipality and in the local newspaper, notifying the public of the adopted SDF / IDP / Budget Time Schedule / Process Plan for 2027/28.

6. DISCUSSION

6.1 Background

The MFMA has formalised the inextricable link between the SDF, IDP, and Budget. This link has been formalised through the promulgation of the MFMA, which establishes a connection among the SDF, IDP, and Budget.

The requirements for a time schedule are outlined in Section 21(1) of the MFMA and indicate:

The Mayor of a municipality must –

- (a) *coordinate the processes for preparing the annual budget and for reviewing the municipality's integrated development plan and budget-related policies to ensure that the tabled budget and any revisions of the integrated development plan and budget-related policies are mutually consistent and credible;*
- (b) *at least 10 months before the start of the budget year, table in the municipal council a time schedule outlining key deadlines for–*
 - (i) *the preparation, tabling and approval of the annual budget;*
 - (ii) *the annual review of –*
 - aa) *the integrated development plan in terms of section 34 of the Municipal Systems Act; and*
 - bb) *the budget-related policies.*
 - (iii) *the tabling and adoption of any amendments to the integrated development plan and the budget-related policies; and*
 - (iii) *any consultative processes forming part of the processes referred to in subparagraphs (i), (ii) and (iii).*

The SDBIP is the implementation tool to give effect to those objectives and targets as encapsulated in the IDP and Budget. The importance of synchronising the timelines for drafting the IDP and Annual Budget with those of the SDBIP is captured in Section 41 of the MSA, which states that:

Section 41:

“(1) A municipality must in terms of its performance management system and in accordance with any regulations and guidelines that may be prescribed –

(a) set appropriate key performance indicators as a yardstick for measuring performance, including outcomes and impact, with regard to the municipality’s development priorities and objectives set out in its integrated development plan”.

Section 26(e) of the MSA refers to the municipal SDF as a ‘core component’ of the municipal IDP and requires that the IDP reflect an mSDF, which must include the provision of basic guidelines for a land use management system for the municipality.

6.2 Financial Implications

There are no financial implications beyond that which was approved in the 2026/27 MTREF Budget.

6.3 Legal Implications

In accordance with Section 21(1)(b) of the MFMA, “the mayor of a municipality must – at least 10 months before the start of the budget year table in the municipal council a time schedule outlining key deadlines for –

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

Section 29(1) of the MSA further specifies that:

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

- (a) be in accordance with a predetermined programme specifying timeframes for the different steps;*
- (b) through appropriate mechanisms, processes and procedures established in terms of Chapter 4, allow for-*
 - (i) the local community to be consulted on its development needs and priorities;*
 - (ii) the local community to participate in the drafting of the integrated development plan; and*
 - (iii) organs of state, including traditional authorities and other role players to be identified and consulted on the drafting of the integrated development plan;*

- (c) *provide for the identification of all plan and planning requirements binding on the municipality in terms of national and provincial legislation; and*
 - (d) *be consistent with any other matters that may be prescribed by regulation.*
- Section 41 of the MSA also states that:

- (1) *A municipality must in terms of its performance management system and in accordance with any regulations and guidelines that may be prescribed –*
 - (b) *set appropriate key performance indicators as a yardstick for measuring performance, including outcomes and impact, with regard to the municipality's development priorities and objectives set out in its integrated development plan”.*

In terms of Section 26(e) of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) (MSA) states that *“an integrated development plan must reflect- ...a spatial development framework which must include the provision of basic guidelines for a land use management system for the municipality...”*

Furthermore, Section 34 of the Local Government: Municipal Systems Act, 2000(Act No. 32 of 2000) (MSA) prescribes that the Municipal Council: *–“(b) may amend its integrated development plan in accordance with a prescribed process.*

The process referred to in Section 34(b) of the MSA is further regulated by Regulations 3(1) – (6) of the Local Government: Municipal Planning and Performance Management Regulations, 2001, which reads as follows:

- 3 (1) *Only a member or committee of a municipal council may introduce a proposal for amending the municipality's integrated development plan in the council.*
- (2) *Any proposal for amending a municipality's integrated development plan must be-*
 - (a) *accompanied by a memorandum setting out the reasons for the proposal; and*
 - (b) *aligned with the framework adopted in terms of section 27 of the Act.*
- (3) *An amendment to a municipality's integrated development plan is adopted by a decision taken by a municipal council in accordance with the rules and orders of the council.*
- (4) *No amendment to a municipality's integrated development plan may be adopted by the municipal council unless-*
 - (a) *all the members of the council have been given reasonable notice;*
 - (b) *the proposed amendment has been published for public comment for a period of at least 21 days in a manner that allows the public an opportunity to make representations with regard to the proposed amendment;*
 - (c) *the municipality, if it is a district municipality, has complied with sub regulation (5); and*
 - (d) *the municipality, if it is a local municipality, has complied with sub regulation (6).*

(5) *A district municipality that considers an amendment to its integrated development plan must-*

(a) consult all the local municipalities in the area of the district municipality on the proposed amendment; and

(b) take all comments submitted to it by the local municipalities in that area into account before it takes a final decision on the proposed amendment.

(6) *A local municipality that considers an amendment to its integrated development plan must-*

(a) consult the district municipality in whose area it falls on the proposed amendment; and

(b) take all comments submitted to it by the district municipality into account before it takes a final decision on the proposed amendment.

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.

ANNEXURES

Annexure A: SDF / IDP / BUDGET TIME SCHEDULE / PROCESS PLAN FOR 2027/28

FOR FURTHER DETAILS CONTACT:

NAME	Geraldine Mettler
POSITION	Municipal Manager
DIRECTORATE	Office of the Municipal Manager
CONTACT NUMBERS	021 808 8025
E-MAIL ADDRESS	geraldine.mettler@ Stellenbosch.gov.za
REPORT DATE	04 August 2026

ANNEXURE A

SDF / IDP / BUDGET TIME SCHEDULE FOR 2027/28

(In accordance with Section 21(1)(b) of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003) and Section 29 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) and the Regulations made under these Acts)

ACTIVITY / TASK		LEGISLATIVE REQUIREMENTS	TARGET DATES						RESPONSIBLE OFFICIAL
NO	DESCRIPTION		IDP/ PP	SDF	DISASTER MANAGEMENT	BUDGET	PMS	REPORTING	
AUGUST 2026									
1	Publish the Quarter 4 MFMA Section 52 Quarterly Performance Assessment Report 2025/26 (Section 52) on the municipal website (it must be placed on the municipal website not later than 5 days after its tabling in the Council or on the date on which it must be made public, whichever occurs first)	MFMA - Section 75 (2) MSA 21 (b)						03 August 2026	Manager: Financial Statements, Compliance and Reporting
2	Executive Mayor and Mayoral Committee consider the 2026/27 Roll-Over Adjustments Budget	MFMA - Sec 28(2)(e) MBRR - Reg 23(5)				19 August 2026			Snr Manager: Financial Management Services
3	The Executive Mayor and Mayoral Committee consider and recommend that the Spatial Development Framework (SDF) / Integrated Development Plan (IDP) / Budget Time Schedule for 2027/28 (at least 10 months before the start of the budget year) be approved by the Council	MFMA - Sec 21(1)(b)	19 August 2026	19 August 2026		19 August 2026			Manager: IDP/PMS/PP
4	The Council considers the 2026/27 Roll-Over Adjustments Budget (to be tabled before 25 August 2026)	MFMA - Sec 28(2)(e) MBRR - Reg 23(5)				25 August 2026			Snr Manager: Financial Management Services
5	Approval of the SDF/IDP/Budget Time Schedule for 2027/28 by the Council (at least 10 months before the start of the budget year)	MFMA - Sec 21(1)(b)	25 August 2026	25 August 2026		25 August 2026			Manager: IDP/PMS/PP
6	Publish an advertisement to notify the public of the approved SDF/IDP/Budget Time Schedule for 2027/28 on the municipal website and in the local newspaper	MSA - Sec 21, 21A, 28(3)	31 August 2026	31 August 2026					Manager: IDP/PMS/PP
7	Submit the Annual Financial Statements (AFS) and the Annual Performance Report (APR) 2025/26 to the Auditor-General of South Africa (AGSA) for auditing (the accounting officer of a municipality must prepare the annual financial statements of the municipality within 2 months after the end of the financial year to which those statements relate and submit the statements to the Auditor-General for auditing)	MFMA Sec 126 (1)(a) MSA - Sec 46 (1) (2)					31 August 2026	31 August 2026	Chief Financial Officer Manager: IDP/PMS/PP

ACTIVITY / TASK		LEGISLATIVE REQUIREMENTS	TARGET DATES						RESPONSIBLE OFFICIAL
NO	DESCRIPTION		IDP/ PP	SDF	DISASTER MANAGEMENT	BUDGET	PMS	REPORTING	
SEPTEMBER 2026									
8	Publish the 2026/27 Roll-Over Adjustments Budget on the municipal website (it must be placed on the municipal website not later than 5 days after its tabling in the council or on the date on which it must be made public, whichever occurs first)	MFMA - Sec 75(2) MSA - Sec 21(b)				01 September 2026			Manager: Budget and Costing
9	Submit the 2026/27 Approved Roll-Over Adjustments Budget to the National and Provincial Treasury as prescribed by legislation	MFMA - Sec 22(b) MBRR - Reg 20				08 September 2026			Manager: Budget and Costing
10	Commencement of the IDP public participation period (needs analysis): During this period, the community and stakeholders will be able to submit their community needs and input for the planning and drafting of the draft 6th Generation IDP 2027 - 2032	MSA Section 29(1)(b)(I)	07 September 2026 - 15 October 2026	07 September 2026 - 15 October 2026					Manager: IDP/PMS/PP
11	Host the IDP Public Participation Open Days for the planning and drafting of the draft 6th Generation IDP 2027 - 2032	MSA Section 29(1)(b)(I)	08 - 15 September 2026	08 - 15 September 2026					Manager: IDP/PMS/PP
12	Review of the Long-Term Financial Plan	MSA Section 26(a)				01 September 2026 - 31 March 2027			Senior Manager: Financial Management Services
OCTOBER 2026									
13	Capture and refine all community inputs from the needs analysis process and stakeholder engagement	Not Applicable	01 - 23 October 2026						Manager: IDP/PMS/PP
14	District IDP Managers Forum (DIDPMF)	MSA Section 24	08 October 2026						Manager: IDP/PMS/PP
15	Distribute the consolidated community input solicited from the IDP public participation process to all municipal departments for input and to identify key deliverables	MSA Section 34	28 October 2026						Manager: IDP/PMS/PP
16	Submission of community priority requests to the provincial sector departments and the Cape Winelands District Municipality (CWDM)	Not Applicable	28 October 2026						Manager: IDP/PMS/PP
17	Submit the Quarter 1 MFMA Section 52 Quarterly Report Performance Assessment Report 2026/27 for the period ending 30 September 2026 on the implementation of the budget and financial state of affairs of the municipality to the Council	MFMA - Sec 52(d) MFMA - Sec 71(1) MBRR - Reg 28					28 October 2026	28 October 2026	Manager: Financial Statements, Compliance and Reporting Manager: IDP/PMS/PP
18	Submit the Quarter 1 MFMA Section 52 Quarterly Report, the Performance Assessment Report 2026/27 - SDBIP and the Finance Performance Reports to the National and Provincial Treasury	MFMA - Sec 75(2) MSA - Sec 21(b)						29 October 2026	Manager: Financial Statements, Compliance and Reporting

ACTIVITY / TASK		LEGISLATIVE REQUIREMENTS	TARGET DATES						RESPONSIBLE OFFICIAL
NO	DESCRIPTION		IDP/ PP	SDF	DISASTER MANAGEMENT	BUDGET	PMS	REPORTING	
NOVEMBER 2026									
19	Publish the Quarter 1 MFMA Section 52 Quarterly Report Performance Assessment Report 2026/27 on the municipal website (it must be placed on the website not later than 5 days after its tabling in the council or on the date on which it must be made public, whichever occurs first)	MFMA - Sec 75(2) MSA - Sec 21(b)						03 November 2026	Manager: Financial Statements, Compliance and Reporting
20	Directorates to submit inputs for the 2026/27 Operating and Capital Mid-Year Adjustments Budget to the Manager: Budgeting and Costing	MFMA - Section 28				04 November 2026			Manager: Budget and Costing
21	Directorates complete the template for the 2028 - 2031 Capital and Operational Budget for budget prioritisation	MFMA - Section 21 MSA Section 26(h)				04 November 2026			Manager: Budget and Costing
22	Identify all plans and planning requirements binding on the municipality in terms of national and provincial legislation	MSA - Sect 29(1)(c)	01 - 28 November 2026						Manager: IDP/PMS/PP
23	Submit to the Council a consolidated report on the IDP public participation input and comments received during September / October for consideration for the draft 6th Generation IDP 2027 - 2032	MSA Section 34(a)	25 November 2026						Manager: IDP/PMS/PP
24	Submit to the Council a consolidated report on the MSDF/CEF public participation input and comments received during September / October 2026 for consideration for the draft 6th Generation IDP 2027 - 2032	MSA - Section 34(a)(b)		25 November 2026					Senior Manager: Development Planning
DECEMBER 2026									
25	Provincial IDP Managers Forum (PIDPMF)	MSA Section 24	03 - 04 December 2026						Manager: IDP/PMS/PP
26	Operationalise disaster management in the municipality by means of identifying projects	DM Act, No 57 of 2002, Section 53(1) (a-d), Section 53(2)(a)			31 December 2026				Manager: Fire and Disaster
27	Design and identification of disaster management projects	DM Act, No 57 of 2002, Section 53(1) (a-d), Section 53(2)(a)			31 December 2026				Manager: Fire and Disaster

ACTIVITY / TASK		LEGISLATIVE REQUIREMENTS	TARGET DATES						RESPONSIBLE OFFICIAL
NO	DESCRIPTION		IDP/ PP	SDF	DISASTER MANAGEMENT	BUDGET	PMS	REPORTING	
JANUARY 2027									
28	The Mayoral Committee (MayCo) considers the 2026/27 Adjustments Budget, Revised TL SDBIP 2026/27 and Draft 2027 - 2032 IDP Process Plan	MFMA - Sec 28 MBRR - Part 4 MSA - Sec 28				20 January 2027	20 January 2027		Snr Manager: Financial Management Services and Manager: IDP/PMS/PP
29	Submit MFMA Section 72 Mid-Year Budget and Performance Assessment Report 2026/27 to the Executive Mayor	MFMA - Sec 72				22 January 2027	22 January 2027		Manager: IDP/PMS/PP
30	Submit the MFMA Section 72 Mid-Year Budget and the Performance Reports 2026/27 to the Provincial and National Treasury by 25 January	MFMA - Section 72(1)(b) MBRR - Reg 35					25 January 2027	25 January 2027	Manager: IDP/PMS/PP and Manager: Financial Statements, Compliance and Reporting
31	The Council considers for adoption the 2026/27 Adjustments Budget and Revised TL SDBIP 2026/27	MFMA - Sec 28 MBRR - Part 4 MSA - Sec 28 and 29				25 January 2027	25 January 2027		Snr Manager: Financial Management Services and Manager: IDP/PMS/PP
32	Submit the Quarter 2 MFMA Section 52 Quarterly Performance Assessment Report 2026/27 for the period ending 31 December 2026 on the implementation of the budget and financial state of affairs of the municipality to the Council	MFMA - Sec 52(d) MFMA - Sec 71(1) MBRR - Reg 29					25 January 2027	25 January 2027	Manager: Financial Statements, Compliance and Reporting and Manager: IDP/PMS/PP
33	Submit the MFMA Section 72 Mid-Year Budget and Performance Assessment Report 2026/27 to the Council	MFMA - Section 72(1)(b) MBRR - Reg 35				25 January 2027	25 January 2027	25 January 2027	Manager: Financial Statements, Compliance and Reporting and Manager: IDP/PMS/PP
34	Draft 2027 - 2032 IDP Process Plan for the new 5 Year IDP: Submit to the newly elected Council for approval, the draft 2027 - 2032 Process Plan in terms of Section 28 of the MSA, for the purpose of public input for a period of 21 days	MFMA - Sec 21(b) MSA - Sec 28	25 January 2027	25 January 2027					Manager: IDP/PMS/PP
35	Submit to the Council to consider the release of the Draft Annual Report 2025/26 for the purpose of public participation	MFMA - Sec 127					25 January 2027	25 January 2027	Manager: IDP/PMS/PP and Senior Manager: Financial Management Services
36	Publish an advertisement in the local newspaper to notify the public and other stakeholders to submit written comments on the Draft Annual Report 2025/26	MFMA - Sec 127(5)(a) MSA - Sec 21A					28 January 2027		Manager: IDP/PMS/PP
37	District IDP Managers Forum (DIDPMF)	MSA Section 24	29 January 2027						Manager: IDP/PMS/PP
38	Publish the Quarter 2 MFMA Section 52 Quarterly Report Performance Assessment Report 2026/27 on the municipal website	MFMA - Section 75 (2) MSA - Sec 21(b)						29 January 2027	Manager: Financial Statements, Compliance and Reporting

ACTIVITY / TASK		LEGISLATIVE REQUIREMENTS	TARGET DATES						RESPONSIBLE OFFICIAL
NO	DESCRIPTION		IDP/ PP	SDF	DISASTER MANAGEMENT	BUDGET	PMS	REPORTING	
39	Submit the Draft Annual Report 2025/26 within five (5) days via e-mail and hard copy to the National Treasury, the Western Cape Department of Local Government, the Western Cape Provincial Treasury and the Auditor General	MFMA - Section 127(5)(b)					30 January 2027		Manager: IDP/PMS/PP
FEBRUARY 2027									
40	Publish the approved Draft 2027 - 2032 IDP Process Plan in the local newspaper and municipal website, and provide not less than 21 days for public comments and written submissions	MSA - Sec 21A MPPMR - Reg 15(3)	03 February 2027	03 February 2027					Manager: IDP/PMS/PP
41	Publish a notice on the Mid-Year Budget and Performance Report 2026/27 in the local newspaper and on the municipal website	MFMA - Section 75 (2) MSA - Sec 21(b)				04 February 2027	04 February 2027		Manager: Financial Statements, Compliance and Reporting and Manager: IDP/PMS/PP
42	Publish and make public the approved Adjustments Budget 2026/27 and Revised SDBIP 2026/27 in the local newspaper and on the municipal website	MFMA - Sec 28(7) MSA - Sec 21A & S21 B MBRR - Part 4				04 February 2027			Manager: Budget and Costing
43	Table the Draft Annual Report 2025/26 to the Municipal Public Accounts Committee (MPAC) to consider and evaluate the content of the Draft Annual Report 2025/26	MFMA 127 and 129 (1)					08 - 10 February 2027		Manager: IDP/PMS/PP
44	Submit the budget and related documents and B schedules to the National and Provincial Treasury as required per legislation (within 10 working days)	MFMA - Sec 28(7) MFMA - S22 (b)(i) MSA - Sec 21A MBRR - Part 4				10 February 2027			Manager: Budget and Costing and Manager: IDP/PMS/PP
45	Public Hearing: Consultation on the Draft Annual Report 2025/26 with the community and interested stakeholders	MFMA - Sec 127(5) MFMA - Sec 127(6)					11 February 2027		Manager: IDP/PMS/PP
46	Complete the tariff-setting exercise for 2027/28	MFMA Section 17				26 February 2027			Manager: Budget and Costing
47	Review the current budget and related policies and by-law inputs and newly needed budget-related policies	MFMA - Sec 21 MBRR - Part 3				26 February 2027			Snr Manager: Financial Management Services
48	Municipal officials provide feedback, verifying whether the content of the Draft Annual Report 2025/26 is credible, reliable, and accurate (this refers to the necessary changes that must be made to the report prior to presenting it to the Council)	MFMA Sec 121 and 122					24 February 2027		Manager: IDP/PMS/PP
49	Conduct the Annual (2025/26) and mid-year (2026/27) performance assessments of the Municipal Manager and Managers directly accountable to the Municipal Manager	MPPMR - Reg 13 GN 21- 17/01/2014					26 February 2027		Manager: IDP/PMS/PP

ACTIVITY / TASK		LEGISLATIVE REQUIREMENTS	TARGET DATES						RESPONSIBLE OFFICIAL
NO	DESCRIPTION		IDP/ PP	SDF	DISASTER MANAGEMENT	BUDGET	PMS	REPORTING	
MARCH 2027									
50	District IDP Managers Forum (DIDPMF)	MSA Section 24	11 March 2027						Manager: IDP/PMS/PP
51	Submit the Final 2027- 2032 IDP Process Plan to MAYCO for recommendation to the Council for adoption	MSA - Sec 28	24 March 2027	24 March 2027					Manager: IDP/PMS/PP
52	Submit the draft 6th Generation IDP 2027 - 2032, draft Budget and draft SDBIP 2027/28 to MayCo for consideration and recommendation to Council	MFMA - Sec 24	24 March 2027			24 March 2027	24 March 2027		Manager: IDP/PMS/PP and Snr Manager: Financial Management Services
53	The formulation of disaster strategies: prevention and mitigation strategies, vulnerability reduction strategies, capacity building, contingency building, and emergency preparedness	DM Act, No 57 of 2002, Section 53(1) (a-d), Section 53(2)(a)			30 March 2027				Manager: Fire and Disaster
54	Compilation of the Draft Reviewed Disaster Management Plan	DM Act, No 57 of 2002, Section 53 (1)(a-d) Section 53(2)(a))			30 March 2027				Manager: Fire and Disaster
55	The Council considers the Annual Report Oversight Report and the Annual Report 2025/26 for approval	MFMA - Sec 129					31 March 2027		Manager: IDP/PMS/PP
56	Submit the Final 2027 - 2032 IDP Process Plan to the Council for adoption	MSA - Sec 28	31 March 2027	31 March 2027					Manager: IDP/PMS/PP
57	Submission of the draft 6th Generation IDP 2027 - 2032, draft Budget, tariffs, budget-related policies and SDBIP (at least 90 days before the start of the budget year) to the Council for approval for the purpose of obtaining public comment and inputs (21 days)	MFMA - Sec 16(2) MSA - Sec 25 MBRR - Part 3	31 March 2027			31 March 2027	31 March 2027		Manager: IDP/PMS/PP and Snr Manager: Financial Management Services
58	Submit the draft Budget and related data strings to the National and Provincial Treasuries, as prescribed by legislation	MFMA - Sec 22(b) MBRR - Reg 20				31 March 2027			Manager: Budget and Costing

ACTIVITY / TASK		LEGISLATIVE REQUIREMENTS	TARGET DATES						RESPONSIBLE OFFICIAL
NO	DESCRIPTION		IDP/ PP	SDF	DISASTER MANAGEMENT	BUDGET	PMS	REPORTING	
APRIL 2027									
59	Place an advertisement for the Annual Report Oversight Report and the Annual Report 2025/26 to be released for information, which must be placed on the municipal website within five (5) days after it is approved	MFMA - Sec 129(3) MFMA - Sec 75					05 April 2027		Manager: IDP/PMS/PP
60	Distribute the Annual Report Oversight Report and the Annual Report 2025/26 to all municipal offices and libraries for information	MFMA - Sec 129(3)					09 April 2027		Manager: IDP/PMS/PP
61	Submit the Draft 6th Generation IDP 2027 - 2032, Draft SDBIP 2027/28 and Final 2027 - 2032 IDP Process Plan to the Department of Local Government, National and Provincial Treasury, prescribed national or provincial organs of state and to other municipalities affected by the IDP and budget	MFMA - Sec 22(b) MSA - Sec 29(3)(b) MSA - Sec 32(1) MBRR - Reg 20	09 April 2027	09 April 2027			09 April 2027		Manager: IDP/PMS/PP
62	Publish the approved Draft 6th Generation IDP 2027 - 2032 and Draft Budget and other required documents and provide not less than 21 days for public comments and written submissions	MFMA - Sec 22(a) MSA - Sec 21A, 42 MPPMR - Reg 15(3)	06 - 27 April 2027			06 - 27 April 2027	06 - 27 April 2027		Manager: IDP/PMS/PP and Manager: Budget and Costing
63	Publish a notice informing the public of the adoption of the Final 2027 - 2032 IDP Process Plan in the local newspaper and municipal website	MSA - Sec 21A MPPMR - Reg 15(3)	09 April 2027	09 April 2027					Manager: IDP/PMS/PP
64	Host IDP and Budget Public Participation Open Days: to consult on the Draft IDP, Draft SDBIP 2027/28 and Draft Budget	MFMA - Sec 22(a) MSA - Sec 21A, 42 MPPMR - Reg 15(3)	06 - 13 April 2027	06 - 13 April 2027		06 - 13 April 2027	06 - 13 April 2027		Manager: IDP/PMS/PP and Manager: Budget and Costing
65	Submit the Quarter 3 MFMA Section 52 Quarterly Report Performance Assessment Report 2026/27 for the period ending 31 March 2027 on the implementation of the budget and financial state of affairs of the municipality to the Council	MFMA - Sec 52(d) MFMA - Sec 71(1) MBRR - Reg 29					28 April 2027	28 April 2027	Manager: Financial Statements, Compliance and Reporting and Manager: IDP/PMS/PP
66	Submit the Quarter 3 MFMA Section 52 Quarterly Performance Assessment Report 2026/27 and Performance Reports to the National and Provincial Treasury	MPPMR - Reg 13						30 April 2027	Manager: Financial Statements, Compliance and Reporting

ACTIVITY / TASK		LEGISLATIVE REQUIREMENTS	TARGET DATES						RESPONSIBLE OFFICIAL
NO	DESCRIPTION		IDP/ PP	SDF	DISASTER MANAGEMENT	BUDGET	PMS	REPORTING	
MAY 2027									
67	Publish the Quarter 3 MFMA Section 52 Quarterly Performance Assessment Report 2026/27 on the municipal website	MFMA - Sec 75(2) MSA - Sec 21(b)						03 May 2027	Manager: IDP/PMS/PP
68	SIME / LG MTEC 3 IDP and Budget Assessments by Provincial Treasury and Department of Local Government	MSA Chapter 5 MFMA Section 23	14 May 2027			14 May 2027	14 May 2027		Manager: IDP/PMS/PP and Snr Manager: Financial Management Services
69	The MAYCO meeting to consider the final draft 6th Generation IDP 2027 - 2032 and Budget (at least 30 days before the start of the budget year)	MFMA - Sec 24	19 May 2027			19 May 2027	19 May 2027		Manager: IDP/PMS/PP and Snr Manager: Financial Management Services
70	Council meeting to adopt the Draft 6th Generation IDP 2027 - 2032, performance management measures and targets and the final Budget (at least 30 days before the start of the budget year)	MFMA - Sec 24	26 May 2027			26 May 2027	26 May 2027		Manager: IDP/PMS/PP and Snr Manager: Financial Management Services
71	Submit the approved Budget to the National and Provincial Treasuries as prescribed by legislation	MFMA - Sec 24(3) MBRR - Reg 20				26 May 2027			Manager: Budget and Costing
JUNE 2027									
72	Publish the adopted IDP, multi-year budget, all budget-related documents and all budget-related policies on the municipal website	MFMA - Sec 22 and 75 (1)(2) MSA - Sec 21A and 21B	02 June 2027			02 June 2027			Manager: IDP/PMS/PP and Manager: Budget and Costing
73	District IDP Managers Forum (DIDPMF)	MSA Section 24	03 June 2027						Manager: IDP/PMS/PP
74	Submit a copy of the adopted IDP to the MEC for Local Government (within 10 days of the adoption of the plan)	MSA - Sec 21, 21A, 28(3)	04 June 2027						Manager: IDP/PMS/PP
75	Give notice to the public of the adoption of the IDP and Budget (within 14 days of the adoption of the plan) and budget (within 10 working days)	MBRR - Reg 18 MSA - Sec 25(4)(a)(b) MFMA - Sec 75(1)	04 June 2027			09 June 2027			Manager: IDP/PMS/PP and Manager: Budget and Costing
76	Submit the adopted budget and related documents to the National and Provincial Treasury, as prescribed by legislation (within 10 working days after budget approval)	MFMA - Sec 24(3) MBRR - Reg 20				09 June 2027			Manager: Budget and Costing
77	Submit to the Executive Mayor the draft TL SDBIP 2027/28 (no later than 14 days after the approval of an annual budget)	MFMA - Sec 69(3)(a)					09 June 2027		Manager: IDP/PMS/PP
78	Provincial IDP Managers Forum (PIDPMF)	MSA Section 24	10 - 11 June 2027						Manager: IDP/PMS/PP

ACTIVITY / TASK		LEGISLATIVE REQUIREMENTS	TARGET DATES						RESPONSIBLE OFFICIAL
NO	DESCRIPTION		IDP/ PP	SDF	DISASTER MANAGEMENT	BUDGET	PMS	REPORTING	
79	The Executive Mayor takes all reasonable steps to ensure that the SDBIP is approved (within 28 days after approval of the budget)	MFMA - Sec 53(1)(c) (ii)					23 June 2027		Manager: IDP/PMS/PP
80	Signing of performance agreements of the Municipal Manager and Managers directly accountable to the Municipal Manager	MFMA - Sec 53(1)(c) (ii)					23 June 2027		Manager: IDP/PMS/PP
JULY 2027									
81	Make public the projections, targets and indicators as set out in the TL SDBIP 2027/28 (no later than 14 days after the approval of the SDBIP) and submit to National and Provincial Treasuries (no later than 10 working days after the approval of the SDBIP)	MFMA Section 53(3)(a) MBRR Reg 19					01 July 2027		Manager: IDP/PMS/PP
82	Make public the performance agreements of the Municipal Manager and Managers directly accountable to the Municipal Manager (no later than 14 days after the approval of the SDBIP)	MFMA Section 53(3)(b)					01 July 2027		Manager: IDP/PMS/PP
83	Preparation of the SDF/IDP/Budget Time Schedule for 2028/29	MFMA - Sec 21(1)(b) MSA - Sec 29	01 - 30 July 2027						Manager: IDP/PMS/PP

6.2	ADJUSTMENTS BUDGET (ROLL-OVER) 2026/2027
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Collaborator No:

IDP KPA Ref No:

Good Governance and Compliance

Meeting Date:

19 August 2026

1. SUBJECT: ADJUSTMENTS BUDGET (ROLL-OVER) 2026/2027

2. PURPOSE

To present the adjustments budget roll-over for the 2026/2027 financial year to Council for approval.

3. DELEGATED AUTHORITY

FOR APPROVAL BY MUNICIPAL COUNCIL

4. EXECUTIVE SUMMARY

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

5. RECOMMENDATIONS

- (a) that the Adjustments Budget for 2026/2027 as set out in **APPENDIX 1-5**, be approved;
- (b) that the Adjustments Budget Tables as prescribed by the Budgeting and Reporting Regulations, as set out in **APPENDIX 3**, be approved; and
- (c) that the Service Delivery and Budget Implementation Plan be adjusted accordingly inclusive of the non-financial information (performance measurement).

6. DISCUSSION / CONTENTS

6.1 Background/ Legislative Framework

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

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

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

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

6.2 Discussion

The adjustments budget addresses the spending of funds that were unspent and committed at the end of the 2025/2026 financial year where the under-spending could not reasonably have been foreseen at the time of concluding the annual budget of the current financial year.

Capital Adjustments Budget

Council approved a Capital Budget for the 2026/2027 financial year amounting to R 579 301 851 in May 2026. These adjustments budget effectively changes the approved budget by means of the inclusion of the roll-overs from the 2025/2026 financial year.

The criteria applied for roll over of capital projects included supporting evidence that must be provided for each project that the work has commenced, namely the following:

- Proof that the project tender was published and the period for tender submissions closed before 30 June 2026.
- Detailed reference numbers of the Supply Chain Management process followed needs to be provided.
- Evidence that all projects linked to an allocation will be fully utilised by 30 June 2027.

Details of the proposed adjustments are reflected in **APPENDIX 2**.

Operating Revenue Adjustments Budget

The approved Operating Revenue Budget for the 2026/2027 financial year amounted to R 3 232 648 139 in May 2026. No adjustments were made regarding the Operational Revenue Budget.

Operating Expenditure Adjustments Budget

Council adopted an Operating Expenditure Budget for the 2026/2027 financial year amounting to R 3 073 517 776 in May 2026. No adjustments were made regarding the Operational Expenditure Budget.

6.3 Financial Implications

Financial impact is reflected in the appendices.

6.4 Legal Implications

The item is compliant with the relevant legislative framework.

6.5 Staff Implications

None.

6.6 Previous / Relevant Council Resolutions:

41st Council Meeting on 27 May 2026 - Item 8.2

6.7 Risk Implications

None.

6.8 Comments from Senior Management:

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

6.8.1 Municipal Manager:

Supports the recommendations.

