

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.
							R20000.00 vat incl.
				Sanitech			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.

FOR NOTING

the deviations as listed above.

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."

3. DISCUSSION

In view of the legislative stipulations, attached as **APPENDIX 1** is a summary of unique decisions taken by each Directorate as described. The report is for noting purposes.

Due to the legislative nature of Land Use Management, the Directorate Planning and Economic Development will submit a separate report to Council with regards to delegations executed.

Please note that these delegations only indicate the delegations exercised that were delegated by Council to the various Senior Managers.

4. COMMENTS BY RELEVANT DEPARTMENTS

No comments were solicited from departments.

FOR NOTING

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

- 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:	

DELEGATIONS EXERCISED FOR PERIOD 4 JANUARY 2017

MUNICIPAL MANAGER : G METTLER

DATE	Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
5 Jan 2017	633	HR	Acting authorisation : W Pretorius (Jan 2017) acting Director Engineering Services	5 Jan 2017	5 Jan 2017	Approved
6 Jan 2017	270	SCM Regs	Deviation : Rental of Mobile belt press (emergency) Stellenbosch WWTW R1 004 6000	6 Jan 2017	6 Jan 2017	Approved
10 Jan 2017	Scm Reg 6(2) (a) (i); 6 (3) SCM Regs	SCM	Supply Chain Management Implementation Report 2 nd Quarter	10 Jan 2017	10 Jan 2017	Approved by MM
10 Jan 2017	54	SCM	Investigation into Allegation of abuse, fraud corruption, irregular practices or failure to comply with the SCM policy B/SM 201/16 - request for service provider for investigation	10 Jan 2017	10 Jan 2017	Approved, to be submitted to Head SCM for appointment of service provider
11 Jan 2017	257	SCM Regs	Rescind of Award made on Bid BSM6/17 Cleaning of CBD Area in Stellenbosch	12 Jan 2017	12 Jan 2017	Approved
12 Jan 2017	54	HR	Appointment of Service Provider : Allegation of Serious Misconduct – Forensic Investigation	12 Jan 2017	12 Jan 2017	Approved
16 Jan 2017	150	MFMA S54-S71 report	S71 report – Monthly reporting December 2016	16 Jan 2017	16 Jan 2017	Approved
17 Jan 2017		Ward Committee	MOU Ward Committee Establishment – Stellenbosch Municipality and IEC	17 Jan 2017	17 Jan 2017	Approved
18 Jan 2017		ICT	Service Level Agreement – Consolidated African Technologies and Stellenbosch Municipality (1 Jan 2017 – 30 June 2018)_– extension of Contract as per council resolution	18 Jan 2017	18 Jan 2017	Concluded
18 Jan 2017		ICT	Service Level Agreement – Ignite and Stellenbosch Municipality (1 Jan 2017 – 30 June 2018) – extension of	18 Jan 2017	18 Jan 2017	Concluded

			contract as per council resolution			
18 Jan 2017		ICT	Service Level Agreement – BYTES and Stellenbosch Municipality (1 Jan 2017 – 30 June 2018)– extension of contract as per council resolution	18 Jan 2017	18 Jan 2017	Concluded
18 Jan 2017		ICT	Service Level Agreement – IMQS and Stellenbosch Municipality (1 Jan 2017 – 30 June 2018)– extension of contract as per council resolution	18 Jan 2017	18 Jan 2017	Concluded
18 Jan 2017		ICT	Service Level Agreement – Business Engineering and Stellenbosch Municipality (1 Jan 2017 – 30 June 2018)– extension of contract as per council resolution	18 Jan 2017	18 Jan 2017	Concluded
18 Jan 2017		ICT	Service Level Agreement – Payday and Stellenbosch Municipality (1 Jan 2017 – 30 June 2018)– extension of contract as per council resolution	18 Jan 2017	18 Jan 2017	Concluded
18 Jan 2017		ICT	Service Level Agreement – SMS ICT Choice and Stellenbosch Municipality (1 Jan 2017 – 30 June 2018)– extension of contract as per council resolution	18 Jan 2017	18 Jan 2017	Concluded
18 Jan 2017		ICT	Service Level Agreement – ABC Services and Stellenbosch Municipality (1 Jan 2017 – 30 June 2018)– extension of contract as per council resolution	18 Jan 2017	18 Jan 2017	Concluded
18 Jan 2017		ICT	Service Level Agreement – Avalon Technology Group and Stellenbosch Municipality (1 Jan 2017 – 30 June 2018)– extension of contract as per council resolution	18 Jan 2017	18 Jan 2017	Concluded
18 Jan 2017		ICT	SLA for Multifunctional Printers between PBS and Stellenbosch Municipality for 24 months	18 Jan 2017	18 Jan 2017	Concluded
19 Jan 2017		Budget	Investment Authorisation, MFMA S 11(1) –	19 Jan 2017	19 Jan 2017	Approved
19 Jan 2017	270	SCM Regs	Deviation Tree Damage Urgent Measures: Kayamandi, Zone I 108 R19 950	19 Jan 2017	19 Jan 2017	Approved
19 Jan 2017		SCM	Appointment of Member of the BSC : Effective from 17 Jan 2017 – J van Wyk – S.60 MFMA	19 Jan 2017	19 Jan 2017	Approved
19 Jan 2017		SCM	Appointment of Member of the BEC : Effective from 17 Jan 2017 – J van Wyk – S.60 MFMA	19 Jan 2017	19 Jan 2017	Approved
19 Jan 2017		SCM	Deviation Genadendal Jackies Bazaar – R4 000 per day / truck – Not approved	19 Jan 2017	19 Jan 2017	Not approved
23 Jan	150	S.72 MFMA	Mid Year Budget and Performance Assessment – 1 July 2016	23 Jan	23 Jan	Approved

2017			– 31 December 2016	2017	2017	
23 Jan 2017	150	S.52 MFMA	Quarterly Budget Monitoring report – 2 nd quarter 2016/2017	23 Jan 2017	23 Jan 2017	Approved
24 Jan 2017		SCM	Tender B/SM 80/16 and B/SM 81/16 : Objections by FAD Forensic Technologies – Noting objection.	24 Jan 2017	24 Jan 2017	Signed off
25 Jan 2017		SDBIP	SDBIP Monthly report for the Month of December 2016	25 Jan 2017	25 Jan 2017	Approved
25 Jan 2017	647	HR	Investigation – Allegation of Misconduct / Upliftment of Suspension – Mr V Zwelendaba	25 Jan 2017	25 Jan 2015	Resolved
30 Jan 2017		Library Services	Memorandum of Agreement on the Community Library Services Grant – Department of Cultural affairs and Sport and Stellenbosch Municipality – Groendal Library project – R 2 000 000	30 Jan 2017	30 Jan 2017	Concluded
30 Jan 2017	150	MFMA s.72; MFMA s.28	Adjustments Budget – January 2017	25 Jan 2017	25 Jan 2017	Approved
30 Jan 2017		ICT	Extension of current ICT contracts – Printer contracts – Pinnacle Business Solutions	30 Jan 2017	30 Jan 2017	Concluded
30 Jan 2017		SCM	Addendum to Termination Agreement – Jamestown Bulk Services Phase 2A : Construction of Paradyskloof to Jamestown Water Supply Pipeline	30 Jan 2017	30 Jan 2017	Approved

DELEGATIONS EXERCISED FOR PERIOD FEBRUARY 2017

MUNICIPAL MANAGER : G METTLER

DATE	Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
01 Feb 2017	174	Insurance	Insurance Claim – Mrs Paulsen – 35 Raziet Street- main water pipe burst – R185 650 – R202 730	01 Feb 2017	01 Feb 2017	Approved
01 Feb 2017		Performance Management	Performance Agreement 1 Jan 2017 - 30 June 2017 – Geraldine Mettler	01 Feb 2017	01 Feb 2017	Approved
02 Feb 2017		Conditional Grant	2 nd Quarter – Conditional Grants transferred from National Departments and Actual Payments made by Municipality; Statement of Capital and Operating Expenditure 2 nd quarter; Borrowing Monitoring for 2 nd Quarter	02 Feb 2017	02 Feb 2017	Approved
03 Feb 2017		SCM	Appointment of a Service Provider on the Legal Panel to Provide Legal Opinion regarding the Provision of Basic Services on Farms	03 Feb 2017	03 Feb 2017	Approved
03 Feb 2017	D287	LED	Approval for free office space at Kayamandi Economic and Tourism Corridor for Community Works Programme	03 Feb 2017	03 Feb 2017	Approved
06 Feb 2017		Finance, MFMA Circular 51	Public Private Partnership for Stellenbosch municipal office accommodation	06 Feb 2017	06 Feb 2017	Approved
06 Feb 2017			Memorandum of Agreement – Western Cape Government via its Provincial Treasury and Stellenbosch Municipality – R720 000 – External bursary programme	06 Feb 2017	06 Feb 2017	Approved
08 Feb 2017		SCM	Appointment of Legal Service Provider – Legal Panel – Tender B/SM 86/15 Jamestown	08 Feb 2017	08 Feb 2017	Approved
08 Feb 2017		MOA	MOA – Stellenbosch and Stellenbosch Animal Welfare – R119 500	08 Feb 2017	08 Feb 2017	Approved
08 Feb 2017		SCM	Continuation of Ixia Architects as project Manager for Beautification of Main Routes Meulplein Water Feature	08 Feb 2017	08 Feb 2017	Approved
09 Feb 2017		HR	SLA Stellenbosch Municipality and AGITOMINDS	09 Feb 2017	09 Feb 2017	Signed

10 Feb 2017		MOA	MOA – Stellenbosch Municipality and Franschhoek SPCA – R160 000	10 Feb 2017	10 Feb 2017	Approved
10 Feb 2017		Property Management	Land availability agreement : Development of 23 erven in Mooiwater : Minx Trade 42 (PTY) Ltd	10 Feb 2017	10 Feb 2017	Approved
13 Feb 2017	633	HR	Acting appointment and acceptance of Acting mandate – Vernon Bowers as Acting Director Strategic and Corporate – January 2017	13 Feb 2017	13 Feb 2017	Approved
13 Feb 2017	633	HR	Acting appointment and acceptance of Acting mandate – Vernon Bowers as Acting Director Strategic and Corporate – February 2017	13 Feb 2017	13 Feb 2017	Approved
13 Feb 2017	633	HR	Acting appointment and acceptance of Acting mandate – B Mkaza as Acting Director Strategic and Corporate – 28 December – 11 January 2017	13 Feb 2017	13 Feb 2017	Approved
14 Feb 2017	495	Property Management	Power of Attorney to Pass Transfer – The United Methodist Church of South Africa	14 Feb 2017	14 Feb 2017	Approved
15 Feb 2017	495	Property Man	Signing of 22 Deeds of Sales : Jamestown Subsidy Housing Project – erven 971, 972, 974, 976, 977, 980, 1016, 1015, 1065, 1073 1084 1085 1089 1094 1095 1096 1098 1099 1102 1104 1106 1107	15 Feb 2017	15 Feb 2017	Approved
15 Feb 2017	633	HR	Acting Director Strategic and Corporate Service – 1 Feb – 31 March 2016 – V Bowers	15 Feb 2017	15 Feb 2017	Approved
15 Feb 2017	633	HR	Acting Director Engineering Services 15 Feb – 31 March 2017; M Wust	15 Feb 2017	15 Feb 2017	Approved
15 Feb 2017	495	Property Management	Signing of Deed of Sale of ERf 1181, 14 th Close, 15Ha, Kayamandi	15 Feb 2017	15 Feb 2017	Approved
16 Feb 2017	537	Property Management	Application for cession and assignment of lease for remaining period of 1 year and 10 months : Sandwon Motor Holding (Pty) Ltd : Erf 52, Stellenbosch	16 Feb 2017	16 Feb 2017	Approved
16 Feb 2017		SCM regs	Supply and Delivery of Electrical Equipment and Materials until 30 June 2019 B/SM 1/17	16 Feb 2017	16 Feb 2017	Approved
16 Feb 2017		SCM Regs	Minutes of BAC 10 Feb 2017 Supply and Delivery of Electrical Equipment and Materials until 30 June 2019 BSM 1/17 – project expected to be above R10mil	16 Feb 2017	16 Feb 2017	Approved
16 Feb 2017	495	Property Management	Signing of Deed for Sale of Erven in Klipmuts – 821 854 859 864 880 898 932 942 1001 1009 1038 1084	16 Feb 2017	16 Feb 2017	Approved

			1098 1120			
17 Feb 2017	270	SCM Regs	Deviation – Eikestad Mall Office Furniture	17 Feb 2017	17 Feb 2017	Approved
17 Feb 2017		Property Management	Request for a single source selection (Confirmation of Appointment) : Appointment of Architect for the design of the Klapmuts Multi Purpose Centre – Total cost of R451 239.90	17 Feb 2017	17 Feb 2017	Approved
17 Feb 2017		SCM Policy 4.16.2	Request for approval in terms of Clause 4.16.2 of council's Supply Chain Management Policy : Closure date for the submission of bids which is less than the 30 days requirement.	17 Feb 2017	17 Feb 2017	Approved
20 Feb 2017	633	HR	Acting CFO – Andre Treurnich 20 Feb 2017 – 31 March 2017	20 Feb 2017	20 Feb 2017	Approved
20 Feb 2017	495	Property Management	Power of Attorneys for Erven 2659, 2719, 2721, 2817, 2910 and 2965 Watergang, Kayamandi	20 Feb 2017	20 Feb 2017	Approved
22 Feb 2017	47 (a)	SCM	Legal opinion – Complaint / objection received against the award of Tender B/SM 10/17	22 Feb 2017	22 Feb 2017	Approved
22 Feb 2017	47 (a)	SCM	Legal opinion – Complaint /objection received against the award of Tender B/SM 04/17	22 Feb 2017	22 Feb 2017	Approved
22 Feb 2017			MOA – Cape Winelands District and Stellenbosch Municipality – R300 000 for hosting of Cultural Events	22 Feb 2017	22 Feb 2017	Approved
22 Feb 2017		HR	Disciplinary Hearing Record : Mr E Cyster 16 February 2017 – Hearing to continue	22 Feb 2017	22 Feb 2017	Approved
23 Feb 2017	495	Property Man	Signing of 12 Deeds of Sales : Various erven in Le Roux, Franschoek – erven 387, 465, 470, 472, 1171, 1172, 1173, 1232, 1234, 1236, 1237, 1238	22 Feb 2017	23 Feb 2017	Approved
23 Feb 2017	495	Property Man	Signing of 11 Deed of Sales : Erven in Klapmuts	22 Feb 2017	23 Feb 2017	Approved
23 Feb 2017			MOA between CWDM and Stellenbosch Municipality re bare ground in Technopark Stellenbosch (Hosting cultural events and labourers can enjoy meals and off-time	22 Feb 2017	23 Feb. 17	Approved
23 Feb 2017	270	SCM Regs	Deviation Continuation of Royal haskoning DHV as consultants for extension of Wemmershoek waste water treatment works and associated pipelines	22 Feb 2017	23 Feb 2017	Approved
27 Feb 2017		Planning	Quarter 2 Report : EPWP	27 Feb 2017	27 Feb 2017	Approved

DELEGATIONS EXERCISED FOR PERIOD MARCH 2017

MUNICIPAL MANAGER : G METTLER

DATE	Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
06 March 2017	505; 506	Property Management	Addendum : Kayamandi Construction of 277 Temporal Houses – WC Department of Humans Settlements and Stellenbosch Municipality – Reduction of the Project from 295 – 277 Sites Watergang Phase 2 Housing Project	06 March 2017	06 March 2017	Approved
06 March 2017	270	SCM REGS	Deviation – Dredging and Sludge Removal From Wemmershoek Maturation Pond – Guerrine Marine Construction CC R581 000	06 March 2017	06 March 2017	Approved
06 March 2017		SCM	Appointment Legal Service Provider Litigation – Stellenbosch Municipality Illegal Occupation of Council Owned building on Erf 26, Kayamandi by Siyazama CP Construction	06 March 2017	06 March 2017	Approved
06 March 2017		SCM	Appointment of a Service Provider on the Legal Panel to stop the illegal building work and to institute legal proceedings against the owners/occupiers of erf 4691 Stellenbosch	06 March 2017	06 March 2017	Approved
06 March 2017		SCM	Appointment of a Service Provider on the Legal Panel to stop the illegal building work and to institute legal proceedings against the owners/occupiers of erf5262 Cloetesville, Stellenbosch	06 March 2017	06 March 2017	Approved
06 March 2017	505; 506	Property Management	13 Sales Agreements for the Meduim Cost Housing Project (Faire Donne Estate) in Franschoek : Erven 3403, 3406, 3410, 3413, 3417, 3418	06 March 2017	06 March 2017	Approved
07 March 2017		Legal	Appointment of Legal Service Provider : Stellenbosch Municipality/Gerhard Johannes Morris and all those who occupy flat number 111 Lavanda, Jan Cilliers, Stellenbosch	07 March 2017	07 March 2017	Approved –to provide nuisance report before proceeding

