



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref. no.3/4/1/5

2017-05-31

MINUTES

9TH MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY

2017-05-31 AT 10:00

Detailed account of the meeting proceedings is available on audio recording, which is obtainable from The Municipal Manager's Office per Request for Information (RFI)

MINUTES
9TH MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY
2017-05-31
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MINUTES OF THE 9TH MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY HELD ON 2017-05-31 AT 10:00 IN THE COUNCIL CHAMBER, TOWN HOUSE, PLEIN STREET, STELLENBOSCH

PRESENT	The Speaker, Cllr DD Joubert [Chairperson] The Executive Mayor, Ald G Van Deventer (Ms) The Deputy Executive Mayor, Cllr N Jindela	
ALDERWOMAN	JP Serdyn (Ms)	
COUNCILLORS	F Adams DS Arends FJ Badenhorst GN Bakubaku-Vos (Ms) FT Bangani-Menziwa (Ms) PW Biscombe PR Crawley (Ms) A Crombie (Ms) JN De Villiers MB De Wet (from 10:40) R Du Toit (Ms) A Florence AR Frazenburg E Groenewald (Ms) AJ Hanekom DA Hendrickse JK Hendriks	LK Horsband (Ms) MC Johnson NS Louw C Manuel XL Mdemka (Ms) RS Nalumango (Ms) (until 11:30) N Olayi MD Oliphant SA Peters WC Petersen (Ms) MM Pietersen (until 15:00) WF Pietersen SR Schäfer N Sinkinya (Ms) P Sitshoti (Ms) (until 11:30) Q Smit E Vermeulen (Ms)

Officials:	Municipal Manager (Ms G Mettler) Chief Financial Officer (M Wüst) Director: Community and Protection Services (G Esau) Director: Engineering Services (D Louw) Director: Human Settlements (T Mfeya) Director: Planning and Economic Development (D Lombaard) Director: Strategic and Corporate Services (Ms A De Beer) Chief Audit Executive (F Hoosain) Manager: Budget Office (K Carolus) Head: Committee Services (EJ Potts) Committee Clerk (T Samuels (Ms)) Committee Clerk (N Mbali (Ms)) Interpreter (J Tyatyeka)
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1.	OPENING AND WELCOME
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The Speaker, Councillor DD Joubert, welcomed all present and requested that a moment of silence be observed in honour of those who recently passed away. Councillor JK Hendriks offered a prayer.

2.	COMMUNICATIONS
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2.1	MAYORAL ADDRESS
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- “Amptelik welkom sê aan ons twee nuwe direkteure: Deon Louw en Annalene De Beer.
- Mnr. Louw Infrastruktuurdienste
- Me De Beer Korporatiewe Dienste
- Ons administratiewe span is nou volledig en ek kan u verseker hulle het met ‘n slag ingespring. Die stof staan inderdaad soos hier gewerk word!
- Moeilike naweek vir die Stellenbosch gemeenskap agter die rug.
- Lanzerac spa en hotel – plaaslike baken is in die vroeë oggendure van Sondag in puin gelê na ‘n brand
 - Ons dink aan die eienaars, werknemers wat hierdeur geraak word.
- Moord van Maties Student, Hannah Cornelius Saterdagoggend.
 - Medelye aan haar familie, vriende, mede –studente
- Ongelukkig is die munisipaliteit se mandaat wat misdaad en kriminele aktiwiteite baie beperk.
 - Ons het nie ‘n metro-polisie soos die stad Kaapstad.
 - Die Munisipaliteit se wetstoepassingsmandaat strek net tot by ons eie verordeninge/by-law’s en beleide.
 - Help slegs wanneer SAPD bystand versoek
 - Het wel nuwe pos van Adjunk Direkteur vir sekuriteit en wetstoepassing se kapasiteit is in die proses om vergroot te word wat sal help met ondersteuning van SAPD asook sigbare polisiëring.
- Ek bly baie besig, nie net met die daaglikse bestuur van die Munisipaliteit, maar ook met volgehoue interaksie met die gemeenskap.
 - Daar waar ek nie self teenwoordig kan wees nie, stuur ek ‘n afgevaardigde.
 - Onlangs openbare vergaderings waar ons by betrokke was , was in Pniel en Jamestown.
 - Ook ingetree in Jonkershoek.
- Ek en die MM het per geleentheid met die mense van Jonkershoek vergader om te help om dit waaroor hulle ongelukkig is te probeer aanspreek.
- Ons het ook ‘n vergadering met nasionale en provinsiale rolspelers gefasiliteer.

- Op hierdie stadium kan die munisipaliteit 'n beperkte rol speel omdat die grond waarop hierdie mense bly nie aan ons behoort nie.
- Ons werk egter daaraan om die inwoners se griewe aan te spreek en hulle by te staan totdat daar ooreengekom kan word oor die oordrag van die grond.
- We are also engaging with residents living in informal areas.
- In Process of visiting all informal settlements in our area.
 - Recently visited Enkanini and Kayamandi and walked through both areas to become aware of problems and challenges facing residents
 - I will be visiting all informal settlements in our area.
 - We will then plan and consult with the community on how to address problems and improve services.
 - I must tell you, this is truly an enormous challenge, affecting so many of our residents. Solutions will not come overnight.
 - Apart from the massive capital budget it will take to improve the lives of residents in informal settlements, our best efforts will not succeed if there are no jobs for our residents.
 - We need jobs, and it is not within our mandate to create jobs. As local government we are responsible to create in an environment that is attractive for people to create businesses in.
- The Section 80 committees have been established
 - Purpose is to assist myself, as the Executive Mayor, in the daily performance of my statutory and delegated functions and powers.
 - Serves to advise the Executive Mayor when requested or to advise me in order to apply her mind to make an informed decision.
 - To date 16 referrals have been made to the section 80 committees.
 - Matters mostly include policy reviews
 - By-law reviews
 - Good practice to review all policies and by-laws at the start of the new term to ensure it is up to date and in line with existing legislation
 - One matter specifically direct to all the Section 80 Committees is the emergency resettlement after disasters within the greater Stellenbosch and specifically proposed sites suited for emergency resettlement
 - Section 80 committees is essential for the promotion of transparency within local government as well as making sure every situation is well researched and all the necessary input is given.
- Soos u weet het die Premier die Wes-Kaap as 'n rampgebied verklaar as gevolg van die droogte
 - In lyn daarmee het ons, ons waterbeperkings verhoog na vlak 4 verhoog
 - Skop 1 Junie 2017 in tot verdere kennisgewing
 - Ons het nou 'n krisis

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- Ontstellend om te sien dat mense net aangaan water mors en hulle nie steur aan die krisis nie, hulle hou net aan water mors.
 - Nuwe beperkings sluit in:
 - GEEN tuine natmaak met munisipale water nie
 - Geen voertuie was met munisipale water nie
 - Al die vorige vergunnings wat toegestaan is is opgehef.
 - Alle boorgate moet by die Munisipaliteit geregistreer word
 - Geen swembaddens mag opgevol word nie
 - Werk ook aan nuwe watertariewe om die vlak 4 tariewe te inkorporeer.
 - Dit sal gepubliseer word en versprei word via pamflette vir openbare deelname en sal dan op 1 Julie in werking tree.
 - Ernstige beroep op inwoners om watergebruik te beperk en te spaar.
 - Today an item will serve before council for the approval of the Draft Integrated Reserve management plan for the Jan Marais Nature reserve.
 - Important asset and proper management thereof is important.
 - It can be of greater relevance to the municipality as a possible source of income
 - It is important that we ensure it has all the equipment necessary to manage and protect it properly.
 - This week is child protection week.
 - A lot of news recently about the tragic death and abuse of children in our communities
 - The proverb that says children must be seen and not heard is now obsolete.
 - Our children must be seen and heard at all times
 - We must protect them, care for them and provide for them.
 - They are our future, and if we do not make every effort to protect them our country will have no future.
 - All of us must take responsibility for the children in our communities
 - Op 'n ligter noot moet ek baie geluk sê aan die Blitzbokke!
 - Die sewes Springbokspan gebruik Stellenbosch as 'n basis en is deel van ons gemeenskap.
 - Hulle het die 2016/17 HSBC Wêreld Sewes Rugby Reeks gewen. Wel gedaan aan ons Bokke, julle maak ons trots.
 - Earlier this month the provincial government launched the first Cross Cape Cycle Route
 - First route of its kind in the province
 - Stellenbosch is a start/end point.
 - Expected to draw an increase number of tourists to cycle along this route that stretches from Stellenbosch to Plettenberg Bay.
 - Will benefit local businesses and create new job opportunities

- Recent visit by ministry official informed us of possible plans to train local residents as tour guides and technicians to be directly employed in the cycling industry.
- Massive potential for our towns
- 'n Herinnering dat Junie maand Jeug maand is.
 - Jeug se uitdagings raak al groter en is inderwaarheid 'n tydbom.
 - Indien ons nie vinnig oplossings vind en implementeer nie, sal ons 'n tragedie in die gesig staar wat moontlik groter kan wees as die van die 1976 Soweto Jeug. Ons moet leer uit die geskiedenis om te voorkom dat daar nog Hector Pietersens in ons toekoms is.
 - Ons moet doen wat ons kan om geleenthede te bied aan ons jeug en hulle ook in te lig oor watter geleenthede daar werklik is.
 - Soms is onkunde die grootste struikelblok wat hulle in die gesig staar."