ANNEXURES

Appendix 1: Executive Summary

Appendix 2: Adjustments Budget: Detail Projects

Appendix 3: Adjustments Budget Tables (Schedule B)

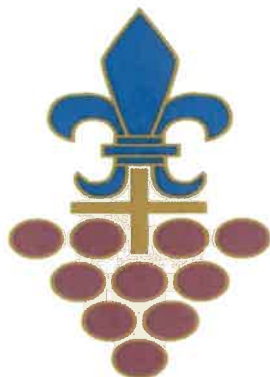
Appendix 4: Adjustments Budget Supporting Schedules

Appendix 5: Municipal Manager's Quality Certification

FOR FURTHER DETAILS CONTACT:

NAME	MONIQUE STEYL
POSITION	SENIOR MANAGER: FINANCIAL MANGEMENT SERVICES
DIRECTORATE	FINANCIAL SERVICES
CONTACT NUMBERS	021 808 8512
E-MAIL ADDRESS	Monique.Steyl@ Stellenbosch.gov.za
REPORT DATE	12 August 2026

APPENDICES 1-5



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STELLENBOSCH MUNICIPALITY

ROLL-OVER ADJUSTMENTS BUDGET DOCUMENTATION

AUGUST 2026

ROLL-OVER ADJUSTMENTS BUDGET FOR THE FINANCIAL PERIOD 2026 – 2027
AUGUST 2026

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ROLL-OVER ADJUSTMENTS BUDGET FOR THE FINANCIAL PERIOD 2026 – 2027
AUGUST 2026

APPENDIX 1

Executive Summary

Overview

The adjustments budget in terms of section 28 (2) (e) of the MFMA emanates from funds that have not been spent in the 2025/2026 financial year.

Stellenbosch Municipality had budgeted R 594 994 272 for capital expenditure in the 2025/2026 financial year, of which the municipality spent R 494 410 747 of the budget. Only unspent capital funds will be rolled over.

Capital Adjustments Budget for 2026/2027

	2026/2027 Approved Budget	2026/2027 Adjustments Budget	%
Capital Budget	579 301 851	645 035 768	11.35%

ROLL-OVER ADJUSTMENTS BUDGET FOR THE FINANCIAL PERIOD 2026 – 2027
AUGUST 2026

Adjustments to Funding

The funding sources to the capital budget are as follows:

Funding	2026/2027 Approved Budget	%	2026/2027 Adjustments Budget	%
Own Funding				
Capital Replacement Reserve	302 984 439	52%	343 836 986	53%
Development Contribution	20 000 000	3%	22 352 623	3%
External Funding				
External Loans	186 966 021	32%	209 494 768	32%
National Grants	53 793 826	9%	53 793 826	8%
Provincial Grants	15 557 565	3%	15 557 565	2%
	579 301 851		645 035 768	

Adjustments to Capital Expenditure

The capital budget per directorate is as follows:

Directorate	Total Approved Budget (R)	%	Total Adjustments Budget (R)	%
Municipal Manager	60 000	0%	60 000	0%
Planning and Economic Development	34 125 065	6%	35 568 950	6%
Infrastructure Services	437 595 004	76%	470 777 128	73%
Corporate Services	52 100 000	9%	61 818 775	10%
Community and Protection Services	51 521 782	9%	72 642 561	11%
Financial Services	3 900 000	1%	4 168 353	1%
TOTALS	579 301 851		645 035 768	

ROLL-OVER ADJUSTMENTS BUDGET FOR THE FINANCIAL PERIOD 2026 – 2027
AUGUST 2026

Adjustments to Operating Revenue

The operating revenue budget per directorate is as follows:

Directorate	Total Approved Budget (R)	%	Total Adjustments Budget (R)	%
Municipal Manager	-	0%	-	0%
Planning and Economic Development	67 431 638	2%	67 431 638	2%
Infrastructure Services	2 166 419 660	67%	2 166 419 660	67%
Corporate Services	13 797 272	0%	13 797 272	0%
Community and Protection Services	220 395 810	7%	220 395 810	7%
Financial Services	764 603 759	24%	764 603 759	24%
TOTALS	3 232 648 139		3 232 648 139	

No amendments were made to the approved operating revenue budget.

Adjustments to Operating Expenditure

The operating expenditure budget per directorate is as follows:

Directorate	Total Approved Budget (R)	%	Total Adjustments Budget (R)	%
Municipal Manager	23 095 608	1%	23 095 608	1%
Planning and Economic Development	157 986 236	5%	157 986 236	5%
Infrastructure Services	1 853 970 868	60%	1 853 970 868	60%
Corporate Services	258 096 358	8%	258 096 358	8%
Community and Protection Services	618 633 546	20%	618 633 546	20%
Financial Services	161 735 160	5%	161 735 160	5%
TOTALS	3 073 517 776		3 073 517 776	

No amendments were made to the approved operating expenditure budget.

ROLL-OVER ADJUSTMENTS BUDGET FOR THE FINANCIAL PERIOD 2026 – 2027
AUGUST 2026

High Level Adjustments Budget Summary for 2026/2027

The total budget is summarized as follows:

Directorate	Operating Revenue Budget	Operating Expenditure Budget	Capital Budget	Total Budget
Municipal Manager	-	23 095 608	60 000	23 155 608
Planning and Economic Development	67 431 638	157 986 236	35 568 950	193 555 186
Infrastructure Services	2 166 419 660	1 853 970 868	470 777 128	2 324 747 996
Corporate Services	13 797 272	258 096 358	61 818 776	319 915 134
Community and Protection Services	220 395 810	618 633 546	72 642 561	691 276 107
Financial Services	764 603 759	161 735 160	4 168 353	165 903 513
Total Budget	3 232 648 139	3 073 517 776	645 035 768	3 718 553 544

ROLL-OVER ADJUSTMENTS BUDGET FOR THE FINANCIAL PERIOD 2026 – 2027
AUGUST 2026

APPENDIX 2

Capital Adjustments Budget for 2026/2027

The following funds per directorate are to be rolled over:

Directorate	Approved Budget	Funds rolled over	Adjustments Budget
Municipal Manager	60 000	-	60 000
Planning and Development Services	34 125 065	1 443 885	35 568 950
Infrastructure Services	437 595 004	33 182 124	470 777 128
Corporate Services	52 100 000	9 718 776	61 818 776
Community and Protection Services	51 521 782	21 120 779	72 642 561
Financial Services	3 900 000	268 353	4 168 353
TOTALS	579 301 851	65 733 917	645 035 768

The following funds per funding source are to be rolled over:

<u>Funding</u>	Approved Budget	Funds rolled over	Adjustments Budget
Own Funding			
Capital Replacement Reserve	302 984 439	40 852 547	343 836 986
Development Contribution	20 000 000	2 352 623	22 352 623
External Funding			
External Loans	186 966 021	22 528 747	209 494 768
National Grants	53 793 826	-	53 793 826
Provincial Grants	15 557 565	-	15 557 565
	579 301 851	65 733 917	645 035 768

The Capital projects to be rolled over from the previous financial year are as follows:

Projects	Roll Over Amount	Motivation
Planning and Economic Development	1 443 885	
Economic Development & Tourism	280 100	
Restoration of Landbou Saal	280 100	This is a multi-year project. Tender was awarded. Project carried forward to the 2026/2027 Financial Year.
Housing Administration	1 163 785	
Upgrading of Flats: General	1 163 785	Project was not completed. Work delayed due to inclement weather. Service provider was appointed. Project carried forward to the 2026/2027 Financial Year.
Infrastructure Services	33 182 124	
Waste Management: Solid Waste Management	13 295 646	
Expansion of the landfill site (New cells)	5 960 782	Project was not completed. Project carried forward to the 2026/2027 Financial Year.
Major Drop-Offs: Construction - Franschoek	3 831 250	This is a multi-year project. Project was not completed due to poor performance by the service provider. Project carried forward to the 2026/2027 Financial Year.
Major Drop-offs: Construction - Klapmuts	2 003 848	This is a multi-year project. Project was not completed due to delay in tender process. Project carried forward to the 2026/2027 Financial Year.

Projects	Roll Over Amount	Motivation
Mini Waste drop-off facilities	199 766	This is a multi-year project. Project was not completed. Project carried forward to the 2026/2027 Financial Year.
Waste containers	500 000	Project was not completed. Project carried forward to the 2026/2027 Financial Year.
Waste Minimization Projects	500 000	Project was not completed. Project carried forward to the 2026/2027 Financial Year.
Upgrade depot and sites	300 000	Project was not completed. Project carried forward to the 2026/2027 Financial Year.
Electrical Services	9 148 021	
Ad-Hoc Provision of Streetlighting	286 264	This is a multi-year project. Project carried forward to the 2026/2027 Financial Year.
Streetlights R304	8 411 757	This is a multi-year project. Tender process in progress. Project carried forward to the 2026/2027 Financial Year.
Third transformer and associated works 20MVA Cloetessville	450 000	Project was not completed. Project carried forward to the 2026/2027 Financial Year.
Project Management Unit (PMU)	140 624	
Kayamandi: Zone O (±711 services)	140 624	Project was not completed. Project carried forward to the 2026/2027 Financial Year.

ROLL-OVER ADJUSTMENTS BUDGET FOR THE FINANCIAL PERIOD 2026 – 2027
AUGUST 2026

Projects		Roll Over Amount	Motivation
Water and Wastewater Services: Water		8 550 041	
	Bulk Water Supply Pipe Line & Pumpstations: Franschhoek	2 507 801	Project was not completed. Project carried forward to the 2026/2027 Financial Year.
	Bulk Water Supply Pipe: Cloetesville/ Idas Valley	3 798 871	Project was not completed. Tender has been awarded. Project carried forward to the 2026/2027 Financial Year.
	New Reservoir & Pipeline: Vlothenburg	559 398	This is a multi-year project. Project carried forward to the 2026/2027 Financial Year.
	Upgrade of IdasValley WTP	479 000	This is a multi-year project. Project was not completed. Funds to be utilised for the refurbishment of the WTP to increase production. Project carried forward to the 2026/2027 Financial Year.
	Water Conservation & Demand Management	1 204 971	Project was not completed. Funds required for the completion of critical works, to improve meter accuracy, reduce non-revenue water and support effective pressure management within the water distribution network. Project carried forward to the 2026/2027 Financial Year.
Water & Wastewater Network Operations: Sanitation		1 493 749	
	Refurbish Plant & Equipment - Raithby WWTW	493 749	This is a multi-year project. Project was not completed due to delay in the design phase, which required specialist studies to support the licensing application. Project carried forward to the 2026/2027 Financial Year.
	Upgrade of Dwarsriver Bulk Sewer network and pump lines	1 000 000	This is a multi-year project. Project carried forward to the 2026/2027 Financial Year.

Projects		Roll Over Amount	Motivation
Traffic Engineering		348 775	
	Main Road Intersection Improvements: R44 / Merriman Street	348 775	This is a multi-year project. Funds required for main road intersection improvements. Project carried forward to the 2026/2027 Financial Year.
Transport Planning and Public Transport		205 268	
	Non-Motorised Transport Implementation	205 268	This is a multi-year project. The sidewalk construction work could not be completed due to the winter season and unfavourable weather. Project carried forward to the 2026/2027 Financial Year.
Corporate Services		9 718 776	
Information and Communications Technology (ICT)		4 149 250	
	Fibre Optic Implementation	3 462 730	This is a multi-year project. Tender was awarded. Project carried forward to the 2026/2027 Financial Year.
	Server Storage expansion and upgrades	686 520	This is a multi-year project. Project carried forward to the 2026/2027 Financial Year.
Properties and Municipal Building Maintenance		5 569 526	
	Airconditioners	447 359	Project was not completed. Project carried forward to the 2026/2027 Financial Year.

ROLL-OVER ADJUSTMENTS BUDGET FOR THE FINANCIAL PERIOD 2026 – 2027
AUGUST 2026

Projects		Roll Over Amount	Motivation
	Furniture, Tools & Equipment: Property Management	132 301	Project not completed. Project to be rolled forward to the 2026/2027 financial year.
	Kayamandi: Upgrading of Makapula Hall	2 700 000	Project was not completed. Consultant was appointed, tender awarded and work is ongoing. Project carried forward to the 2026/2027 Financial Year.
	Upgrading: Law Enforcement Offices	274 238	This is a multi-year project. Project was not completed. Project carried forward to the 2026/2027 Financial Year.
	Upgrading: Municipal Court	40 000	Project was not completed. Project carried forward to the 2026/2027 Financial Year.
	Upgrading: Main Office Complex	40 000	This is a multi-year project. Tender was awarded and work is ongoing. Construction work to commence during 2026/27 financial year. Project carried forward to the 2026/2027 Financial Year.
	Upgrading: Admin Building and Community Hall	300 000	This is a multi-year project. Project was not completed. Project carried forward to the 2026/2027 Financial Year.
	Upgrade Millenium Hall Pniel	1 088 144	Project was not completed. Project carried forward to the 2026/2027 Financial Year.
	Upgrading Fencing	298 502	This is a multi-year project. Project was not completed. Project carried forward to the 2026/2027 Financial Year.
	Upgrading of New Office Space: Ryneveld Street	248 982	Project was not completed. Project carried forward to the 2026/2027 Financial Year.

Projects		Roll Over Amount	Motivation
Community & Protection Services		21 120 779	
Community Development		4 895 436	
	Upgrading: Early Childhood Development Centres on Municipal Land	4 895 436	This is a multi-year project. Project was not completed due to insect infestation in wooden infrastructure, which delayed the progress of the project and led to additional construction and management costs. Project carried forward to the 2026/2027 Financial Year.
Environmental Management: Implementation		367 393	
	Fencing :Urban Forestry	367 393	Project was not completed. Project carried forward to the 2026/2027 Financial Year.
Cemeteries		13 758 226	
	Calcatta Memorial Park	13 758 226	Project was not completed due to poor performance from the appointed building contractor. Project carried forward to the 2026/2027 Financial Year.
Law Enforcement and Security		1 999 724	
	Install and Upgrade CCTV/ LPR Cameras In WC024	419 761	This is a multi-year project. Project was not completed due to electrical issues on identified sites. Active tender in place. Project carried forward to the 2026/2027 Financial Year.

ROLL-OVER ADJUSTMENTS BUDGET FOR THE FINANCIAL PERIOD 2026 – 2027
AUGUST 2026

Projects		Roll Over Amount	Motivation
	Install Computerized Access Security Systems and CCTV Cameras At Municipal Buildings	146 604	This is a multi-year project. Project was not completed. Project carried forward to the 2026/2027 Financial Year.
	K9 Unit	1 249 979	Project was not completed. Project carried forward to the 2026/2027 Financial Year.
	Vehicle Fleet: Law Enforcement	183 380	Project was not completed. Project carried forward to the 2026/2027 Financial Year.
Traffic Services		100 000	
	Traffic Offices	100 000	Project was not completed. Service provider was appointed. Project carried forward to the 2026/2027 Financial Year.
Financial Services			
Financial Services General		268 353	
	Furniture, Tools & Equipment: FS	268 353	Project was not completed. Project carried forward to the 2026/2027 Financial Year.
TOTAL - Capital		65 733 917	

ROLL-OVER ADJUSTMENTS BUDGET FOR THE FINANCIAL PERIOD 2026 – 2027
AUGUST 2026

APPENDIX 3

Adjustments Budget Tables

In accordance with the Budget and Reporting Regulations, the following compulsory schedules are attached (Appendix 3) reflecting the composition and detail of the adjustments budget:

Table name	Table
Adjustments Budget Summary	B1
Adjustments Budget Financial Performance by standard	B2
Adjustments Budget Financial Performance by vote	B3
Adjustments Budget Financial Performance	B4
Adjustments Budget Capital Expenditure by vote and funding	B5
Adjustments Budget Financial Position	B6
Adjustments Budget Cash Flows	B7
Cash backed reserves/ Accumulated surplus reconciliation	B8
Asset Management	B9
Basic Service Delivery Measurement	B10

Supporting schedules (SB1 – SB20) are attached on Appendix 4.

ROLL-OVER ADJUSTMENTS BUDGET FOR THE FINANCIAL PERIOD 2025 – 2026
AUGUST 2025

APPENDIX 4

Other supporting documentation (Supporting Schedules)

ROLL-OVER ADJUSTMENTS BUDGET FOR THE FINANCIAL PERIOD 2026 – 2027
AUGUST 2026

APPENDIX 5

Municipal Manager's Quality Certification

The quality certificate signed by the Accounting Officer is attached on Appendix 5.

APPENDIX 5

QUALITY CERTIFICATE

I, Geraldine Mettler, municipal manager of Stellenbosch Municipality, hereby certify that the adjustments budget and supporting documentation have been prepared in accordance with the Municipal Finance Management Act and the regulations made under the Act, and that the adjustments budget and supporting documentation are consistent with the Integrated Development Plan of the Municipality.

Name: Geraldine Mettler

Municipal Manager of Stellenbosch Municipality

Signature



Date:

14th August 2026.

6.3	MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR THE PERIOD 15 JULY 2026 TO 12 AUGUST 2026
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

19 August 2026

1. SUBJECT: MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR THE PERIOD 15 JULY 2026 TO 12 AUGUST 2026.

2. PURPOSE

To comply with Regulation 36(2) of the Municipal Supply Chain Management Regulations and Section 36 of the Supply Chain Management Policy 2025/2026 to report the deviations to the Council.

3. DELEGATED AUTHORITY

Council

For noting.

4. EXECUTIVE SUMMARY

Regulation 36(2) of the Municipal Supply Chain Management Regulations and Section 36 of the Supply Chain Management Policy (2025/2026) stipulate that SCM deviations be reported to the Council. In compliance thereto, this report presents to the Council the SCM deviations that occurred during the period 15 July 2026 to 12 August 2026.

5. RECOMMENDATION

that the Council notes the deviations approved for the period 15 July 2026 to 12 August 2026.

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 the period 15 July 2026 to 12 August 2026:

The following deviations were approved as indicated below:

DEVIATION NUMBER	CONTRACT DATE	NAME OF CONTRACTOR	CONTRACT DESCRIPTION	REASON	SUBSTANTIATION WHY SCM PROCESS COULD NOT BE FOLLOWED	TOTAL CONTRACT PRICE R
D/SM 3/27	2026/08/03	Hidro-Tech Systems (Pty) Ltd	Emergency Procurement for Critical Repairs to the Park Street Transfer Pump Station	Emergency	The normal Supply Chain Management (SCM) procurement process could not be followed due to unforeseen operational circumstances requiring immediate intervention to ensure the continued provision of an essential municipal service. On 27 July 2026, the Department of Water and Sanitation (DWS) formally notified Stellenbosch Municipality of the scheduled shutdown of the RSE Berg River Tunnel from 10 to 26 August 2026 for mandatory five yearly maintenance. This shutdown will significantly reduce the availability of raw water supplied through the Theewaterskloof Tunnel Water Scheme, requiring the Municipality to maximise reservoir storage before the commencement of the shutdown. The Park Street Transfer Pump Station is currently not fully operational due to the failure of critical pumping equipment. Urgent repairs are required, including the relocation of Motor No. 2 to Pump No. 3, the rewinding of the motor, and the replacement of leaking mechanical seals. These repairs are essential to restore the pump station to full operational capacity and enable the Municipality to replenish reservoir storage before the	R76 041.10 (Incl. Vat)

					<p>tunnel shutdown. The existing maintenance tenders (BSM 87/25 and BSM 88/25), which previously enabled the procurement of these specialised services, expired on 30 June 2026. Replacement tenders have not yet been finalised through the SCM process and will not be in place before the repairs are required. Following the SCM competitive bidding process would therefore not allow sufficient time to appoint a service provider and complete the repairs before 10 August 2026. Failure to undertake the repairs before the shutdown may compromise the Municipality's ability to adequately fill its reservoirs, increasing the risk of water supply interruptions to consumers during the maintenance period. The deviation is therefore motivated on the basis of an emergency, where immediate procurement is necessary to protect critical water infrastructure and ensure the continued delivery of an essential municipal service. Option 1) calls for an "emergency dispensation" of municipal funds, in accordance with Section 36.1 of the Supply Chain Management Policy. Option 5) is deemed as an exceptional case and it is impractical or impossible to follow the official procurement processes to timeously appoint a service provider. The implications of either of the reasons call for the funds to be made available to appoint service providers to repair the critical services.</p>	
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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.

FOR FURTHER DETAILS CONTACT:

NAME	<i>Dalleel Jacobs</i>
POSITION	<i>Senior Manager SCM</i>
DIRECTORATE	<i>Finance</i>
CONTACT NUMBERS	<i>021 808 8137</i>
E-MAIL ADDRESS	<i>Dalleel.Jacobs@ Stellenbosch.gov.za</i>
REPORT DATE	<i>03 August 2026</i>

7.	CONSIDERATION OF ITEMS BY THE EXECUTIVE MAYOR: [CLLR J FASSER]
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7.1	COMMUNITY&PROTECTION SERVICES: (PC: CLLR S HENEKE)
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7.1.1	DECLARING A DISPUTE UNDER THE INTERGOVERNMENTAL RELATIONS FRAMEWORK ACT 13 OF 2005 (IGRFA) IN THE IMPLEMENTATION OF CERTAIN PROVISIONS OF THE ADMINISTRATIVE ADJUDICATION OF ROAD TRAFFIC OFFENCES ACT 46 OF 1998 AND AMENDMENT ACT 4 OF 2019 (AARTO)
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Collaborator No:

IDP KPA Ref No:

Good Governance and Compliance

Meeting Date:

19 August 2026

- SUBJECT: DECLARING A DISPUTE UNDER THE INTERGOVERNMENTAL RELATIONS FRAMEWORK ACT 13 OF 2005 (IGRFA) IN THE IMPLEMENTATION OF CERTAIN PROVISIONS OF THE ADMINISTRATIVE ADJUDICATION OF ROAD TRAFFIC OFFENCES ACT 46 OF 1998 AND AMENDMENT ACT 4 OF 2019 (AARTO)**

2. PURPOSE

To obtain Council's authorisation for the Municipal Manager to formally declare a dispute in terms of section 41 of the Intergovernmental Relations Framework Act 13 of 2005 (IGRFA) arising from the implementation of the Administrative Adjudication of Road Traffic Offences Act 46 of 1998, as amended by Act 4 of 2019 (AARTO). The declaration is necessitated by the failure of national government organs of state to resolve substantive concerns raised by the Municipality in terms of its cooperative governance obligations under sections 40 and 41 of the Constitution, 1996.]

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

Stellenbosch Municipality has, since 2021, raised substantive concerns regarding the rollout and implementation of AARTO. Despite multiple formal representations to the President, the Minister of Transport, the Director-General: Department of Transport, the RTMC and the RTIA, these concerns remain wholly unresolved. The Municipality has exhausted all reasonable mechanisms for informal resolution available under the cooperative governance framework established by Chapter 3 of the Constitution and the IGRFA. The unresolved concerns implicate the Municipality's fiscal autonomy under the Intergovernmental Fiscal Relations Act 97 of 1997 (IGFRA), its constitutional status as a sphere of government, and its capacity to fulfil its service delivery mandate. A formal IGRFA dispute declaration is accordingly the appropriate and necessary next step.

5. RECOMMENDATION

that Council supports and authorises the Municipal Manager to declare an IGRFA dispute on behalf of the Municipality.

6. DISCUSSION**6.1 Background**

Stellenbosch Municipality is not in a position to implement AARTO. The concerns formally raised with national government entities since 2021 have not been substantively addressed. The Municipality has engaged the Minister of Transport, the National Department of Transport, the RTMC, the Presidency and the RTIA regarding deficiencies in the enabling framework for AARTO implementation. These engagements constitute the intergovernmental consultation process contemplated in section 41(1)(h) of the Constitution, which obliges organs of state to “co-operate with one another in mutual trust and good faith” and to “try to settle disputes by negotiation or other agreed procedures.” Having exhausted reasonable informal resolution mechanisms, the Municipality is entitled to invoke the formal dispute mechanism in terms of section 41 of the IGRFA (letters attached).

6.2 Discussion

Stellenbosch Municipality has raised the following concerns and to date, no workable solution has been received to resolve the following matters;

6.2.1 Institutional Readiness and Enabling Infrastructure

The Municipality is not in a position to implement AARTO due to the absence of requisite enabling infrastructure. In terms of the legislative framework governing road traffic management, responsibility for the provision of National Traffic Information System (“NaTIS”) equipment vests in the RTMC. This includes the provision of functional workstations for traffic centers and associated administrative sections.

Despite repeated engagements, the Municipality does not possess sufficient NaTIS capacity to enable AARTO implementation. The indication that additional equipment cannot be supplied due to funding constraints, coupled with the position that municipal information technology systems may not be utilised for this purpose, leaves the Municipality without lawful or practical alternatives. Manual processing cannot sustain the administrative demands of AARTO. Implementation under these conditions would therefore be untenable.

6.2.2 Fiscal Implications for Local Government

The implementation of AARTO will materially alter existing municipal revenue flows.

Under the current enforcement regime, municipalities retain the full value of traffic infringement penalties. The AARTO framework introduces a revenue-sharing arrangement between issuing authorities and the RTIA.

While it has been suggested that increases in penalty amounts will ensure revenue neutrality, the Municipality raises two concerns. Firstly, the rationality of materially increasing fines for revenue-neutral purposes is questionable having regard to the primary objective of fines, namely the promotion of road safety and lawful conduct.

Secondly, the Regulations do not uniformly increase penalty amounts, with the result that municipalities may, in certain instances, receive less revenue for equivalent infringements than under the existing framework.

6.2.3 Legal Authority of Enforcement Personnel

The current statutory framework does not enable the registration of all municipal enforcement personnel on NaTIS. Section 3B of the National Road Traffic Act 93 of 1996 does not presently provide for the registration of municipal traffic wardens or other municipal law enforcement officers for this purpose.

Although the National Road Traffic Amendment Act 8 of 2024 is intended to address this lacuna, it has not been brought into operation, and the enabling regulations have not been finalised. Absent these measures, a significant portion of the Municipality's authorised personnel will be unable to issue infringement notices under AARTO, thereby impairing enforcement capability and undermining road safety outcomes.

The Municipality has been informed that a legal opinion addressing this issue has been obtained, but despite follow-up requests, the opinion has not been provided. The Municipality is accordingly unable to engage substantively on this matter.

6.2.4 Regulation 38: Statutory and Constitutional Infirmities

Regulation 38 of the Regulations effectively transfers responsibility for the training, registration and administrative oversight of South African Police Service personnel from national entities to municipalities.

The Municipality maintains that regulation 38 is ultra vires the regulation-making powers contained in section 34 of the AARTO Act and is inconsistent with section 4(4)(d) of that Act, which assigns training functions to the RTIA.

It is further inconsistent with section 18 of the Road Traffic Management Corporation Act 20 of 1999, which places training obligations on the RTMC. Subordinate legislation cannot lawfully impose obligations on municipalities that primary legislation allocates to national authorities, nor can it reassign constitutional responsibilities relating to policing.

6.2.5 Absence of Standard Operating Procedures

The Standard Operating Procedures (SOPs) required to operationalise the AARTO framework have not been made available. SOPs are essential to ensure consistent interpretation and application of statutory processes, to inform training programs, and to safeguard compliance with prescribed timelines and accountability measures.

Implementation of AARTO in the absence of approved SOPs, and without sufficient time for training, would expose the Municipality to administrative failure and legal risk. The Municipality accordingly requests that the SOPs be provided as a matter of urgency.

6.2.5 Statutory Reliance on the South African Post Office(SAPO)

The AARTO Act prescribes that infringement notices must be served through SAPO, whether physically or electronically. This requirement is statutory and cannot be amended by regulation.

SAPO is currently under business rescue, and proposals for liquidation have been advanced. Continued statutory reliance on an entity in this financial position presents

an inherent risk of systemic failure, raises enforceability concerns, and may expose municipalities to non-compliance with the Local Government: Municipal Finance Management Act 56 of 2003.

6.3 Financial Implications

The precise financial impact on Stellenbosch Municipality cannot be determined at this stage. However, reports from municipalities where AARTO has been implemented confirm material revenue shortfalls, with very few infringement notices issued. The AARTO revenue-sharing mechanism will reduce the Municipality's share of traffic penalty income relative to the current framework, in which municipalities retain penalties in full. This constitutes a material change to local government finances engaging section 214 of the Constitution and the Intergovernmental Fiscal Relations Act 97 of 1997 (IGFRA). Municipalities were not meaningfully consulted through the Budget Council or Financial and Fiscal Commission processes prior to the introduction of these changes, as IGFRA requires.

6.4 Legal Implications

The requirements for a formal dispute declaration are met good-faith intergovernmental consultation have been attempted without resolution. revenue-sharing changes were not introduced through the equitable share or Division of Revenue.

The legal framework engaged by this matter includes:

- (a) the Constitution, 1996: ss 40-41 (cooperative governance), s 151 (municipal status), s 156 (powers and functions), s 214 (equitable sharing).
- (b) Intergovernmental Relations Framework Act 13 of 2005: ss 40-43 (dispute resolution) and to an extent, the Intergovernmental Fiscal Relations Act.
- (c) Intergovernmental Fiscal Relations Act 97 of 1997:
- (d) AARTO Act 46 of 1998.

6.5 Staff Implications

Staff to be employed to manage and consolidate income. At this time the number of staff to be employed cannot be determined but it can be no less than 2 persons.

6.6 Previous / Relevant Council Resolutions

SPECIAL COUNCIL MEETING: 2021-09-29: ITEM 10.3

RESOLVED (majority vote)

- (a) that Council notes the report, specifically with regard to its functionality and constitutional challenges to implement AARTO;
- (b) that Council formally objects to the implementation of AARTO; and
- (c) that Council mandate the Municipal Manager to formally communicate council's decision.

35TH COUNCIL MEETING: 2025-10-23: ITEM 15.1**RESOLVED (majority vote with 5 abstentions)****Amended recommendation (a)**

- (a) that Council will only reconsider this item when all the obstacles and challenges highlighted in this -item has been addressed to the point where it's implementation can be affected without negatively impacting on this municipality's ability to render services effectively; and
- (b) that Council approves that Stellenbosch municipality as with surrounding municipalities also scheduled for the implementation date of 1 December 2025 to join in the litigation process followed by the City of Cape Town against RTIA.

6.7 Risk Implications

- a) The risk of NOT declaring a formal IGRFA dispute is assessed as high. Failure to invoke available dispute procedures could prejudice the Municipality's position if enforcement action is taken.
- b) Implementation under current conditions will result in material revenue loss, increased operating costs and potential irregular expenditure, without the compensatory fiscal arrangements the IGFRA requires.
- c) Personnel not registrable on NaTIS will be unable to issue infringement notices, impairing road safety enforcement.
- d) There is also a governance risk: proceeding without a formal dispute record would be inconsistent with Council resolutions of September 2021 and October 2025.

6.8 Comments from Senior Management:

The Municipal Manager supports this item and recommends that Council authorise the formal declaration of an IGRFA dispute. The Municipality has fulfilled its cooperative governance obligations under sections 40 and 41 of the Constitution and the IGRFA by engaging national organs of state in good faith since 2021. Those engagements have not produced resolution. The concerns raised are substantive, legally grounded and directly implicate the Municipality's fiscal autonomy, service delivery capacity and constitutional status as a sphere of government. Formal dispute declaration is not an act of defiance but the constitutionally prescribed next step where intergovernmental consultation has failed. The Intergovernmental Fiscal Relations Act further supports the Municipality's position that revenue framework changes of this magnitude required meaningful consultative processes that did not occur. Council's authorisation is essential to proceed.

Annexures:

- A. Support for the City of Cape Town's request for deferral of AARTO implementation date – Pres. Ramaphosa and Minister Creecy (3 Nov 2025)
- B. Concerns to be addressed before AARTO implementation in Stellenbosch municipality - Department of Transport (3 Nov 2025)
- C. Concerns to be addressed before AARTO implementation in Stellenbosch municipality – RTIA (10 Oct 2025)

- D. Administrative Adjudication of Road Traffic Offences act, and proposed amendments to the regulatory framework – Minister Creecy (21 May 2026)
- E. Administrative Adjudication of Road Traffic Offences act, 1998 and proposed amendments to the regulatory framework – Acting DG Department of Transport (16 Apr 2026)

FOR FURTHER DETAILS CONTACT:

NAME	Charl Kitching
POSITION	Senior Manager Protection Services
DIRECTORATE	Community and Protection Services
CONTACT NUMBERS	021 808 8815
E-MAIL ADDRESS	Charl.kitching@ Stellenbosch.gov.za
REPORT DATE	12 August 2026

ANNEXURE A



STELLENBOSCH
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MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Kantoor van die Uitvoerende Burgemeester
Office of the Executive Mayor
iOfisi kaSodolophu olawulayo

His Excellency President Cyril Ramaphosa
President of the Republic of South Africa
Union Building
Government Avenue
PRETORIA
0001

Per email: presidentrsa@presidency.gov.za, president@po.gov.za & malebo@presidency.gov.za

And

Hon. Barbara Creecy
Minister of Transport
159 Struben Street
Forum Building, Room 4111
PRETORIA
0001

Per email: TransportMinistry@dot.gov.za , Sylvesterg@dot.gov.za , MsibiC@dot.gov.za & Borothon@dot.gov.za

Dear President Ramaphosa and Minister Creecy

SUPPORT FOR THE CITY OF CAPE TOWN'S REQUEST FOR DEFERRAL OF AARTO IMPLEMENTATION DATE

1. On behalf of the Stellenbosch Municipality, I wish to convey our full support for the concerns expressed by the Executive Mayor of the City of Cape Town, Alderman Geordin Hill-Lewis, in his correspondence dated 29 October 2025, regarding the implementation of the Administrative Adjudication of Road Traffic Offences (AARTO) Amendment Act, 2019, as amended, scheduled to take effect on 1 December 2025.
2. After careful review of the City of Cape Town's submission, Stellenbosch Municipality confirms that the factual circumstances and implementation challenges described therein are equally applicable to our Municipality. The obstacles identified are systemic and affect all local authorities expected to operationalise AARTO within the same unrealistic timeframe.