07 March 2017		Legal	Appointment of Legal Service Provider : Stellenbosch Municipality/Lee-Anne Chantel Hosten who occupy flat number 108 Aurora, Jan Cilliers street, Stellenbosch	07 March 2017	07 March 2017	Approved –to provide nuisance report before proceeding
07 March 2017	498	Property Management	Willy Ernst Koch and Other // Joleen Rachel Fortuin and Others Case Number : 710/16 – Application for eviction	07 March 2017	07 March 2017	Approved
07 March 2017	533	Property Management	Signing of 6 Sales Agreements : Faire Donne Estate, Franschoek Medium Cost Housing Project erf 3389, 3394, 3395, 3400, 3426, 3433	07 March 2017	07 March 2017	Approved
07 March 2017			MOA – Provincial Treasury and Stellenbosch Municipality – R220 000 Improved internal and External reporting on financial and non-financial performance. mSCOA implementation process	07 March 2017	07 March 2017	Approved
07 March 2017		HR	Monthly Claim : Dupre Lombaard January 2017 ; February 2017	07 March 2017	07 March 2017	Approved
07 March 2017		HR	Travel and Congress approval – Legal briefing Land Use Planning By-Law PP – Atterbury House – D Lombaard	07 March 2017	07 March 2017	Approved
08 March 2017		IHS	Nicolette Colleen van Wyk in Her capacity as the masters representative in the Estate of the late Johanna Frederika de Montilee // Mr Fredericks and others – Case no 1639/16	08 March 2017	08 March 2017	Approved
08 March 2017	505; 506	Property Management	Addendum : Kayamandi – Construction of 277 Temporal Houses	08 March 2017	08 March 2017	Approved
08 March 2017		Property Management	Signing of the Settlement Agreement of Josef Minkowitsch	08 March 2017	08 March 2017	Approved
08 March 2017	505;506	Property Management	Transfer of Various Erven in Kayamandi ERf 1214 and 1215	08 March 2017	08 March 2017	Approved
08 March 2017	533	Property Management	Sales Agreement Erf 3395, Franschoek	08 March 2017	08 March 2017	Approved
08 March 2017		Informal Settlements	Sarah Maunna Isaacs and Another // David Isaacs & Others Stellenbosch Magistrates Court Case no 2602/16	08 March 2017	08 March 2017	Approved
08 March 2017	495	Legal	Signing of Deed of Sale of Erf 1709 Costaland, Kayamandi	08 March 2017	08 March 2017	Approved
08 March 2017	495	Legal	Signing of Deed of Sale of Erf 2696 Watergang, Kayamandi	08 March 2017	08 March 2017	Approved

08 March 2017		Planning	Application for Admission of Guilt Fines into the Criminal Procedure Act into Land Use Planning By-Law and non-compliance with the National Building regulations and Building standards act	08 March 2017	08 March 2017	Approved
08 March 2017		BAC	BAC Variation order B/SM 27/16 – Upgrading of the Klapmuts Waste Water Treatment Works	08 March 2017	08 March 2017	Approved
09 March 2017	674	OHS	<p>Assignment of Duties in Terms of Section 17(1) of the Occupational Health and Safety Act No.85 of 1993:</p> <p>Fire Services :</p> <p>Ms V Collins Mr Henry Davy Mr W Wiese Mr F Peceur Mr M Rodgers Mr M Mbombo</p> <p>Traffic :</p> <p>Mr T Gilbert Mr S Mzili Mr K Alkaster Mr C Smit Mr B Bester Ms H Qutywa Ms D Charles Ms I Marcus Ms L Visser Mr N Bolitshi</p> <p>Libraries</p> <p>Mr B King Mr M Molefe Ms B Luiters</p> <p>Finance :</p>	08 March 2017	08 March 2017	Approved

			<p>Mr J Kene Ms E Standaar</p> <p>Housing : Mr R Poole Ms P Matyatya</p> <p>Engineering: Mr S Dyubele Mr R Visagie Mr J Booinzaaier Mr G Abrahams Mr C Wenn Mr S Ndeleleni Mr V Bhaduza Mr S Dyidi Mr P Sandile Mr A Williams Mr B Botha Mr K Visagie Mr H Benjamin Mr P Adendorf Mr A Muller Mr S Pekeur Mr I Boonzaaier Mr I Daniels Mr D Cupido Ms R Anthony Mr C Gouws Mr P File Mr F Alexander Mr K Basiwana Mr I Bailey Mr S Mxokozeli Ms M Lingela</p>			
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08 March 2017		HR	Travel Approval D Lombaard – Emperors Palace, Kempton Park, Gauteng Province – Invitation to the Local Government Tourism Conference – D Lombaard	08 March 2017	08 March 2017	Approved
09 March 2017		Finance	Payment for Audit Committee Members – R Gani, NL Mortimer, J Fairbairn	09 March 2017	09 March 2017	Approved
13 March 2017	270	SCM Regs	Deviation – Request for urgent sale due to potential loss of income due to Forest Fire (Botmaskop Plantation) R602.00 / m ³	13 March 2017	13 March 2017	Approved
13 March 2017		Legal Services	Stellenbosch Municipality / The illegal occupants occupying Torrey Avenue, Jamestown, Stellenbosch – Request for legal service provider	13 March 2017	13 March 2017	Approved
13 March 2017	495	Legal Services	Signing of Deed of Sale of erf 2714 Watergang, Kayamandi	13 March 2017	13 March 2017	Approved
13 March 2017		HR	Travel approval – M Wust and A Treurnich CFO Forum, Le Franschhoek Hotel, Franschhoek – 17 March 2017	13 March 2017	13 March 2017	Approved
14 March 2017		HR	Approval of Internal Bursaries (Reimbursement) : Studies completed in 2016 12 applications.	14 March 2017	14 March 2017	Approved ; all bursary applicants comply with policy, late applications will be considered in a separate report
14 March 2017	270	SCM regs	Deviation : Appointment of Service providers to maintain and Clean the Public Ablution facilities in designated Informal Settlements in the WC024 area – R146 820.16 and R59 740 pm	14 March 2017	14 March 2017	Approved; essential service and bids non-compliant resulted in non-appointment, deviation for 6 months only. New tender process should be followed

						immediately
14 March 2017		Legal	Respondent Affidavit – Condonation Application – Johan van Wyk and Stellenbosch Municipality	14 March 2017	14 March 2017	Signed
14 March 2017	633	HR	Acting Engineering Services – M Wust – No Financial Implication	14 March 2017	14 March 21017	Not approved
14 March 2017		Budget	NT Monthly report – FMG Dora – February 2017	14 March 2017	14 March 2017	Signed off
14 March 2017		Legal	BRUCE McDAIRMID JEFFEREY N.O & OTHERS // ADAM SEPTEMBER & OTHERS STELLENBOSCH MAGISTRATES COURT CASE NUMBER: 22001/16	14 March 2017	14 March 2017	Signed
14 March 2017	270	SCM regs	Deviation : Kayamandi Construction of 17 Houses – R2 171 087	14 March 2017	14 March 2017	Approved ito attached contract with provincial department of Human Settlements signed off on 13 Feb 2017 by Municipality
14 March 2017		SCM regs	Additional Bulk SMS services from Existing NT Transversal Contract RT15-2016 – Addition of Bulk SMS services as part of the existing APN contract also procured via the transversal contract RT15-2016.	14 March 2017	14 March 2017	Approved
14 March 2017		SPLUMA	Appeal ito Section 79 (2) of the Stellenbosch Muniicpal Land Use Planning By-law (2015) against the decision of the Authorised Employee to approve the Rezoning and Special Development Application to erect six town houses on remaining extent of Erf 5943, Stellenbosch – LU/4659/Appeal	14 March 2017	14 March 2017	Approved
14 March 2017		SCM	Request for Termination of Appointment of Contractor – FQ 132/17 –	14 March 2017	14 March 2017	Approved comments by MM : Investigation into conduct of staff

						responsible and authorities provide and by who; Bid Spec how was it amended and whose authority; Contract to be cancelled / withdrawn; Internal audit to investigate in consultation with Department
15 March 2017		HR	Travel – D Lombaard; Foreshore Freeway Precinct Exhibition 15 March 2017	15 March 2017	15 March 2017	Approved
15 March 2017	270	SCM Regs	Deviation: Appointment services providers to assist with backlog of disciplinary hearings as presiding officer and employer representative – Bradley Conradie	15 March 2017	15 March 2017	Approved
15 March 2017		SCM regs	Deviation: Kayamandi – Construction of 17 Houses	15 March 2017	15 March 2017	Approved
15 March 2017		Legal	Letter to Stellenbosch Magistrate Court Application Peter Falke Wines BK/Jan Muller Case no 3879/15	15 March 2017	15 March 2017	Approved
16 March 2017	270	SCM Regs	Deviation: Payment of fit-out costs: Eikestad Mall	15 March 2017	17 March 2017	Approved : Subject to Follow Sec 116(3) process Contract price has increased with more than the allowed % Cllr did give in devlaration of interests. Contract was

						conclude before the cllr joined Council. Piet Smit te verify date of contract
16 March 2017		Property Management	Request for a single source selection Architechct for design of Klapmuts-Multi purpose centre FQ/SM 275/12	16 March 2017	16 March 2017	Approved Subject to sec 116(8) to be followed.
16 March 2017		IT	Request for ICT resources – Deon Louw	16 March 2017	16 March 2017	Approved
16 March 2017		HR	Annual Leave – F Hoosain 20 March 2017	16 March 2017	16 March 2017	Approved
16 March 2017		HR	Annual Leave – D Lombaard 17 March 2017	16 March 2017	16 March 2017	Approved
16 March 2017		Legal	Exentsion of the Appointment of Legal Pannelists for Support to Directorate Planning and LED	16 March 2017	16 March 2017	Not Approved
16 March 2017			Approved Allocation for 2017/18 Financial year – Department of Energy – R 4 000 000 electrification project Zone 0. MOA – Dept Energy and Stellenbosch	16 March 2017	16 March 2017	Approved
16 March 2017		SPLUMA	Appeal lodged in terms of Section 79 of the Stellenbosch Municipal Land-use Planning by-law against the decision by the Authorised Employee to refuse the temporary departure application ERf 6083, Stellenbosch	16 March 2017	16 March 2017	Approved
17 March 2017		HR	Employment Equity Deviation : Foreman : Roads & Stormwater – Mr Adriaan Fredericks 1 April 2017	17 March 2017	17 March 2017	Approved equity not affected as candidate is internal.
17 March 2017	643	HR	Employment Equity Deviation : Operator / Supervisor : Jacques Boonzaaier	17 March 2017	17 March 2017	Approved equity not affected as candidate is internal.
17 March 2017	643	HR	Employment Equity Deviation : Princples Technician : Project Manager	17 March 2017	17 March 2017	Approved; subject to next

						appointment to be in line with equity standard.
22 March 2017	495	Legal	Power of Attorney to pass transfer : Faire Donne Estate, Franschoek, Erf 3402, 3403	22 March 2017	22 March 2017	Approved
22 March 2017		Legal	Signing of the Founding Affidavit, Stellenbosch Municipality / Adolf Mithcels and Others	22 March 2017	22 March 2017	Signed
23 March 2017		Property Management	Transport Stellenbosch Municipality to T Anthony : Erf 13791 a portion of Erf 6668	23 March 2017	23 March 2017	Approved as per council resolution 30/3/1999
24 March 2017		Legal	Signing of 96 Title Deeds Watergang Kayamandi	24 March 2017	24 March 2017	Signed
28 March 2017	539	Legal	Power of attorney Erven 2485, 2714, 2733 and 2928 Watergang Kayamandi	28 March 2017	28 March 2017	Signed
28 March 2017	539	Legal	Power of Attorney for erven 1171 1172 1173 1232 1236 1237 1238 Le Roux Franschoek	28 March 2017	28 March 2017	Signed
28 March 2017	539	Legal	Power of Attorney ERf 748 Kayamandi	28 March 2017	28 March 2017	Signed
28 March 2017	539	Legal	Power of Attorney Erf 13926 Cloetesville Stellenbosch	28 March 2017	28 March 2017	Signed
28 March 2017		HR	Plea agreement Stellenbosch Mun and S Yanta – Final warning valid for 12 months and counselling and possible rehabilitation for alcohol abuse	28 March 2017	28 March 2017	Signed
28 March 2017		HR	Declaration of interest – All Councillors	28 March 2017	28 March 2017	Signed
28 March 2017		ICT	ICT request and related forms – Deon Louw	28 March 2017	28 March 2017	Signed
28 March 2017	505	Legal	Deeds of Sale or erven 2574 and 2670 Watergang Kayamandi	28 March 2017	28 March 2017	Signed
28 March 2017		Budget	Medium Term Revenue and Expenditure Framework 2017/18 to 2019/2020	28 March 2017	28 March 2017	Signed
28 March 2017		Legal	Application and affidavit in term of Regulation 68(1) of the Deeds of Registries Act no 47 of 1937 : \ Certificate of consolidated Title no T31788/1973	28 March 2017	28 March 2017	Signed

			T106293/2002 T10645/1987 T90126/1996 T74872/2000 T938/1995 T55573/1995 T59361/2002			
28 March 2017		SCM	Appointment of Advocate Veronique Barthus	28 March 2017	28 March 2017	Signed
28 March 2017		HR	Acting Appointment Vernon Bowers Acting Director Strategic and Corporate Services – 12 January – 17 March 2017	28 March 2017	28 March 2017	Approved
28 March 2017		HR	Acting Allowance Vernon Bowers – February 2017	28 March 2017	28 March 2017	Approved
28 March 2017		HR	Acting Allowance Vernon Bowers – March 2017	28 March 2017	28 March 2017	Approved
28 March 2017	505	Legal	Koopkontrakte : Erf 2085 Klapmuts – Frankie Fierie Erf 2094 Klapmuts – Carol du Preez	28 March 20147	28 March 2017	Signed
28 March 2017	505	Legal	Signing of Deed for Sales for Erven in Klapmuts – 826, 966, 969, 1047, 1061, 1062, 1080, 1088, 1321, 2052, 2080	28 March 20147	28 March 2017	Signed
28 March 2017	505	Legal	Signing of 66 Deeds of Sale : Jamestown Subsidised Housing Project - 969, 978, 981, 985, 986, 987, 990, 991, 992, 994, 995, 996, 997, 998, 1000, 1003, 1004, 1005, 1007, 1008, 1010, 1012, 1019, 1021, 1022, 1024, 1025, 1026, 1027, 1032, 1035, 1036, 1037, 1038, 1041, 1045, 1047, 1048, 1051, 1053, 1055, 1056, 1059, 1060, 1061, 1063, 1064, 1066, 1077, 1080, 1082, 1083, 1088, 1090, 1091, 1097, 1108, 1110, 1114, 1115, 1121, 1122, 1123, 1126, 1128, 1130, 1131, 1133			
30 March 2017		Planning	Appeal ito Section 79(2) of the Stellenbosch Municipal Planning By-Law (2015) against the decision of the Authorised Employee to approve the Subdivision and Consolidation: Remainder Farm No 1537, 1537/1, 1537/2, Stellenbosch (Ref LU/4635/Appeal	30 March 2017	30 March 2017	Approved
30 March		HR		30 March	30 March	

2017			Plea Agreement ito Labour Relations 66 of 11995 : S Yanta	2017	2017	Signed
30 March 2017		Planning	SPLUMA Compliance Monitoring and Compliance update report 2017	30 March 2017	30 March 2017	Signed
30 March 2017		Legal	Power of attorney for erven 2659, 2719, 2721 and 2817 Watergang, Kayamandi	30 March 2017	30 March 2017	Signed
30 March 2017		Legal	Signing of deed of sales for two erven in Le Roux, Franschhoek Erven 388 and 680	30 March 2017	30 March 2017	Signed
31 March 2017			Request for approval – Payment of co-opted members of MPAC oversight – JC Anthony and H Bergstedt	31 March 2017	31 March 2017	Approved
31 March 2017	270	SCM	Deviation – Operation and Management of Landfill Site – Interwaste 1 April – 30 September 2017	31 March 2017	31 March 2017	Approved, more attention should be given to bid specs as constant deviation will not be tolerated. Proper process need to be followed in terms of SCM. Tender needs to be re- advertised asap with proper specs and consideration should be given to term tender. Feedback on the tender process to be provided 15 April 2017/ New tender to be in place before start of

						Financial Year. Please expedite processes. Please ensure tender process finalised before 1 July 2017.
31 March 2017			Grant Agreement – Dept Public Service and Administration and Stellenbsoch Mun – R1 910 000	31 March 2017	31 March 2017	Signed
31 March 2017		Legal	On-Site Maintenance contract – Sharp and the Stellenbosch Municipality	31 March 2017	31 March 2017	Signed
31 March 2017			Appointment of Presiding Officer and Initiator – Disciplinary Hearing Mr M Cloete, Mr S Sithuba, Mr A Adams – Nominated Presiding Officer – Mr K Ford	31 March 2017	31 March 2017	Approved