2.2	COMMUNICATION BY THE SPEAKER
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- The Speaker congratulated all Councillors who celebrated their birthdays during May.
- Additional information that is required to complete the national web-based data system for Ward Committee members was distributed to Ward Administrators. The forms must be completed and returned to the Office of the Speaker as soon as possible.
- The Speaker made reference to Schedule 1 of the Code of Conduct for Councillors point 2 and reminded Councillors to act responsibly and to lead by example with regard to conflict management.
- After consulting with the Executive Mayor, Chief Whip and Party Whips and as provided for by Delegation 77 of the System of Delegations, the Speaker announced that Council will be in recess from 30 June 2017 until 16 July 2017. Councillors were requested to be available, should any urgent matters arise. Councillors who will be travelling abroad and therefore be unavailable, should inform the Speaker in advance.

2.3	COMMUNICATION BY THE MUNICIPAL MANAGER: (MS G METTLER)
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The Municipal Manager announced that the Upper limits for Councillors' remuneration were approved by the MEC for Local Government, and the backpay will be paid out by mid June 2017.

3.	OFFICIAL NOTICES
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3.1	DISCLOSURE OF INTERESTS	(3/6/2/2)
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No Councillor or official present disclosed an interest in any of the items that will be discussed.

3.2	APPLICATIONS FOR LEAVE OF ABSENCE	(3/4/1/6)
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- (1) The following applications for leave of absence were approved in terms of the Rules of Order By-law of Council:-

Cllr E Fredericks (Ms)	– 31 May 2017
Cllr N Mananga-Gugushe (Ms)	– 31 May 2017
Cllr LM Mqeba	– 31 May 2017
Cllr SR Schäfer	– 31 May 2017

- (2) Permission was granted to Councillor MB De Wet to join the meeting later (at 10:40).

- (3) Permission was granted to Councillors RS Nalumango (Ms); P Sitshoti (Ms) and MM Pietersen to leave the meeting earlier (11:30 due to illness and 15:00 respectively).

- (4) Absent

Councillor JG Hamilton	– 31 May 2017
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4.	CONFIRMATION OF MINUTES	(3/4/1/5)
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- (i) The minutes of the 8th Council meeting dated 2017-04-26 was **confirmed as correct.**

- (ii) The minutes of a Special Council meeting dated 2017-05-08 was **confirmed as correct.**

Councillor DA Hendrickse requested that his concern be minuted regarding the above-mentioned Council minutes that were distributed as a "Draft" without consulting the Party Whips or Council. The Speaker RULED that in future the word "Draft" not reflect on the minutes when distributed to Councillors for Council's confirmation.

5.	STATUTORY MATTERS	(3/4/1/4)
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NONE

6.	REPORT/S BY THE MUNICIPAL MANAGER RE OUTSTANDING RESOLUTIONS TAKEN AT PREVIOUS COUNCIL MEETINGS
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ITEM	Pg	INPUT	RESPONSE
4th Council: 2016-11-23: Item 7.6.2 Section 78 process for an external service delivery mechanism with regard to public transport.	10	<u>Cllr DA Hendrickse</u> Did not see any notice in the newspapers regarding consultation with the public, yet a Steering Committee was established and met as per the feedback on page 10?	MM will respond in writing
7th Council: 2017-03-29: Item 7.5.1 Proposed amendment of Supply Chain Management contract: Gary White and Associates.	14	<u>Cllr DA Hendrickse</u> Concerned that the feedback in the comment column indicate that the figures approved by Council are incorrect, and the figures that were advertised, are correct, yet no item served before Council to rectify the decision, and the administration does not have the powers to overrule Council's previous decision.	MM will respond in writing
8th Council: 2017-04-26 Item 7.5.1 Proposed changes in Shareholding: Farm 502BL: Mediprop	13	<u>Cllr DA Hendrickse</u> Was the lease cancelled with Mediprop?	MM will respond in writing
8th Council: 2017-04-26: Item 7.5.4 Possible disposal portion of land to Capitec Ikaya, Erf 9190 (page 20) of the minutes of the 9 th Council meeting dated 2017-04-26	17	<u>Cllr DA Hendrickse</u> Possible disposal portion of land to Capitec Ikaya, Erf 9190 on page 20 of the previous Council minutes does not reflect on the report as an outstanding resolutions?	MM will respond in writing
8th Council: 2017-04-26 Item 7.5.5 Application to relax deed of Sale Condition: Anti-speculation clause: Erf 9194	17	<u>Cllr DA Hendrickse</u> What is the budgetary provision that was made in the Budget, even if it was an estimate?	MM will respond in writing
35th Council: 2015-10-28: Item 7.6 Investigation with regard to the various residential properties in Mont Rochelle Nature Reserve	6+7	<u>Cllr F Adams</u> Raised his concern with regard to the inconsistency on the <u>progress</u> of certain items on the report: - eg after 19 months 85% progress was made on item 7.6 (investigation regarding Mont Rochelle), but after 15 months only 20% progress was made on item 9.1 (Motion – support for indigent people in rural areas).	MM will respond in writing

NOTED

Meeting:	9 th Council: 2017-05-31	Submitted by Directorate:	Office of the MM
Ref No:	3/4/1/5	Author:	Senior Admin Officer: R Pietersen (Ms)
Collab		Referred from:	

7.	CONSIDERATION OF ITEMS BY THE EXECUTIVE MAYOR: (ALD G VAN DEVENTER (MS))
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7.1	COMMUNITY DEVELOPMENT AND COMMUNITY SERVICES: CLLR AR FRAZENBURG
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NONE

7.2	CORPORATE AND STRATEGIC SERVICES: (CLLR E GROENEWALD (MS))
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7.2.1	2017 - 2022 FOURTH GENERATION INTEGRATED DEVELOPMENT PLAN (IDP), AS PRESCRIBED BY SECTION 34 OF THE MUNICIPAL SYSTEMS ACT, 32 OF 2000
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1. PURPOSE OF REPORT

To submit the following to Council for consideration:

- (a) the public participation inputs and written submissions on the Draft 2017/18 Fourth Generation IDP, attached as **APPENDIX 1**; and
- (b) the 2017 – 2022 Fourth Generation Integrated Development Plan (IDP), attached as **APPENDIX 2**.

2. BACKGROUND

In terms of the provisions of Local Government: Municipal Systems Act of 2000, each Council must, within the prescribed period after the start of its elected term, adopt a single, inclusive, strategic plan for the development of the municipality. Section 25(3) prescribes that a newly elected Council may adopt the IDP of the previous Council.

Section 25(1)

The municipal council must, within a prescribed period after the start of its elected term, adopt a single, inclusive and strategic plan for the development of the municipality which—

- (a) links, integrates and co-ordinates plans and takes into account proposals for the development of the municipality;
- (b) aligns the resources and capacity of the municipality with the implementation of the plan;
- (c) forms the policy framework and general basis on which annual budgets must be based;
- (d) complies with the provisions of this Chapter; and
- (e) is compatible with national and provincial development plans and planning requirements binding on the municipality in terms of legislation.

Section 26:

An integrated development plan must reflect—

- (a) the municipal council's vision for the long term development of the municipality with special emphasis on the municipality's most critical development and internal transformation needs;
- (b) an assessment of the existing level of development in the municipality, which must include an identification of communities which do not have access to basic municipal services;
- (c) the council's development priorities and objectives for its elected term, including its local economic development aims and its internal transformation needs;
- (d) the council's development strategies which must be aligned with any national or provincial sectoral plans and planning requirements binding on the municipality in terms of legislation;
- (e) a spatial development framework which must include the provision of basic guidelines for a land use management system for the municipality;
- (f) the council's operational strategies;
- (g) applicable disaster management plans;
- (h) a financial plan, which must include a budget projection for at least the next three years; and
- (i) the key performance indicators and performance targets determined in terms of section 41.