3. **Absence of Promulgated Regulations and SOPs**

As emphasised by the City of Cape Town, the AARTO Regulations were only published on Friday, 31 October 2025 and Standard Operating Procedures (SOPs) have not yet been made available to municipalities. Without these instruments, municipalities cannot align their operational frameworks, administrative processes, or enforcement mechanisms. Stellenbosch Municipality, therefore, concurs that implementation on 1 December 2025 is legally and practically impossible.

4. **Budgetary and Financial Constraints**

Stellenbosch Municipality has no financial provision for AARTO implementation in the 2025/2026 financial year, as the proclamation was issued mid-cycle (August 2025). Budget planning for 2026/2027 is already underway, and provision for AARTO-related expenditure can only be made in that cycle. This renders implementation within the current financial year unfunded and non-compliant with the Municipal Finance Management Act (MFMA).

5. **Lack of Operational Readiness**

The Municipality's back-office systems, personnel, and enforcement officers are not ready to transition to the AARTO framework. While training was conducted previously, certification sessions are now required. However, this cannot be completed before the proposed date of 1 December 2025. Further, the NaTIS system is not yet fully AARTO-operational. This jeopardises the ability of officers to issue or process infringement notices, creating a risk of legal and operational paralysis in local traffic enforcement.

6. **Unresolved Contractual and Institutional Risks**

Stellenbosch shares the City of Cape Town's concerns regarding the capacity and reliability of the South African Post Office (SAPO) as the statutory service provider for the electronic delivery of infringement notices. In addition, the draft Service Level Agreement (SLA) from the Road Traffic Infringement Agency (RTIA) contains numerous inconsistencies, lacks enforceability, and places undue financial and operational risk on municipalities.

7. Given SAPO's ongoing financial instability and business rescue challenges, there is serious doubt about its ability to fulfil its AARTO obligations, which could result in significant service and revenue losses for local authorities.

8. **Training and Equipment Gaps**

Stellenbosch, like other municipalities, has not yet received clarity on the AARTO training framework, certified training schedules, or equipment standards required for compliance. The RTIA's training programme and equipment roll-out have not been communicated or implemented.

9. **Risks to Governance, Revenue, and Public Safety**

Premature implementation of AARTO without readiness will lead to: unlawful or unenforceable fines, resulting in revenue loss; severe disruptions to local law enforcement and administrative processes; diminished ability to ensure road safety and traffic discipline; and potential non-compliance with the Constitution and the MFMA. Stellenbosch Municipality aligns fully with Cape

Town's view that proceeding under current conditions would be contrary to good governance and sound public administration.

10. Request for Deferral

In light of the above, Stellenbosch Municipality respectfully requests that the AARTO implementation date be deferred until at least 1 July 2026, or until such time as:

- The final Regulations and SOPs have been promulgated;
- All municipalities have received the systems support;
- Service agreements (SAPO and RTIA) have been finalised and tested; and
- Adequate financial provisions have been made within municipal budgets.

We echo the City of Cape Town's appeal for the President to exercise his authority to extend or withdraw the relevant proclamations in terms of Sections 10(1) and (3) of the Interpretation Act 33 of 1957, to prevent a premature and chaotic implementation of AARTO.

Stellenbosch Municipality remains committed to the objectives of the AARTO framework, but we strongly believe that implementation must be orderly, properly funded, and supported by functional institutional capacity.

Yours sincerely,



Jeremy Fasser
EXECUTIVE MAYOR

Date: 03 November 2025

ANNEXURE B



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OFFICE OF THE MUNICIPAL MANAGER

Email: municipal.manager@ Stellenbosch.gov.za

Contact no.: 021 808 8025

Date: 03 November 2025

The Director General: Mr Mathabatha Molonyama

Department of Transport

Per email: PhenyaM@dot.gov.za

Dear Mr Mokonyama

CONCERNS TO BE ADDRESSED BEFORE AARTO IMPLEMENTATION IN STELLENBOSCH MUNICIPALITY

The purpose of this letter is to express the concerns of Stellenbosch Municipality to the Department of Transport regarding the implementation of the Administrative Adjudication of Road Traffic Offences (AARTO) Act and its related regulations by 1 December 2025.

It is further stated that Stellenbosch Municipality will not be able to implement AARTO nor enter into a Service Level Agreement regarding AARTO until clarification has been obtained on all the outstanding matters. While the Stellenbosch municipality is doing everything in its power to be ready for implementation, there are still too many outstanding items beyond its control preventing Stellenbosch's preparedness for implementation by 1 December 2025, namely:

1. Financial Implications (budget allocation / fiscal years / SLA with SAPO / unconfirmed income and implications to budget for new fiscal years)

The effective date creates a structural misalignment between legislative implementation timelines and the municipal budgeting cycle prescribed by the MFMA. The municipality must revise its budget during the Mid-Year Adjustment Budget process in terms of Section 28 of the MFMA to accommodate AARTO-related costs. The municipality will incur certain, immediate, and unavoidable AARTO-related expenditure, including operational readiness, SAPO postage costs, training and systems integration that was not budgeted for.

AARTO communication has indicated that municipalities will receive 100% of the penalty value where a transgressor pays within 32 days. However, this assurance is not supported by the current Regulations and remains contradicted by Schedule 2 provisions governing revenue apportionment. In addition, the institutional mechanisms intended to support compliance are not yet operational, specifically, the AARTO Tribunal has not been established. This creates a material enforcement gap that directly affects the municipality's ability to secure payment of infringement penalties.

Compounding this uncertainty is the fact that the demerit system will only come into effect in Phase 4, meaning there is no meaningful deterrent to encourage prompt payment of fines during the initial phases of implementation. Without demerits, motorists face minimal consequences for non-payment, other than potential administrative escalation, and the municipality is left with limited enforcement leverage.

In its current form, the AARTO rollout exposes the municipality to three critical risks:

- Revenue risk – The municipality cannot rely on projected AARTO income where neither the deterrent mechanism (demerits) nor the adjudication structure (Tribunal) is active, and where revenue allocation remains uncertain;
- Compliance and enforcement risk – The absence of an established Tribunal and an effective deterrent undermines voluntary compliance and weakens the entire infringement cycle; and
- Cash-flow and budgeting risk – With no guarantee of collection, the municipality bears upfront implementation and administrative costs without certainty of corresponding revenue, resulting in a potential unfunded mandate.

Until the Tribunal is operational and the demerit system is fully phased in, there is no effective mechanism to ensure payment of fines, and the current AARTO framework does not provide adequate safeguards to protect municipal revenue or enforce compliance.

2. AARTO stationery

Although Stellenbosch municipality has an account with the GPW and will order the required stationery needed for AARTO, we don't need the required stationery as it already has an i-ticket device that can be linked to the NRTOR and will cut expenditure instead of buying unnecessary stationery. The linking of the device has not been made clear and how this would function.

3. Training and registering of staff:

Although most of our back-office staff have been trained, however, it was on the old standard operating procedures (SOP's) and will require refresher training on the new SOP's and amended regulations when it become available. Until date and after numerous requests for provincial coordinating and training meetings, there are no new SOP's provided.

The NATIS system will require all officers to have infrastructure numbers allocated to capture infringements to the National Traffic Offence Register (NTOR). The municipality must register approximately 100 Law Enforcement officers who were not registered before, as the National Road Traffic Act (Act 93 of 1996) did not make provision for this.

With the AARTO amendment act, this registration process can commence, and due to the substantial number could pose a risk of officers not being able to issue infringement notices.

4. Non-availability of new regulations and Standard Operating Procedures (SOP's)

The new regulations were received on Friday, 31 October 2025, with no SOP's for us to prepare us for effectively implementing AARTO. The immediate availability of SOP's is crucial to the municipality to provide enough time to operationalize and adjust internal processes and the training of staff, to prepare for the implementation. There is only more than 1 month left to prepare, and it will be impossible to be ready for implementation in the absence of the latter, particularly essential information.

5. South African Post Office (SAPO)

The requirement in the AARTO framework that municipalities conclude Service Level Agreements (SLAs) with the South African Post Office (SAPO) for the delivery of infringement notices introduces a significant operational and financial risk, particularly because SAPO is currently under business rescue. As a financially distressed entity, SAPO faces ongoing instability, including service interruptions, staff shortages, reduced branch networks, delayed mail delivery, and potential restructuring of its service offerings. These conditions create material uncertainty regarding SAPO's ability to consistently fulfil its obligations under the AARTO process, where timely and verifiable service of notices is central to revenue collection and compliance. Failures or delays in SAPO's service delivery could lead to infringement notices being invalidated, disputed, or delayed in the penalty cycle—directly undermining revenue projections, extending collection timelines, and increasing administrative costs.

6. Handheld devices and interface between contravention system through service provider and or Stellenbosch municipality's own interface

The municipality's i-ticket will be interfaced with RTMC system on a secure network connection and this interface to the eNatis will allow the operational staff to perform Aarto-related transactions on the National Contraventions Register (NRTOR)

This is to ensure that all our staff who are utilized for Aarto are adequately trained to perform our functions and that those staff who are using the eNatis system are duly registered as eNatis users with the correct authorization and system profiles.

The uncertainty is who is responsible for the interface cost and running cost of the i-ticket device.

7. Readiness of RTIA and RTMC

While the municipality is preparing for implementation, we also require firm written confirmation that both RTIA and RTMC are ready for implementation. As per current engagements, meetings with RTMC are still outstanding and no confirmed load test has been done to give us assurance and comfort that the systems can manage the anticipated volume of cases when 67 IA's first go live on the 01st of December 2025.

8. Functions of the Municipal Courts

To date, there has been no formal dedicated engagement with Municipal Courts to clarify their role in the implementation of AARTO. During a previous meeting between RTIA and the Western Cape Traffic Chiefs, RTIA representatives indicated that such engagements would take place with all municipal courts. However, no further communication has occurred, and municipalities are now expected to define the role of these courts without the necessary guidance.

The major challenges clearly demonstrate that Stellenbosch Municipality will not be able to implement AARTO by 1 December 2025. For the avoidance of doubt, Stellenbosch's current inability to practically give effect to and operationalise the AARTO framework will have a substantial and material impact on road traffic law enforcement and will, inter alia, undermine public safety on the roads within its jurisdiction.

Accordingly, Stellenbosch municipality hereby respectfully requests that the implementation date of AARTO for Stellenbosch be postponed until all requisite information, training, stationery, equipment, processes, confirmations, tests, regulations, standard operating procedures, and related agreements are duly finalised — but not before **1 July 2026**.

Stellenbosch Municipality would appreciate your written response as soon as possible. Should no response be received, Stellenbosch Municipality reserves all its rights to take such steps as it may be necessary to ensure that the implementation of AARTO is deferred to a later, practicable date.

Yours sincerely,



Geraldine Mettler
MUNICIPAL MANAGER

ANNEXURE C



OFFICE OF THE MUNICIPAL MANAGER

Email: municipal.manager@stellenbosch.gov.za

Contact no.: 021 808 8025

Date: 10 October 2025

The Road Traffic Infringement Agency
 Head Office
 10 Matuka Close
 Carlswald
MIDRAND
 1684

For Attention:

The Registrar Road Traffic Infringement Agency: Mr. M Moloi
 Company Secretary Road Traffic Infringement Agency: Mr. M Bilikwana

Dear Mr. Moloi and Mr. Bilikwana

CONCERNS TO BE ADDRESSED BEFORE AARTO IMPLEMENTATION IN STELLENBOSCH MUNICIPALITY

This letter serves to inform the Road Traffic Infringement Agency (RTIA) that Stellenbosch Municipality will not be ready to implement the Administrative Adjudication of Road Traffic Offences (AARTO) Act and its related regulations by 1 December 2025.

While the Stellenbosch Municipality is doing everything in its power to be ready for implementation, there are still too many outstanding items beyond its control preventing Stellenbosch's preparedness for implementation by 1 December 2025, namely:

1. Financial Implications (budget allocation / fiscal years / SLA with SAPO / unconfirmed income and implications to budget for new fiscal years)

The effective date creates a structural misalignment between legislative implementation timelines and the municipal budgeting cycle prescribed by the MFMA. The municipality must revise its budget during the Mid-Year Adjustment Budget process in terms of Section 28 of the MFMA to accommodate AARTO-related costs. The municipality will incur certain, immediate, and unavoidable AARTO-related expenditure, including operational readiness, SAPO postage costs, training and systems integration that was not budgeted for.

AARTO communication has indicated that municipalities will receive 100% of the penalty value where a transgressor pays within 32 days. However, this assurance is not supported by the current Regulations and remains contradicted by Schedule 2 provisions governing revenue apportionment. In addition, the institutional mechanisms intended to support compliance are not yet operational specifically, the AARTO Tribunal has not been established. This creates a material enforcement gap that directly affects the municipality's ability to secure payment of infringement penalties.

Compounding this uncertainty is the fact that the demerit system will only come into effect in Phase 4, meaning there is no meaningful deterrent to encourage prompt payment of fines during the initial phases of implementation. Without demerits, motorists face minimal consequences for non-payment, other than potential administrative escalation, and the municipality is left with limited enforcement leverage.

In its current form, the AARTO rollout exposes the municipality to three critical risks:

- Revenue risk – The municipality cannot rely on projected AARTO income where neither the deterrent mechanism (demerits) nor the adjudication structure (Tribunal) is active, and where revenue allocation remains uncertain.
- Compliance and enforcement risk – The absence of an established Tribunal and an effective deterrent undermine voluntary compliance and weakens the entire infringement cycle.
- Cash-flow and budgeting risk – With no guarantee of collection, the municipality bears upfront implementation and administrative costs without certainty of corresponding revenue, resulting in a potential unfunded mandate.

Until the Tribunal is operational and the demerit system is fully phased in, there is no effective mechanism to ensure payment of fines, and the current AARTO framework does not provide adequate safeguards to protect municipal revenue or enforce compliance.

2. AARTO stationary

Although Stellenbosch Municipality has an account with the GPW and will order the required stationery needed for AARTO, we do not need the required stationery as it already has an i-ticket device that can be linked to the NRTOR and will cut expenditure instead of buying unnecessary stationery. The linking of the device has not been made clear and how this would function.

3. Training and registering of staff

Although most of our back-office staff have been trained, however, it was on the old Standard Operating Procedures (SOP's) and will require refresher training on the new SOP's and amended regulations when they become available. Until date and after numerous requests for provincial coordinating and training meetings, there are no new SOP's provided.

The NATIS system will require all officers to have infrastructure numbers allocated to capture infringements to the National Traffic Offence Register (NTOR). The municipality must register approximately 100 Law Enforcement Officers who were not registered before, as the National Road Traffic Act (Act 93 of 1996) did not make provision for this.

With the AARTO amendment act, this registration process can commence and due to the substantial number could pose a risk of officers not being able to issue infringement notices.

4. Non-availability of new regulations and Standard Operating Procedures (SOP's)

To date, no IA has yet received the newly published regulations and SOP's for us to prepare us for effectively implementing AARTO. The immediate availability of the new AARTO regulations and SOP's is crucial to the municipality to provide enough time to operationalise and adjust internal processes and the training of staff, to prepare for the implementation. There is only more than 1 month left to prepare, and it will be impossible to be ready for implementation in the absence of the latter, particularly essential information.

5. South African Post Office (SAPO)

The requirement in the AARTO framework that municipalities conclude Service Level Agreements (SLAs) with the South African Post Office (SAPO) for the delivery of infringement notices introduces a significant operational and financial risk, particularly because SAPO is currently under business rescue. As a financially distressed entity, SAPO faces ongoing instability, including service interruptions, staff shortages, reduced branch networks, delayed mail delivery, and potential restructuring of its service offerings. These conditions create material uncertainty regarding SAPO's ability to consistently fulfil its obligations under the AARTO process, where timely and verifiable service of notices is central to revenue collection and compliance. Failures or delays in SAPO's service delivery could lead to infringement notices being invalidated, disputed, or delayed in the penalty cycle—directly undermining revenue projections, extending collection timelines, and increasing administrative costs.

6. Handheld devices and interface between contravention system through service provider and or Stellenbosch municipality's own interface

The municipality's i-ticket will be interfaced with RTMC system on a secure network connection and this interface to the eNatis will allow the operational staff to perform Aarto-related transactions on the National Contraventions Register (NRTOR).

This is to ensure that all our staff who are utilized for Aarto are adequately trained to perform our functions and that those staff who are using the eNatis system are duly registered as eNatis users with the correct authorization and system profiles.

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While the municipality is preparing for implementation, we also require firm written confirmation that both RTIA and RTMC are ready for implementation. As per current engagements, meetings with RTMC are still outstanding and no confirmed load test has been done to give us assurance and comfort that the systems can manage the anticipated volume of cases when 67 IA's first go live on the 01st of December 2025.

8. Functions of the Municipal Courts

To date, there has been no formal dedicated engagement with Municipal Courts to clarify their role in the implementation of AARTO. During a previous meeting between RTIA and the Western Cape Traffic Chiefs, RTIA representatives indicated that such engagements would take place with all municipal courts. However, no further communication has occurred, and municipalities are now expected to define the role of these courts without the necessary guidance.

The major challenges clearly demonstrate that Stellenbosch Municipality will not be able to implement AARTO by 1 December 2025. For the avoidance of doubt, Stellenbosch's current inability to practically give effect to and operationalise the AARTO framework will have a substantial and material impact on road traffic law enforcement and will, inter alia, undermine public safety on the roads within its jurisdiction.

Accordingly, Stellenbosch Municipality hereby respectfully requests that the implementation date of AARTO for Stellenbosch be postponed until all requisite information, training, stationery, equipment, processes, confirmations, tests, regulations, standard operating procedures and related agreements are duly finalised — but not before 1 July 2026.

Stellenbosch Municipality would appreciate your written response by no later than 07 November 2025. Should no response be received by this date, Stellenbosch Municipality reserves all its rights to take such steps as it may be necessary to ensure that the implementation of AARTO is deferred to a later, practicable date.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'G. Mettler', is written over a horizontal line.

Geraldine Mettler
MUNICIPAL MANAGER

ANNEXURE D



STELLENBOSCH

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Kantoor van die Uitvoerende Burgemeester
Office of the Executive Mayor
iOfisi kaSodolophu olawulayo

Honorable Minister Barbara Creecy
Minister of Transport
159 Struben Street
Forum Building, Room 4111
Pretoria
Gauteng

By electronic mail:

TransportMinistry@dot.gov.za

Sylvesterg@dot.gov.za

MsibiC@dot.gov.za

Borothon@dot.gov.za

Dear Minister Creecy,

RE: ADMINISTRATIVE ADJUDICATION OF ROAD TRAFFIC OFFENCES ACT, AND PROPOSED AMENDMENTS TO THE REGULATORY FRAMEWORK

1. The recent formal written communications with you and your officials and the City of Cape Town derived /are an outcome of ongoing engagements between the municipalities in the province which have taken place regularly to engage upon and consider any progress made with respect to the remaining issues in the implementation of AARTO and the desired outcome.
2. To date there has thus been a collaborative approach to resolving the remaining issues that all the WC municipalities have with the proposed implementation of AARTO, (most, if not all of them, apply equally to all) as a group and together with the Minister's officials when those engagements take place.
3. However, in so far as the Minister requires each municipality to address you individually with respect to the remaining concerns that still exist regarding the implementation of AARTO on 1 July as we are advised is currently the proposal, we now do so.
4. Stellenbosch Municipality identified six material issues which, individually and cumulatively, render the proposed implementation date of 1 July 2026 impractical and irrational within the Western Cape and, in particular, within the jurisdiction of this Municipality.

Office of the Executive Mayor – 14 Plein Street – Stellenbosch – 7600
mayor@stellenbosch.gov.za – (t) 021 808 8002 – (f) 021 808 886 6761

Institutional Readiness and Enabling Infrastructure

5. The Municipality is not in a position to implement AARTO due to the absence of requisite enabling infrastructure. In terms of the legislative framework governing road traffic management, responsibility for the provision of National Traffic Information System ("NaTIS") equipment vests in the RTMC. This includes the provision of functional workstations for traffic centers and associated administrative sections.
6. Despite repeated engagements, the Municipality does not possess sufficient NaTIS capacity to enable AARTO implementation. The indication that additional equipment cannot be supplied due to funding constraints, coupled with the position that municipal information technology systems may not be utilised for this purpose, leaves the Municipality without lawful or practical alternatives. Manual processing cannot sustain the administrative demands of AARTO. Implementation under these conditions would therefore be untenable.

Fiscal Implications for Local Government

7. The implementation of AARTO will materially alter existing municipal revenue flows. Under the current enforcement regime, municipalities retain the full value of traffic infringement penalties. The AARTO framework introduces a revenue-sharing arrangement between issuing authorities and the RTIA.
8. While it has been suggested that increases in penalty amounts will ensure revenue neutrality, the Municipality raises two concerns. Firstly, the rationality of materially increasing fines for revenue-neutral purposes is questionable having regard to the primary objective of fines, namely the promotion of road safety and lawful conduct. Secondly, the draft Regulations do not uniformly increase penalty amounts, with the result that municipalities may, in certain instances, receive less revenue for equivalent infringements than under the existing framework.

Legal Authority of Enforcement Personnel

9. The current statutory framework does not enable the registration of all municipal enforcement personnel on NaTIS. Section 3B of the National Road Traffic Act 93 of 1996 does not presently provide for the registration of municipal traffic wardens or other municipal law enforcement officers for this purpose.
10. Although the National Road Traffic Amendment Act 8 of 2024 is intended to address this lacuna, it has not been brought into operation, and the enabling regulations have not been finalised. Absent these measures, a significant portion of the Municipality's authorised personnel will be unable to issue infringement notices under AARTO, thereby impairing enforcement capability and undermining road safety outcomes.
11. The Municipality has been informed that a legal opinion addressing this issue has been obtained, but despite follow-up requests, the opinion has not been provided. The Municipality is accordingly unable to engage substantively on this matter.

Regulation 38: Statutory and Constitutional Infirmities

12. Regulation 38 of the draft Regulations remains unchanged from the 2025 draft notwithstanding substantive objections previously raised. This provision effectively transfers responsibility for the training, registration and administrative oversight of South African Police Service personnel from national entities to municipalities.
13. The Municipality maintains that regulation 38 is ultra vires the regulation-making powers contained in section 34 of the AARTO Act and is inconsistent with section 4(4)(d) of that Act, which assigns training functions to the RTIA. It is further inconsistent with section 18 of the Road Traffic Management Corporation Act 20 of 1999, which places training obligations on the RTMC. Subordinate legislation cannot lawfully impose obligations on municipalities that primary legislation allocates to national authorities, nor can it reassign constitutional responsibilities relating to policing.

Absence of Standard Operating Procedures

14. The Standard Operating Procedures ("SOPs") required to operationalise the AARTO framework have not been made available. SOPs are essential to ensure consistent interpretation and application of statutory processes, to inform training programs, and to safeguard compliance with prescribed timelines and accountability measures.
15. Implementation of AARTO in the absence of approved SOPs, and without sufficient time for training, would expose the Municipality to administrative failure and legal risk. The Municipality accordingly requests that the SOPs be provided as a matter of urgency.

Statutory Reliance on the South African Post Office

16. The AARTO Act prescribes that infringement notices must be served through SAPO, whether physically or electronically. This requirement is statutory and cannot be amended by regulation.
17. SAPO is currently under business rescue, and proposals for liquidation have been advanced. Continued statutory reliance on an entity in this financial position presents an inherent risk of systemic failure, raises enforceability concerns, and may expose municipalities to non-compliance with the Local Government: Municipal Finance Management Act 56 of 2003.

Conclusion

18. The Municipality is concerned by an apparent approach which seeks to prioritise implementation notwithstanding unresolved legal, operational and financial impediments. Such an approach risks undermining the effective administration of road traffic management, municipal financial sustainability, and public safety.

19. While Stellenbosch Municipality remains committed to intergovernmental cooperation, meaningful engagement requires substantive responses to the issues raised, including the provision of outstanding legal opinions.
20. Stellenbosch municipality can reasonably agree to an extension to of the implementation date of AARTO, if it is premised not on a fixed date of January 2027, but rather to a date that is linked to the implementation of the NRTAA.
21. For these reasons Stellenbosch Municipality will agree to the implementation of the whole of AARTO in the Western Cape being suspended, but this must be until at least six months after the NRTAA and its regulations come into force so as to allow for completion of the registration process and the reasonable resolution of the remaining issues during this time.
22. Stellenbosch municipality also requires undertakings that during the further period of suspension, the dispute resolution process set out in the IGRFA will be expeditiously applied to completion in order to resolve issues. The dates in respect of the inter-governmental dispute resolution engagements and mediation concerning these issues will be urgently agreed to by the parties and that issues are resolved prior to the AARTO Act and AARTO Regulations coming into force.
23. In making this proposal, Stellenbosch Municipality is seeking all means to ensure meaningful management on our disputes is facilitated, but is also obligated to expressly reserve its right to bring future interdict proceedings, in the event that there is any decision taken to prematurely seek to introduce the AARTO Act and its regulations in the Western Cape, (a) in the absence of the NRTAA coming into force, or (b) the remaining issues are not satisfactorily resolved in the inter-governmental dispute.
24. Given where Stellenbosch Municipality finds itself in this process, I am constrained to have to request a response to this correspondence by close of business on Monday, 25 May 2026, failing which Stellenbosch Municipality reserves its rights to take all necessary further steps in this regard including launching any legal proceedings. I do hope this will not be necessary and that we can now resolve this issue and the way forward outside of litigation.

Yours sincerely,



Ald Jeremy Fasser
Executive Mayor: Stellenbosch
Date: 21/05/2026

Attachment: Letter from Stellenbosch Municipality to The Acting Director General on 16 April 2026

Cc: Geraldine Mettler / Gary Boshoff / Charl Kitching / Charlotte de Wet

ANNEXURE E



OFFICE OF THE MUNICIPAL MANAGER

Email: municipal.manager@stellenbosch.gov.za

Contact no.: 021 808 8025

Date: 16 April 2026

Attention: Mr. Mathabatha Mokonyama

The Acting Director-General
 National Department of Transport
 Forum Building
 Struben Street
 PRETORIA
 0001

By email: MokonyaM@dot.gov.za, PhenyaM@dot.gov.za

Dear Mr Mokonyama

ADMINISTRATIVE ADJUDICATION OF ROAD TRAFFIC OFFENCES ACT, 1998 AND PROPOSED AMENDMENTS TO THE REGULATORY FRAMEWORK

1. Stellenbosch Municipality refers to the intergovernmental engagement held on 8 April 2026, convened by the Acting Head of the Western Cape Mobility Department, which was attended by representatives of the National Department of Transport, the Road Traffic Infringement Agency ("RTIA"), the Road Traffic Management Corporation ("RTMC"), and local authorities within the Western Cape.
2. The purpose of that engagement was to consider discrete issues associated with the proposed implementation of the Administrative Adjudication of Road Traffic Offences Act 46 of 1998 ("the AARTO Act"), as amended by the Administrative Adjudication of Road Traffic Offences Amendment Act 4 of 2019 ("the Amendment Act"). Matters discussed included, inter alia, the status of the withdrawn draft regulations, institutional preparedness, system and infrastructure readiness, training requirements, fiscal implications for municipalities, and the statutory reliance on the South African Post Office ("SAPO") for the service of infringement notices.
3. On 6 April 2026, the Municipality received a document of some 53 pages which purported to respond to issues previously raised by municipal authorities ("the Response Document").
4. Municipalities were requested to furnish written comments on both the Response Document and the draft Administrative Adjudication of Road Traffic Offences Regulations ("the draft Regulations") within a period of seven days from the date of the meeting. The Municipality records that this timeframe does not permit proper institutional consideration, internal consultation, or legal evaluation. This correspondence accordingly constitutes a preliminary response and must not be construed as acquiescence to, or endorsement of, any proposal



advanced at the meeting or reflected in the Response Document. The Municipality expressly reserves its right to submit further representations in due course and reiterates that the draft Regulations should be subjected to a lawful public participation process prior to promulgation.

5. This submission is made as a matter of urgency and in fulfilment of the principles of cooperative governance. Stellenbosch Municipality identifies six material issues which, individually and cumulatively, render the proposed implementation date of 1 July 2026 impractical and irrational within the Western Cape and, in particular, within the jurisdiction of this Municipality.

Institutional Readiness and Enabling Infrastructure

6. The Municipality is not in a position to implement AARTO due to the absence of requisite enabling infrastructure. In terms of the legislative framework governing road traffic management, responsibility for the provision of National Traffic Information System ("NaTIS") equipment vests in the RTMC. This includes the provision of functional workstations for traffic centers and associated administrative sections.
7. Despite repeated engagements, the Municipality does not possess sufficient NaTIS capacity to enable AARTO implementation. The indication that additional equipment cannot be supplied due to funding constraints, coupled with the position that municipal information technology systems may not be utilised for this purpose, leaves the Municipality without lawful or practical alternatives. Manual processing cannot sustain the administrative demands of AARTO. Implementation under these conditions would therefore be untenable.

Fiscal Implications for Local Government

8. The implementation of AARTO will materially alter existing municipal revenue flows. Under the current enforcement regime, municipalities retain the full value of traffic infringement penalties. The AARTO framework introduces a revenue-sharing arrangement between issuing authorities and the RTIA.
9. While it has been suggested that increases in penalty amounts will ensure revenue neutrality, the Municipality raises two concerns. Firstly, the rationality of materially increasing fines for revenue-neutral purposes is questionable having regard to the primary objective of fines, namely the promotion of road safety and lawful conduct. Secondly, the draft Regulations do not uniformly increase penalty amounts, with the result that municipalities may, in certain instances, receive less revenue for equivalent infringements than under the existing framework.



Legal Authority of Enforcement Personnel

10. The current statutory framework does not enable the registration of all municipal enforcement personnel on NaTIS. Section 3B of the National Road Traffic Act 93 of 1996 does not presently provide for the registration of municipal traffic wardens or other municipal law enforcement officers for this purpose.
11. Although the National Road Traffic Amendment Act 8 of 2024 is intended to address this lacuna, it has not been brought into operation, and the enabling regulations have not been finalised. Absent these measures, a significant portion of the Municipality's authorised personnel will be unable to issue infringement notices under AARTO, thereby impairing enforcement capability and undermining road safety outcomes.
12. The Municipality has been informed that a legal opinion addressing this issue has been obtained, but despite follow-up requests, the opinion has not been provided. The Municipality is accordingly unable to engage substantively on this matter.

Regulation 38: Statutory and Constitutional Infirmities

13. Regulation 38 of the draft Regulations remains unchanged from the 2025 draft notwithstanding substantive objections previously raised. This provision effectively transfers responsibility for the training, registration and administrative oversight of South African Police Service personnel from national entities to municipalities.
14. The Municipality maintains that regulation 38 is ultra vires the regulation-making powers contained in section 34 of the AARTO Act and is inconsistent with section 4(4)(d) of that Act, which assigns training functions to the RTIA. It is further inconsistent with section 18 of the Road Traffic Management Corporation Act 20 of 1999, which places training obligations on the RTMC. Subordinate legislation cannot lawfully impose obligations on municipalities that primary legislation allocates to national authorities, nor can it reassign constitutional responsibilities relating to policing.

Absence of Standard Operating Procedures

15. The Standard Operating Procedures ("SOPs") required to operationalise the AARTO framework have not been made available. SOPs are essential to ensure consistent interpretation and application of statutory processes, to inform training programs, and to safeguard compliance with prescribed timelines and accountability measures.
16. Implementation of AARTO in the absence of approved SOPs, and without sufficient time for training, would expose the Municipality to administrative failure and legal risk. The Municipality accordingly requests that the SOPs be provided as a matter of urgency.



Statutory Reliance on the South African Post Office

17. The AARTO Act prescribes that infringement notices must be served through SAPO, whether physically or electronically. This requirement is statutory and cannot be amended by regulation.
18. SAPO is currently under business rescue, and proposals for liquidation have been advanced. Continued statutory reliance on an entity in this financial position presents an inherent risk of systemic failure, raises enforceability concerns, and may expose municipalities to non-compliance with the Local Government: Municipal Finance Management Act 56 of 2003.