DELEGATIONS EXERCISED FOR PERIOD: JANUARY – FEBRUARY 2017

DIRECTORATE: STRATEGIC AND CORPORATE SERVICES

DATE	Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
20/2/2017	55.	Document Management	Destruction Certificate Number D4/2017	20/2/2017	20/2/2017	Approved Request

DELEGATIONS EXERCISED FOR PERIOD: MARCH 2017

DIRECTORATE: STRATEGIC AND CORPORATE SERVICES

DATE	Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
1/3/2017	647.	Human Resources	Request for appointment of presiding officer and employer representative for Mr AP Heyns	1/3/2017	1/3/2017	Approved Request
1/3/2017	647.	Human Resources	Request for appointment of presiding officer and employer representative for Mr S Dyidi	1/3/2017	1/3/2017	Approved Request
8/3/2017	647.	Human Resources	Request for appointment of presiding officer Mr C Rhode	8/3/2017	8/3/2017	Approved Request
13/3/2017		Legal Services	<ul style="list-style-type: none"> Appointment of a services Provider on the legal panel to stop the illegal building work and to institute legal proceedings against the owner/s/ occupiers of erven 1202/3/ Johannesburg Franschoek 	13/3/2017	13/3/2017	Approved Request

DATE	Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
			<ul style="list-style-type: none"> Appointment of service provider on the legal panel to stop the illegal building work and to institute legal proceedings against the owner/s/ occupiers of erven 2891 Franschoek 			
15/3/2017	538.	IDP Department	<ul style="list-style-type: none"> Lease Agreement – Vlottenburg Primary School. Lease for office for 2016 at legacy centre for ward councillor Sinkinya – R15 524.00 	15/3/2017	15/3/2017	Approved Request
16/3/2017	55.	Document Management	Stellenbosch Municipality: Document Management: Destruction of record financial services number D9/2017	16/3/2017	16/3/2017	Approved Request

DELEGATIONS EXERCISED FOR THE PERIOD 1 MARCH 2017 – 31 MARCH 2017: ENGINEERING SERVICES

Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
<p>To authorise, administer and manage temporary closing or temporary restriction or regulating the use of public (proclaimed) road for any purpose deemed necessary or desirable, and to temporarily divert vehicular and pedestrian traffic from a public (proclaimed) road which has been temporarily closed or restricted</p>	<p>E (d) Transport, Roads & Stormwater S 19 (b), (c) of the Roads Ordinance (19/76)</p>	<p>Application for road closures: Hiervandaan Event: 30 March 2017 corner of Banghoek and Andringa Street 19:30-21:00</p>	<p>20/03/2017</p>	<p>28/03/2017</p>	<p>Approved</p>
<p>To decide to: (a) Temporary restrict or discontinue supply of water (b) Prohibit use of water for specific purposes (c) Prohibit use of water during</p>	<p>S 184 of Municipal Ordinance and also ito the Water Services Act</p>	<p>Water restrictions exemption: 4 applications approved Water restrictions exemption 2 applications not approved Water restrictions transgressions: 60 notices served</p>			<p>Approved with conditions Not Approved Approved</p>

<p>specified hours of day (d) Prohibit use of water in a specific manner Subject thereto that such decision will only have the force of law after the publication in the media</p>					
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DELEGATIONS EXERCISED FOR PERIOD JANUARY 2017

DIRECTOR: COMMUNITY & PROTECTION SERVICES - G ESAU

DATE	Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
04/01/2017	179 S65(2) of the MFMA	Finance	Cheque application for licence fees for Provincial Public Administration	04/01/2017	04/01/2017	Approved
13/01/2017	111 (S 591) of Systems Act	Systems Act	Prepare monthly Business Plans to submit to DCAS	13/01/2017	13/01/2017	Compile
13/01/2017	179 S65(2) of the MFMA	Finance	Cheque application for licence fees for Provincial Public Administration	13/01/2017	13/01/2017	Approved
19/01/2017	179 S65(2) of the MFMA	Finance	Cheque application for licence fees for Provincial Public Administration	19/01/2017	19/01/2017	Approved
27/01/2017		SCM	Cancellation of Tender 42/17	27/01/2017	27/01/2017	Approved
31/01/2017	179 S65(2) of the MFMA	Finance	Cheque application for licence fees for Provincial Public Administration	31/01/2017	31/01/2017	Approved

DELEGATIONS EXERCISED FOR PERIOD FEBRUARY 2017

DIRECTOR: COMMUNITY & PROTECTION SERVICES - G ESAU

DATE	Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
02/02/2017	125	S62(1)of MFMA	Extension letters for B/SM 59/12, B/SM 08/14, B/SM 09/14	02/02/2017	02/02/2017	Supported
09/02/2017	179	S65(1)of MFMA	Hall refunds: Keith de Wet, Bafundi D Johannes, J Fischer, C Daniels, G Matjan, J Cyster	09/02/2017	09/02/2017	Approved
15/02/2017	647 (a)	HR	Notice of suspension: X Ngalo	15/02/2017	15/02/2017	Approved
22/02/2017	179 S65(2)	Finance	Cheque application for licence fees for Provincial Public Administration	22/02/2017	22/02/2017	Approved
23/02/2017	661	Performance Management	Performance Agreement – G Esau (Chapter 6 of Systems Act)	23/02/2017	23/02/2017	Approved

DELEGATIONS EXERCISED FOR PERIOD MARCH 2017

DIRECTOR: COMMUNITY & PROTECTION SERVICES - G ESAU

DATE	Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
08/03/2017	179	S65(1)of MFMA	Refund of deposits: Hall Functions – CTU Training Solutions, Media 24, Shirley Abrahams, Lucille Adams, H Diedericks, SL Warriess, Tinos Nduku	08/03/2017	08/03/2017	Approved
08/03/2017	179 S65(2) of the MFMA	Finance	Cheque application for licence fees for Provincial Public Administration	08/03/2017	08/03/2017	Approved
14/03/2017	645	Basic Conditions of Employment Act	Deduction of unpaid leave: Garth Williams	14/03/2017	14/03/2017	Approved
14/03/2017	645	Basic Conditions of Employment Act	Deduction of unpaid leave: Petronella Valentine	14/03/2017	15/03/2017	Approved
15/03/2017	643	HR	Termination of contracts:Y Sinkinya, S Gqutyana, P Tyalana, M Kulati, C Fredericks, B Zinti, A Titus, B Leukes	15/03/2017	15/03/2017	
15/03/2017	125	S62(1)of MFMA	Repayment: Pdp – C Cupido	15/03/2017	15/03/2017	Approved
15/03/2017	179 S65(2) of the MFMA	Finance	Cheque application for licence fees for Provincial Public Administration	15/03/2017	15/03/2017	Approved
15/03/2017	179 S65(2) of the MFMA	Finance	Cheque application for licence fees for Provincial Public Administration	15/03/2017	15/03/2017	Approved
17/03/2017	735	S(2) (4) (a) Act	Protest march and gathering application – 21/03/2017	17/03/2017	17/03/2017	Approved

		205/1993 Municipal By-Law				
30/03/2017	683	OHS	OHS Reports – March 2017	31/03/2017	31/03/2017	Approved
30/03/2017	647	HR	Council vehicle (VDC) – S Kiva, Accident Report Form	31/03/2017	31/03/2017	Approved

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DELEGATIONS EXERCISED FOR PERIOD JANUARY 2017 – 14 FEBRUARY 2017

FINANCIAL SERVICES: MR MARIUS WÜST

Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
	MFMA	Monthly verification forms	16/01/2017	16/01/2017	Approved
212	SCM	B/SM 98/15 Variation Order : Plankenburg main outfall sewer and associated works	27/01/2017	27/01/2017	Approved
212	SCM	B/SM 18/17 Variation Order: Collection of recyclables and mini materials recovery facility (MRF) operations for a contract period ending 30 June 2018	27/01/2017	27/01/2017	Approved
212	SCM	B/SM 21/16 Variation order: Management of Landfill site	27/01/2017	27/01/2017	Approved
		Approve Capital Verimentations – Various Directorates	09/01/2017	31/01/2017	Approved
212	SCM	B/SM 04/17 Rendering of work on traffic signals for a period of 2 years	03/02/2017	03/02/2017	Approved
212	SCM	B/SM 38/17 Residential Hot water load control : Supply and delivery of hardware (instruments)	03/02/2017	03/02/2017	Approved
212	SCM	B/SM 48/17 Supply, deliver, off load. Installation, setup, configuration and commissioning / testing of electrical substation telemetry monitoring equipment	03/02/2017	03/02/2017	Approved
212	SCM	B/SM 52/17 The provision of Debtor Management Software and Administrative support to Stellenbosch Municipality	03/02/2017	03/02/2017	Approved
211	SCM	Approved SCM tenderer's letters	06/02/2017	05/02/2017	Approved
212	SCM	B/SM 001/17 Supply and delivery of electrical equipment and materials until 30 June 2019	10/02/2017	16/02/2017	Approved
212	SCM	B/SM 009/17 Emergency Fire and Flood kits	10/02/2017	13/02/2017	Approved
212	SCM	B/SM 016/17 Communication Network Installations in substations	10/02/2017	13/02/2017	Approved
212	SCM	B/SM 022/17 Containerised skips for Waste Removal	10/02/2017	13/02/2017	Approved
212	SCM	B/SM 041/17 Completion of works at Wemmershoek WWTW	10/02/2017	13/02/2017	Approved
212	SCM	B/SM 053/17 Auctioneering	10/02/2017	13/02/2017	Approved

DELEGATIONS EXERCISED FOR PERIOD 20 FEBRUARY 2017 – 31 MARCH 2017

FINANCIAL SERVICES: MR ANDRÉ TREUNICH (ACTING CFO)

Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
212	SCM	B/SM 39/17 Supply and delivery of emergency food parcels for Stellenbosch area for a contract period ending 30 June 2019	24/02/2017	24/02/2017	Approved
212	SCM	B/SM 57/17 External renovations and repairs to the main administration blocks, Stellenbosch	24/02/2017	24/02/2017	Approved
153	Income	Write off: Interest and notice fees levied on accounts 10715279 and 280300083 (M GROBBELAAR)	24/02/2017	24/02/2017	Approved
153	Income	Write off: Interest (CE HEWARD) 10701812	02/03/2017	02/03/2017	Approved
212	SCM	B/SM 20/17 Planning and Design and Landfill Gas (LFG) extraction energy generation	07/03/2017	07/03/2017	Approved
212	SCM	B/SM 47/17 Operation and Management of the Devon Valley Land fill site, for a contract period of (two) 2 years.	10/03/2017	10/03/2017	Not Approved
		Monthly Report: Finance Management Grant (FMG)-Division of Revenue Act	14/03/2017	14/03/2017	Approved
212	SCM	B/SM 61/17 Supply, Install and Commissioning of LPR Cameras: period ending June 2019	17/03/2017	17/03/2017	Approved
212	SCM	B/SM 55/17 Energy Efficiency and demand side Management : Streetlighting Retrofit Project	17/03/2017	17/03/2017	Approved
212	SCM	B/SM 50/17 Supply and Deliver of a 2 way Tetra radios and pagers: period ending June 2019	17/03/2017	17/03/2017	Approved
212	SCM	B/SM 49/17 Provision of an all ward based risk assessment for Stellenbosch Municipality	17/03/2017	17/03/2017	Approved
212	SCM	B/SM 25/17 Provision for a perking management system for Stellenbosch Municipality for a contract period ending 30 June 2019	17/03/2017	17/03/2017	Approved
212	SCM	B/SM 28/17 Construction of a new library in Groendal, Franschoek	24/03/2017	24/03/2017	Approved

212	SCM	B/SM 102/16 Services: Provision of WI-FI Internet bandwidth for Stellenbosch Municipality	24/03/2017	24/03/2017	Approved
212	SCM	VO B/SM 74/15 Replacement of Lapland Lifts	24/03/2017	24/03/2017	Approved
212	SCM	B/SM 72/17 Supply and Delivery of a new 4x2 combination JET/VAC truck.	31/03/2017	31/03/2017	Approved
212	SCM	B/SM 63/17 Beautification of main routes including hard and soft landscaping.	31/03/2017	31/03/2017	Approved

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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A Notice of Question, in terms of Section 38(2) of the Rules of Order regulating the Code of Conduct of Council and Council Committee meetings, dated 2017-05-09, was received from Councillor DA Hendrickse.

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

FOR CONSIDERATION

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

The Single Whip
Stellenbosch Municipal Council
Plein Street
STELLENBOSCH
7600



11.49
Chantelle



Attention : Clr W Pietersen (Ms)

Dear Whip

RE NOTICE OF QUESTIONS TO SERVE AT THE MAY 2017 COUNCIL MEETING

QUESTION NO 1

What power, authority or delegations have the Director Planning and Economic Development used to approve the Rezoning Application Site development Plan : Farm No 1049/2 Stellenbosch – New Medi -Clinic Hospital . (See attached letters dated 2017-01-27 and 2017-02-28 from Director Planning and Economic Development: Mr D Lombaard

MOTIVATION

The first time I became aware of the approval of the New Medi-Clinic Hospital, was when and advertisement and article appeared in the April 2017 Eikestad Newspaper. I could find no record of the approval of this development in any item that served before Council or any Committee of Council. Likewise I am not aware if this application served on the agenda of the Municipal Planning Tribunal established by Council. Likewise no reports also served before Council on the delegations .

This begs the question, as to what other developments the Director Planning and Economic Development, have approved without Council's knowledge.

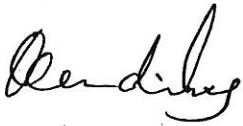
QUESTION NO 2

What leases has the municipal officials entered into without a tender process or obtaining approval from Council via a Council resolution.

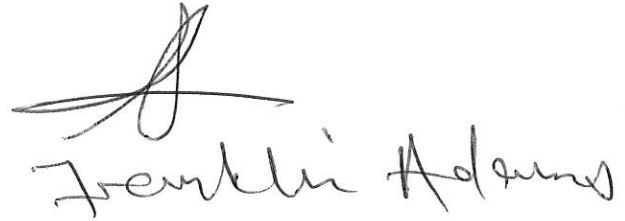
Motivation

Reading through the System of Delegations it appears that officials are given the delegated authority to sign contracts for leases. These delegations must be exercised in terms of a policy framework and must also be reported to Council. In this regard I could find no record of any reports submitted indicating lease contracts concluded by municipal officials.

Regards



Clr DA Hendrickse



Franklin Adams



9.5.10



Enquiries P April / U Von Molendorff
 Your ref -
 Our ref Farm 1049/2, Stellenbosch
 Application No LU/4129
 Date 2017-02-28
 Telephone 021-808 8683 / 8682
 Fax 021-886 6899

REGISTERED MAIL

TV3 Architects and Planners
 1st Floor, La Gratitude Office Building
 97 Dorp Street
 Stellenbosch
 7600

F1049/2SB LU/4129

698061

Sir

APPLICATION FOR REZONING AND APPROVAL OF THE SITE DEVELOPMENT PLAN: FARM NO. 1049/2, STELLENBOSCH

Your application in the above regard, refers.

I wish to advise that the appeal process has now been concluded and that the decision as per Council's previous letter of approval is therefore now considered final. Accordingly, you may now act on the decision, subject to compliance with the conditions detailed in my letter dated 27 January 2017.

Yours faithfully

for **DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT**

F.18

Enquiries P April / U Von Molendorff
 Your ref -
 Our ref Farm 1049/2, Stellenbosch
 Application No LU/4129
 Date 2017-01-27
 Telephone 021-808 8683 / 8682
 Fax 021-886 6899

REGISTERED MAIL

TV3 Architects and Planners
 1st Floor, La Gratitude Office Building
 97 Dorp Street
 Stellenbosch
 7600

CRH
 2017/2/01

Sir

APPLICATION FOR REZONING AND APPROVAL OF THE SITE DEVELOPMENT PLAN: FARM NO. 1049/2, STELLENBOSCH

Your application in the above regard, refers.

The Director: Planning and Economic Development at a recent meeting resolved as follows:

1. That the application **be partially approved** in terms of Section 16 of the Land Use Planning Ordinance No 15 of 1985 for the rezoning of Farm No. 1049/2, Stellenbosch from Business Zone III to Institutional Zone III to permit the development of a new Medi-clinic Hospital and the site development plan (See **APPENDIX 3**), subject to the conditions as per the attached **APPENDIX 1**.

Kindly note, this rezoning approval will lapse unless all conditions of approval have been complied with and the property is utilised in accordance with the rezoning hereby granted within 2 years of the date of Council's final notification letter, which is to follow in due course. Should it be required, any application for extension of validity of the rezoning approval should be lodged well in advance of lapsing of this approval.

Kindly note that the above approval does not guarantee approval of any related building plan application in terms of the National Building Regulations and Building Standards Act, No 103 of 1977 and that building work may therefore only commence once such plans are formally passed.

Kindly also note, you are advised in terms of Section 5 of the Promotion of Administrative Justice Act, No 3 of 2000 that you are entitled to request in writing reasons for the above decision.