Section 35(1):

An integrated development plan adopted by the council of a municipality—

- (a) is the principal strategic planning instrument which guides and informs all planning and development, and all decisions with regard to planning, management and development, in the municipality;
- (b) binds the municipality in the exercise of its executive authority, except to the extent of any inconsistency between a municipality's integrated development plan and national or provincial legislation, in which case such legislation prevails; and
- (c) binds all other persons to the extent that those parts of the integrated development plan that impose duties or affect the rights of those persons have been passed as a By-law.

Section 36:

A municipality must give effect to its integrated development plan and conduct its affairs in a manner which is consistent with its integrated development plan.

Section 16(1)(a)(i):

Provides that a municipality must develop a culture of municipal governance that complements formal representative government with a system of participatory governance and must for this purpose:-

“Encourage and create the conditions for the local community to participate in the affairs of the municipality in terms of inclusion in the preparation, implementation and review of its IDP in terms of Chapter 5 of the Municipal Systems Act of 2000”.

9TH COUNCIL MEETING: 2017-05-31: ITEM 7.2.1

RESOLVED (majority vote)

- (a) that the public participation inputs and written submissions on the 2017 – 2022 Fourth Generation Integrated Development Plan (IDP) attached as **APPENDIX 1**, be noted;
- (b) that the Stellenbosch Municipality’s 2017 – 2022 Fourth Generation Integrated Development Plan (IDP), attached as **APPENDIX 2**, be adopted;
- (c) that it be noted that the public participation process around the finalisation of the new generation municipal SDF is on-going and that the SDF will be finalised in **May 2018**; and
- (d) that an advertisement be placed on the official website of the Municipality, municipal notice boards and in the local newspapers notifying the public that the Stellenbosch Municipal Council has adopted its 2017 – 2022 Fourth Generation Integrated Development Plan (IDP).

Councillor DA Hendrickse requested that his concern in terms of the credibility of the public participation process and the consideration of public inputs, be minuted.

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

Councillors F Adams; GN Bakubaku-Vos (Ms); FT Bangani-Menziwa (Ms); DA Hendrickse; LK Horsband (Ms); RS Nalumango (Ms); MD Oliphant; N Sinkinya (Ms) and P Sitshoti (Ms).

Meeting:	9 th Council meeting: 2017-05-31	Submitted by Directorate:	Strategic and Corporate Services
Ref No:	9/1/2/1	Author:	Manager: IDP
Collab:	516346	Referred from:	Special Mayco: 2017-05-24

7.3	ECONOMIC DEVELOPMENT AND PLANNING: [ALD JP SERDYN (MS)]
7.3.1	STELLENBOSCH MUNICIPALITY: REVISION OF MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK (MSDF) FOR WC024

1. PURPOSE OF REPORT

To inform Council of the process followed to amend the approved 2013 Municipal Spatial Development Framework and to recommend for its approval for inclusion in the 2017/18 Integrated Development Framework (IDP).

2. BACKGROUND

With the enactment of the new planning dispensation in 2015 which include the Municipal Land Use Planning By-Law, 2015 (By-law), the Western Cape Land Use Planning Act, No 3 of 2014 (LUPA) and the Spatial Planning and Land Use Planning Act, No 16 of 2013 (SPLUMA) Council must adopt a Municipal Spatial Development Framework (MSDF) within five years of implementation.

The Stellenbosch Town Council approved a Municipal Spatial Development Framework (MSDF) for the WC024 municipal area on 28 February 2013 in terms of the Municipal Systems Act, 2000 (No 32 of 2000). Section 26 of the Systems Act requires that the municipality's IDP reflects the council's vision for the long term development of the municipality. The MSDF, as a compulsory core component of the IDP, reflects the spatial policy and strategic framework as envisaged by Council that serves as the building blocks for the future urban and rural spatial development pattern of the municipality.

In terms of Section 24 (1) of the Municipal Systems Act "the planning undertaken by a municipality must be aligned with, and complement, the development plans and strategies of other affected municipalities and other organs of state so as to give effect to the principles of co-operative government contained in Section 41 of the Constitution."

The SDF needs to give due consideration to and include the most recent up to date information, (hence the need to correct mistakes made in the 2013 approval) of the planned investment and development initiatives of all spheres of government and other strategic stakeholders and indicate linkages with the strategies and geographical targeted areas to achieve integrated service delivery and efficiency through spatial alignment. This presupposes that implementation plans in the IDP and SDF need to be comprehensive, aligned, synergistic, linked to strategies and objectives to achieve the desired outcomes, and adequately resourced. Hence the current MSDF needs to be aligned with the requirements of the new planning dispensation and must also be brought in line with the new products currently being developed at this stage to form part of the MSDF process for the entire WC024. The Provincial Spatial Development Framework (PSDF) and Regional Spatial Implementation Framework are of particular importance.

However, certain corrections of mistakes and minor adjustments have to be considered, e.g. where existing developed urban uses are excluded from the urban edges or where approved municipal housing projects have been excluded. The developed Devonvale Golf Estate, Longlands Estate, La Roche (previously Amoi) development, Coetzenburg Sportfields, Erf 4 (De Zalze), and Enkanini are examples. In addition the Municipality must include its Jamestown and other "Integrated Human Settlements" and funded projects like the Klapmuts school sites on the Braemar Farm in Klapmuts.

9TH COUNCIL MEETING: 2017-05-31: ITEM 7.3.1

RESOLVED (majority vote with abstentions)

- (a) that Council approves the proposed amendments to the MSDF as it relates to the northern extension and Jamestown in **ANNEXURE 2** of the agenda item in the 2017/2018 IDP;
- (b) that further amendments as per **ANNEXURE 2** be considered as part of the new MSDF process in May 2018;
- (c) that Council takes note of the process followed thus far in amending the current MSDF as well as in preparing the new MSDF to be aligned and included in the IDP in 2018;
- (d) that the corrected MSDF be included in the 2017 IDP; and
- (e) that frequent updates of the progress made with the 2018 MSDF be submitted to Council.

Councillors F Adams; DA Hendrickse and LK Horsband (Ms) requested that their votes of dissent be minuted.

Meeting:	9 th Council meeting: 2017-05-31	Submitted by Directorate:	Planning & Economic Development
Ref No:	15/10	Author:	Manager: Spat. Planning, Heritage & Environ
Collab:	516629	Referred from:	Special Mayco: 2017-05-24

7.3.2	STELLENBOSCH MUNICIPALITY: DRAFT TELECOMMUNICATION MAST INFRASTRUCTURE POLICY
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1. PURPOSE OF REPORT

The purpose of this item is to obtain Council's in-principle approval for the Directorate to advertise a first draft Telecommunication Mast Infrastructure Policy for input and comment from the public, Interested and Affected Parties and industry.

The overarching object of this policy is to facilitate the growth of new and existing telecommunications systems and facilitate the provision of TMI in an efficient, cost-effective, environmentally appropriate and sustainable way.

2. BACKGROUND

DRAFT TELECOMMUNICATION MAST INFRASTRUCTURE POLICY

There is increasing importance of telecommunication to the growth of the economy. This is especially the case in Stellenbosch that has a strong emphasis on business services and information communication technology.

Rapid expansion of the telecommunications industry in recent years has resulted in an increasing demand for radio telecommunication services, and new technologies in the cellular phone industry. The location, siting and development of Telecommunication Mast Infrastructure (TMI) continues to be an issue of particular interest to both local communities and local government alike, with debate focusing on adequate availability of connectivity, visual amenity and public health.

Due to improvements in mobile devices (smart phones), the coverage that each mast is able to provide has shrunk. Thus there is continual need to provide more masts as coverage is lost - the distance between the masts is reducing.

Cell phones have become a part of many people's lives. It is increasingly used for daily social media, the internet, media and communication. However, with the increase in TMI in towns across the country concerns are raised regarding the safety of this technology and people are asking how safe these cellular masts are. Stellenbosch is recognised as a town of significant cultural and historic significance and heritage and is highly regarded for its environmental and scenic quality. Concerns raised by the public regarding the location and design of telecommunication mast infrastructure are therefore relevant.

This concern was acknowledged and included in the IDP and SDF which recommended that a policy be drafted to address the issues.