Conclusion

19. The Municipality is concerned by an apparent approach which seeks to prioritise implementation notwithstanding unresolved legal, operational and financial impediments. Such an approach risks undermining the effective administration of road traffic management, municipal financial sustainability, and public safety.
20. While Stellenbosch Municipality remains committed to intergovernmental cooperation, meaningful engagement requires substantive responses to the issues raised, including the provision of outstanding legal opinions.

The Municipality accordingly requests an urgent written response addressing the matters set out above on Friday 24 April 2026 by 12h00.

Yours faithfully,

Geraldine Mettler
Municipal Manager

Copied to: Mrs. D Ribbonaar
Acting Head of Department: Western Cape Mobility Department

Mr. Richard Bosman
Municipal Manager: Overberg District Municipality

7.2	SPORTS, YOUTH AND CULTURE: [PC: CLLR N OLAYI]
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NONE

7.3	CORPORATE SERVICES: (PC: CLLR L NKAMISA)
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7.3.1	REVISED AND CONSULTED MICRO-STRUCTURES FOR THE PLANNING AND ECONOMIC DEVELOPMENT - INTEGRATED HUMAN SETTLEMENTS (HOUSING ADMINISTRATION, DEVELOPMENT PLANNING AND DEVELOPMENT MANAGEMENT), COMMUNITY AND PROTECTION SERVICES (HALLS) AND CORPORATE SERVICES (COUNCILLOR SUPPORT)
-------	---

Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

19 August 2026

1. SUBJECT: REVISED AND CONSULTED MICRO-STRUCTURES FOR THE PLANNING AND ECONOMIC DEVELOPMENT - INTEGRATED HUMAN SETTLEMENTS (HOUSING ADMINISTRATION, DEVELOPMENT PLANNING AND DEVELOPMENT MANAGEMENT), COMMUNITY AND PROTECTION SERVICES (HALLS) AND CORPORATE SERVICES (COUNCILLOR SUPPORT)

2. PURPOSE

REVISED AND CONSULTED MICRO-STRUCTURES FOR THE PLANNING AND ECONOMIC DEVELOPMENT - INTEGRATED HUMAN SETTLEMENTS (HOUSING ADMINISTRATION, DEVELOPMENT PLANNING AND DEVELOPMENT MANAGEMENT), COMMUNITY AND PROTECTION SERVICES (HALLS) AND CORPORATE SERVICES (COUNCILLOR SUPPORT).

3. DELEGATED AUTHORITY

Council, in terms of section 66 of the Local Government: Municipal Systems Act 32 of 2000, read with section 67 thereof and the Local Government: Municipal Staff Regulations, 2021. The approval of a municipal staff establishment is a power reserved to the municipal council.

4. EXECUTIVE SUMMARY

The review of the 2017/2019 micro-structures has been on the Local Labour Forum's agenda since November 2020. Since then, various consultative meetings were held with the directorates, sections, and departments to present and amend the structures. In a meeting on 06 May 2026 and 14 July 2026, the parties, including the Employer, IMATU, and SAMWU, agreed on the presented structures after thorough discussion. The revised structures were developed in terms of section 66 of the Municipal Systems Act, read with the Municipal Staff Regulations, 2021, and the Chief Financial Officer has confirmed that they can be accommodated within the approved budget.

5. RECOMMENDATIONS

- (a) that Council approves the structures for Planning and Economic Development Integrated Human Settlements (Housing Administration, Development Planning, Development Management);
- (b) that Council approves the structures for Community and Protection Services (Halls);
- (c) that Council approves the structure for Corporate Services - Councillor Support; and
- (d) that Council notes the following:
 - the revised structures were consulted with organised labour through the Local Labour Forum and agreed on 6 May 2026 and 14 July 2026;
 - approval is granted in terms of section 66 of the Municipal Systems Act, read with the Municipal Staff Regulations, 2021;
 - the filling of posts will be limited to posts that are funded within the approved budget; and
 - the placement of affected staff will be undertaken in accordance with the applicable legislative framework.

6. DISCUSSION / CONTENTS**6.1 Background**

The review of the 2017/2019 micro-structures has been on the Local Labour Forum's agenda as an ongoing matter since November 2020. Since that time, various consultative meetings were held with the directorates to present and amend the structures.

6.1.1 PLANNING AND ECONOMIC DEVELOPMENT – INTEGRATED HUMAN SETTLEMENTS AND DEVELOPMENT PLANNING AND DEVELOPMENT MANAGEMENT

The directorate submitted its proposals to revise the Housing Administration (A), Development Management (B), and Development Planning (C) sections between July and December 2025. After several meetings, the proposals were presented to the Restructuring Working Group on 6 May 2026 and 14 July 2026. The parties agreed on the revised proposals and recommended that the Council adopt and approve them.

6.1.2 COMMUNITY AND PROTECTION SERVICES – HALLS

The directorate submitted its proposal to revise the Halls (D) section in May 2026. After several meetings, the proposal was presented to the Restructuring Working Group on 6 May 2026. The parties agreed on the revised proposal and recommended that the Council adopt and approve it.

6.1.3 CORPORATE SERVICES COUNCILLOR SUPPORT

The directorate submitted proposals to revise the Councillor Support (**ANNEXURE E**) section in February and May 2026. After several meetings, the proposals were presented to the Restructuring Working Group on and 6 May 2026. The parties agreed on the revised proposals and recommended that the Council adopt and approve them.

6.2 Financial Implications

The creation and filling of posts on the revised structures may carry financial implications. In terms of section 66(3) of the Municipal Systems Act, a staff establishment must be affordable within the municipality's approved budget, and in terms of the Municipal Finance Management Act 56 of 2003 no expenditure may be incurred unless it is provided for in the budget. *Only positions on the approved organogram are provided for in the approved budget. The new positions created in the amended structure will be considered for funding during the Mid-year adjustments budget.*

6.3 Legal Implications

The revision of the micro-structures is regulated by a defined legal framework and therefore carries legal implications, which have been managed as set out in this report. The staff establishment is developed and approved under section 66 of the Local Government: Municipal Systems Act 32 of 2000, read with section 67 (which requires human-resource practices to comply with the Employment Equity Act 55 of 1998) and the Local Government: Municipal Staff Regulations, 2021, which prescribe uniform norms and standards for organisational design and staff establishments. Consultation with the recognised trade unions (IMATU and SAMWU) was conducted through the Local Labour Forum in accordance with the applicable SALGBC collective agreement, and agreement was reached on 6 May 2026 and 14 July 2026. To the extent that the revised structures result in the abolition, redesign or displacement of any existing post, the consultation and fair-procedure requirements of the Labour Relations Act 66 of 1995 (including section 189 where applicable) and the applicable collective agreements remain of application and will be observed in the placement process. Accordingly, the revised structures have been prepared in compliance with the applicable legal framework, and no legal impediment to their approval has been identified.

6.4 Staff Implications

The revised structures have implications for staff, which will be addressed through a formal placement process undertaken after Council approval, in accordance with the applicable SALGBC collective agreement, the municipality's placement policy and the Employment Equity Act 55 of 1998. Job evaluation and grading do not form part of this approval. However, any new or materially amended post arising from the revised structures will be submitted for job evaluation and grading in accordance with the Municipal Staff Regulations, 2021, before it is filled.

6.5 Previous / Relevant Council Approval

The Council approved the 2017 structures on 25 October 2017 and the 2019 structures on 27 February 2019. It also approved other revisions between March and July 2025 and July 2026.

6.6 Risk Implications

The principal risks are:

- i. Labour-Relations and legal risk, should the placement process not comply with the applicable collective agreements, the Labour Relations Act 66 of 1995 and the Employment Equity Act 55 of 1998, mitigated by conducting placement strictly in accordance with those instruments;
- ii. financial and compliance risk, should posts be filled without budget provision, which could constitute unauthorised expenditure under the Municipal Finance Management Act 56 of 2003, mitigated by filling only funded posts within the approved budget; and
- iii. the risk of legal challenge to the restructuring on the ground of inadequate consultation, mitigated by the concluded Local Labour Forum consultation recorded in this report.

These risks are considered manageable and do not outweigh the benefits of approving the revised structures.

6.7 Comments from Senior Management

Senior Management supports this item.

APPENDICES

Appendix A	REVISED STRUCTURES: HOUSING ADMINISTRATION
Appendix B	REVISED STRUCTURES: PLANNING AND ECONOMIC DEVELOPMENT – BUILDING MANAGEMENT
Appendix C	REVISED STRUCTURE: PLANNING AND ECONOMIC DEVELOPMENT –DEVELOPMENT PLANNING
Appendix D	REVISED STRUCTURE: COMMUNITY AND PROTECTION SERVICES – HALLS
Appendix E	REVISED STRUCTURE: CORPORATE SERVICES – COUNCILLOR SUPPORT

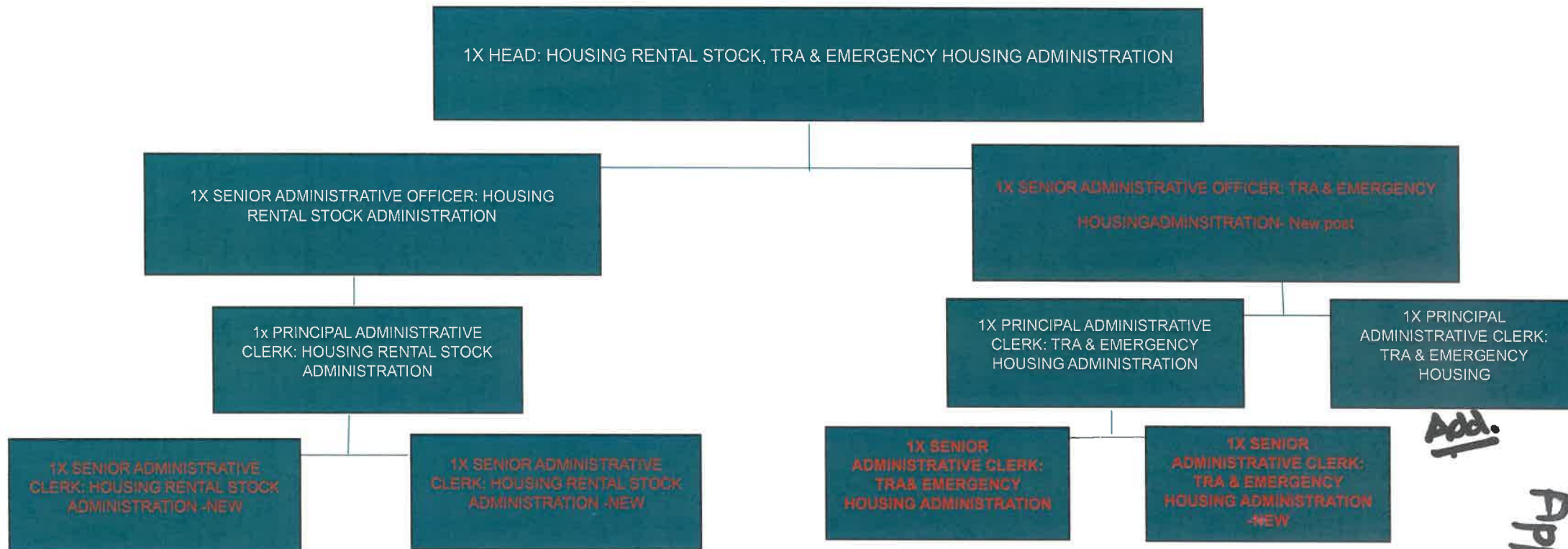
FOR FURTHER DETAILS CONTACT:

NAME	Alexander Kannemeyer
POSITION	Senior Manager Human Resource Management
DIRECTORATE	Corporate Services
CONTACT NUMBERS	021-808 8751
E-MAIL ADDRESS	<u>Alexander.Kannemeyer@ Stellenbosch.gov.za</u>
REPORT DATE	11 August 2026

ANNEXURE A-E

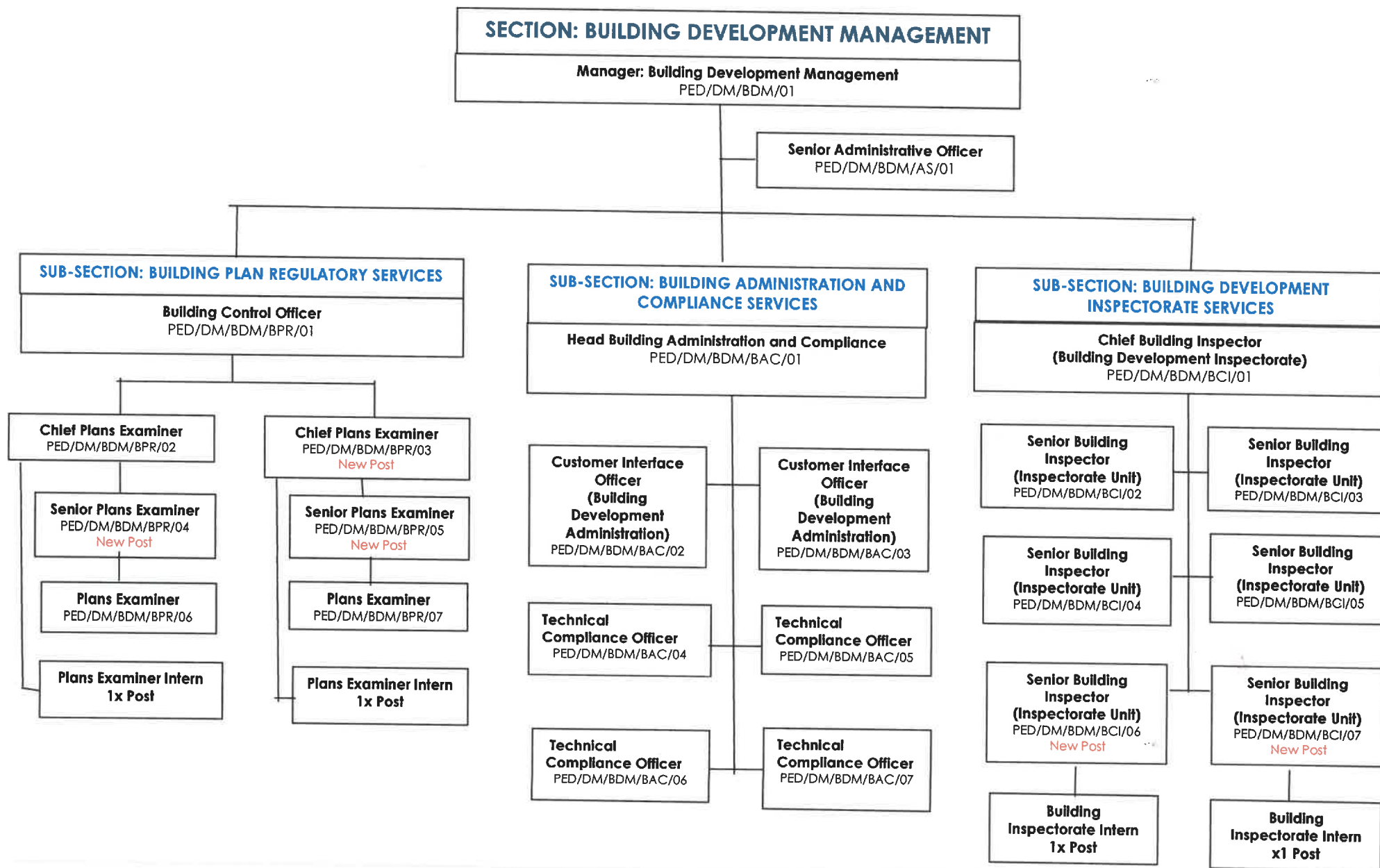
**STELLENBOSH LOCAL MUNICIPALITY
2024 PROPOSED MICRO ORGANOGRAM**

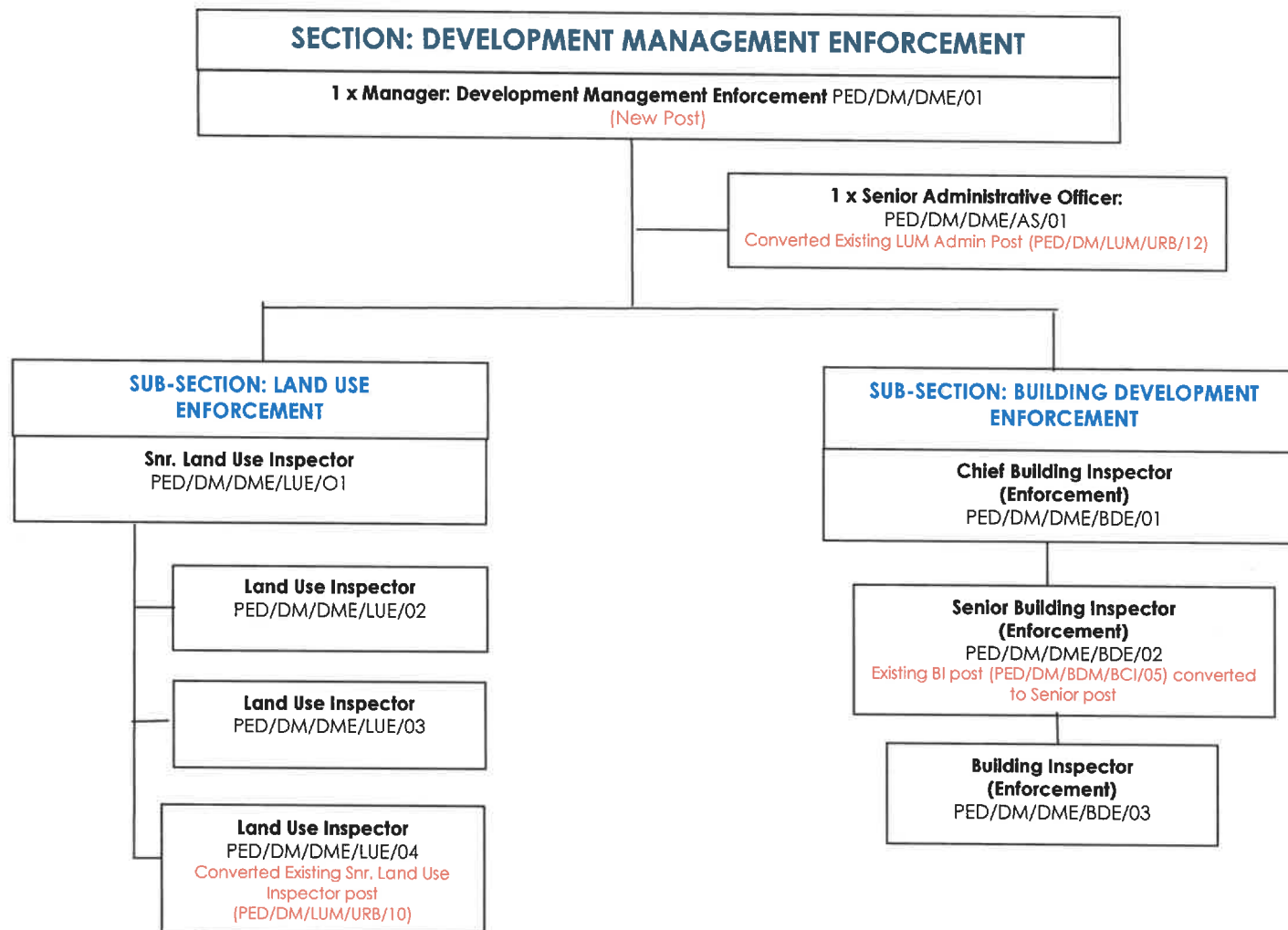
UNIT: HOUSING RENTAL STOCK, TRA & EMERGENCY HOUSING ADMINISTRATION

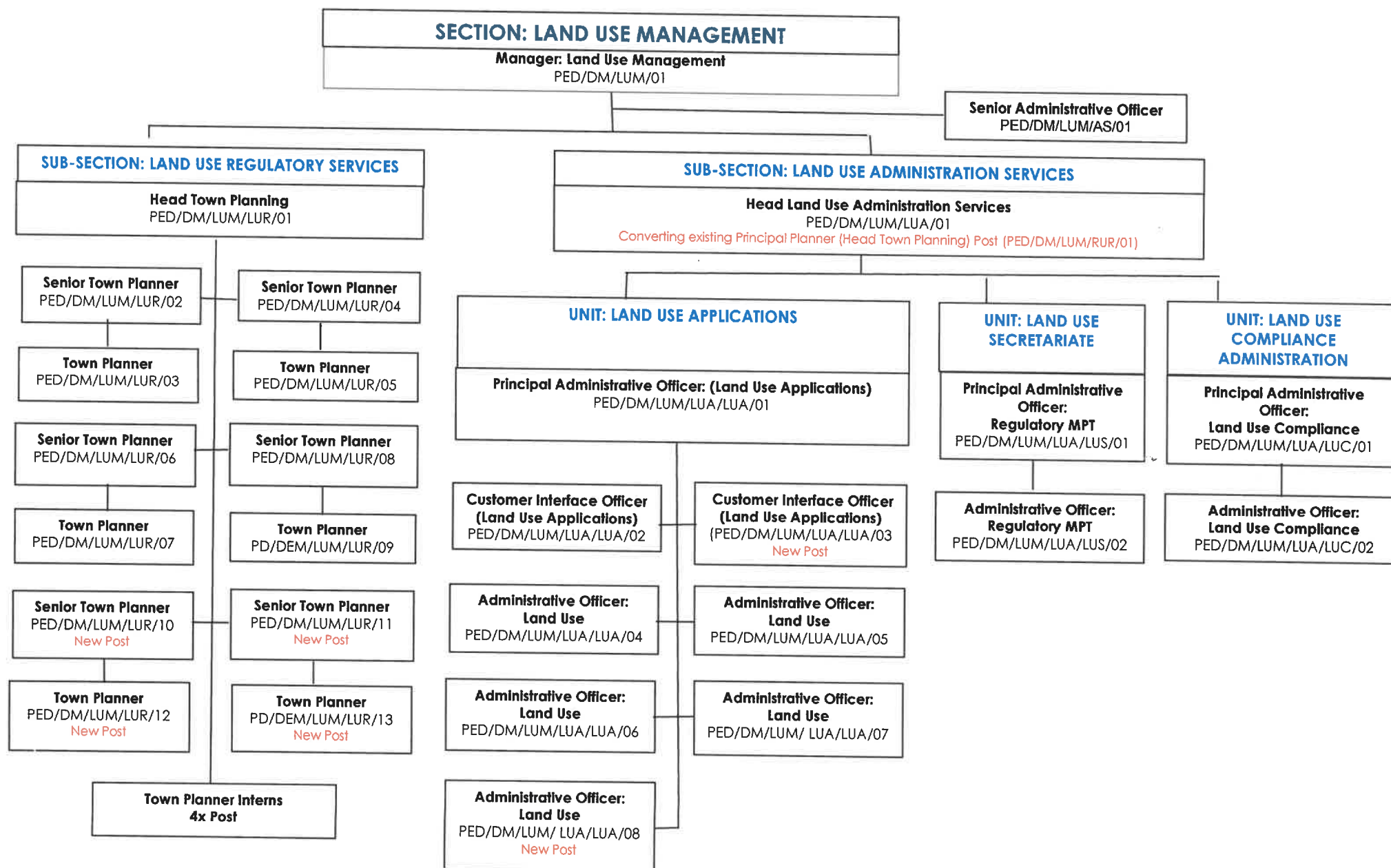


Add.

Appendix A







DIVISION: DEVELOPMENT PLANNING

Purpose: To manage and coordinate spatial planning and heritage resource management and to execute various built environment mandates in order to stimulate economic growth, address socio-economic challenges, secure the environmental and heritage base, bring about spatial transformation and help secure the revenue base for the Municipality, through creating an enabling environment for innovation and investment which will be based on consolidating and expanding the Municipality's data collection and analysis capabilities in order to perform evidence based planning and growth management.

Functions:

1. To manage and ensure the strategic planning and coordination of spatial development frameworks and related masterplans to ensure sustainable, functional, liveable, safe and integrated towns and rural areas.
2. To manage and ensure the planning and implementation of a coherent and integrated framework for local economic development, investment and tourism.
3. To manage and ensure the preservation, promotion of awareness of the heritage resources in terms of statutory requirements and related bylaws, policies and guidelines.
4. To manage and ensure the process of obtaining, processing, researching development (spatial) data and information in support of development planning and development management.
5. To ensure the management and implementation of identified special or catalytic growth management projects.
6. To provide contract and project management services as and when required across the functional areas.
7. To render management and line function administrative support services.
8. To manage and ensure the functionality of the municipal GIS and related database systems.
9. To manage and ensure the integrity and veracity of the data and information contained in the municipal GIS and related database systems.
10. To manage and ensure the functionality of the Directorate's client facing applications.

SENIOR MANAGER: DEVELOPMENT PLANNING

Existing funded post
PED/DP/01

Legend:

Green – No changes

Yellow: Unfunded, Name change

Orange: Funded, Name Change

Red: New post

ADMINISTRATIVE SUPPORT

Purpose: To render management and line function administrative support services.

Functions:

1. To provide an administrative support service to the Senior Manager: Development Planning.
2. To provide planning, research, statistics analyses and reporting services to the Senior Manager: Development Planning.
3. To assist with the provision of a Customer Interface Service for the Division.

SENIOR ADMINISTRATIVE OFFICER

Existing funded post
PED/DP/AS/01

SECTION: SPATIAL PLANNING & HERITAGE RESOURCE MANAGEMENT

Purpose: To manage and ensure the strategic planning and coordination of spatial development frameworks and related masterplans to manage growth to ensure sustainable, functional, liveable, safe and transformed integrated towns and rural areas and to manage and ensure the preservation, and the promotion of awareness of the heritage resources in terms of statutory requirements and related bylaws, policies and guidelines.

MANAGER: SPATIAL PLANNING & HERITAGE RESOURCE MANAGEMENT

Existing funded post (Name Change: Former Manager Spatial Planning)
PED/DP/SPH/01

SECTION: LOCAL ECONOMIC DEVELOPMENT

Purpose: To create an enabling environment to attract investment that generates local economic growth and job creation.

MANAGER: LOCAL ECONOMIC DEVELOPMENT

Existing funded post (Name Change: Former Manager: Economic Development & Tourism)
PED/DP/LED/01

SECTION: GEOMATICS & SPATIAL DATA MANAGEMENT

Purpose: To obtain, process, research and manage development (spatial) data and information in support of development planning and development management.

MANAGER: GEOMATICS & SPATIAL DATA MANAGEMENT

Existing funded post (Name Change: Former GIS Manager)
PED/DP/GS/01

Appendix C

**SECTION:
SPATIAL PLANNING & HERITAGE RESOURCE MANAGEMENT**

Purpose: To manage and ensure the strategic planning and coordination of spatial development frameworks and related masterplans to manage growth to ensure sustainable, functional, liveable, safe and transformed integrated towns and rural areas and to manage and ensure the preservation, and the promotion of awareness of the heritage resources in terms of statutory requirements and related bylaws, policies and guidelines.

Functions:

1. To manage and maintain the Municipal Spatial Development Framework and all Local Spatial Development Frameworks.
2. To perform spatial data analysis and modelling to inform the spatial and growth management policies and strategies of the municipality.
3. To ensure that the linkage between spatial development frameworks and other municipal sector and masterplans are maintained and aligned with the long-term municipal spatial strategy.
4. To ensure Stellenbosch Municipality's Interest in national, provincial, regional and district planning initiatives.
5. To identify, plan and implement strategic and local level scale initiatives, mechanisms and incentives to promote and supports the municipality's spatial and growth agenda.
6. To provide contract and project management services.
7. To manage and ensure implementation of identified special spatial or growth management projects.
8. To ensure the preservation, promotion of awareness and management of the heritage resources in terms of statutory requirements and related bylaws, policies and guidelines, through development of a heritage inventory and management plan, and to facilitate integrated decision-making affecting heritage resources.

MANAGER: SPATIAL PLANNING & HERITAGE RESOURCE MANAGEMENT

Existing funded post (Name change: Former Manager Spatial Planning)
PED/DP/SPH/01

SUB-SECTION: STRATEGIC SPATIAL PLANNING

Purpose: To oversee and strategically coordinate municipal spatial planning initiatives, manage urban growth dynamics, direct local area planning activities, and lead special projects to enhance community development and infrastructure, ensuring alignment with regulatory frameworks and sustainable development goals. This role involves overseeing and executing municipal spatial planning across short- to long-term horizons, facilitating spatial development frameworks and local area plans to foster sustainable, functional, safe towns and rural areas. It includes identifying catalytic projects, analyzing spatial demands, and ensuring compliance with legislation, regulations and standards.

Functions:

1. To oversee and execute the Municipal Spatial Development Framework, all Local Spatial Development Frameworks and ensure that long-term strategic spatial policy and plans that are aligned to municipal goals and regulatory frameworks are implemented.
2. To obtain and conduct spatial data analysis and modelling to guide the municipality's spatial and growth management policies and strategies (Spatial Performance M&E / Spatial Reporting / Spatial Intelligence Management).
3. To ensure that spatial development frameworks are interconnected with other municipal sector- and masterplans, ensuring alignment with the municipality's long-term spatial strategy (PSDF/MSDF/CEF/IDP/Human Settlement Plans/Infrastructure Plans).
4. To conceptualize and implement strategic initiatives, as well as local-scale mechanisms and incentives, that promote and support the municipality's spatial and growth agenda.
5. To oversee the implementation of specific spatial or growth management projects.
6. To coordinate and manage urban growth and development dynamics, ensuring sustainable land use and infrastructure planning.
7. To facilitate and supervise the preparation and revision of local area plans, including precinct plans and corridor plans, to enhance community livability and functionality.
8. To lead and facilitate special projects aimed at catalytic economic development and improving urban and rural spatial quality.
9. To engage stakeholders, including community groups, governmental agencies, and private sector partners, to promote consensus and collaboration in spatial planning initiatives.

1 X PRINCIPAL SPATIAL PLANNING PROFESSIONAL (EXISTING FUNDED POST) (PED/DP/SPH/02)
(Name change: Former Senior Spatial Planner Post)

SPATIAL PLANNER Existing funded post -
PED/DP/SPH/03

SPATIAL PLANNER Existing unfunded post -
PED/DP/SPH/04 - (Name change: Former
Urban Designer Post)

ADMINISTRATIVE SUPPORT

Purpose: To render management and line function administrative support services.

Functions:

1. To provide an administrative support service to the Section: Spatial Planning & Heritage Resource Management and to the Section: Geomatics & Spatial Data Management.
2. To provide planning, research, statistics analyses and reporting services to the Section: Spatial Planning & Heritage Resource Management and to the Section: Geomatics & Spatial Data Management.
3. To assist with the provision of a Customer Interface Service for the Section: Spatial Planning & Heritage Resource Management and to the Section: Geomatics & Spatial Data Management.

SENIOR ADMINISTRATIVE OFFICER (Existing Funded Post) (PED/DP/SPH/AS/01)

SUB-SECTION: LOCAL AREA SPATIAL PLANNING & DEVELOPMENT ADVISORY SERVICES

Purpose:

To oversee and coordinate complex local area development projects, ensuring alignment with spatial planning policies and strategic objectives. This role provides expert heritage and spatial planning advisory services, responsible for heritage and urban design policy-making, and managing comments that impact development planning and development management. To guide a team which specializes in urban design, spatial planning and heritage resource management to facilitate sustainable urban and rural development. The position aims to inform land use planning decision-making and the effective use of land resources.

Functions:

1. To facilitate the compilation of spatial planning comments on land use planning applications and building plans.
2. To facilitate the preparation of heritage resource management comments on land use planning applications.
3. To supervise the sub-section subordinates.
4. To provide operational planning guidance and direction.
5. To draft and update the heritage and signage policy.
6. To compile and review the signage and outdoor advertising bylaw.
7. To liaise with Heritage Western Cape with regards to heritage matters and the municipality's competency.
8. To oversee and ensure that the heritage inventory is maintained and updated.
9. To assist the manager with the budget for heritage matters.
10. To provide expert advice to subordinates on heritage
11. To amend and review cultural heritage legislation in the municipal area.

1 X PRINCIPAL SPATIAL PLANNER and URBAN DESIGN PROFESSIONAL (EXISTING UNFUNDED POST) (PED/DP/SPH/05) - (Name change: Former Senior Planner)

SPATIAL PLANNER (URBAN DESIGN)
UNFUNDED & VACANT - (Name change: Former
Architectural/Engineering Technician Post)
PED/DP/SPH/06

SENIOR HERITAGE PLANNER
Existing funded post
PED/DP/SPH/07

HERITAGE PLANNER
Existing funded post
PED/DP/SPH/08

Legend:

Green – No changes

Yellow: Unfunded, Name change

Orange: Funded, Name Change

Red: New post

SECTION: LOCAL ENTERPRISE AND INVESTMENT

Purpose: To create an enabling environment to attract investment that generates economic growth and job creation.