Kindly be advised that you may appeal to the Municipal Manager against the above Council decision (including any conditions imposed in case of approval) by giving written notice of such appeal in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000 ("MSA"), and/or the internal appeal process approved by Council at its meeting held on 29 October 2014. In terms of the aforesaid Council decision, an applicant or objector aggrieved by a decision of Council in respect of an application in terms of the Ordinance, Zoning Scheme Regulations or applicable By-Law, may appeal against such decision to the Municipal Manager, by giving written notice of such appeal.

FILE NR:	OUTGOING POST
F 1049/2 SB	
SCAN NR:	
COLLABORATOR NR:	495274

8

A detailed motivated appeal with reasons therefore (and not only the intention to appeal), clearly stating in terms of which legislation it is made, as well as payment of the appeal fee to the amount of R1500,00, should be directed to and received by the Municipal Manager, Stellenbosch Municipality, P O Box 17, Stellenbosch, 7599, or if hand delivered, to the Advice office, Land Use Management, Ground floor, municipal building, Plein Street, Stellenbosch, or faxed to fax number 021 886 6899 within 21 days of the date of registration at the Post Office of this notification letter (with such registration day not included in the appeal period), provided where the last day for lodging an appeal falls either on a Saturday, Sunday or public holiday, it shall be deemed to be the next working day thereafter. Where this letter is collected by hand, the above appeal period will be similarly calculated from the next day after collection. Failure to comply with the above requirements may result in the appeal being ruled invalid by the Appeal Authority. **Kindly be advised that no appeal will be accepted via email.**

Notwithstanding the above, kindly note, you are not permitted to submit a revised proposal as part of such an appeal. Should this be the case, your submission will not be regarded as an appeal, but rather a new application which should be submitted in the normal manner, as only the above decision can be appealed at this stage.

Kindly be advised that objectors (if any) are granted a simultaneous right of appeal in terms of the internal appeal process approved by Council at its meeting held on 29 October 2014.

Please note, appellants are not permitted to canvass the Municipal Manager or members of Council before or after the matter is heard.

Important note: Rights of appeal in terms of Section 44(1)(a), (b), (c) or (d) of the Land Use Planning Ordinance, No 15 of 1985 no longer exist, as such an appeal to the Minister of Local Government, Environmental Affairs and Development Planning, Western Cape has been declared unconstitutional by the Constitutional Court in its unanimous judgment* on 4 April 2014, as such matters fall within the exclusive functions of a municipality in terms of the Constitution.

Kindly note the above Council decision is suspended and may therefore not be acted on until such time as the period for lodging appeals has lapsed, any appeal has been finalised and you've been advised accordingly.

Yours faithfully



for DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT

* In *Minister of Local Government, Environmental Affairs and Development Planning, Western Cape v The Habitat Council and Others; Minister of Local Government, Environmental Affairs and Development Planning, Western Cape v City of Cape Town and Others* [2014] ZACC 9 (Case No. CC117/13).



MEMORANDUM

*Office of the Municipal Manager
Kantoor van die Munisipale Bestuurder*

To : SPEAKER
From : MUNICIPAL MANAGER
Date : 22 May 2017
RE : REPLY TO QUESTIONS IN TERMS OF SECTION 21 OF THE
RULES OF ORDER: MEDI-CLINIC AND LEASES

Dear Speaker,

With reference to the question received from Councilor D Hendrickse, submitted in terms of Section 21 of the Rules of Order Regulating the Conduct of Council and Council Committee Meetings, dated 09 May 2017 herewith my reply:

Question 1 :

"What power, authority or delegation have the Director Planning and Economic Development used to approved the Rezoning Application Site Development Plan : Farm No 1049/2 Stellenbosch – New Medi-Clinic Hospital."

Response

The decision was taken in terms of the Council's System of Delegations adopted on 2015-06-24 No. 317- Consider Applications for Rezoning of property in terms of LUPO by the Director Planning and Economic Development. **(Appendix 1)**.

The Director and/or the Planning and Economic Development Portfolio Committee have the delegated authority to consider land use planning applications submitted prior to 01 December 2015. Initial approval was issued on 27 January 2017, subject to a 30 day appeal period. Final approval was granted by registered letter dated 28 February 2017.

Approval of the site development plan was done in terms of Delegation 336 (To approve or amend a Site Development plan, where a rezoning, subdivision or departure or consent /conditional use has been approved subject to the submission of a site development plan and provided that the other conditions of approval imposed in terms of S 42 remain unaltered and notwithstanding the body who approved the original application.). The Director and Manager: Land Use Management have the delegation to consider same.

The process is followed as per the SOP and Checklist developed by the Directorate.

Attached **(Appendix 2)** please find the:

- Advert (public notice) that was published on 16 July 2015 by the Department.
- Letter to Internal Departments notified – for comment.
- Letter to External Departments notified – for comment.
- Letter to Surrounding and interested and affected parties notified – per registered mail.

Appendix 3 is the Council resolution dated 27 May 2015 dealing with the Establishment of a Municipal Planning Tribunal and designation of an Authorised Employee for Stellenbosch in terms of SPLUMA and the implementation of the Legislation in which the categories for

decision by relevant authorities are identified. These two parties have the delegation to decide on all applications submitted subsequent to 01 December 2015.

Question 2 :

" What leases has the municipal officials entered into without a tender process or obtaining approval from Council via a Council resolution."

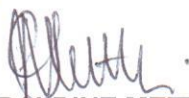
Response

The Property department is not aware of any Lease Agreements that was concluded without Council resolutions authorizing it, except for the following, which was done in terms of delegated authority and an approved tariff structure:

- A number of Encroachment Agreements dealing with gardening purposes, parking and outdoor dining applications;
- A number of Lease Agreements in relation to Telecommunication infrastructure. Since September 2016, however, a moratorium on all new applications was implemented, until such time as a new policy is in place.

Should the councillor request the names of the people/organisations with whom contracts were concluded (as per the above), we will make it available at request. A clear timeline will however be requested.

Regards



**GERALDINE METTLER
MUNICIPAL MANAGER**

APPENDIX 1

Item	Legislative Mandate	Description of power or function	Delegation route					Limitations and conditions	Risk H/M/L
			EM	SPE / Comm	MM	DIR	MGR		
		bylaw or any other subsequent Act / bylaw replacing same to the responsible Officer of the South African Police.							
C (c) Land Use Management									
NOTE: THE EFFECT OF SPLUMA, LUPA AND THE RESPECTIVE REGULATIONS ARE CURRENTLY UNDER CONSIDERATION – STILL TO BE CONSIDERED									
308.	S 14 and 16 (2) (b) of LUPA.	Determination of deemed zoning					DIR - DPD	L	
309.	S 14 (3) of LUPA	To determine the utilisation of land referred to in S 8 for the purposes of S 14(3)					DIR - DPD	L	
310.	S 14 (4) of LUPA	To substitute a zoning scheme or part thereof with one in terms of which land is not necessarily zoned in accordance with the utilisation					DIR - DPD	L	
311.	S 14 (5) of LUPA	To determine the zoning of land, in accordance with the utilisation thereof where a use right has lapsed because of failure to exercise such right for an uninterrupted period of two years					MGR - MLUM	L	
312.	S 14 (7) of LUPA	To grant a use right by way of rezoning in terms of S 16 or 18 where the lawful use right of land cannot be determined in relation to land					DIR - DPD	L	
313.	S 15 of LUPA.	Consider applications for departure					RPC - Where there are substantial objections to such application DIR - DPD Where there are limited objections to such application MGR - MLUM Where there are no objections to such application	M L L	
314.	S 15 (1) of LUPA	To approve applications for an alteration of the land use restrictions applicable to a particular zone in terms of the scheme Regulations concerned					DIR - DPD MGR - MLUM Where there are no objections to such application	L	
315.	S 15 (1) of LUPA	To approve applications to utilise land on a temporary basis for a purpose for which no provision has been made in the said Regulations in respect of a particular zone					DIR - DPD MGR - MLUM Where there are no objections to such application	L	
316.	S 15 (5) of LUPA	To approve an application by the owner to extend the period within which the use right must be exercised					MGR - MLUM	L	
317.	S 16 of LUPA.	Consider applications for rezoning of property					RPC - Where there are substantial objections to such application	L	

Item	Legislative Mandate	Description of power or function	Delegation route					Limitations and conditions	Risk H/M/L
			EM	SPE / Comm	MM	DIR	MGR		
318.	S 16(2) of LUPO	To grant an extension of the validity period of two years in which the use right must be utilized						DIR - DPD - Where there are limited objections to such application MGR-MLUM - Where there are no objections to such application	
319.	S 16(2) of LUPO	To determine the utilisation of land for purposes of zoning in relation to land where a zoning has lapsed						DIR - DPD Where there are limited objections to such application MGR - MLUM Where there are no objections to such application	L
320.	S 18 of LUPO.	To apply on behalf of Council for the rezoning of Council-owned property						MGR - MLUM	L
321.	S 19 of LUPO.	To determine the amount of compensation to be paid to an owner of land, where such land was rezoned in terms of S 14(4)(a) or 18, or on the rejection of a plan for a building which is in accordance with the use right of the land concerned.						EM - Up to an amount of R1m RPC -Up to an amount of R100 000 MM -Up to an amount of R50 000	M L L
322.	S 25 of LUPO.	Consider applications for subdivision of land.						RPC - Where there are substantial objections to the application DIR - DPD Where there are limited objections to the application MGR - MLUM Where there are no objections to the application	L
323.	S 29 of LUPO	To impose conditions in relation to the compulsory establishment by the applicant for subdivision of a home owners' association, when granting of an application for subdivision						MGR - MLUM	L
324.	S 30 (1) of LUPO	To amend or partially cancel the plan of a subdivision, including a general plan, or cancel the plan of a subdivision, including a diagram or general plan, after application for the subdivision of land has been granted and after consulting the owner of the land concerned and the Surveyor-General in relation to land units not yet registered by virtue of the granting of that application,						DIR - DPD Where there are objectors against such application MGR - MLUM Where there are no objection against such application	L
325.	S 42 of LUPO	Imposition of conditions, when granting authorisation, exemption or when considering an application in terms of LUPO, as well as the waiving or amendment of such conditions						DIR -Where the DPD has the authority to consider the application RPC - Where the Standing Committee has the authority to consider the application MGR - MLUM Where the MLUM has the authority to consider the application	L

APPENDIX 2

LANDUSE APPLICATION CONTROL CHECKLIST

Application Type:		REZONING, DEPARTURE			
If Other:		No			
Application Nr:	LU/4129	Erf File Number:	FARM_1049/2_STELLENBOSCH_STELLENBOSCH FARMS, LU/4129		
Application Date:	2015-05-26	Application Fee:	12319.00	Receipt Nr:	320600451
Erf Number:	1049/2	Portion:			
Street Name & Nr:	R44	Suburb:	STELLENBOSCH	Town:	STELLENBOSCH FARMS
Scheme:	Article 8	Ward Number:	Unknown	Ward Councillor:	unknown
Restrictions:		no			
Extent of Site:		3.4416ha			
Current Zoning:		Business zone III	Current Land Use:	Vacant	
APPLICANT:			OWNER:		
Name:	TV3 PROJECTS PTY LTD		Name:	BRANDWACHT LAND DEVELOPMENT PTY LTD	
Postal Address:	LA GRATITUDE OFFICES 97 DORP STREET STELLENBOSCH 7600		Postal Address:	P.O BOX 1225 STELLENBOSCH 7599	
E-mail Address:	clifford@tv3.co.za		E-mail Address:	djdutoit@iafrica.com	
Tel Number:	021 861 3800		Tel Number:	021 886 6739	
Fax Number:	021 882 8205		Fax Number:	021 886 6739	
Cell Number:	083 309 9770		Cell Number:	083 226 9858	
Description of Proposed Development (Objective):	<ol style="list-style-type: none"> 1. Application is made in terms of Section 17 of the Land Use Planning Ordinance, 1985 (No 15 of 1985) for the rezoning of Unregistered Farm No. 1049/2, Stellenbosch Division from Business Zone III (Office Park) to Institutional Zone III to permit the development of a new Mediclinic hospital. 2. Application is also made in terms of section 15(1)(a)(i) of the Land Use Planning Ordinance (No 15 of 1985), for a departure in order to relax the 10m building line to 0m for a portion of the eastern boundary to accommodate the new building on Unregistered Farm No. 1049/2, Stellenbosch Division. 3. Application for the approval of the site development plan. 				
List of Outstanding Information:	<ol style="list-style-type: none"> 1. Amend the application documentation which refers to the rezoning of the property from Business Zone II instead of Business Zone III. 2. Submit an additional application fee of R315 for the application for departure. 				
Advertise in Press:	Eikestadnuus/Prov Gazette ✓				
Registered Letters To:	Adjoining property owners (locality plan attached), Ward Councillor, Stellenbosch Interest Group, Brandwacht Aan Rivier Homeowners Association. ✓				
External Departments:	Department of Water Affairs & Forestry, District Roads Engineer, Provincial Roads Engineer, Department of Environmental Affairs & Development Planning, Heritage Western Cape, Cape Winelands District Municipality (Engineers).				
Internal Circulation:	Traffic Engineer:	Yes	Winelands Health:	Yes	
Corporate Services:	Civil Engineers:	Yes	Environment:	Yes	
Fire Services:	Electrical Engineers:	Yes	Heritage:	Yes	
Parks:	Building Control:	No	Sinage:	No	
Town Planner:	<i>P.A.</i>	Signature:	<i>[Signature]</i>	Date:	02/07/2015
Head: Planning:	<i>H.P.</i>	Signature:	<i>[Signature]</i>	Date:	03/07/2015

Approved copy was received 10/7/15
[Signature]

Back 16/7

MUNISIPALITEIT STELLENBOSCH
HERSONERING, AFWYKING EN TERREINONTWIKKELINGSPLAN:
ONGEREGISTREERDE PLAAS 1049/2, AFDELING STELLENBOSCH

Kennis geskied hiermee ingevolge Artikkel 17 en 15 van die Oordomsinsie op Grondgebruikbeplanning, 1985 (Nr 15 van 1985), dat die ondersaande aansoek ontvang is en by die kantoor van die Direkteur Beplanning & Ekonomiese Ontwikkeling by die Advieskantoor (Tel. 021 808 8606) in Pleinstraat, Stellenbosch ter insae lê. Navrae kan aan Pedro April by Posbus 17, Stellenbosch, 7599, Tel. nr. 021 808 8683 en Faks nr. 021 886 6899 wekeksdae gedurende 08:30 tot 15:00 gerig word. Besware, met volledige redes daarvoor, mag skriftelik by die kantoor van die bogenoemde Direkteur, op of voor 17 Augustus 2015 ingedien word, met vermelding van die relevante wetgewing, die beswaarmaker se erf- en telefoonnommer sowel as adres. Enige besware ontvang na voormelde sluitingsdatum, mag as ongeldig geag word. Dit is belangrik om daarop ag te slaan dat geen besware via e-pos aanvaar sal word nie.

Hierdie kennisgewing is ook beskikbaar op die Munisipale webtuiste <http://www.stellenbosch.gov.za>, op die Beplanning en Ontwikkelingsblad.

Applikant :
TV3 Projects Pty Ltd

Plaas nommer(s) :
Ongeregistreerde Plaas 1049/2, Afdeling Stellenbosch

Ligging/Adres :
Ongeregistreerde Plaas 1049/2, Afdeling Stellenbosch, langs die R44, ± 2 km suid van die Stellenbosch sentrale besighedsdistrik

Aard van aansoek :

1. 'n Aansoek om die hersonering van Ongeregistreerde Plaas 1049/2, Afdeling Stellenbosch, vanaf Sake Sone III (Kantoorpark) na Institusionele Sone III om die ontwikkeling van 'n nuwe Mediese toe te laat;
2. 'n Aansoek om 'n afwyking vir die verslapping van die 10 m boulyn tot 0 m vir 'n gedeelte op die oostelike grens ten einde die nuwe gebou op Ongeregistreerde Plaas 1049/2, Afdeling Stellenbosch, te akkommodeer; en
3. 'n Aansoek vir die goedkeuring van die Terreinontwikkelingsplan.

MUNISIPALE BESTUURDER
(Kennisgewing Nr. P26/15)

STELLENBOSCH MUNICIPALITY
REZONING, DEPARTURE AND SITE DEVELOPMENT PLAN: UNREGISTERED
FARM 1049/2, STELLENBOSCH DIVISION

Notice is hereby given in terms of Sections 17 and 15 of the Land Use Planning Ordinance, 1985 (No 15 of 1985), that the undermentioned application has been received and is open to inspection at the office of the Director: Planning & Economic Development at the Planning Advice Centre, Plain Street, Stellenbosch (Tel 021 808 8606). Enquiries may be directed to Pedro April, P O Box 17, Stellenbosch, 7599, Tel. 021 808 8683 and fax number 021 886 6899 week days during the hour 08:30 to 15:00. Any objections, with full reasons therefor, may be lodged in writing at the office of the abovementioned Director on or before 17 August 2015, quoting the above relevant legislation and the objector's erf/farm and phone number and address. Any objections received after aforementioned closing date may be considered invalid. It is important to note no objection will be accepted via email.