A meeting was held with industry towards the end of 2016 where the need to manage the proliferation, location and design of telecommunication mast infrastructure was discussed. At that meeting it was acknowledged that the policy that guides telecommunication mast infrastructure in the City of Cape Town (CoCT) was efficient and accepted as good practise.

Subsequently approval was obtained for CoCT to use their approved 2015 Telecommunication Mast Infrastructure Policy as a base to develop a local policy. A copy of the Stellenbosch Municipality: Draft Telecommunication Mast Infrastructure Policy is attached as **APPENDIX 1** to the report.

The Director: Planning and Economic Development further requested comment and advice from the Department of Environmental Affairs and Development Planning regarding applications received for the establishment of cellular and telecommunications masts and antennae. The Department's response is attached as **APPENDIX 2** to the report. One of the main concerns that are frequently raised is that of the possible health impacts of such infrastructure. Conflicting information and research creates concern and confusion regarding this important issue. From the attachment in the draft policy it was made clear that the Department of Health (DoH) applies the exposure guidelines published in 1998 by the International Commission on Non-Ionizing Radiation Protection ("ICNIRP") which is based on the official endorsement of the world Health Organisation. All communication base stations in South Africa are required to conform to the World health Organisation and National Health Department standards with regard to levels of electromagnetic radiation.

9th COUNCIL MEETING: 2017-05-31: ITEM 7.3.2

RESOLVED (majority vote with abstentions)

- (a) that the proposed Draft Telecommunication Mast Infrastructure Policy be noted;
- (b) that the Municipal Manager be requested to advertise the draft Telecommunication Mast Infrastructure Policy for public input and comments; and
- (c) that, after receiving and considering the input received, the policy be resubmitted to Council for consideration.

Meeting:	9 th Council meeting: 2017-05-31	Submitted by Directorate:	Planning & Economic Development
Ref No:	1/3/1/14 + 1/3/1/25 + 1/3/1/26	Author:	Manager: Spatial Plan, Heritage & Environ.
Collab:	516631	Referred from:	Special Mayco: 2017-05-24

7.4	FINANCIAL SERVICES: [CLLR S PETERS]
7.4.1	MEDIUM TERM REVENUE AND EXPENDITURE FRAMEWORK (MTREF) FOR THE FINANCIAL PERIODS 2017/2018 – 2019/2020

1. PURPOSE OF THE REPORT

The purpose of this report is three-fold:-

- (a) To consider the views/submissions of the local community in terms of Section 23(1)(a) of the Municipal Finance Management Act (Act 56 of 2003), herein after called the MFMA and to allow the Executive Mayor to respond to the views of the public as envisaged in terms of Section 23 (2) (a) and (b);
- (b) To approve the Medium Term Revenue and Expenditure Framework for 2017-2020, the prescribed appendices, property tax increases, tariffs and tariff structures and revisions to the Budget and related Policies (where appropriate) in terms of Section 17 (1) – (3) of the MFMA (Act 56 of 2003); and
- (c) that Council specifically note and consider the need to take up an external loans, needed for investment in income generating infrastructure to the tune of R240 million over the next 2 years of which R160 million will be required in year 1 and R80 million in year 2 (refer to Section 1.3: Executive Summary and Table A1 Budget Summary) and confirm approval of same in order for the Chief Financial Officer to attend to the necessary legislative requirements.

2. BACKGROUND

Section 23 of the MFMA (Act No 56 of 2003) prescribes to municipalities the process to be followed when the Annual Budget is tabled for approval, which is as follow:

- (1) *“The municipal council must consider any views of the local community, the National Treasury, the relevant Provincial Treasury and any provincial or national organs of state or municipalities which made submissions on the budget.*
- (2) *After considering all budget submissions, the council must give the mayor an opportunity—*
 - (a) *to respond to the submissions; and*
 - (b) *if necessary, to revise the budget and table amendments for consideration by the council.*

Annexure 1 to the Council Item for the Integrated Development Plan includes the input and comments received during the IDP and Budget Public Participation process.

9TH COUNCIL MEETING: 2017-05-31: ITEM 7.4.1

The Executive Mayor's Budget Speech is attached as an **ANNEXURE**.

Councillor DA Hendrickse raised his concern regarding the exclusion of the appendix relating to the relevant correspondence from the Sustainability Institute, which he submitted as part of the public inputs on the Draft Budget. The Speaker RULED that this appendix be included in the minutes (see attached **ANNEXURE**).

After having considered the views and input by the public, it was

RESOLVED (majority vote with abstentions)

- (a) that the High Level Budget Summary, as set out in **APPENDIX 1 – PART 1 – SECTION C**; be approved;
- (b) that the Annual Budget Tables as prescribed by the Budgeting and Reporting Regulations, as set out in **APPENDIX 1 – PART 1 – SECTION D**, be approved;
- (c) that the proposed Grants-In-Aid allocations as set out in **APPENDIX 1 – PART 2 – SECTION J**, be approved;
- (d) that the three year Capital Budget for 2017/2018, 2018/2019 and 2019/2020, as set out in **APPENDIX 1 – PART 2 – SECTION N**, be approved;
- (e) that the proposed rates on properties in WCO24, tariffs, tariff structures and service charges for electricity, refuse, sewerage and other municipal services, as set out in **APPENDIX 3**, be approved;
- (f) that Council not approve the water tariffs at the Council Meeting of May 2017, but that Council finalise these tariffs at the Council meeting at the end of June 2017 after the public opinion has been sought on the new proposed water tariffs;
- (g) that the proposed amendments to existing budget related policies and other policies as set out in **APPENDICES 4 - 29**, be approved;
- (h) that Council specifically note and consider the need to take up an external loan, needed for investment in income generating infrastructure to the tune of R240 million of which R160 million will be required in year 1 and R 80 million in year 2 (refer to Section G: High Level Budget Overview and Table A1 Budget Summary) and confirm approval of same;
- (i) that Council specifically take note of the fact that the proposed electricity charges and tariff structure is subject to NERSA approval that could change materially;
- (j) that Council takes note of MFMA circulars 85 and 86 that was published to guide the MTREF for 2017/2018 to 2019/2020 as set out in **APPENDICES 30 – 31**; and

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- (k) that Council takes note that the public comments and the submissions that were taken into account in the compilation of the final budget as contained in **ANNEXURE 1** attached to the IDP.

Councillors F Adams; DA Hendrickse and LK Horsband (Ms) requested that their votes of dissent be minuted.

Meeting:	9 th Council meeting: 2017-05-31	Submitted by Directorate:	Chief Financial Officer
Ref no:	5/1/1/2015/2016	Author:	Manager: Budget Office
Collab:		Referred from:	Special Mayco: 2017-05-24

7.5	HUMAN SETTLEMENTS: [CLLR PW BISCOMBE]
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NONE

7.6	INFRASTRUCTURE: [CLLR J DE VILLIERS]
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7.6.1	LEVEL 4 RESTRICTIONS AND ASSOCIATED TARIFFS
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1. PURPOSE OF REPORT

To inform Council about the current state of the drought, to propose accelerated measures to alter restrictions and to propose measures to complete a drought management plan.

2. BACKGROUND

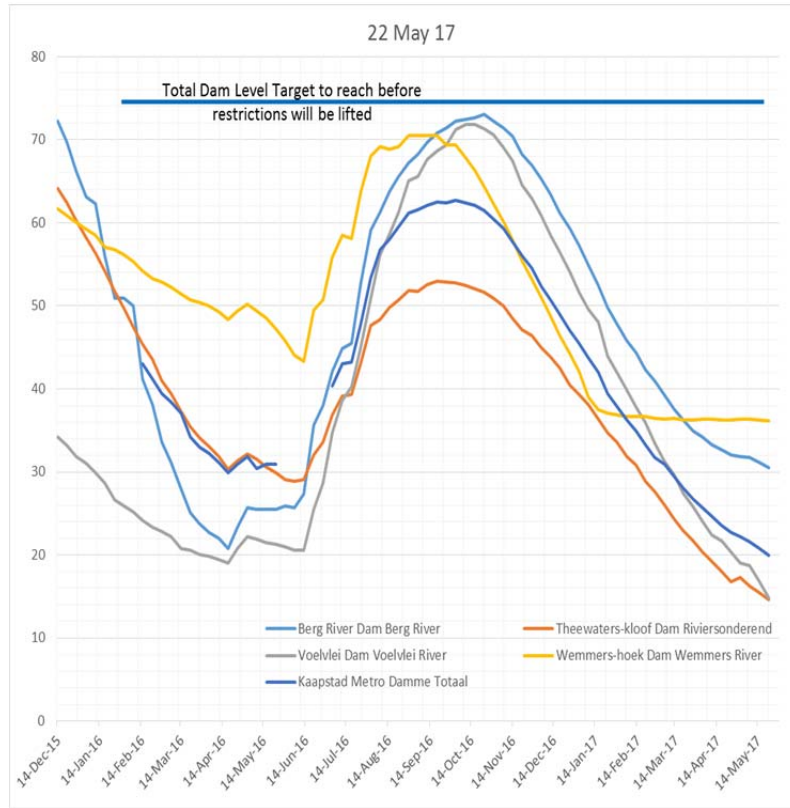
Severe drought conditions exist within and around the Cape Metropolitan Area. Stellenbosch falls within this area. The City of Cape Town, which provides 40% of the water needs of Stellenbosch, regularly imposed altering water restriction measures on curbing the consumption of water. Since Stellenbosch is so closely associated with Cape Town, it needs to follow similar impositions.