Functions:

1. Facilitate the development of the Municipality's economy by creating a positive and enabling environment to do business, develop skills and promote trade and investment, through identifying SPV's and partnering opportunities to deliver sector projects, facilitate investment, create jobs, skills development opportunities and programmes aligned to the Municipality's strategic priorities.
2. Support private sector and inter-governmental development projects through infrastructure coordination and development planning.
3. Create conditions for SMME to start and grow through transversal implementation of a Business Support Policy / Initiatives and alignment of business-facing Municipal policies and programmes.
4. Provision of facilitation services for major investments which are deemed strategically important, which include managing and administering the Municipality's Incentives Programme, and working with departments to reduce red-tape to make it easier for investment.
5. Promote the municipality as a premier travel, events and investment and study destination.
6. Facilitate sustainable community-based projects and capacity building programs linked to the IDP / EPWP.

MANAGER: ENTERPRISE AND INVESTMENT

Existing funded post (filled)

PED/DP/EI/01

Legend:

Green – No changes

Yellow: Unfunded, Name change

Orange: Funded, Name Change

Red: New post

ADMINISTRATIVE SUPPORT

Purpose: To render management and line function administrative support services.

Functions:

1. To provide an administrative support service to the Section.
2. To provide planning, research, statistics analyses and reporting services to the Section: Enterprise & Investment and to the Section: Geomatics & Spatial Data Management.
3. To assist with the provision of a Customer Interface Service for the Section: Enterprise & Investment and to the Section: Geomatics & Spatial Data Management.

SENIOR ADMINISTRATIVE OFFICER

Existing funded post (filled)

PED/DP/AS/01

SUB-SECTION: TOURISM & ENTERPRISE DEVELOPMENT

SENIOR ECONOMIC DEVELOPMENT OFFICER: TOURISM & ENTERPRISE DEVELOPMENT

Existing funded post (Name change: Former Senior Economic Development Officer: Business Development & Tourism)
PED/DP/EI/EDC/03

ECONOMIC DEVELOPMENT OFFICER: TOURISM & ENTERPRISE DEVELOPMENT

Existing Unfunded post
(Name change: Former Senior Economic Development officer: Informal Trading, Economic Hubs, Markets & Liquor)
PED/DP/EI/EDC/05

SUB-SECTION: RURAL & INFORMAL ECONOMY DEVELOPMENT

SENIOR ECONOMIC DEVELOPMENT OFFICER: RURAL & INFORMAL ECONOMY DEVELOPMENT & LICENCING

Existing funded post (Name change: Former Senior Economic Development Officer: Agricultural Support & Rural Development)
PED/DP/EI/EDC/04

ECONOMIC DEVELOPMENT OFFICER: RURAL & INFORMAL ECONOMY DEVELOPMENT & LICENCING

Existing funded post (Name change: Former Economic Development officer: Informal Trading, Economic Hubs, Markets & Liquor)
PED/DP/EI/EDC/05

SUB-SECTION: EPWP COORDINATION

SENIOR ECONOMIC DEVELOPMENT OFFICER: EPWP

Existing funded post (Name change: Former Senior Economic Development Officer: EPWP/SMME)
PED/DP/EI/EPWP/01

EPWP CLERK

Existing funded post
PED/DP/EI/EPWP/02
(Name change: Former Data capturer)

EPWP CLERK Existing Unfunded post

(Name Change: Former Senior Economic Development officer: Economic Research & Business)
PED/DP/EDT/EPWP/04

EPWP CLERK

Existing funded post
PED/DP/EDT/EPWP/03
(Name change Former Clerk)

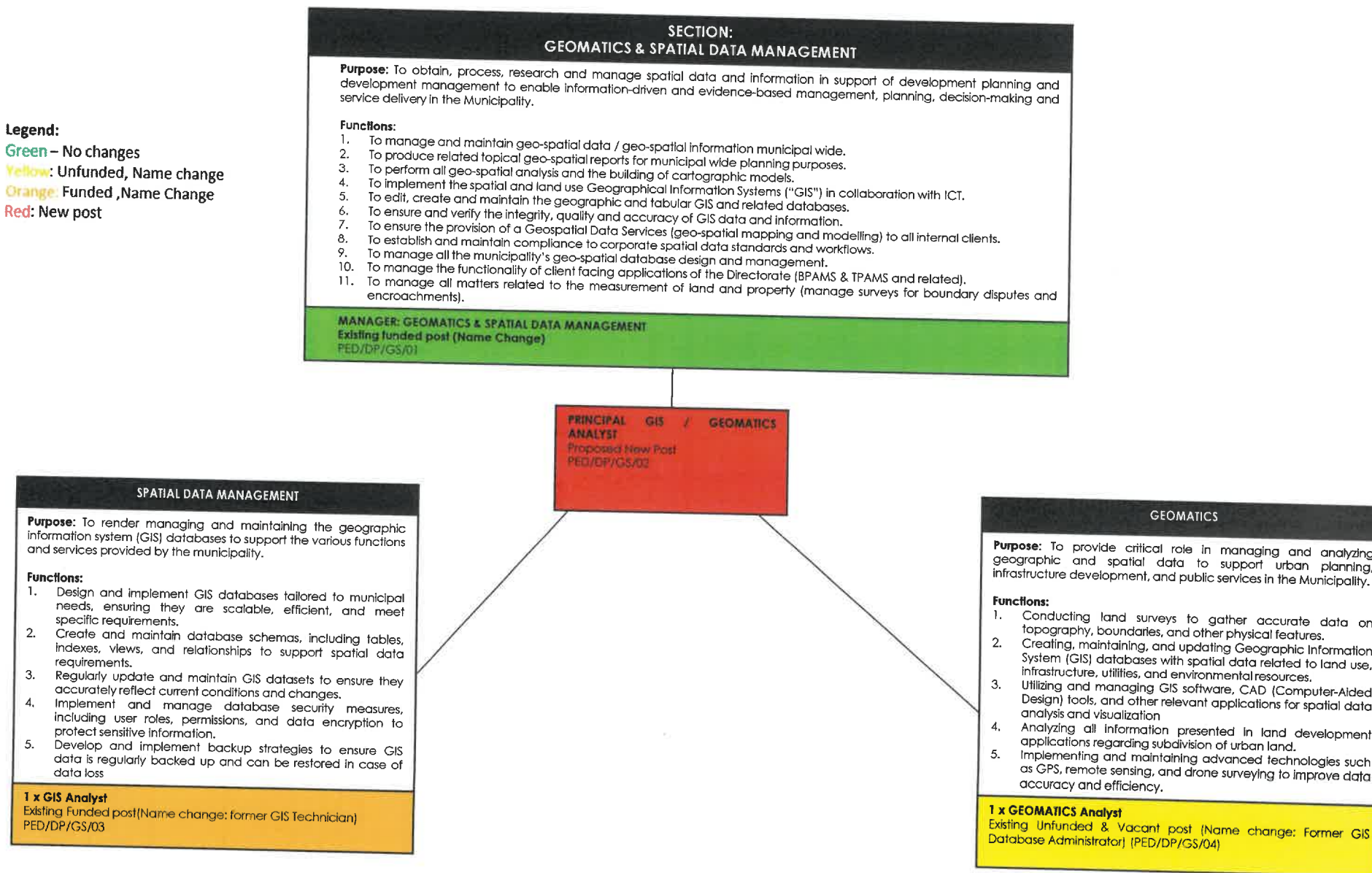
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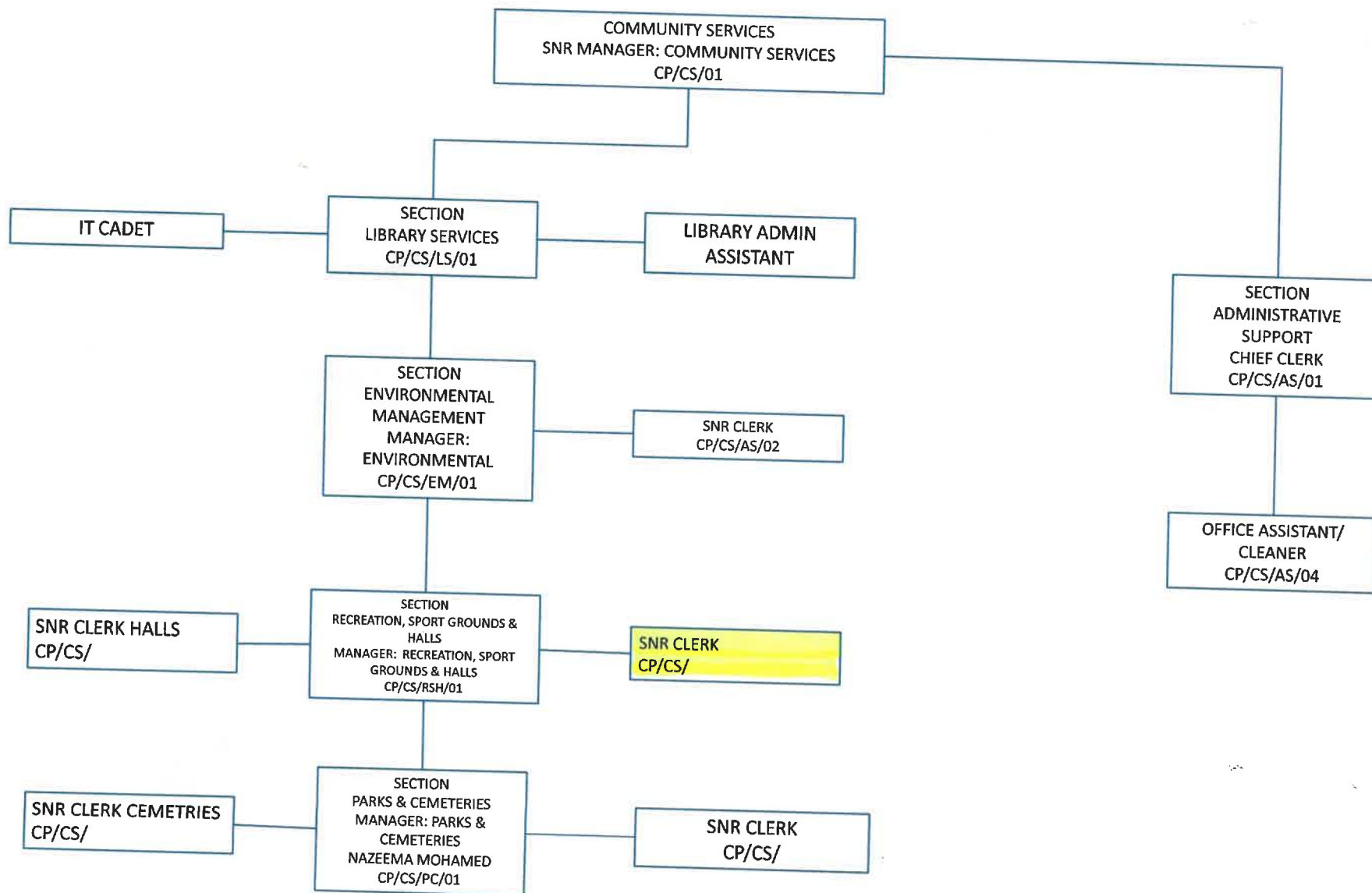
Green – No changes

Yellow: Unfunded, Name change

Orange: Funded, Name Change

Red: New post





CONFIDENTIAL

MM/DCS?

STELLENBOSCH LOCAL MUNICIPALITY PROPOSED MICRO STRUCTURE - 21 SEP 2017

Councillor Support: proposal for
staff structure
[4/2/2026]



RECOMMENDED BY
MUNICIPAL MANAGER

Signature

25/10/2017

27/02/2019

PURPOSE: To manage the offices of the political office bearers to ensure coordinated, efficient and effective administrative and support services.

FUNCTIONS:

1. Render secretarial, administrative, liaison and logistical support services to the Political Office Bearers:
2. Executive Mayor
3. Speaker
4. Chief Whip
5. Render secretarial, administrative and logistical support services to the political office bearers
6. Advise the Executive Mayor and Political Office Bearers on a daily basis with regard to functional activities

MANAGER: COUNCILLOR'S SUPPORT
D. Muller CS/CS/01

FUNCTIONAL
REPORTING LINE TO
POLITICAL OFFICE
BEARERS

APPROVED BY COUNCIL

Signature

/ / 2017

**SUB-SECTION
EXECUTIVE MAYOR**

PURPOSE: To render secretarial, administrative and logistical support services to the political office bearers.

FUNCTIONS:

1. Office management functions
2. Executive secretarial functions
3. Administrative and logistical support
4. Communication and liaison between Executive Mayor and councillors
5. Conduct research, analysis and speech writing

PA: EXECUTIVE MAYOR
Vacant CS/CS/EM/01

**SUB-SECTION
DEPUTY EXECUTIVE MAYOR**

PURPOSE: To render secretarial, administrative and logistical support services to the political office bearers.

FUNCTIONS:

1. Office management functions
2. Executive secretarial functions
3. Administrative and logistical support

PA: DEPUTY EXECUTIVE MAYOR
F. la Riva CS/CS/DEM/01

**SUB-SECTION
SPEAKER**

PURPOSE: To render secretarial, administrative and logistical support services to the political office bearers.

FUNCTIONS:

1. Office management functions
2. Executive secretarial functions
3. Administrative and logistical support
4. Communication and liaison between Speaker and councillors
5. Support management, councillors and/or ward committees in development of effective strategies and programs to strengthen community involvement and/or participation in Council matters
6. Coordinate ward committees

ADMIN OFFICER
J. Anthony CS/CS/SP/01

**SUB-SECTION
CHIEF WHIP**

PURPOSE: To render secretarial, administrative and logistical support services to the political office bearers.

FUNCTIONS:

1. Office management functions
2. Executive secretarial functions
3. Administrative and logistical support

PA: CHIEF WHIP
NEW POST Candice Webb CS/CS/CH/01

**SUB-SECTION
EXECUTIVE COUNCIL SUPPORT**

PURPOSE: To render secretarial, administrative and logistical support services to the full-time councillors.

FUNCTIONS:

1. Office management functions
2. Executive secretarial functions
3. Administrative and logistical support
4. Communication and liaison between stakeholders and councillors
5. Conduct research, analysis and speech writing
6. Render support with IDP engagements and public participation processes
7. Render MPAC administrative support services

EXECUTIVE SUPPORT OFFICER
N. Censor CS/CS/ECS/01

EXECUTIVE SECRETARY
C. Swille CS/CS/EM/02

MESSENGER/DRIVER/ACCESS
NEW POST Vacant CS/CS/EM/03

**STAKE HOLDER + PUBLIC
RELATIONS LIAISON: EM**

- liaison: EM + media
- manage media queries
- monitoring media
- EM social media
- speeches/statements to EM
- interviews, etc
- stakeholder engagem.

LEGAL ADVISOR: EM

- guidance / advice on legal matters, processes, draft documents
- interprets by-laws, policy, processes.
- legal support for EM

MUNICIPALITY / MUNICIPALITY
MUNICIPALITY / MUNICIPALITY
25 SEP 2019

CS/CS/ECS/02
CS/CS/ECS/04
CS/CS/ECS/06
CS/CS/ECS/07
CS/CS/ECS/08
CS/CS/ECS/09
CS/CS/ECS/10
CS/CS/ECS/11
CS/CS/ECS/12
CS/CS/ECS/13
CS/CS/ECS/14

EXECUTIVE SECRETARY ROBERTO VAN DER MERWE	EXECUTIVE SECRETARY ROBERTO VAN DER MERWE	CS/CS/ECS/02
WARD ADMINISTRATOR LITIAH BAKKAR	WARD ADMINISTRATOR LITIAH BAKKAR	CS/CS/ECS/04
WARD ADMINISTRATOR DURGA PLATZ	WARD ADMINISTRATOR DURGA PLATZ	CS/CS/ECS/06
WARD ADMINISTRATOR SHEENA VILJOEN	WARD ADMINISTRATOR SHEENA VILJOEN	CS/CS/ECS/07
WARD ADMINISTRATOR WILHELMINA SLOOF	WARD ADMINISTRATOR WILHELMINA SLOOF	CS/CS/ECS/08
WARD ADMINISTRATOR GURDIP SANS	WARD ADMINISTRATOR GURDIP SANS	CS/CS/ECS/09
WARD ADMINISTRATOR COLLEEN VAN ROOYEN	WARD ADMINISTRATOR COLLEEN VAN ROOYEN	CS/CS/ECS/10
WARD ADMINISTRATOR ELSAWILA MHLAHLA	WARD ADMINISTRATOR ELSAWILA MHLAHLA	CS/CS/ECS/11
WARD ADMINISTRATOR JANITA CHUMANE	WARD ADMINISTRATOR JANITA CHUMANE	CS/CS/ECS/12
WARD ADMINISTRATOR WILHELMINA SLOOF	WARD ADMINISTRATOR WILHELMINA SLOOF	CS/CS/ECS/13
WARD ADMINISTRATOR SHEENA VILJOEN	WARD ADMINISTRATOR SHEENA VILJOEN	CS/CS/ECS/14

Admin Support

- admin support for
Mgr: Councillor Support +
Exec Support Officer

Appendix E

7.3.2	CONSENT TO SALE AND TRANSFER: ERF 1209 FRANSCHHOEK TO W & HB DANIELS
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

19 August 2026

1. SUBJECT: CONSENT TO SALE AND TRANSFER: ERF 1209 FRANSCHHOEK TO W & HB DANIELS

2. PURPOSE

For Council to authorise the implementation of the Deed of Sale concluded with W & HB Daniels in respect of Erf 1209 Franschhoek (1 Boonzaaier Road, Groendal), notwithstanding that the purchase price of R44 472.00 reflected in the 2007 Deed of Sale is below current market value, on the basis that:

(a) the Municipality is contractually bound by the agreement;

(b) the delay in effecting transfer is attributable to administrative failures on the part of the Municipality; and

(c) the purchasers have maintained the property at their own cost throughout the period of delay and cannot equitably be penalised for the Municipality's administrative inefficiencies.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

Erf 1209 Franschhoek was allocated to Mr W Daniels as staff housing in 2004. In 2007, Mr and Mrs Daniels signed a Deed of Sale to purchase the property at R44 472.00, consistent with the 1998 Council resolution permitting employees to acquire municipal properties at below market value. Despite the parties having signed the Deed of Sale and the purchaser securing bond approval, the Municipality failed to finalise the transfer. Between 2007 and 2026, the Daniels family made repeated attempts to have the transfer concluded. The Municipality has been unable to provide any explanation for the administrative failures that caused this prolonged delay. Throughout this period, the purchasers have occupied and maintained the property at their own expense. They have acted in good faith at every stage.

The Municipality is contractually bound by the 2007 Deed of Sale. The delay in finalising transfer is attributable to the Municipality's own administrative failures, not to any conduct or omission on the part of the purchasers. It would be unlawful and manifestly unjust to now seek to revisit the agreed purchase price or to withhold transfer on account of the appreciation in market value that occurred during a period of delay for which the Municipality bears sole responsibility. Council is accordingly requested to authorise implementation of the Deed of Sale at the agreed purchase price, and to direct the Municipal Manager to take all necessary steps to effect transfer without further delay.

5. RECOMMENDATIONS

- (a) that Council authorises the implementation of the Deed of Sale concluded between the Municipality and W & HB Daniels in respect of Erf 1209 Franschhoek (1 Boonzaaiers Road, Groendal) and directs that transfer be effected without further delay;
- (b) that the purchase price be confirmed as R44 472.00 as agreed in the 2007 Deed of Sale, and that no escalation or market-related adjustment be applied, on the basis that: (i) the Municipality is contractually bound by the agreed terms; (ii) all delay in effecting transfer is attributable to administrative failures on the part of the Municipality; and (iii) the purchasers have maintained the property throughout this period at their own cost and cannot equitably be penalised for the Municipality's inefficiencies;
- (c) that the repayment provision in the original Council resolution of 1998 - which required repayment of the difference between the subsidised price and market value should the employee leave the Municipality's employ or alienate the property within ten years of transfer - is hereby waived in its entirety, it being unconscionable to enforce this condition against purchasers who have been unable to take transfer for nearly two decades due to the Municipality's own defaults; and
- (d) that the Municipal Manager be mandated and directed to sign the new Deed of Sale and all other documents required on the same terms, to give effect to the transfer of Erf 1209 Franschhoek to W & HB Daniels, and to ensure that the conveyancing process is concluded as a matter of priority.

6. DISCUSSION / BACKGROUND**6.1 Housing Subsidy Item (1998):**

On 28 September 1998, an item was before Council titled "Vasstelling van Beleid: Subsidisering van Behuising: Werknemers van Raad". The item speaks to the abnormal situation in Franschhoek pertaining to the house prices. It required Council to put measures in place which would allow for officials to enter the housing market, without unfairly enriching them. The item deals with the different subsidies available to officials as well as the problem areas in respect of these subsidies. The item further identifies two problem areas, namely;

- where the municipality owns a residential property and rents the property to an employee at 6% of their salary and
- where the municipality leases a property and rents it out to an official at 6% of their salary.

The item states that these two scenarios cause a big financial loss to the municipality. As a possible solution to the problem, it was suggested to Council that municipal owned properties should be made available to officials at a more affordable rate. As such, the following recommendations were made to Council for consideration:

- “a) dat die volgende opsies vir subsidiëring van behuising aan werknemers beskikbaar gestel moet word:
- i) Voorgeskrewe subsidie van R781 per maand;
 - ii) Voorgeskrewe huursubsidie tot ‘n maksimum van R250 p.m;
 - iii) Huur van amptelike wonings @6% van salaris, onderhewig daaraan dat, sou ‘n erf/woning aan die betrokke werknemer aangebied word, op die voorwaardes soos hieronder uiteengesit, en hy/sy dit nie aanvaar nie, huur na 12 maande teen 12% van salaris betaalbaar sal wees; indien ‘n werknemer egter verplig word om in ‘n amptelike woning te woon, sal hy/sy geregtig wees op subsidie op ‘n woning elders;
 - iv) Koop van erf teen 33% van markprys en woning teen 50% van markprys, onderhewig daaraan dat die verskil in koopprys en markverwante prys terugbetaalbaar is aan Raad, sou werknemer binne 10 jaar bedank of die eiendom vervreem. Die bedrag verskuldig sal jaarliks met 10% (gebaseer op oorspronklike bedrag) afneem. Voormelde opsie sal onderhewig wees aan die beskikbaarheid van erwe/wonings.”

A translation of the above:

“That the following options for the subsidisation of housing for employees be made available:

- i) A prescribed subsidy of R781 per month;
- ii) A prescribed rental subsidy up to a maximum of R250 per month;
- iii) Rental of official residences at 6% of salary, subject to the condition that, should a site/plot or dwelling be offered to the relevant employee on the conditions set out below, and he/she does not accept it, rent will, after 12 months, be payable at 12% of salary; provided that where an employee is required to reside in an official residence, he/she shall be entitled to a subsidy for a residence elsewhere;
- iv) Purchase of a site/plot at 33% of market value and a dwelling at 50% of market value, subject to the condition that the difference between the purchase price and the market-related price shall be repayable to the Council should the employee resign or dispose of the property within 10 years. The amount owing shall decrease annually by 10% (based on the original amount). The aforementioned option shall be subject to the availability of sites/plots or dwellings.”

For purposes of this item, recommendation (iv) is of specific importance. In essence this recommendation states that employees will be given the opportunity to purchase municipal owned properties at 50% of the market related value subject thereto that the difference between the values be paid back to the Municipality if the employee resigns within ten years of purchase or sells the property within that period.

Throughout the item, specific mention is made to the properties situated in Boonzaaier Road in Groendal which properties are owned by the Municipality and used for staff housing. A copy of the item is attached hereto as **APPENDIX 1**.

6.1.2 Allocation of property to Mr. W Daniels:

On 1 July 2004, a lease agreement was entered into between the Municipality and Mr. W Daniels for the lease of Erf 1209 Franschoek situated at 1 Boonzaaier Road, Groendal. Mr. W Daniels was and currently still is an employee of the Municipality. A copy of the lease agreement is attached hereto as **APPENDIX 2**.

On 13 June 2007 Mr. W Daniels was provided with a Deed of Sale for the property. On said date Mr. Daniels as well as his wife, Mrs. HB Daniels, to whom he is married in community of property, signed the Deed of Sale. A copy of the Deed of Sale is attached hereto as **APPENDIX 3**. Mr. Daniels also applied for a loan at that stage in order to pay the purchase price of R44 472.00, which loan was approved. A letter dated 13 June 2007 directed to the Manager: Housing confirming the approval of the bond is attached hereto as **APPENDIX 4**. For reasons unknown to the current administration, the transfer was not finalized by the Municipality.

The transfer of the property was never finalised. The administration has been unable to establish, from available records, the reason for the failure to take any steps towards registration after June 2007. The administration candidly acknowledges that records have been misplaced or destroyed over the years. What is clear is that the purchasers made persistent attempts between 2007 and 2016 to have the matter finalised and that the failure to do so rests entirely with the Municipality.

On 16 September 2016, the Directorate: Human Settlements and Property Management hand delivered a letter to Mr. and Mrs. Daniels at 1 Boonzaaier Road, requesting them to attend the offices of the Municipality. The subject of the letter is indicated as "Titel Akte" ("Title Deed") and it requests of them to be present at the housing offices on 21 September 2016 and to bring the originals and copies of their identity documents, marriage certificates and Municipal accounts. A copy of the letter is attached hereto as **APPENDIX 5**.

Since 2016, the Daniels family has continued to pursue finalisation of the transfer, without success, through no fault of their own. The decision to dispose of the property to Mr Daniels was made pursuant to the 1998 Council resolution, which expressly authorised the disposal of municipal properties to employees at subsidised rates. The purchasers are entitled to rely on that resolution and on the Deed of Sale concluded in 2007. ***The current administration acknowledges that it has not been able to identify any reason attributable to the purchasers for the failure to finalise transfer, and that the responsibility for the prolonged administrative delay vests with the Municipality.***

6.2. DISCUSSION

6.2.1 Location and context

The property is located at 1 Boonzaaier Road, Groendal.

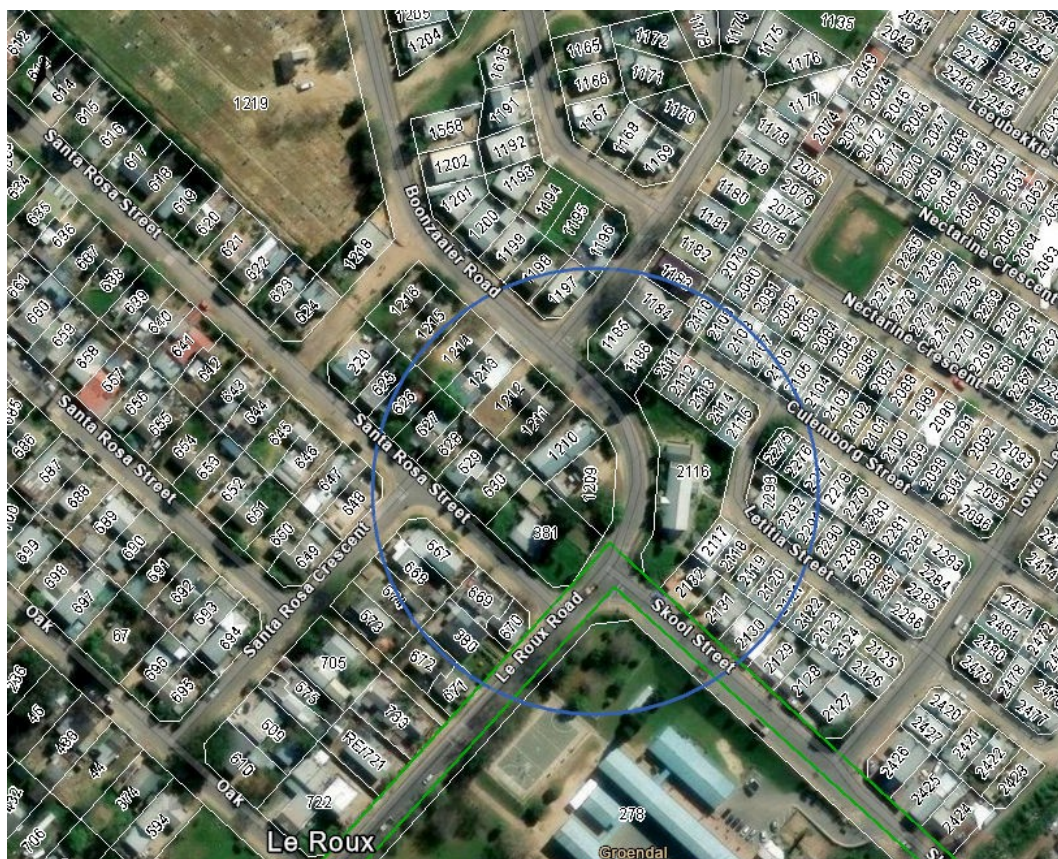


Fig 1. Location

6.2.2 Ownership

The ownership of the property vests with Stellenbosch Municipality.

6.3 Financial Implications

The purchasers will be required to pay the agreed purchase price of R44 472.00 as well as the applicable transfer costs and duties. While the property has appreciated significantly in value since 2007 - with the 2025 General Valuation Roll reflecting a municipal valuation of approximately R379 000 - the Municipality is contractually bound to give effect to the Deed of Sale at the agreed price. The delay in transfer is attributable solely to the Municipality. To recalculate or escalate the purchase price unilaterally would expose the Municipality to a damages claim and/or a court order compelling transfer, with associated legal costs. Implementing the Deed of Sale as agreed is the legally sound and fiscally responsible course of action. The purchasers are further credited with having maintained the property throughout the period of delay, which has preserved its value. Any improvement to the property during this period was effected at the purchasers' own expense.

6.4 Legal Implications

The Municipality is contractually bound by the Deed of Sale signed by W & HB Daniels on 13 June 2007. The risk of litigation and adverse court orders substantially outweighs any financial benefit the Municipality might derive from revisiting the agreed purchase price. The legal position supports proceeding with transfer at the 2007 agreed price.

6.5 Staff Implications

No additional staff implications.

6.6 Previous / Relevant Council Resolutions**RAADSVERGADERING 28 SEPTEMBER 1998
BESLUIT:**

- a) Dat die aanbeveling goedgekeur word;
- b) Dat skema sleg geld vir die 4 erwe onderkant die dam, wat dan by implikasie nie toeganklik is vir die publiek nie;
- c) Dat die Raad se prokureurs opdrag kry om 'n ooreenkoms op te stel wat die skema vervat, wat dan met die vakbonde gesluit kan word;
- d) Dat die A/P/G Komitee volmag kry om aansoeke te hanteer; en
- e) Dat eiendomsagente verkry word om die markkoste van erwe te bepaal.

6.7 Risk Implications

If the Municipality declines to proceed with transfer on the agreed terms or attempts to impose revised financial conditions, it is highly probable that W & HB Daniels will seek urgent relief in the High Court compelling transfer and awarding damages. Given the strength of the purchasers' contractual and constitutional position, and the absence of any conduct on their part that could justify the delay, the Municipality would face significant litigation risk.

6.8 Comments from Senior Management**6.8.1 CFO**

I have considered the financial implications of the proposed disposal. Having regard to the contractual framework, the prolonged administrative delay attributable to the Municipality, and the consistent conduct of the purchasers, I am satisfied that proceeding with the transfer at the agreed price of R44 472.00 is the appropriate course of action. While the property has appreciated substantially in value since 2007, the Municipality has no lawful basis to deviate unilaterally from the agreed contractual terms. The risk exposure associated with non-implementation - including damages claims and litigation costs - would likely exceed any financial benefit derived from attempting to impose market-related pricing at this stage.

The proposed transfer originates from a Council resolution adopted in September 1998, implemented through a lease agreement in 2004 and a Deed of Sale signed by the purchasers in 2007. While these events predate the Municipal Asset Transfer Regulations (2008), the contractual and legal obligations arising from the Deed of Sale are clearly established. The purchasers have vested rights and legitimate expectations arising from the agreement, which the Municipality is obliged to honour.

The Franschhoek residential property market report indicates significant appreciation in residential property values over the relevant period, with the Municipality's 2025 General Valuation Roll, which reflects a municipal valuation of approximately R379 000 for the property, compared to the agreed purchase price of R44 472 contained in the 2007 Deed of Sale. While these figures demonstrate the substantial increase in property values over time, they should not be regarded as determinative of the appropriate purchase price.

It is also noted that the property has remained registered in the Municipality's name throughout the period of delay. The purchasers have maintained and cared for the property at their own cost. Any improvements effected by them would have added to the property's value, the benefit of which has accrued to the Municipality in the interim. This further militates against any attempt to revise the agreed purchase price upward on the basis of current market value.