This advertisement is also available on the Municipal website <http://www.stellenbosch.gov.za>, on the Planning and Development page.

Applicant :
TV3 Projects Pty Ltd

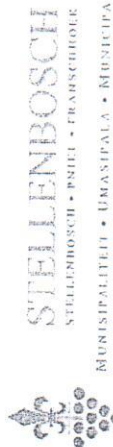
Farm number(s) :
Unregistered Farm 1049/2, Stellenbosch Division

Locality/Address :
Unregistered Farm 1049/2, Stellenbosch Division, next to the R44, ± 2 km south of the Stellenbosch central business dis

Nature of application :

1. An application for the rezoning of Unregistered Farm 1049/2, Stellenbosch Division, from Business Zone III (Office Park) Institutional Zone III to permit the development of a new Mediclinic hospital;
2. An application for a departure in order to relax the 10 m building line to 0 m for a portion of the eastern boundary to accommodate the new building on Unregistered Farm 1049/2, Stellenbosch Division; and
3. An application for the approval of the Site Development Plan.

MUNICIPAL MANAGER
(Notice No. P26/15)



9

VERWYSING/REF: PI 1049/2 . DATUM/DATE: 2015-07-16.

MEMO AAN:
<input checked="" type="checkbox"/> Signage (B de la Bat) Environment + H&K
<input checked="" type="checkbox"/> Corporate (P Smit)
<input checked="" type="checkbox"/> Hoof : Gesondheidsdienste / Health Department
<input checked="" type="checkbox"/> Direkteur : Elek Ing dienste/ Electrical
<input checked="" type="checkbox"/> Direkteur : Ing en Tegn Dienste / Engineering Dep
<input checked="" type="checkbox"/> Direkteur : Bosbou / Recreation/Environment
<input checked="" type="checkbox"/> Direkteur : Brandweerdienste / Fire Department
<input type="checkbox"/> Direkteur : Verkeersdienste / Traffic Department
<input checked="" type="checkbox"/> Traffic Engineer (N Winter/V Harris)

Aansoek / Application	Roering, Depature + SDP
Adres / Address	Farm 1049/2, Next to R44, Sielensbosch
Aansoek Datum / Application Date	2015-05-26
Aansoeker / Application	TV 3

Aangeheg vind u tersaaklike dokumentasie in verband met bogenoemde aansoek. Ten einde my in staat te stel om die aansoek aan die Beplanning- en Ontwikkelingskomitee vir oorweging voor te lê, word u versoek om my skriftelik van u kommentaar, indien enige, te voorsien.

Onderskei asseblief tussen algemene kommentaar op die meriete van die aansoek en enige voorwaardes wat u departement wil oplê indien die aansoek goedgekeur word.

Attached please find the relevant documentation regarding the abovementioned application. In order to enable us to submit the application to the Planning and Development committee for consideration, we request that you supply us with your written comment, if any.

Please intercept between general comment on the merits of the application and any conditions that your department would like to lay on if the application has been approved.

Geliewe die memorandum per hand aan my terug te besorg voor of op ... 17 Aug 2015
Please forward the memorandum by hand to me on or before: (Datum/Date)

H Deacon
DIRECTOR : PLANNING AND DEVELOPMENT SERVICES

ALGEMENE KOMMENTAAR :
GENERAL COMMENT:

VOORWAARDES/CONDITIONS.....

HANDTEKENING / SIGNATURE DATUM / DATE

Handwritten signatures and dates: P. 20/11, R. 20/10, 11/11/17, P. 20/11, 20/11/17, 20/11/17

10

My Ref/My Verw: Farm 1049/2(S) (P April - 8088683)
Application no: LU/4129 (H Deacon - 8088657)

REGISTERED POST
GEREGISTREERDE POS

2015-07-16

Municipal Manager
Cape Winelands District Municipality
P O Box 100
STELLENBOSCH
7599

Att: Chief Engineer (Stellenbosch Admin)

Sir/Madam

APPLICATION FOR REZONING, DEPARTURE AND APPROVAL FOR SITE DEVELOPMENT PLAN: FARM 1049/2, STELLENBOSCH DIVISION

Notice is hereby given in terms of Section 2(ii) of Ordinance 15 of 1985, that Council has received the above application. Attached for your convenience, please find a notice of the proposal and details of the application.

Kindly note, in terms of Section 37 of the Land Use Planning Ordinance, No 15 of 1985 you have 60 days in which to comment on the application. Should your department be unable to do so timeously, you may apply in writing for an extension of time up to a further 30 days. Should you not provide Council with your comments within the specified or extended period, you will be deemed to have no comments.

Kindly note the above application number allocated to this proposal and quote it in all future correspondence.

Yours faithfully



p. DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT
PL1049-2J16B

Handwritten notes and signatures at the bottom right of the page, including dates and names: 23/11, 22/10, 27/10, 17/9, 2/9, 16/7.

Munisipaliteit Stellenbosch Municipality
Posbus / P O Box 17
STELLENBOSCH
7599

P/ 10249/2

Department of Water Affairs & Forestry
Private Bag X16
SANLAMHOF
7532

REGISTERED LETTER
(with a domestic insurance option)
ShareCall 0860 111 502 www.sapo.co.za
RC 069 368 611 ZA
CUSTOMER COPY 301028R

Department of Transport and Public Roads
Deputy Director-General: Roads Infrastructure
P O Box 2603
CAPE TOWN
8000

REGISTERED LETTER
(with a domestic insurance option)
ShareCall 0860 111 502 www.sapo.co.za
RC 069 368 608 ZA
CUSTOMER COPY 301028R

District Roads Engineer (Paarl)
Private Bag X6003
PAARL
7624

REGISTERED LETTER
(with a domestic insurance option)
ShareCall 0860 111 502 www.sapo.co.za
RC 069 368 599 ZA
CUSTOMER COPY 301028R

Heritage Western Cape
Department of Cultural Affairs & Sport
Private Bag X9067
CAPE TOWN
8000

REGISTERED LETTER
(with a domestic insurance option)
ShareCall 0860 111 502 www.sapo.co.za
RC 069 368 585 ZA
CUSTOMER COPY 301028R

Department of Environmental Affairs
And Development Planning
Private Bag X9086
CAPE TOWN
8000

REGISTERED LETTER
(with a domestic insurance option)
ShareCall 0860 111 502 www.sapo.co.za
RC 069 368 571 ZA
CUSTOMER COPY 301028R

For Attention: Mare-Liez Oosthuizen

Municipal Manager
Cape Winelands District Municipality
P O Box 100
STELLENBOSCH
7599

REGISTERED LETTER
(with a domestic insurance option)
ShareCall 0860 111 502 www.sapo.co.za
RC 069 368 568 ZA
CUSTOMER COPY 301028R

Att: Chief Engineer (Stellenbosch Admin)



My Ref/My Verw: Farm/Plaas 1049/2(S)
Application No/Aansoek No: LU/4129

(P April - 8088683)
(H Deacon - 8088657)

2015-07-16

Brandwacht-aan-Rivier Huiseienaarsvereniging
p/a PFS
Posbus 1550
STELLENBOSCH
7599

FILE NO:	OUTGOING POST
1049/2S	LU/4129
SCAN NR:	
	376560

Sir/Meneer/Madam/Juffrou

APPLICATION FOR REZONING, DEPARTURE AND APPROVAL OF SITE DEVELOPMENT PLAN: UNREGISTERED FARM 1049/2, STELLENBOSCH DIVISION/AANSOEK OM HERSONERING, AFWYKING EN GOEDKEURING VIR TERREINONTWIKKELINGSPLAN: ONGEREGISTREERDE PLAAS 1049/2, AFDELING STELLENBOSCH

Notice is hereby given in terms of the provisions of Ordinance 15 of 1985 and/or the relevant zoning scheme regulations that the Council has received the above-mentioned application, which is available for inspection during office hours (08:30 – 15:00) at the Advice Centre, Municipal Offices, Plein Street, Stellenbosch. Attached for your convenience please find details of the proposal.

Property :

Unregistered Farm 1049/2, Stellenbosch Division, next to the R44, ± 2 km south of the Stellenbosch central business district, as indicated on the attached locality plan.

Applicant :

TV3 Projects Pty Ltd

Nature of Application :

1. An application for the rezoning of Unregistered Farm 1049/2, Stellenbosch Division, from Business Zone III (office park) to Institutional Zone III to permit the development of a new Mediclinic hospital;
2. An application for a departure in order to relax the 10 m building line to 0 m for a portion of the eastern boundary to accommodate the new building on Unregistered Farm 1049/2, Stellenbosch Division; and
3. An application for the approval of the Site Development Plan.

Written objections, if any, stating reasons and directed to the undersigned, P O Box 17, Stellenbosch, 7599, or faxed to 021-886 6899, or hand delivered to the Land Use Management Branch, Advice Centre, Ground Floor, Municipal Offices, Plein Street, Stellenbosch, quoting the above-mentioned reference and erf number, as well as your erf number, contact number and address, must be received not later than 30 days from the date of registration of this letter. Please note that only written objections received within the aforementioned timeframe will be considered as valid.

P 21/8
M 16/7

If your response is not sent to this postal address, physical address or fax number and if, as a consequence it arrives late, it will be deemed to be invalid.

Any enquiries in the above regard can be directed to Pedro April at tel. 021-8088683.

* * *

Kennis geskied hiermee ingevolge die bepalings van Ordonnansie 15 van 1985 en/of die toepaslike soneringskemaregulasies dat die Raad die bostaande aansoek ontvang het, wat gedurende kantoorure (08:30 – 15:00) by die Advieskantoor, Munisipale Kantore, Pleinstraat, Stellenbosch ter insae lê. Aangeheg vir u gerief vind asseblief besonderhede van die aansoek.

Eiendom :

Ongeregistreerde Plaas 1049/2, Afdeling Stellenbosch, langs die R44, ± 2 km suid van die Stellenbosch sentrale besigheidsdistrik, soos op die aangehegte liggingsplan aangedui.

Aansoeker :

TV3 Projects Pty Ltd

Aard van Aansoek :

1. 'n Aansoek om die hersonering van Ongeregistreerde Plaas 1049/2, Afdeling Stellenbosch, vanaf Sake Sone III (kantoorpark) na Institusionele Sone III ten einde die ontwikkeling van 'n nuwe Medikliniek toe te laat;
2. 'n Aansoek om 'n afwyking op Ongeregistreerde Plaas 1049/2, Afdeling Stellenbosch, vir die verslapping van die 10 m boulyn tot 0 m vir 'n gedeelte op die oostelike grens ten einde die nuwe gebou op Ongeregistreerde Plaas 1049/2, Afdeling Stellenbosch, te akkommodeer; en
3. 'n Aansoek vir die goedkeuring van die Terreinontwikkelingsplan.

Skriftelike besware, indien enige, met 'n opgaaf van redes en gerig aan die ondergetekende, Posbus 17, Stellenbosch, 7599, of gefaks word aan 021-886 6899, of per hand afgelewer by die Grondgebruiksbestuursafdeling, Advieskantoor, Grondvloer, Munisipale Kantore, Pleinstraat, Stellenbosch, met vermelding van die bostaande verwysings- en ernommer, sowel as u ernommer, kontaknommer en adres, maar nie later as 30 dae vanaf die datum van registrasie van hierdie posstuk nie. Let asseblief daarop dat slegs skriftelike besware ontvang binne die voormelde tydsraamwerk as geldig beskou sal word.

Indien u terugvoering nie na die bogenoemde posadres, fisiese adres of faksnommer gestuur word nie en indien, dit as gevolg daarvan laat arriveer, sal dit as ongeldig geag word.

Enige navrae in die bogenoemde verband kan aan Pedro April by tel. 021-8088683 gerig word.

Yours faithfully / Die uwe



p. DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT
n. DIREKTEUR: BEPLANNING & EKONOMIESE ONTWIKKELINGDE
PL1049-2J15

Parmalat South Africa Pty Ltd
P O Box 809
STELLENBOSCH
7599

Brandwacht Ontwikkelings BK
Posbus 91
STELLENBOSCH
7599

Strandweg Trust
p/a Tempo Konstruksie BK
Posbus 835
STELLENBOSCH
7599

A I Olivier
Barrystraat 38
STELLENBOSCH
7600

B P Rode
Brandwachtstraat 2
STELLENBOSCH
7600

W H Aucamp
De Wetstraat 14
Brandwacht
STELLENBOSCH
7600

W M L Strydom
De Wetstraat 12
STELLENBOSCH
7600

L Langeveld
10 De Wet Street
STELLENBOSCH
7600

C E Clarke
8 De Wet Street
Brandwacht
STELLENBOSCH
7600

NG Kerk Welgelegen
Buitekringweg 8
STELLENBOSCH
7600

P W Warkotsch
De Wetstraat 7
STELLENBOSCH
7600

J & C van Zyl
Zevendalweg 71
KUILSRIVIER
7580

DEWVEST (Pty) Ltd
No 4 Forth Slot
Brandwacht-aan-Rivier
STELLENBOSCH
7600

J A & M Hanekom
Eerste Slot Nr 6
Brandwacht-aan-Rivier
Trumalistraat
STELLENBOSCH
7600

Isibaya House (Pty) Ltd
Postnet Suite 205
Private Bag X200009
GARSFONTEIN
0042

Brandwacht Office Park Body Corporate
p/a Marite Property Management
Posbus 856
STELLENBOSCH
7600

Brandwacht Land Development (Pty) Ltd
Posbus 17340
GROENKLOOF
0027

Kee Enterprises (Pty) Ltd
Posbus 6038
UNIEDAL
7612

Stellenbosch Interest Group
P O Box 2217
DENNESIG
7601

Councillor E L Maree
Ward 21

Per Hand

Councillor E Groenewald
Ward 22

Per hand

Brandwacht-aan-Rivier Huiseienaarsvereniging
p/a PFS
Posbus 1550
STELLENBOSCH
7599

APPENDIX 3

Let me respond in any event, as the question is specifically about the delegation and authority and not the facts of the matter.

Council approved of the delegations in the item: **8.6 ESTABLISHMENT OF A MUNICIPAL PLANNING TRIBUNAL FOR STELLENBOSCH MUNICIPALITY IN TERMS OF THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013 (ACT 16 OF 2013) AND IMPLEMENTATION OF THE LEGISLATION**

30TH COUNCIL MEETING: 2015-05-27: ITEM 8.6

RESOLVED (majority vote with 10 abstentions)

- (a) that the draft Council approve the establishment of a WC024 Municipal Planning Tribunal in terms of Section 35 of the Spatial Planning and Land Use Management Act, 16 of 2013;
- (b) that the term of office for the Municipal Planning Tribunal (MPT) be three years;
- (c) that the Municipal Manager be authorised to proceed with the processes in accordance with Section 36(1) of the SPLUMA to comply with the institutional requirements for the establishment of a WC024 Municipal Planning Tribunal (MPT);
- (d) that the MPT consists of a panel of 10 people available to sit on the MPT, seven of which are members of the public and three officials:
 - (i) that four members of the public sit at every meeting; and
 - (ii) three additional members be appointed to stand in for unavailable tribunal members.
- (e) that the MPT public members be remunerated at the following rates:
 - (i) that the four members of the public that sit at every meeting be remunerated at R300,00 per hour, with no more than 10 hours being set aside per meeting and that the rate be reconsidered annually in the budget; and
 - (ii) that the sitting members be reimbursed for travelling expenses, inclusive of travel from and back home to the sittings, at the rates approved from time to time for Councillors in the Mayoral Committee, in keeping with the relevant policy of the Municipality.
- (f) that Council approve of the municipal employees for the Tribunal, namely:
 - (i) Manager: Development Services;
 - (ii) Manager: Spatial Planning, Heritage and Environment, Directorate: Planning and Economic Development; and
 - (iii) Senior Legal Advisor
- (g) that the following categories of applications be approved:

Category 1 Applications (complex) are:

- (i) the establishment of an integrated (mixed use) township or the extension of the boundaries of a township (urban edge);
 - (ii) the amendment of an existing scheme or land use scheme by the rezoning of land to which substantive objections were submitted;
 - (iii) the removal, amendment or suspension of a restrictive or obsolete condition, servitude or reservation registered against the title of the land to which substantive objections were submitted;
 - (iv) the subdivision of any land outside the urban edge for purposes other than the provision of any service;
 - (v) permanent closure of any public place;
 - (vi) any consent or approval required in terms of a condition of title, a condition of establishment of a township or condition of an existing scheme or land use scheme to which substantive objections were submitted;
 - (vii) any departure or use not provided for in the relevant zoning scheme;
 - (viii) any application on municipal or other public land where the Municipality is the applicant;
- and

(ix) Amendment of a condition of approval where the decision was taken by the Tribunal or the appeal authority.