With currently very little rainfall and very high temperatures during summer, the supplies of water have reached critical levels. If the current rate of consuming water from all of the Metropolitan dams is used, the dams could dry up by July 2017. If the same rainfall is experienced as was the case in the 2016 winter, then the Cape Metropolitan area is certain to have no surface water available before the next rainfall season.

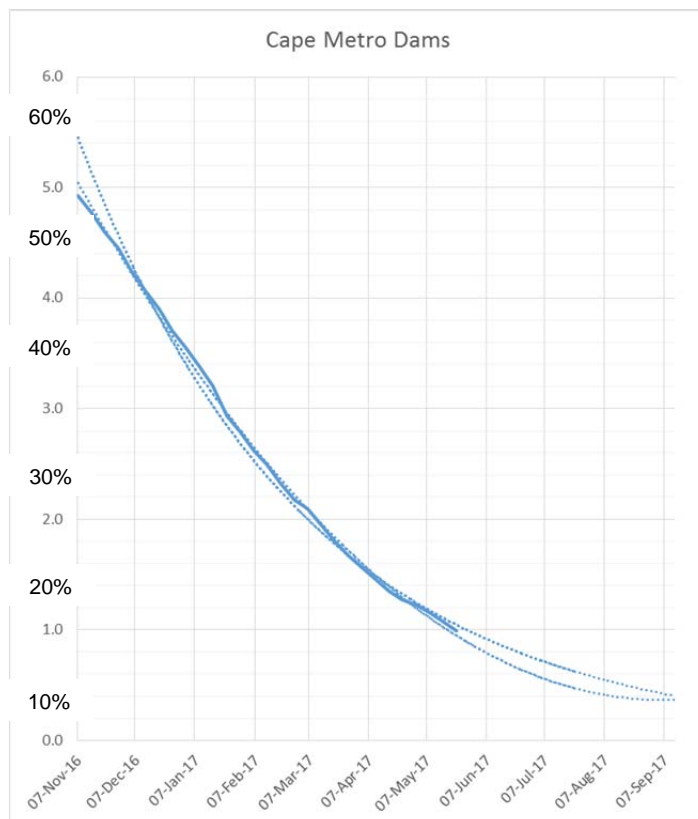
It is therefore very imported to react rapidly once restriction rules are changed. In the past all Western Cape Municipality would meet with Department of Water and Sanitation to discuss the situation. Those municipalities using water from the same dams would then decide on a set of restrictions to be introduced. Since Cape Town is by far the biggest consumer, the introductions of further restriction are based on the equivalent restrictions introduced by the City of Cape Town. Once the Council of the City has approved the restrictions they are then forwarded to smaller municipalities. The smaller municipalities would then only be able to get approval from their Councils one month later. Currently the adoption of any water restrictions is delegated to the Director: Engineering Services, but is hereby presented to MAYCO for deliberation.

The current state of major dam levels is stated below:

Graph A: Western Cape Major Dam Levels



Graph B: Total Cape Metro Dams Situation



As seen from the above there is 10% of usable water left. The average weekly consumption is 0.8%, which means the Cape Metro has a supply of water that will only last for another 11 weeks.

We expect to have sufficient rain to last us through the winter, but it has been determined that if we do not have a higher rainfall this winter (2017) than the last winter (2016) we will almost surely have no water left by April 2018. For this reason we need to save as much water as we possibly can, while we still have water to save.

Also note that the Department of Water and Sanitation has very recently announced water restrictions, Government Gazette NO. 413 of 10 May 2017, whereby all municipalities within the Western Cape must save a percentage of water:

“Therefore in my capacity as the Director General of the Department of Water and Sanitation, I hereby under delegated authority in terms of item 6 (1) of Schedule 3 read with section 72(1) of the Act, limit the taking of water from the WCWSS, based on the measured water demand for domestic, industrial and agricultural sectors as per the five (5) years' average for the period 2010/11 -2014/15 as follows:

- 1. At least 20% curtailment on all domestic and industrial water use In the aforementioned areas.***
- 2. At least 30% curtailment on all agricultural water use in the aforementioned areas.***
- 3. The limitation applies from the 1a March 2017.***
- 4. The Western Cape Provincial Head is directed to lift the water restrictions should the dams recover to above 85% of the total weighted bulk storage capacity before the next decision date in November 2017.***
- 5. The established system's annual operating analysis will be undertaken in November 2017 to determine the next season's annual operating rules and restrictions.”***

3. DISCUSSION

The target of 30% set by the Western Cape Municipalities together with Level 3 restrictions has only been introduced on 1 December 2016. The target has nearly been reached.

These measures are however not considered to be enough if the dropping of the levels of the dams are considered. Noting that there are effectively 9% of water left which means 11 weeks of water if no rain is received

3.1 Water Restrictions

The Department of Water and Sanitation together with all municipalities consuming water from the abovementioned dams have met at meetings to consider any further water restriction matters. Based upon the previous meeting Cape Town MAYCO has approved the following Level 4 Restrictions:

Table 3.1: Introduction of Level 4 Water Restrictions.			
Categories	Level 3b	Level 4 (City of Cape Town)	Level 4 (Proposed for Stellenbosch Municipality)
Irrigation with municipal drinking water	-Tuesday and Saturdays for an hour, before 09:00 or after 18:00 using a bucket or watering can -Prohibited within 48 hours of adequate-saturation rainfall Prohibited	Prohibited	Prohibited
Irrigation with non-potable water	-Strongly encouraged to follow same rules as potable water -Prohibited within 48 hours of adequate-saturation rainfall -To be used by City departments	-Strongly encouraged only on Tuesday and Saturdays before 09:00 or after 18:00 for an hour -Discouraged for 7 days after adequate-saturation rainfall -To be used by City departments	-Strongly encouraged only on Tuesday and Saturdays before 09:00 or after 18:00 for an hour -Discouraged for 7 days after adequate-saturation rainfall -To be used by Stellenbosch Municipal departments
Bathroom	No restriction	Flushing toilets with non-potable water (e.g. greywater or rainwater) encouraged	Flushing toilets with non-potable water (e.g. greywater or rainwater) encouraged
Water features	Use of municipal drinking water strongly discouraged	Use of municipal drinking water prohibited	Use of municipal drinking water prohibited
Swimming pools	-Manual top up only if fitted with pool cover -Use of portable play pools prohibited - Pool covers for public swimming pools strongly encouraged	-Top-up, filling or refilling prohibited - Use of portable play pools prohibited - Pool covers for public swimming pools strongly encouraged	-Top-up, filling or refilling prohibited - Use of portable play pools prohibited - Pool covers for public swimming pools strongly encouraged
Washing vehicles	- Commercial car wash industries must comply with industry best practice norms - Informal car washes to use only buckets and not hosepipes	- Prohibited with municipal drinking water - Car wash businesses may apply for exemption	- Prohibited with municipal drinking water - Car wash businesses may apply for exemption
Facilities	-Spray parks to be strictly managed -Golf courses, sports facilities, parks, schools and learning institutions are not allowed to establish new landscaping or sports fields, except if irrigated only with non-potable water	- Operation of spray parks prohibited -Golf courses, sports facilities, parks, schools and learning institutions are not allowed to establish new landscaping or sports fields, except if irrigated only with non-potable water	- Operation of spray parks prohibited -Golf courses, sports facilities, parks, schools and learning institutions are not allowed to establish new landscaping. Existing sports fields, shall not be irrigated with drinking water but may be irrigated only with non-potable water
Indigent water allocation	Free 350 litres	Free 350 litres	Free 350 litres
Overall consumption per person	No restriction	100 litres/person/day strongly encouraged	Limit of 100 litres/person/day strongly encouraged

The introduction of restrictions has been delegated to the Director: Engineering Services. As these restrictions will last longer than 30 days it is required to report such restrictions to MAYCO.