The delay in finalising the transfer is not attributable to any fault or inaction on the part of the purchasers. The Municipality bears sole responsibility for the administrative failure that has prevented transfer for nearly two decades. ***It would be inequitable and legally untenable to place the financial consequences of that failure on the purchasers by seeking to impose a market-related price in place of the agreed contractual consideration.***

The purchasers cannot equitably be penalised for the Municipality's administrative failures. They have occupied and maintained the property in good faith for over two decades. ***I accordingly support the recommendation that Council authorise implementation of the Deed of Sale at the agreed purchase price and direct the Municipal Manager to conclude the transfer process without further delay. Council should note that the purchasers will be responsible for payment of the agreed purchase price, applicable transfer duties, and all conveyancing costs.***

Municipal Manager Comments

I support this item and recommend that Council authorise implementation of the Deed of Sale. The Municipality presented this agreement to the Daniels family, accepted their signature, and then failed through its own administrative conduct to give effect to it for nearly two decades. The purchasers bear no responsibility for that failure. They have maintained the property throughout and acted in good faith at every stage. It is neither lawful nor just to revisit the agreed price. Council should resolve the matter without further delay and restore the family's dignity.

Appendix: 1. September 1998 Council item

2. Lease Agreement

3. Deed of Sale

4. Bond approval letter

5. Letter to Mr. W Daniels

NAME	Lungelwa Kaywood
POSITION	<i>Acting Director</i>
DIRECTORATE	<i>Corporate Services</i>
CONTACT NUMBERS	<i>021-8088195</i>
E-MAIL ADDRESS	lungelwa.kaywood Stellenbosch.gov.za
REPORT DATE	<i>18/05/2026</i>

APPENDIX 1

ALGEMENE OMSENDERBRIEF

Ons verw.: 4/5/2/3 [1406]

Navrae: Gerhard Bruce



12 Oktober 1998

AAN ALLE PERSONEEL

VASSTELLING VAN BELEID : SUBSIDIERING VAN BEHUISING VIR WERKNEMERS VAN DIE RAAD

Die Raad het op 28 September 1998 beleid vasgestel ten opsigte van die subsidiëring van sy werknemers se behuising. Die Raad het verder besluit om hierdie beleid onder sy personeel se aandag te bring, deur middel van 'n omsendskrywe. Die volledige uittreksel uit die Raad se notule word hierby aangeheg vir alle personeel se aandag.

Aanhangsel

Die uwe

STADSKLERK : PIET SMIT

Rig korrespondensie aan
Stadsklerk / Uitvoerende Hoof
POSBUS 18, FRANSCHHOEK 7690
TELEFOON: (021) 876 2055
FAKS: (021) 876 3297



Address correspondence to the
Town Clerk / Chief Executive
PO BOX 18, FRANSCHHOEK 7690
TELEPHONE: (021) 876 2055
FAX: (021) 876 3297

Item (9) (B)

VASSTELLING VAN BELEID : SUBSIDIËRING VAN BEHUISING : WERKNEMERS VAN RAAD

1. AGTERGROND:

Tydens die Raadsvergadering gehou op 25 Mei 1998 is besluit om Bestuur te versoek om 'n konsep beleidsdokument op te stel aangaande die subsidiëring van behuising vir werknemers van die Raad, vir voorlegging aan die te stigte Franschhoek Forum.

Bestuur het op 29 Mei 1998 vergader, en word 'n opsomming van hul bevindinge/aanbevelings hieronder uiteengesit.

2. INLEIDING

Gegewe die abnormale situasie m.b.t. huispryse in Franschhoek, is dit belangrik dat die Raad maatreëls in plek stel om dié probleem aan te spreek, om te verseker dat amptenare die huismark kan betree, sonder dat hul verryk word.

3. STATUS QUO

Die volgende tipes subsidiëring bestaan tans:

3.1 Behuisingsubsidie:

'n Bedrag tot 'n maksimum van R781 per maand word aan 'n werknemer betaal, onderhewig daaraan dat die persoon die eiendom bewoon, 'n verbandlening geregistreer is en die eiendom in sy/haar naam geregistreer is. (Dié bedrag word aangepas ooreenkomstig die heersende rentekoerse).

3.2 Huursubsidie:

'n Bedrag tot 'n maksimum van R250 per maand word betaal aan 'n werknemer wat 'n huis huur. Dié bedrag is laas in 1985 aangepas, en het nie tred gehou met tariewe oor die afgelope aantal jare nie.

3.3 Amptelike wonings:

'n Werknemer betaal 6% van sy/haar salaris (+ belasting en dienste) aan die Raad vir 'n raadswoning.

3.4 Gehuurde wonings:

Die Raad huur privaatwonings en verhuur dit aan werknemers teen 'n huurgeld van 6% van sy/haar salaris (+ belasting en dienste).

4. PROBLEEM-AREAS

Wat betref opsies 3.1 en 3.2, is dit standaard prosedure, en word dit nie verder bespreek nie.

Wat betref opsie 3.4, dit is waar die Raad wonings huur teen markverwante pryse, en dit weer aan werknemers verhuur @ 6% van hul salaris (+ belasting), is dit duidelik uit die uiteensetting hieronder, dat dit 'n geweldige las op die munisipaliteit is. Dieselfde argument

kan natuurlik geopper word t.o.v. amptelike wonings, waar amptenare 6% van hulle huur betaal, teenoor 'n potensiële inkomste teen markverwante pryse. Page 134

Hieronder volg 'n uiteensetting van die koste-implikasie van opsie 3.3, gemeet aan opsie 3.1 (dit is waar 'n maandelikse subsidie aan amptenare betaal word wat oor hul eie wonings beskik).

Die voorbeeld hieronder uiteengesit is gebaseer op die volgende veronderstellings : (1 werknemer)

- Huur betaalbaar/potensiële huur : R2 000 p.m., met 'n 10% eskalasie per jaar;
- Salaris van werknemer : R70 000 p.j. met 'n verhoging van 7.5% per jaar;
- Subsidie betaalbaar : R781 (huidige goedgekeurde subsidie)
- Enige rente berekenings word buite rekening gelaat.

Jaar	Huur betaalbaar	Huur ontvang	Bedrag waarmee werknemer gesubsidieer word	Subsidie betaalbaar op eie woning	Verskil	Kumulatief	Rente
1	R24 000	R4 200	R19 800	R9 372	R10 428	R10 428	-
2	R26 400	R4 515	R21 885	R9 372	R12 513	R22 941	R1 564
3	R29 040	R4 853	R24 187	R9 372	R14 815	R37 756	R3 441
4	R31 944	R5 217	R26 727	R9 372	R17 355	R55 111	R5 663
5	R35 138	R5 608	R29 530	R9 372	R20 158	R75 269	R8 266
6	R38 652	R6 029	R32 623	R9 372	R23 251	R98 520	R11 290
7	R42 517	R6 482	R36 035	R9 372	R26 663	R125 183	R14 778
8	R46 769	R6 968	R39 801	R9 372	R30 429	R155 612	R18 777
9	R51 446	R7 491	R43 955	R9 372	R34 583	R190 195	R23 341
10	R56 590	R8 052	R48 538	R9 372	R39 166	R229 361	R28 529
							R115 649

Uit voormelde is dit duidelik dat, oor 'n termyn van 5 jaar, opsie 3.4 (en 3.3) die Raad 'n addisionele bedrag van ± R75 000 kos, en oor 10 jaar 'n bedrag van ± R230 000. Addisionele opbrengs uit rente is buite rekening gelaat.

5. MOONTLIKE OPSIES WAT OORWEEG KAN WORD

Bestuur is van oordeel dat die opsie, soos uiteengesit in par. 3.4, uitfaseer behoort te word. Om dit egter vir amptenare moontlik te maak om die eiendomsmark te betree, moet grond (wat aan die Raad behoort) teen 'n meer bekostigbare prys aan werknemers beskikbaar gestel te word, in 'n poging om hul aan te moedig om hul eie wonings aan te koop. Dit moet egter op 'n basis gedoen word dat werknemers nie verryk word nie, maar moet eerder as 'n instaatstellings-aksie gesien word.

Bestuur was ook van oordeel dat, sou die Raad finaal oor 'n aantal opsies besluit, dit op alle amptenare van toepassing moet wees en konsekwent toegepas moet word.

Onderhewig aan die beskikbaarheid van raadsgrond, moet grond teen 'n meer bekostigbare

- i) hul binne 12 maande die grond ontwikkel (huis bou);
- ii) die verskil tussen die markverwante prys (bepaal deur 'n onafhanklike waardeerder) en die koopprys word oor 'n termyn van 10 jaar uitfasseer;
- iii) sou 'n werknemer dus na bv. 3 jaar bedank, of die betrokke eiendom verkoop, sal 70% van die verskil tussen markverwante prys en koopprys terugbetaalbaar wees aan die Raad;

Gestel die markverwante prys van die voorgestelde erwe in Van Riebeeckstraat (onderkant die dam) is R180 000, kan erwe aan werknemers wat tans in huurhuise is aangebied word vir R60 000. Sou die betrokke werknemer egter na 3 jaar bedank of die huis verkoop, moet 'n bedrag van R84 000 terugbetaal word aan die Raad. Dieselfde beginsel moet egter toegepas word op beskikbare erwe in Franschoek-Noord.

Dieselfde beginsel behoort ook toegepas te word op wonings wat aan die Raad behoort, wat te koop aangebied kan word aan die werknemers wat dit op die oomblik huur. In dié geval kan eiendom teen 50% van markwaarde verkoop word, onderhewig aan dieselfde uitfaseringsklousule.

Indien grond en/of 'n huis aan 'n werknemer op voormelde basis aangebied word, en hy/sy maak nie daarvan gebruik nie, sal sy/haar huur na 12 maande verhoog na 12% van sy/haar salaris, om dit meer markverwant te maak, en om as aanmoediging te dien.

Dit dien gemeld te word dat die volgende persone tans in raadswonings/gehuurde wonings bly:

- Stadsklerk : huur woning (huurgeld van R2 072 p.m. betaalbaar met 12% eskalasie per jaar;
- Hoof : Elektrisiteit : huur woning (Huurgeld van R1 900 p.m. betaalbaar);
- Tesourier + 3 ander amptenare : Raadswoning met potensiële verhuurwaarde van ± R1 500 - R2 000 p.m., sou dit op die ope mark verhuur word;
- Ongeveer 17 arbeiders : Woon in raadswoning met potensiële verhuurwaarde van ± R100 - R200 p.m.

Aanbeveling:

- a) dat die volgende opsies vir subsidiëring van behuising aan werknemers beskikbaar gestel word:
 - i) voorgeskrewe subsidie van R781 per maand;
 - ii) voorgeskrewe huursubsidie tot 'n maksimum van R250 p.m.;
 - iii) huur van amptelike wonings @ 6% van salaris, onderhewig daaraan dat, sou 'n erf/woning aan die betrokke werknemer aangebied word, op die voorwaardes soos hieronder uiteengesit, en hy/sy dit nie aanvaar nie, huur na 12 maande teen 12% van salaris betaalbaar sal wees; indien 'n werknemer egter verplig word om in 'n amptelike woning te woon, sal hy/sy geregtig wees op subsidie op 'n woning elders;
 - iv) koop van erf teen 33% van markprys en woning teen 50% van markprys, onderhewig daaraan dat die verskil in koopprys en markverwante prys terugbetaalbaar is aan Raad, sou werknemer binne 10 jaar bedank of die eiendom vervreem. Die bedrag verskuldig sal jaarliks met 10% (gebaseer op oorspronklike bedrag) afneem. Voormelde opsie sal onderhewig wees aan die beskikbaarheid van erwe/wonings.

Franschhoek Forum Uitvoerende Komiteevergadering 30 Junie 1998

Besluit:

- a) dat die aangeleentheid oorstaan tot die volgende vergadering;
- b) dat die Stadsklerk aandui hoe die onderskeie opsies sal impak op goedkoper erwe, bv R50 000 en R10 000 en wat die implikasies sal wees vir persone wat staatsgesubsidieerde eiendomme by die Raad huur.

Kommentaar deur die Stadsklerk

Wat betref die sub-ekonomiese behuising, sal die voorstel geen impak op dié persone hê nie.

Die enigste ander groep, is die 8 wonings in Boonzaaiersweg, wat verhuur word @ 6% van salaris. Indien bg beginsels hierop toegepas word, sal die situasie as volg daar uitsien:

* <u>Status quo:</u>	Gemiddelde huur	:	R112 p.m.
	Potensiële huur	:	R250 p.m.
	∴ Verlies aan inkomste	:	R138
	Plus rente en delging op Wentelfondslening	:	R207
	∴ Effektiewe "koste" vir die Raad	:	R345

*Verkoop woning @ 50% van markwaarde:

—	*Markwaarde	:	± R100 000
—	Verkoopprijs	:	R50 000 (50%)

Die R50 000 kan gebruik word om die lening van R45 000 af te los, dus geen uitgawe aan rente en delging nie.

Uitgawe vir die Raad t.o.v. subsidie	:	(R781 x $\frac{5}{7}$) : R557
Renteverdiens te op belegging	:	R625
∴ Besparing vir die Raad	:	R68 p.m., teenoor 'n huidige "verlies" van R345 p.m.

Die paalement vir die koper sal R278.50 beloop (20% oor 30 jaar) teenoor die huidige R112 p.m. (Of R224 indien huur verhoog na 12% van salaris).

Vir OORWEGING deur die Franschhoek Forum.

Franschhoek Forum Uitvoerende Komiteevergadering 18 Augustus 1998

Besluit:

- a) Om by die Raad aan te beveel dat:
 - i) die betrokke grond aan die onderkant van die dam vir behuising vir amptenare benut word;
 - ii) die volgende beginsels in ag geneem word, sou die Raad besluit om grond/behuising

- Alle amptenare moet op 'n gelyke basis behandel word, m.a.w. subsidie/6% lening tot R70 000;
- Waar wonings/erwe reeds aan die Raad behoort, word die eiendom waardeer teen markwaarde. Die aankoopwaarde/ontwikkelingskoste/-waarde word bereken. Die Raad gee 'n 100% lening teen 6%, tot 'n maksimum van R70 000 op die aankoopwaarde/ontwikkelingskoste/-waarde van die grond/eiendom. As die betrokke amptenaar die grond/eiendom sou verkoop; bedank of met pensioen aftree, moet die lening t.o.v. die aankoopwaarde/ontwikkelingskoste/-waarde gedelg word, en moet die verskil tussen die markwaarde (op datum van aankope) en die aankoopwaarde aan die Raad terugbetaal word. In die geval waar die eiendom verkoop word; is voormelde bedrae onmiddellik terugbetaalbaar. Indien 'n persoon sou bedank/aftree, is die bedrae betaalbaar op datum van verkope of binne 12 maande, welke datum die vroegste is. Die paaimente op die lening t.o.v. die aankoopwaarde is vanaf datum van bedanking/aftrede steeds betaalbaar tot datum van verkope of datum waarop lening afgelos word;
- Waar 'n amptenaar die betrokke woning aan 'n ander amptenaar van die Raad verkoop, kan daar vooraf met die Raad ooreengekom word dat die verskil in aankoopwaarde en markwaarde (op datum van aankope) as 'n voordeel aan die ander amptenaar deurgegee word, in welke geval dit nie nodig is om dit terug te betaal aan die Raad nie. 'n Nuwe ooreenkoms sal in so 'n geval met die nuwe amptenaar aangegaan word op dieselfde grondslag;
- Die Raad moet so min moontlik subsidies uitbetaal;
- Die Raad moet nie grond vervreem anders as teen gewaardeerde markwaarde nie.

Kommentaar deur die Stadsklerk

Deur voormelde in perspektief te plaas, word 'n aantal voorbeelde hieronder uiteengesit, waar verskillende senario aangespreek word:

Voorbeeld 1 : Boonzaaierveg huise

Die Raad het 'n aantal erwe gekoop en huise daarop gebou. Die ontwikkelingskoste, ingesluit die erwe, was ongeveer R45 000. Indien aanvaar word dat die eiendom nou R100 000 werd is, sien die situasie as volg daaruit, sou dié amptenare besluit om die huis te koop:

Markwaarde	R100 000
Ontwikkelingswaarde	<u>R 45 000</u>
Verskil	<u>R 55 000</u>

Die amptenaar koop die huis teen R45 000 - 'n 100% lening teen 6% word aan die amptenaar toegestaan. Sou hy/sy bedank, aftree of die huis verkōop, moet die lening van R45 000 onmiddellik gedelg word en moet die verskil van R55 000 aan die Raad betaal word.

Indien die persoon bv wil verbeterings aanbring aan die huis ten bedrae van R40 000, sal hy/sy geregtig wees op subsidie op 'n bedrag van R25 000 (R70 000 - R45 000).

Voorbeeld 2 : Oop erf in Franschhoek-Noord

- 5 jaar R123 660 beloop, en na
- 10 jaar R254 820 beloop

Effektief sal die voordeel, gegewe die besparing op die status quo, na:

- 5 jaar R217 863 (R123 660 x R94 203) beloop, en na
- 10 jaar R599 830 (R254 820 + R345 010) beloop

Opsie 4 : Raad hou woning/amptelike woning en werknemer huur by Raad teen 6% van salaris

Gebaseer op die volgende veronderstellings:

- Prys van woning : R300 000
- Rentekoers op eksterne lening : 15.5% oor 20 jaar
- Gebaseer op salaris van R70 000 p.j. met 7.5% verhoging per jaar

Die koste vir die Raad, met inagneming van die huurinkomste per jaar, sal na:

- 5 jaar R220 473 (R244 866 - R24 393) beloop, en na
- 10 jaar R430 317 (R489 732 - R59 415) beloop

Indien die woning egter as 'n amptelike woning beskou word, m.a.w. die betrokke werknemer (bv Stadsklerk) word verplig om in 'n woning te woon, is hy/sy geregtig op subsidie op 'n ander woning (elders), en sal die koste dus effektief as volg daaruitsien:

- 5 jaar R267 333 (R220 473 + R46 860); en na
- 10 jaar R524 037 (R430 317 + R93 720)

Samevatting van opsies:

Die koste implikasie (voordeel of verlies) vir die Raad t.o.v. die onderskeie opsies is as volg:

Jaar	Opsie 1	Opsie 2	Opsie 3	Opsie 4A	Opsie 4B
5	- R 94 203	+ R276 777	+ R217 863	- R220 473	- R267 333
10	- R345 010	+ R419 450	+ R599 830	- R430 317	- R524 037

Uit voormelde is dit duidelik dat:

- a) opsie 1; 4A en 4B groot kostes vir die Raad inhou; en
- b) opsie 2 na 5 jaar die beste voordeel inhou, en
- c) opsie 3 op die langtermyn die grootste voordeel vir die Raad inhou (die voordeel van opsie 4 na 20 jaar, m.a.w. wanneer lening gedolg is, is nie in berekening gebring nie.

Die Voorbeelde hierbo is gebaseer op 1 werknemer, maar sal die impak soortgelyk wees by die ander werknemers.

Vir OORWEGING deur die Franschhoek Forum.

Raadsvergadering 22 Junie 1998

Besluit:

A/P/G Komiteevergadering 8 Junie 1998

Aanbeveel:

- a) Dat die aanbevelings verwys word na die Franschhoek Forum.

Vir OORWEGING deur die Franschhoek Forum.

Franschhoek Forumvergadering 18 Junie 1998

Besluit:

- a) Dat die Stadsklerk meer inligting moet voorlê o.a. hoeveel amptenare benodig huise, die kapitaalkoste.

Vir OORWEGING deur die Skakelkomitee.

Kommentaar deur die Stadsklerk

Hieronder volg 'n uiteensetting van die finansiële implikasies van die onderskeie opsies:

Opsie 1: Status quo

Sien tabel (par 4)

Die resultaat van hierdie opsie is dat die Raad na

- 5 jaar (R75 269 + R18 934) R94 203 verloor; en na
- 10 jaar (R229 361 + R115 649) R345 010 verloor

Opsie 2 : Status quo en Raad verkoop erwe op ope mark

Gebaseer op die volgende veronderstellings

- Grondprys : R180 000
- Rente @ 15% per jaar

Met 'n belegging van R180 000 sal die kapitaal en rente na:

- 5 jaar R370 980 beloop, en na
- 10 jaar R764 460 beloop

Effektief sal die voordeel, gegewe die "verlies" aan die status quo, na:

- 5 jaar R276 777 (R370 980 - R94 203), en na
- 10 jaar R419 450 (R764 460 - R345 010) beloop

Opsie 3 : Amptenaar koop erf teen 33% en ontvang gewone subsidie

Gebaseer op die volgende veronderstellings:

- 33% van R180 000 = R60 000 (koopprys)
- Subsidie betaalbaar : R9 372 per jaar
- Rente @ 15% per jaar

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Die Raad het onlangs 'n aantal erwe "geskep" deur onderverdelings. Om die ontwikkelingskoste te bereken, sal die opmeetkoste en koste om dienste te voorsien as ontwikkelingskoste geag word (sê $R2\,000 + R5\,000 = R7\,000$). Indien aanvaar word dat die markwaarde van die erwe $\pm R15\,000$ is, sien die situasie as volg daaruit, sou die Raad besluit om van dié erwe aan amptenare te koop aan te bied:

Markwaarde	R15 000
Ontwikkelingswaarde	<u>R 7 000</u>
Verskil	<u>R 8 000</u>

Die amptenaar koop die erf teen R7 000 - 'n 100% lening teen 6% word aan die amptenaar toegestaan, op voorwaarde dat hy die erf binne 12 maande ontwikkel, by nalate val dit terug aan die Raad. Sou hy die erf ontwikkel, en hy neem 'n lening van R70 000 op by 'n bank, sal hy geregtig wees op subsidie t.o.v. R63 000. Sou hy die eiendom verkoop, of hy bedank/tree af, sal die lening van R7 000 onmiddellik gedelg moet word, en moet 'n bedrag van R8 000 aan die Raad betaal word binne 12 maande of op datum van verkope, welke die vroegste is.

Voorbeeld 3 : Erwe onder dam

Die Raad het 'n ooreenkoms met Mnr Scheepers bereik ingevolge waarvan hy 4 erwe vir die Raad moes ontwikkel. Indien aanvaar word dat die ontwikkelingskoste per erf $\pm R45\,000$ is en die markwaarde R150 000 is, sien die situasie as volg daaruit, sou amptenare belangstel om die erwe te koop:

Markwaarde	R150 000
Ontwikkelingskoste	<u>R 45 000</u>
Verskil	<u>R105 000</u>

Die amptenaar koop die erf teen R45 000 - 'n 100% lening teen 6% word aan die amptenaar toegestaan, onderhewig daaraan dat die erf binne 12 maande ontwikkel word, by nalate waarvan dit terugval aan die Raad. Sou hy die erf ontwikkel, en hy neem 'n lening van R150 000 op by 'n bank, sal hy geregtig wees op 'n subsidie ten bedrae van R25 000. Sou hy die eiendom verkoop, of hy bedank/tree af, sal die lening van R45 000 onmiddellik gedelg moet word en moet 'n bedrag van R105 000 aan die Raad betaal word binne 12 maande of op datum van verkope, welke die vroegste is.

Vir OORWEGING deur die Raad.

Raadsvergadering 24 Augustus 1998

Besluit:

- a) Die vakbonde word kans gegun tot met die datum van die A/P/G Komiteevergadering om kommentaar te lewer op die voorstelle en die A/P/G Komitee moet daarna 'n aanbeveling aan die Raad maak hieroor.

b)

A/P/G Komiteevergadering 14 September 1998

Aanbeveling:

- a) Dat die Raad die aanbevelings aanvaar soos uiteengesit in die verslag van die Stadsklerk;
- b) Dat die beginsel aanvaar word om alle amptenare gelyk te behandel;
- c) Dat omsendbriewe gestuur word aan alle amptenare wat die inligting van die nuwe behuisings-subsidie-skema/leningskema vir hulle deurgee;

Vir OORWEGING deur die Raad.

Kommentaar deur die Stadsklerk:

Voormelde aanbevelings is met van die personeel bespreek, en is dit oor die algemeen goed ontvang. Die vraag is egter gevra hoekom daar 'n onderskeid tussen personeel van die Raad en die publiek gemaak word; volgens voormelde aanbevelings moet amptenare instaan vir die volle koste van die erf (ingesluit grondkoste), terwyl die publiek by die voorgestelde projek by die tennisbane slegs vir die ontwikkelingskoste van die erf gaan betaal.

Na 'n verdere bespreking hiervan, was die betrokke personeel dit eens dat daar 'n keuse aan munisipale personeel gegee word:

Keuse 1: Die voorstel soos vervat in die aanbevelings hierbo, m.a.w. die amptenaar is verantwoordelik vir die markprys van die grond, onderhewig daaraan dat hy/sy 'n 6% lening toegestaan word vir die ontwikkelingskoste en dat die balans betaalbaar is wanneer die eiendom vervreem word of wanneer hy/sy bedank/afree. Die amptenaar ontvang subsidie/lae rentekoers lening tot 'n maksimum van R70 000.

Keuse 2: Die amptenaar betaal slegs vir die ontwikkelingskoste (soortgelyk aan die tennisbaan-projek), maar ontvang dan geen verdere subsidie van die Raad vir solank hy/sy in diens van die Raad is nie. Sou die amptenaar bv. die betrokke eiendom vervreem en 'n woning elders koop, sal hy/sy ook nie vir subsidie kwalifiseer nie, tensy hy/sy die verskil tussen die koopsom en die markwaarde (op datum van aankoop) aan die Raad betaal, in welke geval hy/sy weer sal kwalifiseer vir subsidie.

Samevattend kom dit daarop neer dat die amptenaar 'n keuse uitoefen of hy/sy 'n eenmalige subsidie wil ontvang en of hy/sy maandeliks gesubsidieer wil word. Voormelde beginsel kan toegepas word op alle amptenare.

Vir OORWEGING deur die Raad.

Raadsvergadering 28 September 1998

Besluit:

- a) Dat die aanbevelings goedgekeur word;
- b) Dat skema slegs geld vir die 4 erwe onderkant die dam, wat dan by implikasie nie toeganklik is vir die publiek nie;
- c) Dat die Raad se prokureurs opdrag kry om 'n ooreenkoms op te stel wat die skema vervat, wat dan met die vakbonde gesluit kan word;
- d) Dat die A/P/G Komitee volmag kry om die aansoeke te hanteer;
- e) Dat eiendomsagente verkry word om die markkoste van erwe te bepaal.

APPENDIX 2

HUURKONTRAK**AANGEGAAN DEUR EN TUSSEN****DIE STADSRAAD VAN DIE MUNISIPALITEIT STELLENBOSCH**
(HIERNA DIE VERHUURDER GENOEM)

en

William Daniels
(hierna die huurder genoem)

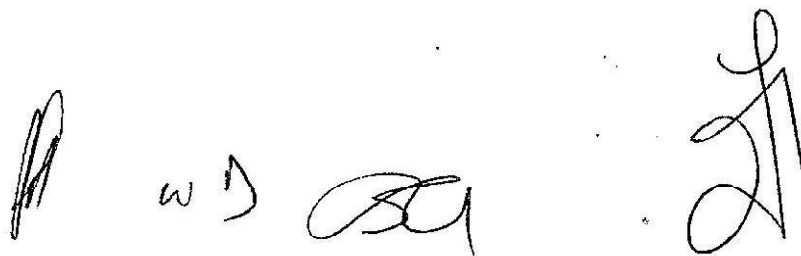
1. Die huurder verhuur en die huurder huur, hiermee:
 - a) Sekere eiendom met die geboue daarop, synde erf nr. 1209 geleë te Boonzaaiersweg 1
 - b) Woonstel nr. _____ te Transchhoek
2. Die huurtermyn is vir 'n tydperk van drie (3) maande, gereken vanaf 4 Julie 2009. By verstryking van gemelde termyn word die huurkontrak outomaties hernu, tensy die verhuurder aan die huurder of die huurder aan die verhuurder, minstens een (1) kalendermaand voor die verstryking van die vermelde tydperk van drie (3) maande skriftelik kennis gee dat die huurkontrak van die gemelde tydperk nie verleng word nie.
 - 2.1 Indien die huurkontrak ingevolge klousule 2.1 hernu word, is die huur vir 'n onbepaalde tydperk en kan beëindig word deur twee (2) kalendermaande skriftelike kennis per gesertifiseerde pos deur die verhuurder aan die huurder, of deur die huurder aan die verhuurder.
 - 2.2 In all opsigte is sodanige verhuring onderworpe aan al die voorwaardes wat in hierdie ooreenkomsvervat is.
3. Die huurgeld is die bedrag van R 169.26 per maand, vooruit betaalbaar ten Laatste betaalbaar op die eerste dag van elke maand, en word betaal by die kantore van die Stadstesourier van die Munisipaliteit Stellenbosch, of op sodanige ander plek as wat van tyd tot tyd deur die verhuurder bepaal mag word.
 - 3.1 Die huurgeld kan met een (1) kalendermaand skriftelike kennis deur die verhuurder verhoog word.
4. Die huurder betaal vir water-en elektrisiteits verbruik op rekeninge gelewer ingevolge die verordeninge wat van tyd tot tyd van krag is.
5. Die huurder onderneem om by die beëindiging van die huurtermyn die wooneenheid in 'n goeie toestand van instandhouding en netheid aan die verhuurder af te lewer.
6. Enige skade aan die wooneenheid wat gedurende die duur van die huur ontstaan, word deur die verhuurder op koste van die huurder vervang of reggemaak.
 - 6.1 Die verhuurder onderneem om die buitekant van die woonstel wat hiermee verhuur word asook die dak daarvan behoorlik in stand te hou.



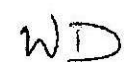
WD



- 6.2 Die huurder onderneem om die binnekant van die wooneenheid insluitend deure en vensters in dieselfde goeie toestand te hou as waarin hy dit ontvang, maar hy is nie verplig om enige strukturele gebreke van 'n ernstige aard wat in die gebou sonder sy toedoen verskyn te herstel nie.
- 6.3 Die fabrikaat van verf of ander material wat 'n huurder vir die skoonmaak van die wooneenheid of buitegeboue wil aanwend, moet vooraf deur die verhuurder goedgekeur word, en as die huurder enige material gebruik wat nie vir die verhuurder aanneemlik is nie, kan die verhuurder die werk laat oordoen en die koste op die huurder verhaal.
7. Die huurder onderneem om geen skroewe, spykers, hake of dergelike aparate teen die muur sonder die skriftelike toestemming van die verhuurder aan te bring nie en om in geen ander opsig die muur, vloere of enige deel van die wooneenheid of die elektriese, sanitêre of ander toebehore te beskadig nie.
- 7.1 Die huurder is aanspreeklik vir alle koste veroorsaak deur die herstel of skoonmaak van die wooneenheid of enige toebehore daarvan wat voortvloei uit sy beooging of gebruik daarvan.
8. Die huurder onderneem om geen verandering aan die gebou van die verhuurder aan te bring nie of om enige geboue of strukture, van watter aard ookal, op die verhuurde eiendom sonder die skriftelike toestemming van die verhuurder op te rig nie.
9. Die verhuurder is, by beëindiging van die kontrak, nie gebonde om vergoeding aan die huurder te betaal vir enige verbetering deur hom op die eiendom aangebring nie, derhalwe waar die verhuurder vooraf onderneem he om sodanige vergoeding te betaal ten opsigte van verbeterings waarvoor goedkeuring ooreenkomstig klousule 8 verleen is.
10. Geen bome of struik op die eiendom kan sonder die toestemming van die verhuurder afgekap of verwyder word nie.
11. Die verhuurder of sy gemagtigde amptenare het die reg om die verhuurde eiendom op alle redelike tye te inspekteer, en nadat kennis van beëindiging van die huur gegee is, laat die huurder ook enige voornemende huurder toe om die verhuurde eiendom op enige redelike tye te besigtig.
12. Die huurder onderneem om die eiendom slegs vir woondoeleindes te gebruik en om toe te sien dat, in die geval van woofstelle, geen goedere of artikels van welke aard ookal buite die gemeenskaplike gange of op die trappe geplaas of gelaat word nie.
13. Die huurder onderneem om nie wasgoed, kledingstukke, of linne op die balkon van die woonstel of in die gemeenskaplike gange te hang nie, maar om gebruik te maak van die wasgoeddraad wat vir daardie doel deur die verhuurder op die eiendom aangebring is.
14. Die huurder onderneem om geen openbare veiling in die woning of woonstel of op die perseel te laat hou nie of enige besigheid daar te bedryf nie.
15. Die huurder onderneem om geen katte, honed, voëls of ander troeteldiere van enige aard in die woonstel of op die perseel sonder die skriftelike toestemming van die verhuurder aan te hou nie.
16. Die huurder onderneem om geen bediende in die woning of op die perseel te huisves of te laat oornag nie, en om toe te sien dat sy bediende nie 'n steurnis vir sy bure is nie.