Category 2 applications are:

- (i) the subdivision of any land inside the urban edge to which substantive objections were not submitted;
- (ii) the consolidation of any land;
- (iii) the consent of the municipality for any land use purpose or departure or deviation in terms of a land use scheme or existing scheme which does not constitute a land development application;
- (iv) the removal, amendment or suspension of a restrictive title condition relating to the density of residential development on a specific erf where the residential density is regulated by a land use scheme in operation;
- (v) the amendment of an existing scheme or land use scheme by the rezoning of land to which substantive objections were not submitted;
- (vi) the removal, amendment or suspension of a restrictive or obsolete condition, servitude or reservation registered against the title of the land to which substantive objections were not submitted; (g) any consent or approval required in terms of a condition of title, a condition of establishment of a township or condition of an existing scheme or land use scheme to which substantive objections were not submitted;
- (vii) extension of the validity period of an approval;
- (viii) phasing, amendment or cancellation of a plan of subdivision or a part thereof;
- (ix) permission required in terms of a condition of approval; and
- (x) special consent for the temporary use (maximum 21 days) of land not provided for in the zoning scheme.

(h) that the following definition be used for "substantive objection":

Substantive objections are defined by one or more of the following:

- (i) likelihood of direct loss of property, land use rights or significant property value of the objector(s) directly affected by the application in question;
- (ii) evidence that the proposed land development activity is in conflict with all or most of the guidelines, principles, prerequisites, and standards contained in the IDP, applicable SDF, relevant by-laws and related approved policies;
- (iii) evidence is presented which demonstrates that the proposed land development activity or alteration has a potential for significant adverse impacts on one or more of the following descriptors of the environment:
 - ecological functioning;
 - permanent nuisance and/or disturbance with effects on health and well-being of surrounding residents, occupants or property owners;
 - post construction traffic patterns;
 - areas of historic and/or archaeological significance;
 - scenic and/or recreation values; (6) post construction infrastructure services provision.

(i) that the Director: Planning and Economic Development be the delegated official for decision-making in Category 2 cases until the amended System of Delegations has been approved by Council;

(j) that an elected Appeal Committee consisting of Councillors of the WC024 be designated as the Appeal Authority;

(k) that the evaluation panel to evaluate the nominations for MPT members received by the Municipality be the Planning and Economic Development Portfolio Committee; and

(l) that the terms of reference for the evaluation panel be determined by the Executive Mayor in consultation with the Mayoral Committee members.

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

(DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT TO ACTION)

10.2	QUESTION (2) BY COUNCILLOR DA HENDRICKSE: LEASES ENTERED INTO BY MUNICIPAL OFFICIALS WITHOUT A TENDER PROCESS/COUNCIL APPROVAL
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A Notice of Question, in terms of Section 38(2) of the Rules of Order regulating the Code of Conduct of Council and Council Committee meetings, dated 2017-05-09, was received from DA Hendrickse.

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

FOR CONSIDERATION

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:	



9 May 2017

The Single Whip
Stellenbosch Municipal Council
Plein Street
STELLENBOSCH
7600



11.49
Chantelle



Attention : Clr W Pietersen (Ms)

Dear Whip

RE NOTICE OF QUESTIONS TO SERVE AT THE MAY 2017 COUNCIL MEETING

QUESTION NO 1

What power, authority or delegations have the Director Planning and Economic Development used to approve the Rezoning Application Site development Plan : Farm No 1049/2 Stellenbosch – New Medi -Clinic Hospital . (See attached letters dated 2017-01-27 and 2017-02-28 from Director Planning and Economic Development: Mr D Lombaard

MOTIVATION

The first time I became aware of the approval of the New Medi-Clinic Hospital, was when and advertisement and article appeared in the April 2017 Eikestad Newspaper. I could find no record of the approval of this development in any item that served before Council or any Committee of Council. Likewise I am not aware if this application served on the agenda of the Municipal Planning Tribunal established by Council. Likewise no reports also served before Council on the delegations .

This begs the question, as to what other developments the Director Planning and Economic Development, have approved without Council's knowledge.

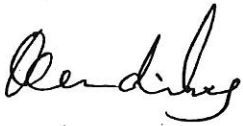
QUESTION NO 2

What leases has the municipal officials entered into without a tender process or obtaining approval from Council via a Council resolution.

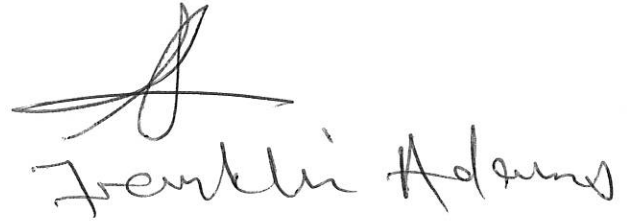
Motivation

Reading through the System of Delegations it appears that officials are given the delegated authority to sign contracts for leases. These delegations must be exercised in terms of a policy framework and must also be reported to Council. In this regard I could find no record of any reports submitted indicating lease contracts concluded by municipal officials.

Regards



Clr DA Hendrickse



Franklin Adams



9.5.10



MEMORANDUM

*Office of the Municipal Manager
Kantoor van die Munisipale Bestuurder*

To : **SPEAKER**
 From : **MUNICIPAL MANAGER**
 Date : **22 May 2017**
 RE : **REPLY TO QUESTIONS IN TERMS OF SECTION 21 OF THE
RULES OF ORDER: MEDI-CLINIC AND LEASES**

Dear Speaker,

With reference to the question received from Councilor D Hendrickse, submitted in terms of Section 21 of the Rules of Order Regulating the Conduct of Council and Council Committee Meetings, dated 09 May 2017 herewith my reply:

Question 1 :

"What power, authority or delegation have the Director Planning and Economic Development used to approved the Rezoning Application Site Development Plan : Farm No 1049/2 Stellenbosch – New Medi-Clinic Hospital."

Response

The decision was taken in terms of the Council's System of Delegations adopted on 2015-06-24 No. 317- Consider Applications for Rezoning of property in terms of LUPO by the Director Planning and Economic Development. **(Appendix 1)**.

The Director and/or the Planning and Economic Development Portfolio Committee have the delegated authority to consider land use planning applications submitted prior to 01 December 2015. Initial approval was issued on 27 January 2017, subject to a 30 day appeal period. Final approval was granted by registered letter dated 28 February 2017.

Approval of the site development plan was done in terms of Delegation 336 (To approve or amend a Site Development plan, where a rezoning, subdivision or departure or consent /conditional use has been approved subject to the submission of a site development plan and provided that the other conditions of approval imposed in terms of S 42 remain unaltered and notwithstanding the body who approved the original application.). The Director and Manager: Land Use Management have the delegation to consider same.

The process is followed as per the SOP and Checklist developed by the Directorate.

Attached **(Appendix 2)** please find the:

- Advert (public notice) that was published on 16 July 2015 by the Department.
- Letter to Internal Departments notified – for comment.
- Letter to External Departments notified – for comment.
- Letter to Surrounding and interested and affected parties notified – per registered mail.

Appendix 3 is the Council resolution dated 27 May 2015 dealing with the Establishment of a Municipal Planning Tribunal and designation of an Authorised Employee for Stellenbosch in terms of SPLUMA and the implementation of the Legislation in which the categories for

decision by relevant authorities are identified. These two parties have the delegation to decide on all applications submitted subsequent to 01 December 2015.

Question 2 :

" What leases has the municipal officials entered into without a tender process or obtaining approval from Council via a Council resolution."

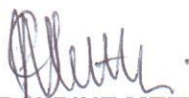
Response

The Property department is not aware of any Lease Agreements that was concluded without Council resolutions authorizing it, except for the following, which was done in terms of delegated authority and an approved tariff structure:

- A number of Encroachment Agreements dealing with gardening purposes, parking and outdoor dining applications;
- A number of Lease Agreements in relation to Telecommunication infrastructure. Since September 2016, however, a moratorium on all new applications was implemented, until such time as a new policy is in place.

Should the councillor request the names of the people/organisations with whom contracts were concluded (as per the above), we will make it available at request. A clear timeline will however be requested.

Regards



**GERALDINE METTLER
MUNICIPAL MANAGER**

10.3	QUESTION (1) BY COUNCILLOR F ADAMS: POLICY ON PLACE NAMING, STREET NAMING, RENAMING AND NUMBERING
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A Notice of Question, in terms of Section 38(2) of the Rules of Order regulating the Code of Conduct of Council and Council Committee meetings, dated 2017-05-09, was received from Cllr F Adams.

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

FOR CONSIDERATION

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:	



CONTACT: oackcity2010@yahoo.com
P.O BOX 12445
DIE BOORD
7613

09 May 2017

RE: Question

I hereby submit the following Question in terms of the Rules of Order to serve at the May 2017 Council Meeting.

Background

The question is in connection with my official motions, since 2012 to rename certain streets within Stellenbosch.

I also refer the Council to our official and legal policy on Place Naming, Street Naming and Renaming & Numbering.

6. Conditions for Submitting Renaming Proposals

6.1 Each year Council shall advertise a window period during which renaming submissions can be made.

The Policy , also make provision for appointing a panel of experts who shall make specific recommendations on renaming proposals.

I am however disturbed, that in the presence of a formal policy, that everything possible has been done to violate and disregard it.

There was an deliberate attempt by officials, as well as Councilors to ignore and maliciously curbing any attempt to rightfully utilize the policy.

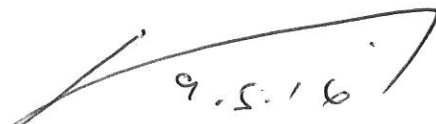
Question:

1. What is the reason, that the policy , specific in terms of the window period was ignored and what actions is going to be taken.
2. Is the MM prepared to execute the provision of said policy, with regard renaming of place and streets within two months.

I request the MM to answer my question in writing.


Clr. Franklin Adams


D. A. HENDRIKSE


9.5.16



MEMORANDUM

*Office of the Municipal Manager
Kantoor van die Munisipale Bestuurder*

To : SPEAKER
From : MUNICIPAL MANAGER
Date : 23 May 2017
**RE : REPLY TO QUESTIONS IN TERMS OF SECTION 21 OF THE
RULES OF ORDER: RENAMING OF STREETS**

Dear Speaker,

With reference to the question received from Councilor F Adams, submitted in terms of section 21 of the Rules of Order Regulating the Conduct of Council and Council Committee Meetings, dated 09 May 2017 herewith my reply:

Question 1 :

"What is the reason, that the policy, specific in terms of the window period was ignored and what actions are going to be taken."

Question 2 :

"Is the MM prepared to executive the provision of said policy, with regard renaming of place and streets within two months."

Response

The entire matter of dealing with the renaming of streets and places is the delegated authority of the Executive Mayor and the Portfolio Committee on Planning and Economic Development. Unless these two parties issue the relevant instructions, then the window period is not advertised.

In the instance of the question, the Directorate submitted an item in response to the 33rd Council Resolution:

33RD COUNCIL MEETING: 2015-08-25: ITEM 7.2

RESOLVED (majority vote with 7 abstentions)

(a) that the Director: Planning & Economic Development be commissioned to place an advert in the local community newspapers and to place notices at public places to invite written submissions for the renaming of streets over a 60 day window period;

(b) that the Director: Planning & Economic Development be commissioned to place an advert in the local community newspapers and to place notices at public places to invite nominees for the establishment of a Panel of Experts to advise Council on proposal for the renaming of streets.

(c) that the terms of reference for the panel of experts as summarized in the report, be approved.

(DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT TO ACTION)

Subsequent thereto the Director submitted the relevant report to the portfolio committee:

**PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE: 2016-05-31: ITEM 6.1.1
RECOMMENDED**

(a) that the advertising process to invite written submissions for the renaming of streets (annual window period) and the nomination of members to a Panel of Experts for the 2015/2016 financial year be accepted as complete;

(b) that, considering the fact that only one nominee for a Panel of Experts has been received to advise Council on the renaming of streets and public places, the nomination process be regarded as closed and that no panel be established in this financial year;

(c) that Council regards the submission of the motion by Councilor Franklin Adams to the Planning and Economic Development Committee as a formal application for the renaming of streets and public places and exempt the applicant from paying the required application fee as per Councils Tariffs structures for each financial year and from following the prescribed process in terms of the policy; and

(d) that no streets or public places be renamed in this financial year due to a panel not being established.

(DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT TO ACTION)

The Policy on Place Naming, Street Naming and Numbering was referred to the relevant Portfolio Committee by the Executive Mayor. The Executive Mayor requested to the Committee to review and advise, as policy dates back to 2010. Special attention should be given to the detail and procedure for renaming of street names.

Regards



**GERALDINE METTLER
MUNICIPAL MANAGER**

10.4	QUESTION (2) BY COUNCILLOR F ADAMS: KREEFGAT/BLAAUWKLIPPEN
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A Notice of Question, in terms of Section 38(2) of the Rules of Order regulating the Code of Conduct of Council and Council Committee meetings, dated 2017-05-09, was received from Cllr F Adams.

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

FOR CONSIDERATION

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:	

MUNICIPALITY - MUNISIPALITEIT
STELLENBOSCH

09 MAY 2017

Chantelle
OFFICE OF THE SPEAKER

15.13



CONTACT: oackcity2010@yahoo.com
P.O BOX 12445
DIE BOORD
7613

09 May 2017

RE: Question

I hereby submit the following Question in terms of the Rules of Order to serve at the May 2017 Council Meeting.

Background

Kreefgat was in existence for more than twenty five years and grew tremendously ever since.

In 2008 the property was bought by Blaauwklippen Estate, who was promised by both officials and politicians, that the occupants will soon be relocated. This never happened, until a huge fire in January 2014 that nearly destroyed half of the live hood of the residents.

There was an agreement, which is questionable between the victims, non- victims, Municipality and Blaauwklippen. In 20015, Blaauwklippen brought an eviction applications against more than 150 people in the magistrate court. There was a Council decision on 26 April 2015 , that mandated the MM to mediate and settle the eviction between the parties, subject thereto that Blaauwklippen makes a substantial monetary contribution.

Question:

1. How many people on the final list approved by Province was taken of and who are they?
2. How many people, that did not qualify, received houses (according the Blaauwklippen purchase) and who are, they?

I request the Mayor to answer my question in writing.

Clr. Franklin Adams

P. A. HENDRICKSE

9.5.16



MEMORANDUM

*Office of the Municipal Manager
Kantoor van die Munisipale Bestuurder*

To : SPEAKER
From : MUNICIPAL MANAGER
Date : 17 May 2017
RE : REPLY TO QUESTIONS IN TERMS OF SECTION 21 OF THE
RULES OF ORDER: KREEFGAT / BLAAUWKLIPPEN

Dear Speaker,

With reference to the question received from Councilor F Adams, submitted in terms of section 21 of the Rules of Order Regulating the Conduct of Council and Council Committee Meetings, dated 09 May 2017 herewith my reply:

Question 1 :

"How many people on the final list approved by Province was taken off and who are they?"

Question 2 :

"How many people, that did not qualify, received houses (according the Blaauwklippen purchase) and who are they?"

Response

It should be noted that an item served at the Council In-Committee Meeting held on 26 April 2017. Said item included the Mediation report between Stellenbosch Municipality, Blaauwklippen and Kreefgat residents including the beneficiaries. Said mediation report is a confidential report.

Regards


**GERALDINE METTLER
MUNICIPAL MANAGER**

11.	URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER
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12.	CONSIDERATION OF URGENT MOTIONS
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13.	CONSIDERATION OF REPORTS
13.1	CONSIDERATION OF REPORTS SUBMITTED BY THE SPEAKER
13.1.1	REPORT ON THE FILLING OF VACANCIES ON WARD COMMITTEES

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”.*

3. DISCUSSION

3.1 Establishment Notice

Stellenbosch Municipality as a category B Municipality, established in accordance with Section 9 (d) of the Local Government Municipal Structures Act, 1998, is compelled to implement a mayoral executive system combined with a ward participatory system (Chapter 4 of the Act).

3.2 Policy Guidelines and Procedures for the establishment of Ward Committees

The Policy and Procedures for Ward Committees for the Stellenbosch Municipality has been approved by Council in October 2015, and is attached as **APPENDIX 1**. This policy stipulates that *“the municipality, after consultation with ward councillors, is to recommend to Council what type of election system to be used for each ward.”*

The composition of ward committees is guided by this policy, which stipulates that a ward committee will comprise of the Ward Councillor representing that ward and not more than 10 other persons elected through ward committee elections. It is required to publish a call for nominations for candidates for the ward committee elections in one or more of the local newspapers in the Stellenbosch Municipal area. Call for nominations were advertised in the local newspapers, namely Eikestad News and Boland Gazette. This was also extended to municipal notice boards, facilities, the online environment and cellular (SMS) communication.

3.3 Legislative Framework

Section 152 of the Constitution places the participation of communities at the centre of service delivery and other governance matters of Local Government.

The Municipal Structures Act, No 117 of 1998 and the Municipal Systems Act, No 32 of 2000, provide the legislative framework for the establishment of Ward Committees.