3.2 Introduction of Level 4 Water Tariffs as well as proposed amendment of proposed tariffs for the 2017/18 Financial Year.

Both City of Cape Town and Drakenstein Municipalities have introduced tariffs for the following levels of restrictions:

- a. Level 1 – 10% saving of water consumption required
- b. Level 2 – 20% saving of water consumption required
- c. Level 3 - 30% saving of water consumption required
- d. Level 4 - 40% saving of water consumption required

The Stellenbosch Municipal tariff proposal does not include Level 4 restrictions and some of the Level 3 restrictions are not stringent enough

An improved set of tariffs have been designed and they are shown below:

Table 3.2 Adjusted Water tariffs proposed				
Budget Year	2017/18			
	Level 1	Level 2	Level 3	Level 4
Consumer Class	10%	20%	30%	40%
Domestic				
0 to 6kl	R 4.90	R 4.90	R 4.90	R 4.90
> 6 to 20kl	R 7.06	R 7.91	R 8.86	R 10.00
> 20 to 40kl	R 11.94	R 14.83	R 18.42	R 38.00
> 40 to 60kl	R 18.83	R 27.20	R 40.00	R 100.00
> 61 to 80kl	R 25.59	R 39.77	R 185.00	R 215.00
>80kl	R 40.00	R 175.00	R 210.00	R 250.00
Domestic Cluster				
0 to 6kl	R 4.90	R 5.02	R 5.02	R 5.02
> 6 to 10kl	R 11.82	R 15.90	R 19.98	R 38.00
> 10kl	R 11.82	R 15.90	R 19.98	R 100.00
Business, Commercial and Industrial				
	R 15.64	R 26.30	R 36.97	R 50.00
Municipal Tariff and Domestic, Business & Commercial Leakages (above average from July 2016 to date).				
0 to 20kl	R 7.84	R 8.62	R 10.00	R 30.00
> 20 to 50kl				R 50.00
>50kl				R 100.00
MASO - kl per household				
0 to 24kl	R 1.11	R 2.14	R 3.17	R 15.00

> 24 to 40 kl	R 14.54	R 20.35	R 30.00	R 40.00
> 40 kl				R 72.00
Bulk Users				
0 to 2000kl	R 8.31	R 11.77	R 20.00	R 50.00
>2000kl	R 9.67	R 14.98	R 30.00	R 100.00

Highlighted sections are new bands and new tariffs proposed

3.3 Drought Management Plan

A drought management plan is currently being prepared to cater for all eventualities that could occur during extreme drought conditions. This includes subjects such as:

- a. Surveying and drilling of bore holes at strategic places.
- b. Equipping boreholes and connecting to the water networks
- c. Planning the delivery of water by road to various points of distribution
- d. Procurement and pre-arrangements of all necessary vehicles and equipment.
- e. Declaration of an emergency and the impact thereof. (The Western Cape Government has declared a State of Emergency)
- f. Confiscating sources of water within Stellenbosch such as private boreholes, swimming pools and dams.

4. LEGAL IMPLICATION

Delegation as adopted by Council on 24/06/2015.

To decide to:

- (a) *temporary restrict or discontinue the supply of water;*
- (b) *prohibit the use of water for specific purposes;*
- (c) *prohibit the use of water during specified hours of a day; and*
- (d) *prohibit the use of water in a specific manner; subject thereto that such decision will only have the force of law after the publication thereof in the media*
Director: Engineering Services

Where period of restriction exceeds 30 days, a report must be tabled at the next MAYCO meeting, for its information

In case of an emergency, where such restriction is unavoidable due to unforeseen maintenance related actions. Manager: Water Services

5. FINANCIAL IMPLICATION

It is not expected that any of the restrictions suggested will have a negative effect on the Stellenbosch Municipal finances in terms of the water purchases and water sales. Possible employment of temporary staff, to police water misuse, will have an impact on the salary budget.

Should the Drought Management Plan be adopted, certain financial impacts will be forthcoming.

9TH COUNCIL MEETING: 2017-05-31: ITEM 7.6.1

RESOLVED (majority vote with abstentions)

- (a) that this report be noted;
- (b) that the moving to the full set of water restrictions based on the equivalent of City of Cape Town water restrictions be supported (as shown in Table 3.1), as determined by the delegations, approved by Council on 24 June 2015;
- (c) that the amended water restriction tariffs shown in Table 3.2 be accepted as the new proposed set of tariffs for the 2017/2018 Financial year;
- (d) that these tariffs be advertised as required for public opinion;
- (e) that Council not approve the water tariffs at the Council Meeting of May 2017, but that Council finalise these tariffs at the Council meeting at the end of June 2017 after the public opinion has been sought on the new proposed water tariffs;
- (f) that the generation of a Drought Management Plan by the Directorate: Engineering Services be noted; and
- (g) that this Drought Management Plan be forwarded to MAYCO for consideration before 30 June 2017.

Councillor F Adams requested that his vote of dissent be minuted.

Meeting:	9 th Council meeting: 2017-05-31	Submitted by Directorate:	Engineering Services
Ref no:	16/1/6 x 5/17/8	Author	Director: Eng Services: D Louw
Collab:	516459	Referred from:	Special Mayco: 2017-05-24

7.7	PARKS, OPEN SPACES AND ENVIRONMENT: (PC: CLLR N JINDELA)
7.7.1	DRAFT INTEGRATED MANAGEMENT PLAN FOR JAN MARAIS NATURE RESERVE

1. PURPOSE OF REPORT

To obtain Council approval for the Draft Integrated Reserve Management Plan (IRMP) for Jan Marais Nature Reserve. **(APPENDIX 2)**

After Council approval final approval of the management plan is the responsibility of the Minister of Local Government.

2. BACKGROUND

Jan Marais Nature Reserve is a provincially declared local authority nature reserve and is governed by the National Environment Management Act: Protected Areas (NEMA: PAA, Act 57 of 2003) that contains the following set of requirements for Protected Area Management Plans.

Section 41 states that:

41 (1) The object of a management plan is to ensure the protection, conservation and management of the protected area concerned in a manner which is consistent with the objectives of this Act and for the purpose it was declared.

(2) A management plan must contain at least —

- (a) the terms and conditions of any applicable biodiversity management plan;
- (b) a coordinated policy framework;
- (c) such planning measures, controls and performance criteria as may be prescribed;
- (d) a programme for the implementation of the plan and its costing;
- (e) procedures for public participation, including participation by the owner (if applicable), any local community or other interested party;
- (f) where appropriate, the implementation of community-based natural resource management; and
- (g) a zoning plan of the area indicating what activities may take place in different sections of the area, and the conservation objectives of those sections.

(3) A management plan may also contain —

- (a) development of economic opportunities within and adjacent to the protected area in terms of the integrated development plan framework;

- (b) development of local management capacity and knowledge exchange;
 - (c) financial and other support to ensure effective administration and implementation of the co-management agreement; and
 - (d) any other relevant matter.
- (4) Management plans may include subsidiary plans, and the Minister or MEC may approve the management plan or any subsidiary plan in whole or in part.

In compliance with the provisions of Section 41 of the Act, management and development objectives for Jan Marais Nature Reserve are located in sections 5 and 8 of the IRMP.

9TH COUNCIL MEETING: 2017-05-31: ITEM 7.7.1

RESOLVED (majority vote with abstentions)

- (a) that Council adopts the Integrated Reserve Management Plan (IRMP) for Jan Marais Nature Reserve;
- (b) that the Integrated Reserve Management Plan (IRMP) for Jan Marais Nature Reserve, be submitted to the Minister of Environmental Affairs;
- (c) that it be noted that the parking of Jan Marais Nature Reserve will be relocated to the side of Merriman Street; and
- (d) that a public participation process be followed to establish a new board to replace the current board, whose appointment period has expired.