17. Die huurder is nie geregtig om sonder die skriftelike toestemming van die verhuurder hierdie huur te seeder of daarvan afstand te doen of om die verhuurde eiendom, of enige gedeelte daarvan, onder te verhuur of loseerders in te neem nie.
18. Die huurder onderneem om geen steurnis te veroorsaak of om onbetaamlike of slegte taal te gebruik, of hom skuldig te maak aan onbetaamlike of slegte gedrag, of hom op sodanige wyse wat vredebreuk sal of mag veroorsaak nie, of om toe te laat dat enige lid van sy huishouding hom of haar aan ongeoorloofde gedrag skuldig te maak nie.
19. Geen petroleum of ander ontvlambare stof word op die eiendom sonder die skriftelike toestemming van die verhuurder gehou nie, met dien verstande dat sodanige toestemming nie vir die volgende voorrede nodig sal wees nie.
- | | |
|-------------------------|-------------|
| • Parrafiën | 10 liter |
| • Brandspiritus | 1 liter |
| • Vloeibare peroleumgas | 19 kilogram |
20. Indien 'n brand op die perseel ontstaan of indien die gebou deur enige oorsaak Hoegenaamd vernietig word, is die huurder geregtig op 'n pro rata terugbetaling van enige huurgeld wat vooruitbetaal is, maar is nie geregtig op skade vergoeding deur die verhuurder vir die ontneming van sy bewoningsreg nie.
21. Die verhuurder is nie aanspreeklik teenoor enigiemand vir skade of beserings Opgedoen op die verhuurder se perseel nie.
22. Die verhuurder onderneem om geen material van 'n gevaarlike aard waardeur die Veiligheid van die gebou of die inhoud daarvan in gevaar gestel word of waardeur Die geldigheid van die bestaande versekering vernietig of die premie verhoog mag word, op die verhuurde perseel aan te hou of te stoor nie.
23. Waar die huurder en sy eggenote sonder kinders die verhuurde eiendom bewoon en later apart van mekaar woon of aan die huurder of sy eggenote 'n finale egskedingsbevel toegestaan word, of die huurder of sy eggenote te sterwe sou kom, kan die verhuurder hierdie kontrak met skriftelike kennisgewing van minstens drie maande beëindig.
24. Indien die huurder of enige lid van sy of haar gesin enige voorwaardes van hierdie ooreenkoms verbreek, of in 'n bevoegde hof aan onwettige drank -of dagga handel of besit van dwelmmiddels op die perseel skuldig bevind word, of hom of haar op 'n wyse gedra wat die verhuurder aanstootlik of skadelik vir die omgewing beskou, of indien die huurder versuim om die huurgeld op die vervaldatum te betaal, kan die verhuurder hierdie kontrak dadelik kanselleer en van die eiendom besit neem sonder benadeling van die verhuurder se reg om 'n eis teen die huurder in te stel vir agterstallige huurgelde of vir vergoeding e van enige skade wat deur die verhuurder gely is weens die beskadiging van die eiendom of verbreking van die huurkontrak.
25. Die koste en sêlbelasting van en in verband met die opstel en velyding van hierdie huurkontrak word deur die huurder betaal.
26. Die huurder onderneem om 'n bedrag gelykstaande aan een maand se huurgeld as gelikwiderde skadevergoeding aan die verhuurder te betaal indien hy hierdie ooreenkoms voor okkupasie van die woonstel opsê, en magtig die verhuurder om genoemde bedrag van die gelde wat hy reeds betaal het, aft e trek.
27. Die huurder verleen hiermee toestemming aan sy werkgewer om sodanige aftrekkings van sy salaries of loon te maak as wat die verhuurder vir die betaling van enige gelde verskuldig ingevolge hierdie ooreenkoms mag verlang.



ADDENDUM

Dit is ook 'n verdere voorwaarde van hierdie ooreenkoms dat indien die HUURDER die diens
 It is also a further condition of this agreement that if the LESSEE should leave the service
 van die Stadsraad verlaat, die HUURDER ook die eiendom wat daarmee verhuur word, sal
 of the Council shall also vacate the property leased to him/her
 ontruim met 30 (dertig) dae skriftelike kennisgewing deur die Raad en voorts dat enige
 after 30 (thirty) days written notice by the Council to him/her and further that any
 instandhoudingswerk of herstelwerk van skade wat ingevolg klousule 5, 6 en 7 na ontruiming
 maintenance work or reparations of damages, in accordance with clauses 5, 6, and 7
 van die woning deur die Raad verrig word, van die amptenaar se salaris of enige ander gelde
 Consequent to the vacating, effected by Council, such expenditure by Council shall be redeem
 wat aan hom verskuldig mag wees, uitgesluit pensioen en groepversekeringsgelde, verhaal
 from the salary or any other monies due to the official, excluding pension and group scheme
 assurance funds.
 word.

GEDATEER te STELLENBOSCH op hierdie dag van.....
DATED AT STELLENBOSCH ON THIS DAY... .. OF

AS GETUIES:
AS WITNESSES

1.
 2.

.....
VERHUURDER
LESSOR
 - W Daniels

HUURDER
LESSEE

APPENDIX 3

KOOPKONTRAK

Aangegaan tussen

MUNISIPALITEIT STELLENBOSCH

Hierin verteenwoordig deur **David Daniels** in sy hoedanigheid as **Munisipale Bestuurder** en

WILLIAM DANIELS

ID NR 680825 5213 08 4

en

HANELEY BIRTHLY DANIELS

ID NR 760902 0275 08 8

Getroud binne gemeenskap van goedere /op huweliksvoorwaarde (hierna genoem die KOPERS)

Bied hiermee aan om van **STELLENBOSCH MUNISIPALITEIT** (hierna genoem die "**VERKOPER**") die volgende **EIENDOM** te koop, naamlik:

ERF 1209 FRANSCHHOEK, in die Munisipaliteit vir die gebied van STELLENBOSCH

GROOTTE: 570m² (hierna die "Eiendom" genoem)

Op die volgende bepalinge en voorwaardes:

1. AANVAARDING

Hierdie aanbod word 'n finale en bindende koop by aanvaarding hiervan deur die Verkoper. Aanvaarding van hierdie aanbod deur die Verkoper word bewerkstellig deurdat die Verkoper 'n eksemplaar van hierdie ooreenkoms onderteken en, voor die datum en tyd wat hierby vermeld word, of sodanige eksemplaar aan die Koper of sy gemagtigde verteenwoordiger oorhandig of andersins sodanige eksemplaar aan die Koper stuur per voorafbetaalde aangetekende pos wat aan hom geadresseer is by die adres wat onder sy naam aan die begin hiervan verskyn.

2. KOOPPRYS

Die koopprys is die bedrag van R 44 472,00 (VIER EN VEERTIG DUISEND VIER HONDERD TWEE EN SEWENTIG RAND ALLEEN) soos hierna betaalbaar.

'n Deposito van R wat reeds deur die koper betaal is en die balans van R...44 472,00..... betaalbaar met registrasie.

2.1.1 Die volle koopprys is betaalbaar deur die Koper aan die Verkoper by registrasie van transport in die naam van die Koper.

3. OORDRAGKOSTE

Die Koper betaal al die oordragkoste aangegaan ten opsigte van die registrasie van oordrag van die eiendom, met inbegrip van hereregte, BTW en seëlreg, as daar is, en die koste van hierdie koopakte, welke bedrag onmiddellik op versoek van die gemelde Transportbesorger betaal moet word.

4. OORDRAG

Oordrag van die eiendom word deur die gemelde Transportbesorgers gepasseer en dit word gegee en geneem so spoedig moontlik.

5. BESIT

Besit en ongestoorde okkupasie van die eiendom word aan die Koper gegee op die datum van die registrasie van oordrag van welke datum dit vir die Koper se uitsluitlike risiko, wins of verlies is.

6. BELASTINGS

Die Koper is aanspreeklik vir die betaling van alle belasting, versekeringspremies en ander heffings ten opsigte van die eiendom ten opsigte van enige tydperk na die datum van die besit soos in Klousule 5 hiervan uiteengesit word en betaal aan die Verkoper enige sodanige gelde terug wat ten opsigte van enige tydperk na sodanige datum vooruitbetaal mag gewees het.

7. LENDING

Hierdie ooreenkoms is onderhewig aan die voorwaardes dat 'n Bank of ander finansiële instelling 'n lening ten bedrae van **R44 472.00 (VIER EN VEERTIG DUISEND VIER HONDERD TWEE EN SEWENTIG RAND ALLEEN)**

Goedgekeur aan die Koper teen sekuriteit van 'n eerste verband oor die eiendom op sy gewone voorwaardes binne 30 (dertig) dae na ondertekening hiervan deur die Verkoper of sodanige verdere periode as wat die Verkoper in sy alleen diskresie mag toelaat. Dit sal geag word dat hierdie voorwaarde vervul is sodra die finansiële instelling hierdie lening in beginsel goedgekeur het. Die Koper onderneem om onmiddellik na ondertekening hiervan sodanige aansoek te doen.

8. VOETSTOOTS

Die eiendom word verkoop soos omskryf in die bestaande transportakte of aktes daarvan en onderworpe aan al die voorwaardes en servitute (as daar is) daarvan verbonde is of wat in genoemde transportaktes of vorige akte vermeld of bedoel word. Die Verkoper is nie aanspreeklik vir enige tekort in die grootte wat by 'n heropmeting geopenbaar word nie, en die Verkoper word ook nie deur enige surplus in grootte gebaat nie.

9. WAARBORGE

Die eiendom word "voetstoots" en soos dit staan, verkoop en die Verkoper gee geen waarborg met betrekking tot geboue en enige verbeterings op die eiendom of die regte wat daaraan verbonde is nie. Die Verkoper is ook nie

Handwritten signature and initials, possibly reading 'OK 145' followed by a large circular mark.

aanspreeklik vir enige gebreke in die eiendom nie, hetsy dit verborge of sigbaar is.

Daar word nie van die Verkoper vereis om die posisie van die bakens of penne op die eiendom en/ of die grense daarvan aan die Koper uit te wys nie en die Verkoper is ook nie aanspreeklik vir die kostes wat aan die bepaling verbonde is nie.

10. KONTRAKBREUK

- 10.1 Ingeval die Koper versuim om enige van die bepalings of voorwaardes hierdie koopakte na te kom, het die Verkoper die reg om:

Die koop te kanselleer per aangetekende brief aan die Koper geadresseer is, in welke geval die Koper met die keuse van die Verkoper en sonder die benadeling van die Verkoper se ander regte of alle gelde verbeur wat ingevolge hiervan aan die Verkoper of sy Agent betaal is, of aanspreeklik vir skadevergoeding aan die Verkoper wees. In die laasgenoemde geval sal die Verkoper geregtig wees om alle gelde, aan die Koper terugbetaalbaar, te weerhou totdat sy skade vasgestel is en dan skuldverrening teen sodanige skade toe te pas, of

Onmiddelik betaling van die hele koopprys en nakoming van al die bepalings en voorwaardes hiervan te eis.

- 10.2 Ingeval die Verkoper versuim om enige van die bepalings en voorwaardes van koopakte na te kom, het die Koper reg om óf

Die koop te kanselleer per aangetekende brief wat aan die Verkoper geadresseer is om sodanige skade op die Verkoper te verhaal as wat hy gely het óf

Onmiddelik nakoming van al die bepalings en voorwaardes hiervan te eis.

11. WYSIGING

Hierdie koopakte maak die hele ooreenkoms tussun partye uit, en geen modifikasie, wysiging of verandering daarvan is geldig nie, tensy dit op skrif gestel en deur beide partye onder onderteken is.

12. AFSTANDDOENING

Nieteenstaande enige strydige uitdruklike of geïmpliseerde bepalings van hierdie koopakte word enige speling of tydsverlenging wat deur die Verkoper toegelaat word ten opsigte van enige aangeleentheid of enigiets wat die Koper verplig is om uit te voer of na te kom ingevolge hiervan, nie onder enige omstandighede beskou as 'n afstanddoening van die Koper se regte om te eniger tyd en sonder kennisgewing strenge en stiptelike nakoming van iedere en elke bepaling of voorwaarde hiervan te vereis nie.

pl 140. w.s.


13. DOMICILIA CITANDI ET EXECUTANDI

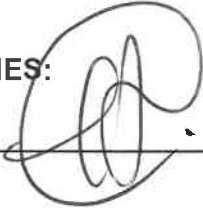
Daar word deur die partye ooreengekom dat hulle elkeen hulle onderskeie adresse wat hierbo uiteengesit is, kies as hulle onderskeie domicilia citandi et executandi wat die adres is waarheen alle kennisgewings of ander dokumente aangaande hierdie ooreenkoms gestuur mag word en waar alle prosesstukke ontvang mag word.

14. UITLEG

In hierdie ooreenkoms sluit woorde wat die enkelvoud aandui, die meervoud in en omgekeerd, sluit woorde wat die manlike geslag aandui, die vroulike geslag in, en sluit woorde wat persone beteken, regspersone in.

GETEKEN te **FRANSCHHOEK** op die 13^{de} dag van JUNIE 2007.

AS GETUIES:

1. 

2. _____

VERKOPER

AS GETUIES:

1. asc.

W. Daniels
KOPER

2. _____


KOPER

APPENDIX 4

RICH eiendoms- en Finansiële Konsultante BK
Property & Financial Consultants CC

KANTOOR: RUBERNET 37 VERITAS ESTATE BUIEKANTSTRAAT BRACKENFELL 7560
OFFICE: TEL: 021-982 0454 REG: CK96 / 36070 / 23
FAKS/FAX: 021-982 0361 VAT: 4400159382

Die Bestuurder: Behuisingsafdeling
STELLENBOSCH MUNISIPALITEIT
STELLENBOSCH
7600

13 Junie 2007

AANDAG: MEV ALIDA ROUX
PER FAKS: 021 808 8085

I/S: OORDRAG VAN ERF 1209 FRANSCHOEK: STELLENBOSCH
MUNISIPALITEIT / W DANIELS

Die telefoniese gesprek tussen mev Roux van u kantore en skrywer hiervan, het betrekking.

Dit word bevestig dat ABSA BANK 'n verbandlening aan mnr Daniels toegestaan het vir die aankoop en oordrag in sy naam van bogenoemde eiendom. Sien asseblief goedkeuringsbrief hierby aangeheg.

Die koopsom ten bedrae van R 44 472.00 sal op datum van registrasie deur die prokureursfirma **KSE (TYGERVALLEI)** direk aan die Munisipaliteit van Stellenbosch en die restant aan mnr Daniels oorbetal word.

Indien daar enige verdere navrae is moet u asseblief nie huiwer om met skrywer kontak te maak nie.

Die Uwe

Per: **RICH EIENDOMS & FINANSIELE KONSULTANTE BK**



A J SCRIVEN (Mnr)
LID

APPENDIX 5



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPAL • MUNICIPALITY



2016/09/16

W. & H. B. Daniel
1 Boonzaaierstraat
 Franschhoek
 8690

Geagte Mnr & Me

TITEL AKTE

Geliewe hiermee kennis te neem dat u dringend versoek word om aan te meld vir 'n onderhoud met Behuisingsamptenare gehou op:

Datum: Woensdag 21 September 2016

Plek: Munisipale kantore - Franschhoek

Tyd: 10h00 – 12h00 (tien-uur tot twaalf-uur)

Dit dien gemeld te word dat U die **oorspronklike dokumente met afskrifte** van die volgende dokumentasie moet saambring:

- **Identiteitsdokumentasies (beide man/vrou)**
- **Huwelijksertifikaat/sterfte sertifikaat/Egskeidingsertifikaat**
- **Munisipale Rekening (oorspronklik)**

U teenwoordigheid is van kardinale belang. Kontak ons by bovermelde nommer indien u nie die onderhoud kan nakom nie.

Die uwe

Ns.Direkteur: Menslike Nedersetting en Eiendoms Bestuur

7.3.3	FORMAL MOTIVATION FOR THE REGRADING/RE-CATEGORISATION OF STELLENBOSCH MUNICIPALITY (CURRENTLY GRADED AS A GRADE 4 MUNICIPALITY) TO A GRADE 5 MUNICIPALITY, SUBMITTED IN TERMS OF THE SALGBC CATEGORISATION AND JOB EVALUATION WAGE CURVE COLLECTIVE AGREEMENT, READ WITH GOVERNMENT GAZETTE NO. 53882 (18 DECEMBER 2025)
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

19 August 2026

- SUBJECT: FORMAL MOTIVATION FOR THE REGRADING/RE-CATEGORISATION OF STELLENBOSCH MUNICIPALITY (CURRENTLY GRADED AS A GRADE 4 MUNICIPALITY) TO A GRADE 5 MUNICIPALITY, SUBMITTED IN TERMS OF THE SALGBC CATEGORISATION AND JOB EVALUATION WAGE CURVE COLLECTIVE AGREEMENT, READ WITH GOVERNMENT GAZETTE NO. 53882 (18 DECEMBER 2025)**

2. PURPOSE

For Mayco and Council to consider the regrading /re- categorisation of Stellenbosch Municipality (currently a Grade 4 municipality) in line with a Grade 5 municipality.

3. DELEGATED AUTHORITY

In terms of the Local Government: Municipal Systems Act 32 of 2000, read with the Municipal Structures Act 117 of 1998 and the applicable delegations framework of Stellenbosch Municipality, the authority to approve the regrading/re-categorisation vests with Council.

4. EXECUTIVE SUMMARY

This document serves as a formal motivation for the re-grading of the Municipality from a Grade 4 municipality to a Grade 5 municipality in accordance with the framework contemplated in Government Gazette No. 53882 issued under the Local Government: Municipal Systems Act and related local government regulatory frameworks.

The Municipality has experienced sustained institutional growth, expanded service delivery obligations, increased governance complexity, population growth, infrastructure expansion, and financial development which now exceed the operational and institutional characteristics ordinarily associated with a Grade 4 municipality.

The Municipality accordingly submits that its current institutional profile is appropriately aligned with the characteristics of a Grade 5 municipality and therefore motivates for formal upward re-grading.

5. RECOMMENDATIONS

- (a) that Council approves the regrading / re-categorisation of the Municipality to a Grade / category 5 municipality, effective from the month following Council's approval;
- (b) that Council approves the implementation of the Grade 5 salary scale accordingly for all new appointments, effective from the month following Council's approval;
- (c) that Council approves that all currently employed employees be moved to the grade / category 5 T-grades, effective from the month following the approval of these recommendation (s); and
- (d) that the Council's resolution be forwarded to the Cape Winelands Job Evaluation Unit (CWJEU) and the Provincial JE Audit Committee for notification.

6. DISCUSSION**6.1 BACKGROUND**

6.1.1 Before COGTA issued guidelines for grading/regrading of municipalities, the parties in the SALGBC entered into a categorisation and job evaluation wage curve collective agreement on 21 April 2010. The agreement lapsed on 30 June 2012 and SALGA issued a notice that Municipality's may regrade themselves based on certain criteria which has now been realigned by COGTA. This is also annually published as the regulations on Upper limits for Councillors, Municipal Manager's and Senior Manager's that provide formulas for municipalities to determine their grading and apply the criteria for payment of the Councillors, Municipal Manager's and Senior Manager's.

6.1.2 The Stellenbosch Municipality has undergone significant institutional and developmental growth over recent years. Key developments include:

- Sustained population growth;
- Increased urbanisation;
- Expansion of municipal infrastructure;
- Increased operating and capital budgets;
- Growth in economic activity;
- Expanded service delivery obligations;
- Increased staffing levels; and
- Enhanced governance responsibilities.

These developments have materially altered the scale and complexity of the municipality's operations.

The recent development whereby the political arm's (Councillors) remuneration was aligned to that of a grade 5 has significantly strengthened the motivation to regrade the staff component as well. Further benefits of the regrading / re-categorisation will ensure that the municipality attract qualified and skilled professional staff.

The Municipality has consistently struggled to attract professional and scarce skills. It lost employees with years of experience to other municipalities due to the higher gradings elsewhere. The City of Cape Town attracts staff by offering better salaries, while Drakenstein Municipality has also become a source of attraction, having regraded itself to a Grade 6 municipality and currently paying all its employees on a Grade 6 T-scale.

Population and Household Growth	The Stellenbosch local municipal area's population has grown from approximately 179 592 (Census 2011) to an estimated 265 000–280 000 residents, reflecting sustained growth of more than 45% over the intercensal period. The number of formal and informal households has increased correspondingly, intensifying demand for all municipal services.
Water and Sanitation	The Municipality currently provides potable water and sanitation services to more than 60 000 households across urban, peri-urban, and rural nodes, a significant increase from the approximately 42 000 households served in 2015. Capital investment in bulk water infrastructure over the 2022–2025 MTREF period exceeded R280 million.
Electricity	The Municipality manages an electricity distribution network serving in excess of 48 000 metered consumers, with capital expenditure on network upgrading and reliability improvements averaging R75 million per annum over the past three financial years.
Roads and Stormwater	The municipal road network under the Municipality's jurisdiction exceeds 1 000 kilometres of paved and unpaved road, with annual maintenance and capital expenditure commitments of more than R120 million per MTREF cycle.
Waste Management	Weekly refuse removal services are provided to more than 55 000 households, inclusive of formal and informal settlements, supported by the Stellenbosch Landfill Site (rated Class B) and community drop-off facilities at multiple locations across the municipal area.
Housing and Shelter	The Municipality manages in excess of 607 municipal rental units and approximately 2 500 Temporary Residential Area (TRA) structures, in addition to administering several government-subsidised human settlements projects in partnership with the Western Cape Department of Human Settlements.
Public Safety and Emergency Services	The Community and Protection Services Directorate deploys sworn traffic officers, by-law enforcement officers, fire and rescue personnel, and disaster management officials across a 24/7 operational footprint spanning more than 830 km ² of municipal jurisdiction. Operational call volumes and incident response data confirm a material escalation in emergency service demand over the past five years.

6.1.3 Population Growth and Urban Expansion

The Municipality has experienced sustained population growth and urban expansion, resulting in increased pressure on municipal infrastructure and services. The increase in population has materially increased demand for:

- Water and sanitation services;

- Electricity reticulation;
- Roads and stormwater systems;
- Waste management services;
- Housing development;
- Community facilities; and
- Public safety services.

The Municipality's demographic profile and urban growth trends are more appropriately aligned with the institutional profile of a Grade 5 municipality. Quantitative indicators drawn from the Municipality's most recent Integrated Development Plan (IDP), Service Delivery and Budget Implementation Plan (SDBIP), and Statistics South Africa data confirm the scale of this growth:

The combined effect of these service delivery statistics unequivocally demonstrates that the operational profile of the Municipality has exceeded the parameters ordinarily associated with a Grade 4 municipality and is commensurate with a Grade 5 institutional classification.

6.1.4 Increased Governance and Administrative Complexity

The Municipality's governance and administrative responsibilities have expanded significantly. This includes:

- Increase of employees
- Expanded organisational structures;
- Increased compliance obligations;
- Enhanced oversight requirements;
- Expanded public participation processes;
- Increased performance management obligations;
- Strengthened risk management systems; and
- Enhanced internal governance mechanisms.

The Municipality's governance profile is therefore more appropriately aligned to a Grade 5 municipality.

6.1.5 Organisational Growth and Institutional Capacity

The Municipality's organisational structure has expanded in response to increasing operational demands. This includes:

- Increased staffing levels;
- Additional specialised functions;
- Expanded management structures;
- Increased technical capacity requirements; and
- Enhanced administrative oversight responsibilities.

The Municipality's institutional profile reflects an organisation operating beyond Grade 4 institutional parameters, having increased its staffing complement from approximately 800 plus staff in 2020 to its current 1200 staff members.

6.1.6 Economic Growth and Development

The Municipality has experienced measurable economic growth reflected through:

- Commercial development;
- Increased investment activity;
- Industrial growth;
- Tourism expansion;
- Property development; and
- Increased economic participation.

This economic growth has materially increased planning, regulatory, infrastructure, and governance obligations. Quantitative economic indicators over the 2020–2025 period confirm the scale and complexity of the Municipality's economic management obligations:

Gross Value Added and Economic Output	Stellenbosch is one of the top-performing local municipalities in the Western Cape by economic output. The municipal area contributes an estimated R47-52 billion annually to the provincial Gross Value Added (GVA), anchored by the agri-processing, wine and viticulture, higher education, technology and innovation, and tourism sectors. This positions Stellenbosch Municipality ahead of most Grade 4 peers in economic scale.
Tourism and Hospitality	The Stellenbosch Tourism area receives in excess of 800 000 visitors annually. The municipality manages a significant built heritage portfolio and presides over a proclaimed tourism zone requiring specialised planning, regulatory enforcement, and infrastructure maintenance. Tourism-related revenue and economic impact has grown materially over the post-COVID recovery period (2022–2025).
Planning and Development Activity:	The Municipality's Planning and Economic Development Directorate processes in excess of 2 000 land use applications and building plan submissions per annum. The volume and complexity of planning and development applications, inclusive of mixed-use developments, density upgrades, and environmental impact assessments, substantially exceeds the processing capacity normally associated with a Grade 4 municipality.
Capital Investment:	Total capital expenditure over the 2022–2025 three-year MTREF period exceeded R800 million, encompassing infrastructure investment across water, sanitation, electricity, roads, stormwater, community facilities, and housing. The scale of capital programme management and contractor oversight is commensurate with a Grade 5 institutional designation.
Business Registrations and Commercial Activity:	The number of registered businesses operating within the Stellenbosch municipal area has grown by an estimated 18–22% over the 2020–2025 period, reflecting sustained commercial expansion across retail, hospitality, professional services, and agri-processing sectors. This growth materially increases municipal regulatory, licensing, and infrastructure obligations.

6.2 Financial Implications

The Municipality has demonstrated sustained financial growth and increased fiscal responsibility. Indicators supporting this include:

-
- Growth in operating revenue;
 - Increased capital expenditure;
 - Expanded infrastructure investment;
 - Improved revenue collection;
 - Improved audit outcomes;
 - Strengthened budget management; and
 - Enhanced financial governance systems.

The scale of financial administration and fiscal oversight responsibilities now exceeds those ordinarily associated with a Grade 4 municipality.

6.3 Legal Implications

6.3.1 Legislative and Regulatory Framework

6.3.1.1 Constitutional Framework

Section 152 of the Constitution of the Republic of South Africa, 1996 establishes the objectives of local government, namely:

- To provide democratic and accountable government;
- To ensure sustainable service delivery;
- To promote social and economic development;
- To promote a safe and healthy environment; and
- To encourage community participation.

The increasing scale and complexity of the Municipality's constitutional obligations necessitate alignment between institutional capacity and municipal grading.

6.3.1.2 Local Government: Municipal Systems Act

The Local Government: Municipal Systems Act, 32 of 2000 requires municipalities to establish administrative systems and organisational structures capable of effectively performing municipal functions and delivering services sustainably.

The Municipality's operational complexity, infrastructure obligations, and governance responsibilities have increased substantially, necessitating institutional alignment through re-grading.

6.3.1.3 Government Gazette No. 53882

Government Gazette No. 53882, published on 18 December 2025 in terms of the Local Government: Municipal Systems Act 32 of 2000, prescribes the upper limits of total remuneration packages payable to Municipal Managers and Managers directly accountable to Municipal Managers. The regrading of the Municipality for purposes of T-grade salary placement for all other staff is governed by the SALGBC Categorisation and Job Evaluation Wage Curve Collective Agreement. The present application

engages both frameworks: Council's approval will (a) authorise regrading to Grade 5 for SALGBC T-grade purposes and (b) confirm the applicable Grade 5 categorisation for determining the upper limits of senior manager remuneration under GG 53882. The framework recognises that municipal grading must reflect:

- Population size;
- Municipal income;
- Governance complexity;
- Infrastructure obligations;
- Service delivery responsibilities;
- Organisational capacity; and
- Institutional maturity.

The Municipality submits that its current operational profile substantially exceeds the characteristics ordinarily associated with a Grade 4 municipality.

6.3.1.4 Local Government: Municipal Structures Act 117 of 1998

The Local Government: Municipal Structures Act 117 of 1998 defines the categories, types, and structures of municipalities and governs the internal systems by which municipalities are organised. The municipality's expanded ward committee structure, increased number of wards, and the complexity of its council and committee obligations are consistent with a Grade 5 municipal profile.

6.3.1.5 Labour Relations Act 66 of 1995 and South African Local Government Bargaining Council (SALGBC) Collective Agreement

The SALGBC Categorisation and Job Evaluation Wage Curve Collective Agreement (as extended) remains the applicable regulatory framework governing the placement of employees on T-grade salary scales. In terms of that Agreement, municipalities are categorised by reference to defined institutional criteria, and the applicable T-grade wage curve is determined by that categorisation. The Municipality's application is made in full conformity with that collective agreement framework. The approval of Council, duly ratified through the required SALGBC notification processes, constitutes the lawful basis for the regrading.

6.3.1.6 Employment Equity Act 55 of 1998

The Municipality is obligated under the Employment Equity Act to ensure that its remuneration practices are equitable and non-discriminatory. The current grading at Grade 4, in circumstances where the Municipality's operational profile, complexity, and service delivery obligations materially exceed that grade, creates a structural risk of inequitable remuneration relative to comparable institutions. Regrading to Grade 5 aligns the Municipality's remuneration framework with its actual institutional profile and mitigates this risk.

6.3.1.7 Comparative Precedent and Regulatory Consistency

The decision of the Drakenstein Municipality to regrade itself to Grade 6, and the alignment of Stellenbosch Municipal Councillors' remuneration with a Grade 5 scale, provide strong precedent and internal consistency for the present application. It would be anomalous and difficult to legally sustain a position in which the political arm of the

Municipality is remunerated at a Grade 5 level while the administrative staff complement continues to be remunerated at Grade 4 level. This internal inconsistency creates both a governance risk and a legal vulnerability. Regrading the staff component accordingly represents a logically necessary and legally defensible alignment of the two arms of local government within the Municipality.

6.3.1.8 Conclusion on Legal Framework

The Municipality's application for reggrading to Grade 5 is supported by, and consistent with, the constitutional and legislative framework governing local government in South Africa. The approval of Council in terms of this report will constitute a lawful exercise of delegated authority, consistent with the applicable collective agreement, and will establish a legally sound basis for the implementation of Grade 5 T-grade salary placement for all applicable employees from the month following the approval of the recommendations.

6.4 Staff Implications

If approved, all currently employed staff will be moved to the nearest notch on the applicable Grade 5 T-scale with effect from the month following the adoption of the recommendations. New appointments made on or after that date will be made directly onto the Grade 5 salary scale. The staff implications of approval are assessed as follows:

- (a) The Chief Financial Officer has confirmed that the cost of migrating all employees to the nearest Grade 5 notch is manageable within the approved 2025/2026 and 2026/2027 MTREF frameworks. No employee will suffer a reduction in remuneration as a result of reggrading.
- (b) Approval will address a long-standing source of institutional dissatisfaction. Salary competitiveness has been identified as a primary driver of voluntary resignation among qualified staff in engineering, finance, legal, ICT, and planning disciplines. Reggrading to Grade 5 will materially address this and is expected to produce measurable improvements in staff retention within the 2026/2027 financial year.
- (c) The Municipality will be better positioned to attract candidates for vacant posts in scarce-skills categories. Extended vacancy periods, reliance on consultants, and backlogs in planning, engineering, and financial functions are direct consequences of salary that are not competitive which the reggrading seeks to address.
- (d) Formal implementation through the Council resolution process, with notification to the SALGBC and CWJEU, will ensure compliance with applicable collective agreements and labour legislation, minimising the risk of disputes arising from implementation.
- (e) No retrenchments, restructurings, or grade reductions are contemplated. The reggrading is an upward institutional adjustment only, with no negative consequences for any currently employed staff member.

6.5 Previous / Relevant Council Resolutions:

Item 12.4 26th Council Meeting: 2024-10-30: Item 12.4.

6.6 Risk Implications

The risk implications of the present application have been assessed with reference to the following:

- (a) The Municipality's continued classification as a Grade 4 institution, in circumstances where its operational profile has materially exceeded that grade, creates a high and increasing risk of talent attrition. The Municipality has, over the preceding three to five years, experienced the loss of qualified and experienced professionals in engineering, finance, legal, town planning, information technology, and other scarce-skills disciplines to municipalities and organs of state offering more competitive remuneration. The failure to approve regrading will perpetuate and likely accelerate this attrition, with direct adverse consequences for service delivery, governance quality, and institutional continuity.
- (b) The anomalous position in which Councillors are remunerated at Grade 5 scale while administrative staff remain on Grade 4 creates a demonstrable internal equity inconsistency. This inconsistency is susceptible to challenge through the South African Local Government Bargaining Council and, potentially, through unfair labour practice proceedings under the Labour Relations Act. The legal and reputational cost of defending such proceedings, together with the operational disruption attendant upon protracted labour disputes, constitutes a material risk.
- (c) Stellenbosch Municipality's designation as a Grade 4 institution, relative to comparable municipalities such as Drakenstein (Grade 6) and other Grade 5 municipalities in the Western Cape, creates a competitive disadvantage in the recruitment and retention of professional staff. This reputational risk adversely affects the Municipality's standing as an employer of choice in a competitive labour market.
- (d) The financial cost of regrading to Grade 5 has been assessed by the Chief Financial Officer and is manageable within the Municipality's approved medium-term revenue and expenditure framework. The phased implementation from the month following the adoption of the recommendation enables orderly budget provision. The cost of regrading is materially lower than the combined long-term cost of continued talent attrition, recruitment failures, and associated service delivery deterioration.
- (e) The regrading application is fully supported by the applicable legislative and collective agreement framework. Provided that the applicable SALGBC notification requirements are complied with, and that the Cape Winelands Job Evaluation Unit and Provincial JE Audit Committee are duly informed, the risk of adverse audit findings arising from the regrading itself is assessed as low.