In terms of section 72(3) of the Structures Act, the object of a ward committee is to enhance participatory governance.

Sect. 73 of the Structures Act prescribes that:-

- “(1) If a metro or local council decides to have ward committees, it must establish a ward committee for each ward in the municipality.*
- (2) A ward committee consists of*
- (a) the councillor representing that ward in the council, who must also be the chairperson of the committee; and*
 - (b) not more than 10 other persons.*
- (3) A metro or local council must make rules regulating*
- (a) the procedure to elect the subsection (2) (b) members of a ward committee, taking into account the need*
 - (i) for women to be equitably represented in a ward committee; and*
 - (ii) for a diversity of interests in the ward to be represented;*
 - (b) the circumstances under which those members must vacate office; and*

(c) *the frequency of meetings of ward committees.*

(4) *A metro or local council may make administrative arrangements to enable ward committees to perform their functions and exercise their powers effectively.”*

The term of office of the Ward Committee shall be determined by Council resolution in terms of Section 75 of the Municipal Structures Act.

3.4 Filling of vacancies

Ward committee elections were held in all 22 wards between 16 January and 16 February this year.

Various vacancies were evident on ward committees of a number of wards. Subsequent to this, Council at its 7th Meeting, dated 2017-03-29 resolved, amongst other, as follows:

“(a) ...

(b) ...

(c) *that a deviation from the Policy be allowed only in respect of the co-option of members as stipulated in clause 15(2) and clause 15(3) of the Policy and as stipulated in recommendations (d)i, ii, iii and iv.*

(d) *that the Administration be commissioned to perform the following activities in respect of co-opting members within a ward where vacancies do exist:*

(i) *Advertisements and/or pamphlets must be prepared inviting nominations for members to be co-opted to serve on the ward committee representing the applicable geographical area/s.*

(ii) *invitations for nominations per geographical area should also be placed on the municipal website;*

(iii) *that elections be held in those wards where more than one nomination for a vacancy/ies within the ward was received; and*

(iv) *that this process of co-option be finalised by end of May 2017 whereafter a report in this regard be submitted to Council”.*

Effect was given to the above-mentioned resolutions by preparing and distributing pamphlets in the geographical areas concerned (See **APPENDIX 2**). The closing date for nominations was 03 May 2017. Nominations for a number of the vacancies were received.

Set out below is detail of the vacancies that existed, nominations received, an indication whether an election was necessary and the current status after the elections were held in the various wards.

Table 1: Filling of vacancies on Ward Committees

Ward	Vacancies	Nominations received	Election Y/N	Current vacancy status after the elections
1	3	None	N	3
2	2	2	N	1
3	3	None	N	3
4	5	2	N	3
5	1	None	N	1
6	2	2	N	0
7	2	None	N	2
8	7	3	N	4
9	3	3	N	0
10	3	None	N	3
11	3	2	N	1
16	3	3	Y	1 vacancy as a result of a tie of votes
17	4	1	N	3
18	2	None	N	2
19	3	None	N	3
20	6	7	Y	1- one nominee waiting for transport was not picked up on night of election
21	3	3	N	0
22	6	7	Y	1 – one nominee did not attend election

It is evident from the table above that vacancies still exist in some of the wards as depicted in the column on the right.

Council Policy on the Establishment of Ward Committees determines that in the event where vacancies on a ward committee exist such vacancies may be filled through a process of co-option.

4. LEGAL COMMENT

No legal comment is required.

5. FINANCIAL COMMENT

No financial comment is required.

RECOMMENDED

- (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:	

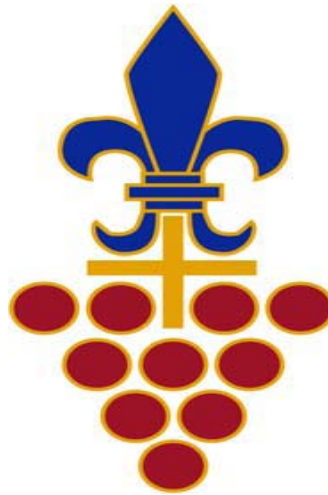
¹ Clause 15(2) stipulates that:

“... 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”.

Stellenbosch Municipality



Policy and Procedures For Ward Committees

Adopted by Council on 29 November 2006
As amended by Council on 26 August 2010, 20 June 2012 and 28
October 2015

Policy and Procedures for Ward Committees
Compiled in terms of the Local Government: Municipal Structures
Act, 1998
(Act 117 of 1998)

Preamble

WHEREAS Stellenbosch Municipality is committed to encouraging the involvement of communities and community organisations in its affairs;

AND WHEREAS Stellenbosch Municipality is a municipality with an Executive Mayoral System combined with a ward participatory system as set out in section 9(d) of the Municipal Structures Act;

AND WHEREAS the Council has resolved in terms of section 72(2) of the Act to adopt the ward participatory system;

IT IS THEREFORE RESOLVED by the Council of Stellenbosch Municipality as follows:-

Definitions

1. In this Policy and Procedures, a word or expression has the meaning assigned to it in applicable national legislation; otherwise it has the meaning as defined below:

“**the Act**” means a Local Government: Municipal Structures Act, 1998 (Act 117 of 1998);

“**election officer**” means the person in charge of the election of ward committee members at an election meeting, which person shall be an official of the municipality or an impartial person appointed by the municipality for this purpose;

“**geographical representation system**” means a system where the seats on a ward committee are reserved in proportion to a predetermined number of members per sub-ward;

“**nominee**” means a person, nominated in terms of section 6 for election to the ward Committee by a sector to represent that sector;

“**out of pockets expenses**” means the payment of out of pocket expenses to members of ward committees in respect of participation by ward committee members in the activities of the ward committees as contemplated in section 73(5)(c) of the Local Government: Municipal Structures Act, 117 of 1998,

“resident” means a resident of the ward for which the ward committee was established;

“sector” means –

- (a) Youth;
- (b) Women;
- (c) Religion;
- (d) Sports and culture;
- (e) Health and welfare;
- (f) Business;
- (g) Environment;
- (h) Heritage;
- (i) Education;
- (j) Senior citizens;
- (k) Community safety;
- (l) Community based organisations;
- (m) Ratepayers'/civic associations;
- (n) Agriculture;
- (o) Informal trade;
- (p) People living with disabilities;
- (q) Farm workers;
- (r) Employment
- (s) Tourism' and
- (t) Public transport.

“sectional representation system” means a system where each member on the ward committee represents one of the sectors above;

“Sub-ward” means a single voting district, portion of a voting district or combination of voting districts as determined by council.

CHAPTER 1 ESTABLISHMENT AND ELECTION

Establishment

2. With the effect from a date set by the Municipality, ward committees will be established for all the wards.

Status of ward committees

3. (1) The object of a ward committee is to enhance participatory democracy in local government.
- (2) A ward committee:
 - (a) Is an advisory body;
 - (b) Is a representative structure;
 - (c) Is independent; and
 - (d) Must be impartial and perform its functions without fear, favour or prejudice

Composition of ward committees

4. (1) A ward committee will comprise of the ward councillor representing that ward in the Council and not more than 10 other persons elected according to sections 6 to 10.
- (2) Gender equity and diversity of interests will be pursued by the election officer. This will be done by drawing the attention of the voters at the start of an election meeting to the importance of –
 - (a) striving for an equal representation of men and women on a ward committee;
 - (b) ensuring the inclusion of a wide as possible variety of the sectors listed under section 1 (Definitions) on a ward committee in the case of a sectoral representation system; and
 - (c) having representatives for different communities within the ward on the ward committee in the case of a geographical representation system.
- (3) Unless the municipality appoints administrative support, the ward committee must appoint one or more of its members to fulfil the administrative and /or secretarial duties of the ward committee.
- (4) A ward councillor may delegate in writing the chairing of a meeting in his/her absence to a proportional representation councillor or any member of the ward committee.

- (5) A ward committee may extend a standing invitation to a maximum of two individuals which they feel will contribute to a better representativity of the committee, as observers to the ward committee.
- (6) The observers mentioned in subsection (5) above will have no voting rights during ward Committee meetings.

Decision on type of ward committee

- 5. (1) When a new ward committee is to be established, the municipality must determine beforehand whether the particular ward warrants a single election following the sectoral representation system or more than one election following the geographical representation system taking into account the diversity of communities as well as the geography of that ward.
- (2) The Municipality, after consultation with ward councillors, is to recommend to council what type of election system to be used for each ward.
- (3) In the case of a geographical representation system the municipality, in consultation with the ward councillors, must determine beforehand how many ward committee members will be representing each sub-ward, taking into consideration the pro-rata numbers of registered voters in each voting district.

Nomination

- 6. (1) Before the municipality calls for nominations for a general election of ward committees, an information campaign must be undertaken to inform the public and councillors on all aspects of the election.
- (2) Only the following nominations will be valid:
 - (a) In the case of a sectoral representation system, those made by organisations/associations/bodies that represent one or more of the sectors identified under section 1 (Definitions); and
 - (b) In the case of a geographical representation system, those made by organisations/associations/bodies that are active in the particular sub-ward.
- (3) Council may consent to a deviation from subsection (1) above if it is of the opinion that it will not be feasible in a particular ward or sub-ward.
- (4) The municipality must –
 - (a) Notify all organisations/associations/bodies on the database of the municipality in writing at least 45 days before nominations close of the opportunity to nominate candidates for the ward committee elections;
 - (b) Publish a call for nominations for candidates for the ward committee elections in one or more of the local newspapers in the Stellenbosch Municipal area; and

- (c) Advertise the call for nominations on notice boards in municipal buildings and municipal libraries for a period of at least 30 days.

(5) A nomination must be accompanied –

- (a) by a written acceptance of the nomination by the nominee,
- (b) by the constitution, establishment notice or any other form of proof of formal existence of the nominating organisation/association/body or by the minutes and attendance register of the last meeting of the nominating organisation/association/body.

Election criteria

7. To be elected as a member of a ward committee, a person -

- (a) must be a registered voter in the ward concerned;
- (b) may not be a member of the Stellenbosch Town Council;
- (c) may not work for the Stellenbosch municipality;
- (d) may not be in arrears to the Municipality for rates and service charges for a period of more than 3 months since the date of the nomination;
- (e) may not be someone who, after February 1997, have been convicted of an offence and sentenced to imprisonment without the option of a fine for a period of not less than twelve months, or
- (f) may not be someone of unsound mind who have been declared so by a competent court.

Election meeting

8. (1) Elections will be held according to the type of election system determined by council for each ward in terms of section 5 above.

(2) On determining the election meeting venue or venues in the case of separate meetings, the municipality must take into account inter alia:

- (a) The input of ward councillors concerned;
- (b) Distances for voters to travel;
- (c) The needs of minority or vulnerable groups to be accommodated on the ward committee, and
- (d) The existence or not of separate communities within the ward with dissimilar needs.

(3) After the nominations have closed, the municipality must –

- (a) convene an election meeting for each of the wards or sub-wards after confirmation of the election date with the relevant ward councillor, and
 - (b) make public the date, time and place of a ward or sub-ward election meeting by way of official notice in local newspapers in all the official languages of the province; as well as other means of public communication as determined by council.
- (4) Only residents who are registered voters in the ward or sub-ward concerned may attend and vote at the meeting.
This does not exclude municipal officials and members of the media to attend the meeting without the right to vote
 - (5) The ward election meeting is chaired by the election officer.
 - (6) Provision must be made for the illiterate, where applicable.

Election procedure

- 9. (1) The ward councillor, if present, may welcome the voters and the candidates and must then take a seat amongst those present at the meeting and refrain from any interference with the proceedings.
- (2) The election officers will then take control of the voting process and explain the procedure to be followed.
- (3) In the case of a sectoral representation system –
 - (a) the meeting, through a voting procedure, selects the 10 most appropriate sectors for the ward concerned; and
 - (b) the nominees from the sectors not selected in terms of subsection (a) above are eliminated from the rest of the procedure.
- (4) the nominees are –
 - (a) introduced by the election officer, and
 - (b) allocated, on an even basis, time to address the meeting.
- (5) After nominees for a sector (in the case of a sectoral representation system) or a sub-ward (in the case of a Geographical representation system) were introduced and had an opportunity to address the meeting, the election Officer will call for a vote on the nominees within that sector or sub-ward.
- (6) If only one person was nominated, the election officer must declare that person elected.

- (7) The election officer must declare elected the nominee who receives a majority of the votes (50% plus one) cast.
- (8) If no nominee receives a majority of the votes cast, a second vote is taken on the three nominees that received the highest number of votes in the first vote.
- (9) If no nominee receives a majority of the votes cast in the second vote, a third vote is taken on the two nominees that received the highest number of votes in the second vote.
- (10) If the two nominees have exactly the same number of votes after the process in subsection (9) above, the election officer will determine the elected person by the draw of lots.
- (11) Once all vacancies have been filled, the election officer must indicate to those present their right to appeal.
 - (a) Any such appeal must be lodged with the Office of the Speaker within one week of the election.
 - (b) Appeals will be dealt with by an independent person appointed for this purpose by the Speaker. This person's findings will be final and binding.
- (12) The ward councillor may at this point in time take control of the meeting to thank everybody present, congratulate the successful candidates and to close the meeting; should he/she so wish.

Voting

- 10** (1) Each community member present may cast one vote (in case of a sectoral representation system one vote per sector).
- (2) Voting shall be by ballot paper unless 75% or more of the voters decide to vote by show of hands. This may be determined for the meeting as a whole or for each sector or sub-ward separately.
 - (3) Where voting is done by show of hands, the nominees for each sector or sub-ward will leave the hall for the duration of the election with respect to that sector or sub-ward.
 - (4) The ward councillor may take part in the voting process.
 - (5) The ward councillor may in no way before or during the election meeting influence the election of ward committee members.

CHAPTER 2 TERMS OF OFFICE, VACANSIES AND DISSOLUTION

Term of office

11. (1) The term of office for a ward committee will run concurrently with that of the Council up to the day of the next municipal elections.
- (2) Members of a ward committee will vacate office when a new Council is declared elected.
- (3) The vacation of office by the ward councillor does not affect the term of office of the 10 additional members elected in accordance with sections 6 to 10.
- (4) A ward committee member may be re-elected, subject to the above subsections.

Dissolution

12. (1) The Council may, by notice addressed to the ward committee, dissolve the ward committee if it fails to fulfil its object:
- (a) When it fails to meet three consecutive times;
 - (b) When members recommend to council to dissolve it, and
 - (c) When maladministration, fraud, corruption or any serious malpractice has occurred or is occurring in a committee.
- (2) The Council must give prior notice to the ward committee of the intention to dissolve a ward committee.

Termination of membership

13. The membership of a ward committee member will be terminated if that member -
- (a) resigns in writing;
 - (b) is no longer qualified, in terms of section 7, to be a member of a ward committee;
 - (c) is removed from office by the Speaker in terms of section 14; or
 - (d) dies.

Removal from office

14. The Speaker can remove a member of a ward committee from office if that member -
- (a) Fails to attend three consecutive meetings without obtaining leave of absence from the ward committee;
 - (b) fails to adhere to meeting procedures or is guilty of misconduct during ward committee meetings;
 - (c) is involved in proven activities that undermines the authority of the Council or the ward councillor, or
 - (d) is engaged in corruption.

Filling of vacancies

15. (1) The Speaker must fill the vacancy by declaring as elected the person who received the second highest number of votes in the sector or sub-ward concerned during the election held in terms of section 9.
- (2) If nobody can be declared elected in terms of subsection (1) above, the ward committee may by a majority vote of the members' present, fill the vacancy through a process of co-optation.
- (3) 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.
- (4) Sectoral representation (in the case of a sectoral representation system) or geographical representation (in the case of a geographical representation system) of the member, who vacated his /her position, must be taken into account when filling a vacancy.
- (5) A person co-opted as a ward committee member must comply with the criteria in section 7.

**CHAPTER 3
POWERS AND FUNCTIONS AND CONDUCT OF MEMBERS**

Powers and functions

16. (1) A ward committee may take recommendations on any matter affecting its ward to the ward councillor, or through the ward councillor, to the Council or to the Executive mayor.
- (2) The following duties and powers are delegated to ward committees by the Council in terms of Section 59 of the Municipal Systems Act:
- (a) To serve as an official specialised participatory structure in the municipality.
 - (b) To create formal unbiased communication channels as well as co-operative partnerships between the community and the Council. This will be achieved as follows:
 - (i) Advise and make recommendations to the ward councillor on matters and policy affecting the ward;
 - (ii) Assist the ward councillor in identifying challenges and needs of residents;
 - (iii) Disseminate information in the ward concerning municipal affairs such as the budget, integrated development planning, performance management system (PMS), service delivery options and municipal properties;
 - (iv) Receive queries and complaints from residents concerning municipal service delivery, communicate it to Council and provide feedback to the community on Council's response;

- (v) Ensure constructive and harmonious interaction between the municipality and community through the use and co-ordination of ward residents meetings and other community development forums; and
 - (vi) Interact with other forums and organisations on matters affecting the ward.
- (c) To serve as a mobilising agent for community action within the ward. This may be achieved as follows:
- (i) Attend to all matters that affect and benefit the community;
 - (ii) Act in the best interest of the community; and
 - (iii) Ensure the active participation of the community in –
 - (aa) service payment campaigns;
 - (bb) the integrated development planning process;
 - (cc) the municipality's budgetary process;
 - (dd) decisions about the provision of municipal services, and
 - (ee) decisions about by-laws;
- (d) No executive powers will be delegated to ward committee members;
- (e) A ward committee may express dissatisfaction in writing to the Council on the non-performance of a ward councillor.