<i>Meeting:</i>	<i>9th Council meeting: 2017-05-31</i>	<i>Submitted by Directorate:</i>	<i>Community and Protection Services</i>
<i>Ref no:</i>	<i>9/1/2/3/5</i>	<i>Author</i>	<i>Acting Manager: Community Services</i>
<i>Collab:</i>	<i>509241</i>	<i>Referred from:</i>	<i>Mayoral Committee: 2017-05-17</i>

7.8	PROTECTION SERVICES: [PC: CLLR Q SMIT]
7.8.1	ADDITION OF SMOKE ALARM TO FIRE KIT

1. PURPOSE OF REPORT

To obtain approval from Council to include a photoelectric smoke detector as an addition to the current fire kit. This innovative technology is an added fire mitigation strategy. **(See APPENDIX 1).**

2. BACKGROUND

Stellenbosch has one of the oldest fastest growing informal settlements in the Western Cape with devastating and severe fires annually. In the Greater Stellenbosch Municipal Area we have approximately 26 informal areas and backyard dwellers with the biggest informal areas in Kayamandi, Langrug and Mandela City.

Many of these structures within the informal settlements were constructed without proper planning or any consideration of safety precaution. Due to the absence of proper infrastructure and safety measures, such as adequate spacing around the shacks and access roads, the communities have suffered unnecessary losses and damages to their belongings and in some cases fatalities were registered.

During the past 12 months approximately 259 informal structures were lost due to fires. The replacement costs incurred by Council, excluding the calculation of the expenses for manpower, food and the usage of council property, calculated to approximately well over R1,1 million.

9TH COUNCIL MEETING: 2017-05-31: ITEM 7.8.1

RESOLVED (nem con)

- (a) that Council approves in principle the addition of the smoke alarm to the existing fire kit;
- (b) that a Supply Chain Management process be followed to procure the smoke alarms; and
- (c) that an investigation be launched to do a phased implementation to all informal settlements, including the financial implications.

Meeting:	9 TH Council meeting: 2017-05-31	Submitted by Directorate:	Community and Protection Services
Ref no:	17/8/3/6	Author	Manager: Fire and Disaster Management
Collab:	513473	Referred from:	Mayoral Committee: 2017-05-17

7.8.2	FUNERAL PROCESSION ASSISTANCE
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1. PURPOSE OF REPORT

To obtain approval to change the “free funerals escort service” to a “paid-for” service so that the Traffic Department can appoint part time officials to maintain the service.

2. BACKGROUND

It is common practice to assist families of deceased members of the community by escorting funeral processions free of charge from church to the relevant graveyards, especially when a large number of people are expected at the service.

This practice became a convention in our municipal area although lately it was limited to two escorting duties per day.

Funerals are mostly done during weekends to accommodate working family and friends of the deceased and due to increased traffic congestion the onus to provide an escorting service is impacting negatively on the Traffic Department day to day operations.

The Greater Stellenbosch is blessed in with a large number of VIP's; be-it Academic, Business or Community Leaders and it will be extremely difficult to refuse some of these people the benefit of a procession.

In the majority of our communities' processions is viewed as the last respect and honour for the deceased by the living.

9TH COUNCIL MEETING: 2017-05-31: ITEM 7.8.2**RESOLVED** (nem con)

- (a) that the principle of a “pay-for” service for funerals be re-introduced; and
- (b) that the Director: Community and Protection Services approves all applications for funeral processions.

<i>Meeting:</i>	<i>9th Council meeting: 2017-05-31</i>	<i>Submitted by Directorate:</i>	<i>Community and Protection Services</i>
<i>Ref no:</i>	<i>5/17/3</i>	<i>Author</i>	<i>Head: Traffic Law Enforcement</i>
<i>Collab:</i>	<i>513480</i>	<i>Referred from:</i>	<i>Mayoral Committee: 2017-05-17</i>

7.8.3	DISASTER SECTOR PLAN
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1. PURPOSE OF REPORT

To provide a Sector Plan (**APPENDIX 1**) for disaster management, as prescribed by the Municipal Systems Act and as included in the IDP.

2. BACKGROUND

All Local Authorities are compelled by the Disaster Management Act to play a much more proactive and leading role with regard to the integration of Disaster Management in the Integrated Development Planning processes. For this purpose, knowledgeable capacity, competency and commitment at Local Authority level – as a support function for other lead agents (i.e. relevant Government Departments) – is considered crucially important to ensure environmental, social & economic sustainability.

9TH COUNCIL MEETING: 2017-05-31: ITEM 7.8.3**NOTED**

that the Sector Plan for Disaster Management, be noted.

<i>Meeting:</i>	<i>9th Council meeting: 2017-05-31</i>	<i>Submitted by Directorate:</i>	<i>Community and Protection Services</i>
<i>Ref no:</i>	<i>17/8/4</i>	<i>Author</i>	<i>Manager: Fire and Disaster Management</i>
<i>Collab:</i>	<i>513501</i>	<i>Referred from:</i>	<i>Mayoral Committee: 2017-05-17</i>

7.9	YOUTH, SPORTS AND CULTURE: [PC: XL MDEMKA (MS)]
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NONE

8.	CONSIDERATION OF REPORTS, COMMUNICATIONS, PETITIONS AND APPLICATIONS SUBMITTED BY THE MUNICIPAL MANAGER
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8.1	REVISION OF THE TOP LAYER SERVICE DELIVERY BUDGET IMPLEMENTATION PLAN (SDBIP) FOR THE 2016/17 FINANCIAL YEAR
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1. PURPOSE OF REPORT

To request a revision of the Top Layer Service Delivery Budget Implementation Plan (SDBIP) for the 2016/17 financial year by amending Key Performance Indicator descriptions (KPI); Unit of Measurements; and Source of Evidences.

2. BACKGROUND

The SDBIP for the 2016/17 financial year was approved on the 21 June 2016. The local government election of 3 August 2016 led to the establishment of a new Council. The establishment of Portfolio Committees impacted on the tabling of documented proof for some of the Key Performance Indicators (KPIs) stipulated in the SDBIP of the 2016/17 financial year.

In order to resolve the matter Council approved the adjustment of certain target dates to 30 June 2017 on the 25th of January 2017 (**APPENDIX 1**). It was anticipated that the submission of reports to the Portfolio Committees will suffice. The functioning of the Portfolio Committees has been adjusted and will require that the following of the Top Layers KPI's be adjusted by amending the description of the following, namely

- Key Performance Indicator (KPI);
- Unit of Measurement; and
- Source of Evidence

9TH COUNCIL MEETING: 2017-05-31: ITEM 8.1

RESOLVED (majority vote with abstentions)

that Council approves the amendment of the Key Performance Indicator descriptions (KPI); Unit of Measurements; and Source of Evidences as indicated in **APPENDIX 2**.

Meeting: Ref no: Collab:	9 th Council meeting: 2017-05-31 9/1/4/4	Submitted by Directorate: Author Referred from:	Office of the Municipal Manager Office of the Municipal Manager
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9.	MATTERS FOR NOTIFICATION
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9.1	REPORT BY THE EXECUTIVE MAYOR
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NONE

9.2	REPORT BY THE MUNICIPAL MANAGER
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9.2.1	MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FROM 01 APRIL UNTIL 30 APRIL 2017
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1. PURPOSE OF REPORT

To comply with Regulation 36(2) of the Municipal Supply Chain Management Regulations and Section 4.36.2 of the Supply Chain Management Policy 2016/2017.

2. BACKGROUND

Reporting the deviation as approved by the Accounting Officer for the period of 01 April until 30 April 2017. The following deviations were approved with the reasons as indicated below:

Deviation Number	Contract Date			Name of Contractor	Contract Description	Reason	Total Contract Price R
D/SM: 41/17	7	4	2017	CSX Customer services	Procurement from a selected provider	Service /Maintenance programmes must be put in place and Patron Counters must be installed at all Stellenbosch Libraries	R115750.65 vat incl.
D/SM: 42/17	10	4	2017	NOKHALA CLEANING SERVICES	Slabtown Fire 31 March 2017	Provision of food to individuals of Slabtown.	R29400.00 vat incl.
D/SM: 43/17	13	4	2017	JR Wendys cc	RELOCATION OF SLABTOWN (CLOETESVILLE) TO JAMESTOWN	Slabing residents relocated to Jamestown due to fire that destroyed their structures.	R369000.00 vat incl.
				Sanitech			R20000.00 vat incl.
							R30000.00 vat incl.
							R22500.00 vat incl.
D/SM: 45/17	28	4	2017	ZTANDIS (PTY) LTD	Deviation: Repairs to medium voltage cable feeder to Nuutgevonden development following an incident of theft and vandalism of the overhead line and cable	Medium voltage cable line and cable feeder to Nuutgevonden complex was vandalized and stolen	R185665.92 vat incl.