6.7 Comments from Senior Management:

6.7.1 Director: Infrastructure Services

Agree with the recommendations.

6.7.2 Director: Planning and Economic Development

Agree with the recommendations .

6.7.3 Director: Community and Protection Services

Agree with the recommendations.

6.7.4 Director: Corporate Services

Agree with the recommendations.

6.7.5 Chief Financial Officer

Agree with the recommendations.

6.7.6 Municipal Manager

Agree with the recommendations.

FOR FURTHER DETAILS CONTACT:

NAME	Dr Lungelwa Kaywood
POSITION	Acting Director: Corporate Services
DIRECTORATE	Corporate Services
CONTACT NUMBERS	021-8088195
E-MAIL ADDRESS	lungelwa.kaywood@ Stellenbosch.gov.za
REPORT DATE	18/05/2026

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

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

7.6	INFRASTRUCTURE SERVICES : (PC : R PHEIFFER)
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7.6.1	STATUS REPORT ON THE ALTERNATIVE ENERGY GENERATION PROGRAMME – AUGUST 2026
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Collaborator No: 810362
 IDP KPA Ref No: Green & Sustainable Valley
 Meeting Date: 19 August 2026

1. SUBJECT: STATUS REPORT ON THE ALTERNATIVE ENERGY GENERATION PROGRAMME – AUGUST 2026

2. PURPOSE

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

3. DELEGATED AUTHORITY

Municipal Council.

4. EXECUTIVE SUMMARY

- 4.1 20 MW Independent Power Producer Contract: The final draft of the Power Purchase Agreement (PPA) was submitted to the bidder on 8 July 2026.
- 4.2 50 MW Independent Power Producer Tender: The BAC meeting was held on 22 May 2026 and letters to the successful preferred bidders were sent on 3 June 2026.
- 4.3 SCADA – Phase 3: Phase 3 was completed on 30 June 2026 and Phase 4 commenced in July 2026.
- 4.4 Fire Station Progress: The project has been completed and has been handed over to the maintenance contractor.
- 4.5 NPK Building Progress: The BSC meeting was held on 16 July 2026.
- 4.6 Main Building (Neethling Huis) Progress: Quotations for the Architect, Heritage and Quantity Surveyor sub-consultants and the revised program incorporating the heritage approval process and associated submissions have been received.
- 4.7 Eskom Hot Water Load Control (HWLC) and RT 29-2024 Contracts for smart meters: The appointment letter was sent to the service provider on 8 June 2026.

The above projects, 4.1 to 4.7, are still being pursued by the Municipality's Alternative Energy Program with the focus on securing cheaper and renewable energy, as well as focus on business continuity during outages and ensuring that critical plants and systems are still operational.

5. RECOMMENDATION

that Council notes the latest progress on the Alternative Energy Generation projects in implementation at present.

6. DISCUSSION / CONTENTS**6.1 Background**

The Constitution did not allow Local Government to enter the generation of electricity, and the Electricity Regulation Act did not allow municipalities to purchase electricity from any company other than Eskom. Through the promulgation of Electricity Regulation Act Regulations, on 16 October 2020, this changed, and municipalities are now allowed to generate electricity and purchase electricity from other electricity providers other than Eskom.

6.2 Discussion

6.2.1 20 MW Independent Power Producer Contract: Tender conditionally awarded to successful bidder. A Legal Firm has been appointed by the Municipality and has interrogated the draft PPA.

The final draft of the PPA was issued to the bidder on 8 July 2026. The bidder returned the PPA with comments on 28 July 2026. A PPA finalisation meeting is scheduled for 3 August 2026 with the relevant stakeholders, including the CFO and Director: Infrastructure Services to address the bidder's comments and, where possible, finalise the agreement.

Once the draft PPA is finalised and signed off by both parties, the Section 33 process and development rights will commence.

6.2.2 50 MW Independent Power Producer Tender: The BAC meeting was held on 22 May 2026, and letters of appointment were issued to the successful preferred bidders on 3 June 2026.

Two appeals were subsequently received. Both appeals were dismissed, and the appellants were notified on 15 July 2026. Following the conclusion of the appeal process, the preferred bidders were notified to submit their Preferred Bidder Guarantees.

The kick-off meeting with the Franschhoek preferred bidder was held on 29 July 2026 while the kick-off meeting with the Stellenbosch preferred bidder is scheduled for 12 August 2026.

The Section 33 process Plenary Kick-Off meeting is scheduled for 29 July 2026.

6.2.3 SCADA Phase 3: Phase 3 was completed on 30 June 2026.

Huguenot substation could not be completed as part of Phase 3 due to flood damage sustained during the May 2026 floods. Consequently, Die Boord Substation was included in the Phase 3 scope in its place. Huguenot Substation is currently undergoing repairs and will be incorporated into the Phase 4 scope.

The Phase 3 close-out meeting was held on 24 July 2026. During the meeting, the preliminary list of substations for inclusion in Phase 4 was discussed. The final list will be confirmed upon completion of the Information and Communication Technology (ICT) assessments.

6.2.4 Fire Station Progress: The Stellenbosch Fire Station Battery Energy Storage System (BESS) was completed in April 2024. The defects and liability period concluded in May 2026, after which the system was formally handed over to the maintenance contractor. The project has reached close-out and will be removed from the AEG agenda.

6.2.5 NPK Building Progress: The BSC meeting was held on 16 July 2026 during which the specification was approved for advertising, subject to minor amendments. The revised specification was submitted to SCM on 23 July 2026. The tender is scheduled to be advertised on 31 July 2026.

6.2.6 Main Building (Neethling Huis) Progress: Quotations for the Architect, Heritage and Quantity Surveyor sub-consultants and the revised program incorporating the heritage approval process and associated submissions have been received.

A memorandum will be prepared for the Director: Infrastructure Services requesting approval for an increase in the consultant's scope of work arising from the heritage requirements, as well as an extension of the consultant's appointment to align with the revised project completion date.

6.2.7 Eskom Hot Water Load Control (HWLC) and RT 29-2024 Contracts for smart meters:

The appointment letter was sent to the service provider on 8 June 2026, and the kick-off meeting was held on 6 July 2026.

6.3 Financial Implications

This report has no further financial implications for the municipality and the projects have been appropriately budgeted for.

6.4 Legal Implications

The recommendations in this report comply with Council's policies and all applicable legislation.

6.5 Staff Implications

Specialized technical staff would be required to facilitate and implement the switching and optimization of different sources of energy into the Municipal grid. The department has identified vacancies as well as new posts which have been submitted in a new draft organogram for review.

6.6. Previous / Relevant Council Resolutions**41ST COUNCIL MEETING: 2026-05-27: ITEM 10.6.1****NOTED**

that Council notes the latest progress with the Alternative Energy Generation projects in implementation at present.

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

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

23RD COUNCIL MEETING: 2024-06-14: ITEM 10.6.1**NOTED**

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

“40TH COUNCIL MEETING: 2021-01-27: ITEM 11.5.1**RESOLVED (nem con)**

- (a) that Council approves the investigation into alternate methods of electricity generation and purchases.
- (b) that Council approves the joint investigation to be done by University of Stellenbosch, Council for Scientific and Industrial Research (CSIR), and the Western Cape Government.
- (c) that Council accepts the initiating of the following processes as may be required:
 - i. Municipal Systems Act, Section 78(1) processes
 - ii. Municipal Finance Management Act, Section 33 investigation processes

iii. Electricity Regulation Act, Section 13; and

- (d) that Council considers the funding of such investigations and implementation of completed investigations within the determination of the 2021/22 budget process.

16TH COUNCIL MEETING: 2023-08-23: ITEM 11.6.3

NOTED

The progress of the Alternate Energy Generation initiatives and studies.

20TH COUNCIL MEETING: 2024-02-21: ITEM 11.6.1

NOTED

The Alternative Energy Generation strategies identified by the AEG Committee and the progress with the Alternative Energy Generation projects initiated.

6.7 Risks / Challenges: Implications and Mitigation:

The existing ICT network infrastructure is being upgraded in tandem with the SCADA project.

6.8 Comments from Senior Management:

6.8.1 Director: Corporate Services

The ICT department is part of the planning regarding the SCADA monitoring project. Additional staff must be appointed once the SCADA installation project is completed to monitor the equipment. The organogram will have to be amended for this process.

6.8.2 Municipal Manager

Requested item on agenda.

FOR FURTHER DETAILS CONTACT:

NAME	<i>Nombulelo Zwane / Rendani Makungo</i>
POSITION	<i>Senior Manager: Electrical Services / AEG Project Manager</i>
DIRECTORATE	<i>Infrastructure Services</i>
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REPORT DATE	<i>30 July 2026</i>

7.6.2	CHANGE TO THE REFUSE COLLECTION SYSTEM FOR STELLENBOSCH MUNICIPALITY
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Collaborator No: 809862
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 19 August 2026

1. SUBJECT: CHANGE TO THE REFUSE COLLECTION SYSTEM FOR STELLENBOSCH MUNICIPALITY

2. PURPOSE

To obtain approval to change the refuse collection system for Stellenbosch Municipality.

3. DELEGATED AUTHORITY

Municipal Council, however, the Mayor may request the Portfolio Committee to render assistance in terms of Section 80 of the Local Government Municipal Structures Act, Act 117 of 1998, as amended.

4. EXECUTIVE SUMMARY

In 2006, Council approved the introduction of the wheelie bin refuse collection system to replace refuse bag collection. This initiative introduced the use of 240-litre wheelie bins, offering multiple operational, environmental, and health-and-safety benefits.

The system has since been successfully implemented across all formal residential areas within the WC024 municipal area. While the 240-litre wheelie bin provides sufficient capacity for households to store non-recyclable waste for weekly collection, the Municipality has, over time, also introduced a recyclable waste collection service. Residents are currently provided with clear refuse bags for recyclables, which have a maximum practical capacity of approximately 70 litres.

Despite these measures, the Municipality is facing a looming waste management crisis. It is therefore imperative that all feasible interventions to reduce the volume of waste disposed of at our landfill be implemented.

One of the key interventions identified is to reduce household storage capacity for non-recyclable waste while increasing capacity for recyclable waste. This will be achieved through the introduction of two 140-litre wheelie bins per household—one for non-recyclable waste and one for recyclable waste. The implementation of this system will follow a phased approach, as outlined below.

Years 1–2

- a) All new single residential estates will be required to implement the dual 140-litre bin system upon occupation of each household;
- b) All newly constructed single residential households will be issued with two 140-litre wheelie bins;

- c) Existing households may voluntarily elect to convert to the dual 140-litre bin system upon request.

Year 3 and Ongoing

- a) All wheelie bins replaced due to theft or vandalism will be replaced with two 140-litre wheelie bins instead of a single 240-litre bin;
- b) Any request for additional 240-litre wheelie bins will be addressed by issuing two 140-litre wheelie bins.

From Year 3 onwards, residents may only apply for additional recyclable waste bins, subject to municipal approval. Requests for additional non-recyclable waste bins will be considered and approved solely at the discretion of the Waste Management Department.

The primary objective of the revised system is to divert recyclable waste away from landfill by encouraging and enabling effective separation of waste at the household level.

5. RECOMMENDATION

that Portfolio Committee takes note and supports the change to the refuse collection system.

6. DISCUSSION / CONTENTS

6.1 Background

The Municipal Integrated Waste Management Plan (IWMP) which is incorporated in the Municipality's Integrated Development Plan (IDP), although it is submitted as a separate document. The IWMP also indicates the alignment of its goals with the Western Cape IWMP, the District Municipality IWMP and the National Waste Management Strategy, 2020 (NWMS).

The NWMS is a statutory requirement of the National Environmental Management: Waste Act (NEM:WA) and is entrenched in Section 24 of the Constitution of the Republic of South Africa. The purpose of the NWMS is to provide strategic policy intervention and a framework for the implementation of the NEM:WA. The NWMS therefore "outlines the Government's policy and strategic approach to waste management within the South African government's context and agenda of socioeconomic development that is 'equitable, inclusive, sustainable and environmentally sound'. It is therefore aligned to South Africa's National Development Plan (NDP): Vision 2030, which aims to integrate the Sustainability Development Goals (SDG) of Agenda 2030 into the socio-economic development plans of the country.

The premise of the NWMS is to systematically improve waste management in South Africa by adopting the principles of the "circular economy" and the "waste hierarchy". As such, in implementing the NWMS, 2020, "local government needs to shift the focus of waste collection on services to enable and promote diversion of waste from landfills through reuse, recycling and recovery".

A total of five goals were identified for the Municipality's IWMP. The development of these goals has been informed by the previous IWMP, situational analysis, and gap

and needs assessment. Of which Goal 5 is to “Increased waste diversion and recycling”.

6.2 Discussion

The Municipality introduced 240-litre wheelie bins which have been successfully implemented across all formal residential areas in the WC024 municipal area, providing operational, environmental, and health-and safety benefits. While these bins provide sufficient capacity for weekly non-recyclable waste, recyclable waste is currently collected in clear refuse bags with a practical capacity of approximately 70 litres.

Despite these measures, the Municipality faces a growing waste management challenge. To reduce landfill volumes, household capacity for non-recyclable waste must be reduced while recyclable waste capacity is increased.

This will be achieved by introducing two 140 -litre wheelie bins per household – one for non-recyclable waste and one for recyclables – implemented in phases:

Years 1–2

- a) All new single residential estates will be required to implement the dual 140-litre bin system upon occupation of each household;
- b) All newly constructed single residential households will be issued with two 140-litre wheelie bins;
- c) Existing households may voluntarily elect to convert to the dual 140-litre bin system upon request.

Year 3 and Ongoing

- a) All wheelie bins replaced due to theft or vandalism will be replaced with two 140-litre wheelie bins instead of a single 240-litre bin;
- b) Any request for additional 240-litre wheelie bins will be addressed by issuing two 140-litre wheelie bins.

From Year 3, residents may only apply for additional recyclable waste bins, subject to municipal approval. Additional non-recyclable waste bins will be approved at the discretion of the Waste Management Department.

The revised system aims to divert recyclable waste from landfill by promoting effective household waste separation.

6.3 Financial Implications

Operational budget will be utilised to roll-out these 140 litres wheelie bins at an estimated value of R1 200 000 per year.

6.4 Legal Implications

In terms of the National Environmental Management: Waste Act (Act No. 59 of 2008). National Waste Management Strategy; 2020

6.5 Staff Implications

Organogram needs to be amended to include a position for a wheelie bin logistics position to roll out these bins.

6.6 Previous / Relevant Council Resolutions:

None.

6.7 Risk implications

None.

6.8. Comments from Management:**6.8.1 Director: Infrastructure Services**

Agree with the recommendations.

6.8.2 Director: Planning and Economic Development**6.8.3 Director: Community and Protection Services:****6.8.4 Director: Corporate Services:****6.8.5 Chief Financial Officer:****6.8.6 Municipal Manager:****RECOMMENDATION FROM THE INFRASTRUCTURE SERVICES COMMITTEE MEETING TO MAYORAL COMMITTEE:2026-08-06: ITEM 5.2.2**

that the Mayoral Committee takes note and supports the change to the refuse collection system.

FOR FURTHER DETAILS CONTACT:

NAME	Clayton Hendricks
POSITION	Senior Manager: Waste Management
DIRECTORATE	INFRASTRUCTURE SERVICES
CONTACT NUMBERS	021 -808 8228
E-MAIL ADDRESS	Clayton.hendricks@ Stellenbosch.gov.za
REPORT DATE	13 May 2026

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

7.8	PLANNING AND LOCAL ECONOMIC DEVELOPMENT AND TOURISM :(PC: CLLR T KUMM)
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NONE

7.9	RURAL MANAGEMENT: (PC: CLLR C MANUEL)
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NONE

7.10	MUNICIPAL MANAGER
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7.10.1	NETWORK AND EXPERTS MEETING AND KARLSURHE MUNICIPALITY DELEGATION VISIT
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Collaborator No:

IDP KPA Ref No:

Good Governance and Compliance

Meeting Date:

19 August 2026

1. SUBJECT: NETWORK AND EXPERTS MEETING AND KARLSURHE MUNICIPALITY DELEGATION VISIT

2. PURPOSE

To obtain Council's permission to attend the Network and Experts Meeting and a delegation visit hosted by Karlsruhe Municipality.

3. DELEGATED AUTHORITY

In terms of 9.2 of the Cost Containment Policy 2019, only the Municipal Council in a Council Meeting can approve the international travel for any official or political bearer.

4. EXECUTIVE SUMMARY

Stellenbosch Municipality strengthened its partnership with the City of Karlsruhe during the 4th Network Meeting of the South African-German P2P Learning Network, which led to a successful joint application for the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH-funded Expert Fund for municipal partnerships. The application, submitted on 31 January 2024 and approved in March 2025, supported the appointment of a Climate Change Expert in the Office of the Municipal Manager. This was in response to extreme weather events, including the September 2023 floods in Franschhoek, which severely impacted municipal infrastructure. The expert's role is aligned with key objectives such as climate vulnerability assessment, adaptation and mitigation planning, emergency preparedness, data collection, and community engagement. A GIZ site visit to Franschhoek in August 2024 affirmed the municipality's motivations and led to final approval. The recruitment process concluded with the appointment of a local expert, who commenced duties on 1 June 2025 under an initial contract running until 31 December 2026. In July 2026, Stellenbosch Municipality was informed that the Expert appointment could be extended until 30 September 2027, with the extension remaining fully funded by SKEW.

The aim is to inform Council of the progress of the Climate Change Expert appointment to date as well as obtain permission to attend the Network and Expert Meeting and the opportunity for a delegation visit hosted by Karlsruhe Municipality:

- 4.1 Attendance of the Network and Expert Meetings in Bonn, Germany as well as delegation visit in Karlsruhe, Germany.
- 4.2 Council to cover cost in terms of travel related costs in Germany for the night stay (daily allowances). See attached as **ANNEXURE 1**.
- 4.3 Council to note that the flight tickets and accommodation will be booked and paid for by GIZ and SKEW for the period of 21–28 November 2026.

5. RECOMMENDATIONS

- (a) that Council approves the attendance of Nicole Martin to the Network and Experts Meeting (23-25 November 2026) and the attendance of Nicole Martin, Geraldine Mettler and Myra Francis to the delegation visit hosted by Karlsruhe Municipality from 26-27 November 2026 as per the funding agreement; and
- (b) that Council approves the travel related costs in Germany for night stay (daily allowances) as per the funding agreement.

6. DISCUSSION / CONTENTS

6.2 Background

Stellenbosch Municipality had the opportunity to strengthen their partnership with the City of Karlsruhe during the 4th Network meeting of the South African - German P2P Learning Network. This led to the successful application by the two cities to form a partnership and to apply for the Expert Fund for municipal partnerships worldwide that is funded by the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH. The application was completed on the 31st of January 2024 and approved during March 2025. The funding was applied to appoint an Expert in Climate Change, in the Office of the Municipal Manager at Stellenbosch Municipality.

As part of the continued partnership between Stellenbosch Municipality and the City of Karlsruhe, the Municipal Manager, Ms Geraldine Mettler, and the Senior Manager: Development Services, Asset Management and Systems & Project Management Unit (PMU), Ms Myra Francis, were invited by the City of Karlsruhe to participate in the delegation visit in November 2026. Their participation is considered important given their respective roles in the governance and implementation of the Expert Fund project. Ms Francis serves as the municipal project lead for the partnership, while the Municipal Manager provides executive oversight of the project and was the municipal signatory to the agreement between Stellenbosch Municipality and GIZ governing the funding and appointment of the Climate Change Expert.

Their participation will also strengthen the institutional value of the delegation visit by ensuring that the knowledge and lessons gained are not limited to the Climate Change Expert but are shared directly with senior municipal leadership responsible for strategic planning, project implementation and institutional decision-making. The programme includes engagements on integrated urban development, climate adaptation planning, flood protection, urban greening, land-use and planning measures and the integration of climate adaptation into construction projects. Exposure to Karlsruhe's experience in these areas will assist Stellenbosch Municipality in considering how relevant approaches can be incorporated into its own planning, project development and implementation processes, while further strengthening the institutional relationship between the two partner municipalities

Herewith some of the key objectives as per the application that motivated the funding of the expert:

- Climate Vulnerability Assessment.
- Emergency Preparedness for climatic weather events.
- Adaptation Planning specific to the municipality's challenges and vulnerabilities.
- Mitigation Strategies to reduce greenhouse gas emissions within the municipality.
- Data Collection and Monitoring.

- Community and stakeholder engagement with regard to climate change impacts.
- Policy Development.
- Ecosystem Protection, Restoration and river corridor development
- Collaboration, Education, and Partnerships.
- Education and Capacity Building with regards to climate change and its effects on the municipality.

The municipality had to follow a lengthy process to motivate why the appointment of an expert within the municipality is required as well as the funding request to appoint a local expert. A site visit from the proposed GIZ partners was conducted during August 2024 to visit the respective sites and to motivate Franschhoek as the pilot project. Various presentations were done, and it was concluded by the GIZ personnel that they supported the funding application. After consideration by the internal funders the municipality were informed to continue with an appointment of the local expert.

In July 2026, Stellenbosch Municipality was informed that the Expert appointment could be extended until 30 September 2027, with the extension remaining fully funded by SKEW.

It must be noted that the Municipal Manager already made provision for the Top Layer Key Performance Indicators (KPI's) to which the appointed incumbent is reporting on. During the 2025/2026 financial year, the following KPIs were met:

KPA 1: Strategy and Capacity Development					
KPI	Annual Target	Q1	Q2	Q3	Q4
Submission of a draft Climate Change Adaptation Plan (CCAP) to the Municipal Manager	1	N/A	N/A	N/A	1
Facilitate climate change capacity workshops with municipal directorates	1	N/A	1	N/A	N/A
KPA 2: Services					
KPI	Annual Target	Q1	Q2	Q3	Q4
Facilitate stakeholder engagements with the Franschhoek pilot project	4	3	N/A	1	1
KPA 3: Awareness and Community Work					
KPI	Annual Target	Q1	Q2	Q3	Q4
Create and distribute information materials on climate change adaptation to the public	2	N/A	1	N/A	1
KPA 4: Partnership					
KPI	Annual Target	Q1	Q2	Q3	Q4
Submission of a quarterly Karlsruhe Partnership Report to the Municipal Manager	4	1 (1)	1 (2)	1 (3)	1 (4)

6.3 Financial Implications

The approved grant includes provision for international travel costs for the Expert. As such, the only expenses the Council would need to cover are the in-country travel-related costs in Germany for the night stay, which would be limited to daily allowances.

6.4 Legal Implications

In line with the Cost Containment Policy.

6.4 Staff Implications

None.

6.5 Previous / Relevant Council Resolutions**34TH COUNCIL MEETING: 2025-08-25: ITEM 12.3**

RESOLVED (majority vote with 4 abstentions)

- (a) that Council approves the attendance of Nicole Martin to the Experts Fund Meeting and hospitation visit hosted by Karlsruhe Municipality likely from 12th - 20th October 2025 as per the funding agreement; and
- (b) that Council approves the travel related costs in Germany for night stay (daily allowances) as per the funding agreement.

6th COUNCIL MEETING: 2022-07-27: ITEM 11.11.3

RESOLVED (nem con)

- (a) that Council approves the request for attendance of the 2nd South African – German peer learning network workshop and Federal National Urban Policy Congress that will be hosted in Germany from 10 to 16 September 2022; and
- (b) that Council approves the daily allowance for the duration of the forum.

8TH COUNCIL MEETING: 2022-10-26: ITEM 13.4

RESOLVED (nem con)

- (a) that Council takes note of the visit to Germany by a delegation from Stellenbosch Municipality; and
- (b) that Council takes note that Stellenbosch Municipality will be hosting the next engagement during February 2023.

16TH COUNCIL MEETING: 2023-08-23: ITEM 11.11.2**RESOLVED** (nem con)

- (a) that Council note the feedback report with regards to the 3rd South African – German Peer Learning Network workshop that was held in Stellenbosch;
- (b) that Council approves the request for attendance of the 4th South African – German Peer Learning network workshop and a hospitation by Germany from 6 – 20 October 2023;
- (c) that Council approves the hospitation in Nuremburg (6th – 7th and 13th – 16th October 2023) for 4-nights, visa costs and take care of any further travel related costs (daily allowances, local transport to and from airport); and
- (d) That Council approves all further engagements linked to the partnership that will entail financial implications.

32ND COUNCIL MEETING: 2025-05-30: ITEM 10.6.3**RESOLVED** (majority vote with 1 abstention)

- (a) that Council approves the request for attendance of the 7th South African – German peer learning network workshop and a hospitation by Germany from 10th - 18th June 2025;
- (b) that Council approves the travel related costs in Germany for 4-night stay (accommodation and daily allowances);
- (c) that Council takes note of the successful grant funding application for Expert fund for municipal partnerships worldwide; and
- (d) that the Expert Climate Change will commence service from 1st of June 2025 within the office of the Municipal Manager.

6.6 Risk Implications

Addressed in the content of the item.

6.7 Comments from Senior Management

None required.

ANNEXURES**ANNEXURE 1 – Invitation letter and delegation visit agenda**

NAME	Nicole Martin
POSITION	Climate Change Expert
DIRECTORATE	Office of the Municipal Manager
CONTACT NUMBERS	021 808 8034
E-MAIL ADDRESS	nicole.martin@ Stellenbosch.gov.za
REPORT DATE	12 August 2026

ANNEXURE 1



[EX] Save the Date: Network and Expert Meeting 2026 (23.-25.11.26)

From Mertens, Till GIZ <till.mertens@giz.de>

Date Mon 3/2/2026 4:16 PM

To Kuiters, Mieke GIZ AM <mieke.kuiters@giz.de>; Baudach, Kurt-Michael GIZ BO <kurt-michael.baudach@giz.de>; lancine.kouyate@outlook.com <lancine.kouyate@outlook.com>; Nicole Martin <Nicole.Martin@stellenbosch.gov.za>; proscovianabakka@gmail.com <proscovianabakka@gmail.com>; Pufal, Anna Maria GIZ ET <anna.pufal@giz.de>; Winkels, Peter GIZ NA <peter.winkels@giz.de>; jtchonda@gmail.com <jtchonda@gmail.com>; davidsonstchekpassi@gmail.com <davidsonstchekpassi@gmail.com>; s_lukanjuk@yahoo.de <s_lukanjuk@yahoo.de>; o.levchenko@pard.org.ua <o.levchenko@pard.org.ua>; levchenkoov@vmr.gov.ua <levchenkoov@vmr.gov.ua>; kserhiyenko@radnyk.org <kserhiyenko@radnyk.org>; Sobtschuk, Marta <marta.sobtschuk@gmail.com>; lyamar.uif@gmail.com <lyamar.uif@gmail.com>; gradinaru.renata@gmail.com <gradinaru.renata@gmail.com>; yuliya.bavolyak@gmail.com <yuliya.bavolyak@gmail.com>; oksanaslyvka.vodokanal@gmail.com <oksanasyvka.vodokanal@gmail.com>; rudchenko7493@gmail.com <rudchenko7493@gmail.com>; twittenzellner@lra.landkreis-regen.de <twittenzellner@lra.landkreis-regen.de>

Cc Singer, Marlene (F37.1) <marlene.singer@engagement-global.de>; Schabert, Hannah GIZ <hannah.schabert@giz.de>; Grossmann, Susanne GIZ <susanne.grossmann@giz.de>; Nonn, Ulrike GIZ <ulrike.nonn@giz.de>; Bonifassi, Pierre GIZ <pierre.bonifassi@giz.de>; Luy, Christian GIZ <christian.luy@giz.de>

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 Experts and colleagues from the German municipalities,

We are pleased to invite you to our annual **Network and Expert Meeting 2026!**

Date & Location

When: 23.-25.11.26

Where: Bonn

Duration: 2.5-3 days

Please save these dates in your calendars and let us know by March 27 if you plan to attend!

More detailed information, including the agenda and programme, will follow in **May 2026**. This time, we plan to offer a programme for the experts as well as representatives from German municipalities across all three days to allow more time for networking and parallel sessions.

Your Input Welcome

While we are still finalising the programme, we would be happy to hear from you already:

- **Topic suggestions:** What themes would be most relevant for you?
- **Questions or comments:** What would you like to see addressed at this year's meeting?

Please feel free to share your ideas via email to Marlene Singer and Till Mertens.

Planning Your Trip

For our Experts travelling to Germany:

Since you will be coming from all over the world, please combine the meeting with:

- A visit to your partner municipality
- Participation in other events or conferences
- a delegation visit from your partner municipality

We encourage you to plan ahead.

!!! For all local experts with a contract with the municipality, please ensure that the colleagues responsible in your municipality include your international travel costs and per diems when requesting the tranche that covers the period of the expert meeting. **!!!**

Information for Delegation Visits

If you are considering organising a **delegation visit** in connection with the Network Meeting, please note:

New regulations in 2026: There are updated guidelines for delegation visits. The costs for additional delegation members (not the Experts themselves) will be covered by SKEW under specific conditions.

Please contact your German Partners and our SKEW colleagues directly to discuss:

- Feasibility and timing
- Funding conditions
- Required documentation

SKEW Contact: Marlene Singer and Ingo Wagler

Questions?

If you have any questions in the meantime, please don't hesitate to reach out to:

SKEW: Marlene Singer

GIZ: Till Mertens

We look forward to seeing you all in November and to another inspiring exchange!

Best regards,

Marlene and Till
on behalf of the Experts Fund-Team

Till Mertens (*he/him*)

Project Manager „Expert fund for municipal partnerships worldwide“

Section G430 Cities

Division Global Policy, Governance, Cities

GloBe (Sector and Global Programmes)

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I [Experts for Municipal Partnerships Worldwide](https://www.giz.de/en/experts-for-municipal-partnerships-worldwide)

Deutsche Gesellschaft fuer Internationale Zusammenarbeit (GIZ) GmbH;

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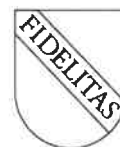
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USt-IdNr./VAT ID no. DE 113891176;

Vorsitzender des Aufsichtsrats/Chairman of the Supervisory Board: Niels Annen;

Vorstand/Management Board: Thorsten Schaefer-Guembel (Vorstandssprecher/Chair), Ingrid-Gabriela Hoven (Stellvertretende

Vorstandssprecherin/Vice-Chair), Anna Sophie Herken



Delegation Visit Stellenbosch

26.11.2026 – 27.11.2026

Preliminary Agenda

26.11.2026

City Hall or Office for Urban Development (9:00 to 12:00), Site Visits (13:00 to 17:00)

9:00	Welcome Address	tbd
10:00	Integrated Urban Development Concept Karlsruhe 2040 – Climate as cross cutting issue	Office for Urban Development
11:00	Climate Adaptation Strategy Karlsruhe	Environmental Office
12:00	Lunch	
13:00	Site Visit Flooding I Retention Space Bellenkopf / Rappenwörth	Regional Council Karlsruhe
15:00	Site Visit Flooding II Flood Protection at the Alb river	Civil Engineering Office
17:00	End of Site Visits	
18:00	Visit of Karlsruhe Christmas Market	

27.11.2027**City Hall (9:00 to 12:00), Site Visits (13:00 to 18:00)**

9:00	Presentation of Climate Adaptation Concept Stellenbosch	Dr. Nicole Martin
10:00	Green Regulation („Grünsatzung“) Karlsruhe	Planning Office/ Gardens Department
10:30	Citizen Participation in Urban Greening	Gardens Department
11:00	Desealing Concept City Center	Planning Office
12:00	Lunch	
13:00	Site Visit City Center	Office for Urban Development/ Planning Office
15:00	Site Visit Climate Change Adaptation in Construction Projects	Planning Office
18:00	End of Site Visits	
19:00	Dinner	

Delegation:

- Geraldine Mettler, Municipal Manager, Stellenbosch
- Myra Francis, Senior Manager: Development Services, Asset Management and Systems & Project Management Unit (PMU), Stellenbosch
- Dr. Nicole Martin, Climate Change Expert, Stellenbosch

Contact in Karlsruhe

- Dr. Andrea Hammer, Office for Urban Development
- Sigrun Hüger, Planning Office

8.	REPORTS SUBMITTED BY THE EXECUTIVE MAYOR
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NONE

9.	URGENT MATTERS
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NONE

10.	MATTERS TO BE CONSIDERED IN-COMMITTEE
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NONE