NOTED

that the deviations as listed above, be noted.

Meeting: 9 th Council meeting: 2017-05-31	Submitted by Directorate:	Finance Department
Ref no: 8/1/Financial	Author	Act Chief Financial Officer: A. Treurnich
Collab: 516691	Referred from:	

9.2.2	DECISIONS TAKEN BY DIRECTORATES IN TERMS OF DELEGATED AUTHORITY
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1. PURPOSE OF REPORT

To report to Council on the decisions taken by the Municipal Manager and Directors in terms of Council's System of Delegations for the period 3 January 2017 until 31 March 2017, in compliance with Section 63 of the Local Government: Municipal Systems Act read in conjunction with the System of Delegations as approved by Council.

2. BACKGROUND

Section 63 of the Local Government Municipal Systems Act 32 of 2000 reads as follows:

"A political structure, political office bearer, Councillor or staff member of a municipality to whom a delegating authority has delegated or sub delegated a power or duty, must report to the delegating authority at such intervals as the delegating authority may require, on decisions taken in terms of that delegated or sub-delegated power or duty since the last report."

9TH COUNCIL MEETING: 2017-05-31: ITEM 9.2.2**NOTED**

that the decisions taken for the period 03 January 2017 until 31 March 2017 by the following Section 56 Managers, be noted:

- Municipal Manager – Ms G Mettler (January 2017 – March 2017)
- Acting Director Strategic and Corporate Services – Mr V Bowers (January 2017 - March 2017)
- Acting Director Engineering Services – Mr M Wüst (March 2017)
- Director Community and Protection Services – Mr G Esau (January 2017 – March 2017)
- Chief Financial Officer – Mr M Wüst (January 2017 – February 2017)
- Acting Chief Financial Officer – Mr A Treurnich (February 2017 – March 2017).

Meeting :	9 th Council meeting: 2017-05-31	Submitted by Directorate	Office of the Municipal Manager
Ref no:	3/5/1/2	Author	Municipal Manager: (Ms G Mettler)
Collab:	516880	Referred from:	

10.	CONSIDERATION OF NOTICES OF QUESTIONS AND NOTICES OF MOTIONS RECEIVED BY THE SPEAKER
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10.1	QUESTION (1) BY COUNCILLOR DA HENDRICKSE: MEDI CLINIC HOSPITAL
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9TH COUNCIL MEETING: 2017-05-31: ITEM 10.1

It was noted that Councillor DA Hendrickse was not satisfied with the response and he posed a follow-up question, namely:

“What will Council do to individuals who approve major developments without the knowledge of Council.”

The Municipal Manager responded that the System of Delegations gives certain powers to the responsible Director to approve applications where there are limited objections on such applications.

Meeting:	9 th Council meeting: 2017-05-31	Submitted by Directorate:	Office of the Municipal Manager
Ref No:	3/4/1/4	Author:	Municipal Manager: (Ms G Mettler)
Collab:	491834	Referred from:	

10.2	QUESTION (2) BY COUNCILLOR DA HENDRICKSE: LEASES ENTERED INTO BY MUNICIPAL OFFICIALS WITHOUT A TENDER PROCESS/COUNCIL APPROVAL
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9TH COUNCIL MEETING: 2017-05-31: ITEM 10.2

It was noted that Councillor DA Hendrickse was not satisfied with the response and he raised a follow-up question, namely:

“What will the Municipal Manager do regarding the response the Official gave the Councillor, since it is expected of Councillors to submit questions 16 days before the date of the Council meeting?”

The Councillor’s comments were noted.

Meeting:	9 th Council meeting: 2017-05-31	Submitted by Directorate:	Office of the Municipal Manager
Ref No:	3/4/1/4	Author:	Municipal Manager: (Ms G Mettler)
Collab:	491834	Referred from:	

10.3	QUESTION (1) BY COUNCILLOR F ADAMS: POLICY ON PLACE NAMING, STREET NAMING, RENAMING AND NUMBERING
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9TH COUNCIL MEETING: 2017-05-31: ITEM 10.3

Before Councillor F Adams could speak on his question, Councillor PW Biscombe, on a point of clarity, alluded to Rule 21.4 of the Rules of Order By-law, which states as follows:

“No member may re-submit a question(s) relating to any matter if that (those) question(s) was (were) considered during the previous three (3) months.”

The Speaker **RULED**

that because a Motion regarding the Policy on Street Naming was dealt with at the previous Council meeting, this question not be further entertained.

Meeting:	9 th Council meeting: 2017-05-31	Submitted by Directorate:	Office of the Municipal Manager
Ref No:	3/4/1/4	Author:	Municipal Manager: (Ms G Mettler)
Collab:	517075	Referred from:	

10.4	QUESTION (2) BY COUNCILLOR F ADAMS: KREEFGAT/BLAAUWKLIPPEN
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9TH COUNCIL MEETING: 2017-05-31: ITEM 10.4

It was noted that Councillor F Adams was not satisfied with the response on his question, but did not pose a follow-up question.

The Speaker **RULED**

that because the matter was dealt with [In-Committee] at the previous Council meeting, the question not be further entertained.

Meeting:	9 th Council meeting: 2017-05-31	Submitted by Directorate:	Office of the Municipal Manager
Ref No:	3/4/1/4	Author:	Municipal Manager: (Ms G Mettler)
Collab:	517075	Referred from:	

11.	URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER
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NONE

12.	CONSIDERATION OF URGENT MOTIONS
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NONE

13.	CONSIDERATION OF REPORTS
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13.1	CONSIDERATION OF REPORTS SUBMITTED BY THE SPEAKER
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13.1.1	REPORT ON THE FILLING OF VACANCIES ON WARD COMMITTEES
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1. PURPOSE OF REPORT

To report to Council regarding the filling of vacancies on ward committees within the Stellenbosch Municipal area and making recommendations in respect of the way forward.

2. BACKGROUND

Council at its 2nd Meeting held on 2016-10-05, resolved:

- “(a) that Council notes that, in terms of Section 73 of the Municipal Structures Act, Ward Committees must be established for each ward;*
- “(b) that, in terms of the Municipality’s System of Delegations (72-75), Council designates the Speaker to facilitate the establishment of Ward Committees in line with the provisions and stipulations of the Municipal Structures Act and Council’s policy for the establishment of Ward Committees; and*
- “(c) that the Speaker reports back to Council by the end of January 2017 on the progress of the establishment of the Ward Committees”.*

A further report was submitted to the 3rd Council meeting, dated 2016-10-26, where it was resolved as follows:

- “(a) that Council approves the recommendation that all ward committees be established according to the geographical electoral system in line with the consultation that was done with Ward Councillors on 17 October 2016;*

- (b) *that Council takes note of the policy guidelines and procedures, as well as the communication activities and timelines outlined above; and*
- (c) *that the election of ward committees may commence during the week of 12 January 2017”.*

9TH COUNCIL MEETING: 2017-05-31: ITEM 13.1.1**RESOLVED** (majority vote)

- (a) that the filling of vacancies in the wards as indicated in **Table 1** above, be noted;
- (b) that a process of co-option be embarked upon to fill the vacancies on the wards where same exist;
- (c) that the filling of said vacancies be done in line with Clauses¹ 15(2) and 15(3) of Council Policy relating to the co-option of members;
- (d) that the members to be co-opted to fill the existing vacancies as contemplated in (b) above, be allowed voting rights and enjoy the same status as the members duly elected; and
- (e) that ward committees be allowed to co-opt members of the public as and when needed, e.g. people with expertise in specific fields, without any voting rights.

Meeting:	9th Council meeting:2017-05-31	Submitted by Directorate:	Office of the Speaker
Ref No:	3/3/1/1	Author:	Senior Admin Officer: Office of the Speaker
Collab:		Referred from:	

¹ Clause 15(2) stipulates that:

“... the ward committee may by a majority vote of the members present, fill the vacancy through a process of co-optation”.

Clause 15(3) further dictates:

“The intention to fill a vacancy through a process of co-optation must be placed on the ward committee’s agenda beforehand, which agenda must be circulated to members at least 7 days before the meeting”.

13.2	CONSIDERATION OF REPORTS SUBMITTED BY THE EXECUTIVE MAYOR
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NONE

14.	MATTERS TO BE CONSIDERED IN-COMMITTEE
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(SEE PINK DOCUMENTATION)

The meeting adjourned at 14:50.

CHAIRPERSON:

DATE:

Confirmed on with/without amendments.