Subcommittees

17. (1) A ward committee may establish one or more subcommittees necessary for the performance of its functions and involve organisations more broadly.
- (2) A ward committee must –
- (a) appoint the members of such a committee;
 - (b) appoint the chairperson of such a committee from amongst its members, and
 - (c) determine the function of such a committee.
- (3) the ward committee and sub-committees may meet together as a ward forum for major discussions.
- (4) Stakeholders in the ward may apply to the ward committee to participate in sub-committees that are relevant to their fields of interest and to their day-to-day functioning as a sector.

Conduct of members

18. A member of the ward committee:
- (a) Must perform the functions of the committee in good faith and without fear, favour or prejudice.
 - (b) My not use the position or privileges of a member for private gain, or to improperly benefit another person.
 - (c) May not act in any other way that compromises the credibility, impartiality, independence or integrity of the committee.

- (d) Must adopt the principle of accountability to the community and all political parties represented in Council.
- (e) Must be accessible for the community and ensure that all role players can relate to the process and the issues at hand and are able to make their input into the processes of the committee.
- (f) Must adopt the principle of transparency to promote openness, sincerity and honesty among all the role-players in a participative process and promote trust and respect for the integrity of each role-player and a commitment by all to the overriding objectives of the process in the interest of the common good.
- (g) Must recognise diversity and understand the differences associated with race, gender, religion, ethnicity, language, age, economic status and sexual orientation, among other.
- (h) Must embrace all views and opinions in the process of community participation. Special effort should be made to include previously disadvantaged persons and groups, including women and youth in the activities of the ward committee.
- (i) Must provide an apology with a valid reason to the chairperson of the committee if a meeting cannot be attended.

CHAPTER 4 MEETINGS WARD COMMITTEE MEETINGS

Chairperson

19. (1) Subject to section 4(5) above, ward committee meetings are convened and chaired by the ward councillor.
- (2) Members of the ward committee must submit items to be discussed, well in advance to the chairperson.
 - (3) The chairperson will be responsible to prepare an agenda for ward committee meetings.
 - (4) The chairperson determines when and where a ward committee meets, subject to subsection (5) below.
 - (5) A ward committee should meet on a monthly basis but must meet at least quarterly.

Purpose

20. The purpose of the ward committee meetings is:
- (a) for ward committee members to raise matters affecting the ward;
 - (b) for the ward councillor to report on –
 - (i) matters decided by the Council;
 - (ii) Initiatives, information, campaigns and programmes of the Council,
 - (c) To discuss complaints received by ward committee members on municipal service delivery in the ward; and
 - (d) To formulate views and action plans on the above matters.

Quorum and decisions

21. (1) Half (50%) of the serving ward committee members must be present before a vote may be taken on any matter.
- (2) A ward committee shall endeavour to adopt its views on the basis of consensus.
- (3) If consensus on any matter cannot be achieved, such matter may be determined by a supporting vote of at least the majority of the members present.

Procedures

22. (1) A ward committee with a supporting vote of the majority of its serving members may determine its own procedures subject to any directions of the chairperson.
- (2) Meetings of a ward committee are normally open to the public.

Work programme

23. The Ward committee:
- (a) Must submit a programme with specific outputs of work for one year to the office of the Speaker or other designated political functionary in July of each year;
- (b) Must perform the functions as set out to achieve and indicated in the work programme
- (i) On own initiative;
 - (ii) on request by the ward councillor;
 - (iii) on request by the Speaker or other designated political functionary;
 - (iv) in accordance with priorities and reasonable time frames determined by the Speaker or other designated political functionary.

Administrative support

24. (1) The municipality must make administrative and secretarial arrangements to enable ward committees to perform their functions and exercise their powers effectively.
- (2) The municipality may put in place conditions, such as periods of notice of meetings, in order to organise administrative and secretarial support to the ward committee.
- (3) In the case where the Municipal Manager receives correspondence from a ward committee, he/she must give feedback to the ward councillor concerned (with a copy to the Executive Mayor) on the information or action required within 14 days of receipt of the correspondence.
- (4) Ward committees are entitled to the free use of venues in municipal buildings in order to hold official meetings.

Budget

25. (1) Members of ward committees will be reimbursed for out of pocket expenses as contemplated in section 25 (2) (a)(i) below.

- (2) The Municipality will annually budget for the reimbursement of –
- (a) Out of pocket expenses for member of ward committees in respect of their participation in ward committees subject to the following criteria as approved by Council on 20 June 2012 and revised by Council on 28 October 2015;
 - (i) That **fourteen (14)** ward committee meetings which will comprise of **one (1)** ward committee meetings every month and **one (1)** open public meeting every semester (every six (6) months) be identified and approved by the ward committee as paid meetings and that each serving member present at these meetings, be paid an out of pocket allowance of **R350.00 per meeting (R350 x 14 = R4900.00)**. Payment of out of pocket allowances will be made quarterly; and
 - (ii) The reimbursement amount will be paid to the ward committee members in person and not to organisations that he/she represents;
 - (iii) That reimbursements only be paid on verification of attendance register of meetings attended and that reimbursements will only be electronically transferred to the bank account of the relevant ward committee member(s);
 - (iv) That ward committee members may elect not to be reimbursed;

Accountability

26. The ward councillor must -

- (a) Ensure that full and proper records are kept of the minutes of ward committee meetings.
- (b) Ensure that the committee's available resources are properly safeguarded and used in the most effective and efficient way.
- (c) Ensure that all statutory measures applicable to the committee are complied with.
- (d) Ensure that all recommendations made by the ward committee is formalised and submitted to the Office of the Speaker or other designated political functionary for presentation to the Council at intervals determined by the Speaker or designated political functionary.
- (e) Must report a view adopted by the ward committee to the Council but may indicate his/her agreement with the view in the report.
- (f) Ensure the production of a progress report on major achievements and areas of failure, with reasons, within two months after the end of the financial year.
- (g) Submit the progress report to the Speaker or other designated political functionary for a review of the performance of the committee.
- (h) Implement any corrective measures to ensure effective and efficient performance of the committee as suggested by the Speaker or other designated political functionary.

Dispute resolution

27. The following mechanisms are recommended when disputes arise within ward committees:

- (a) Every effort should be made to deal with disputes.

- (b) When a dispute arises, the ward councillor should appoint a person or persons, the maximum being two, to attempt and resolve the dispute through mediation.
- (c) If the attempt at mediation fails, the matter is then submitted to the ward councillor who should arbitrate, provided that the matter does not involve the councillor and the majority of the members of the committee.
- (d) If the majority of committee members remain aggrieved, the matter should be taken to the Council through a channel decided upon by Council or through the Office of the Speaker or other designated political functionary. This should be avoided as far as possible.

PUBLIC MEETINGS (WARD MEETINGS)

Chairperson

28. (1) Public meetings (ward meetings are chaired by the ward councillor. A ward councillor may delegate in writing the chairing of the meeting to a proportional representation councillor or any member of the ward committee.
- (2) The ward councillor determines when and where the meeting will be held, subject to subsection (3).
- (3) A public meeting must be held at least twice per calendar year.

Purpose

29. Public meetings are mainly held in order -
- (a) To register the concerns and inputs of the community with regard to service delivery, general development of the community, disaster management and any other municipal concern the community may have; and
 - (b) To report back to the public on issues that affects it.

Meeting arrangements

30. (1) If the committee decides to hold a public meeting it may publish a notice in a newspaper circulating in the area concerned, stating the time, date and place of the meeting and inviting the public to attend the meeting.
- (2) The scheduled date, time and place of the public meeting should be convenient so as to encourage the greatest number of people to attend. The venue -
- (a) Must be in a well known place;
 - (b) Must be easily accessible and where possible, also disabled-friendly; and
 - (c) Must be large enough to accommodate all people present.
- (3) When the committee publishes a notice, it must convey, where appropriate, by radio or other appropriate means of communication, such as direct mail outs and posters or notices in key areas such as clinics, schools, bus stops and libraries, the contents of the notice in the area concerned.

- (4) At the public meeting a representative of the committee must –
- (a) explain the meeting procedures, such as adoption of agenda and time allowed for questions;
 - (b) explain the issues the committee has to consider, including any options open to the committee;
 - (c) allow members of the public attending the meeting to present their views on these issues;
 - (d) answer relevant questions;
 - (e) keep minutes of the meeting and inform the public that ward committee meeting and public meeting minutes are public documents, and that the community has access to these documents and may make copies at their own cost; and
 - (f) give feedback on previous issues, including reasons if there is a lack of progress.

Dien as 'n Wykskomiteelid / Serve as a Ward Committee Member

(<http://www.stellenbosch.gov.za/news/latest/393-dien-as-n-wykskomiteelid-serve-as-a-ward-committee-member>)



VERKIESINGS VAN PERSONE AS WYKSKOMITEELEDE IN TERME VAN BESTAANDE VAKATURES IN GEOGRAFIESE GEBIEDE BINNE BEPAALDE WYKE

Die stigting van wykskomitees binne die Stellenbosch munisipaliteit het plaagevind gedurende Januarie en Februarie 2017 in terme van die geografiese model. Die Raad het op 28 Oktober 2016 besluit dat die geografiese model geïmplementeer sal word. Artikel 73 van die Plaaslike Regering: Strukture wet, 117 van 1998 bepaal dat wykskomitees uit 'n maksimum van 10 lede mag bestaan. Sekere wyke het tans nie die volle komplement van 10 lede nie.

Persone word hiermee uitgenooi om lede vanuit die geografiese gebied/e soos aangedui te benoem om die vakante posisies te vul. Slegs geregistreerde kiesers woonagtig in die geografiese gebied waarvoor daar gestem sal word, mag deelneem aan die verkiesing. Hieronder aangedui is die vakante posisies per geografiese area asook 'n aanduiding - tussen hakies - van hoeveel lede per geografiese gebied verkies moet word:

ELECTION OF PERSONS AS WARD COMMITTEE MEMBERS IN RESPECT OF EXISTING VACANCIES

The establishment of ward committees within this municipality took place during January and February 2017 in terms of the geographical model as resolved by Council on 2016-10-28. Section 73 of the Local Government: Municipal Structures Act, 117 of 1998 stipulates that ward committees should consist of a maximum of 10 persons. Certain wards currently do not have the full complement of 10 members.

Outlined below are the vacant positions on the various wards per geographical area as well as an indication of the number of vacancies to be filled. **Nominations are therefore invited** for the vacancies within the indicated geographical areas in the wards. Only registered voters residing within a geographical area will be eligible to vote:

Wyk	Geografiese area en aantal vakatures ()	Geografiese area en aantal vakatures ()	Geografiese area en aantal vakatures ()	Geografiese area en aantal vakatures ()	Geografiese area en aantal vakatures ()	Lokaal en Datum van verkiesing *
1	Onder Plase (1)	Bo-Hoek Plase (1)	Akademie Street to Malherbe Street (1)	-	-	Franschhoek Town Hall 09 May 2017
2	Berg River Dam Houses (1)	Skool Street to R45 (1)	-	-	-	La Motte Community Hall 17 May 2017
3	Vygie/ Angelier Streets Wemmershoek (1)	Leeubekkie/ Prins Afrika/ Skool Streets Wemmershoek (1)	-	-	-	Wemmershoek Community Hall 09 May 2017
4	Riverside/ Pastorie/ Middel/ East End Streets (1)	Kloof/ Hill/ Dahlia/ Oak/ Kleigat Streets (1)	Arcade/ Santa Rosa/ Starking, Helshoogte Streets (1)	Kerk/ Brand/De Wet/ Adams/ Rooi/ Jooste/ Cupido Streets (1)	P C Pietersen/ Swart/ Abrahams Streets/ Capolavdro (1)	Pniel Banqueting Hall 16 May 2017
5	Jonkershoek Farms (1)	-	-	-	-	Jonkershoek 15 May 2017
6	Tindall to Luckhoff Street (1)	Old Helshoogte, Botmanskop, Speler and Dahlia Streets	-	-	-	Idas Valley Library Hall 09 May 2017
7	Universiteitsoord (2)	-	-	-	-	Council Chamber 15 May 2017
8	Merriman/ Marais/ Hofmeyer/ Bosman (2)	Hofmeyer/ Marais/ Bosman/ Van Riebeeck (2)	Victoria/ Neethling/ Bosman/ Van Riebeeck (1)	Van Riebeeck/ Die Laan/ Neethling/ Eerste River (1)	Van Riebeeck/ Coetzenburg Rd/ Coetzenburg Sportvelde (1)	Council Chamber 09 May 2017
9	Geographical Area (3)	-	-	-	-	Council Chamber 17 May 2017
10	Pick 'n Pay/ Dennesig (3)	-	-	-	-	Council Chamber 16 May 2017
11	Dennesig (2)	Van der Stel (1)	-	-	-	PMU Building 17 May 2017
16	Laetitia Park ("White City") (2)	Slabtown/ Tennantville (1)	-	-	-	Eikestadsaal 10 May 2017
17	Stellitapark (1)	Welgevonden (1)	Huis Ebenhaezar (1)	Rhodestraat Flats (1)	-	Eikestadsaal 15 May 2017
18	Rozenmeer/ Police Station/ Farms (1)	Weltevrededepark 2 (1)	-	-	-	Klapmuts Sports Ground 10 May 2017
19	Kromme Rhee (1)	Joostenberg Farms (1)	Weltevrede /Smartietown (1)	-	-	Kromme Rhee 11 May 2017
20	Vlottenburg (1)	Raithby (1)	Meerlust (2)	Mooiberge (1)	Polkadraai (1)	Methodist Hall, Vlottenburg 10 May 2017
21	Paradyskloof/Trumali/ Brandwag aan Rivier (2)	Blaauwklippen/ Stellenzicht Farms (1)	-	-	-	Ward Office Jamestown 11 May 2017
22	Bo-Brandwacht, Faber, Kolbe, Mazot, Linnes, Le Seur (1)	Dalsig, Constantia, Piet Retief, Welgevallen, Draai, Alphen (1)	Dalsig, Dennerand, Dennesig, Park, Coligny (1)	Sering, Olyf, Vlier, Nootgedacht, Pleunis (1)	-	Doornbosch Hall 11 May 2017
22	Vrede Cruse, Jean, Koch, Skool (1)	Skadu, Lower, Binnekring, Buitekring (1)				

Election criteria

To be elected as a member of a ward committee, a person:

- must be a registered voter in the ward concerned;
- may not be a member of the Stellenbosch Town Council;
- may not be an employee of the Stellenbosch Municipality;
- may not be in arrears to the municipality in respect of rates and services for more than three months
- may not be someone who, after February 1997, has been convicted of an offence and sentenced to imprisonment without the option of a fine for a period of not less than twelve months; or
- may not be someone of unsound mind who has been declared so by a competent court.

How to nominate a person to serve on a Ward Committee:

- Nominations should be done in terms of the geographical model as indicated above;
- Nomination forms will accompany this pamphlet. It is also available on the Stellenbosch Municipal website, www.stellenbosch.gov.za, at municipal libraries, ward offices, and 2nd Floor, Municipal Building (Office of the Speaker).

Completed and duly signed nomination forms must be submitted in a sealed envelope on or before Wednesday 03 May 2017 by not later than 15:00 at the following venues:

- Ward Office, Stiebeul Street. Groendal, Franschhoek.
- Ward Office, Prins Afrika Drive, Wemmershoek
- Ward Office, Main Street, Pniel Municipal Office
- Ward Office, Idas Valley Sports Ground, Bloekom Avenue
- Ward Office Idas Valley, Old Helshoogte Road
- Ward Offices, Eikestadsaal Complex, Cloetesville
- Ward Office, Klappmuts Sport Ground, Klappmuts
- Ward Office, Vlotenburg Primary School, Vlotenburg
- Ward Office Pajero Avenue, Jamestown
- Ward Office PMU Building, Market Street, Stellenbosch

The sealed envelope must be clearly marked on the outside as **“NOMINATION WARD COMMITTEE”** and the Ward Number and geographical area for which the nomination is made.

Nominations may be e-mailed to nicky.ceaser@stellenbosch.gov.za

Kriteria vir verkiesing

Om as 'n wykskomiteelid verkies te word; moet 'n persoon:

- 'n geregistreerde kieser wees in die betrokke wyk
- nie 'n Raadslid van Stellenbosch Munisipaliteit wees nie;
- nie 'n amptenaar in diens van die munisipaliteit wees nie
- nie agterstallig wees ten opsigte eiendomsbelasting en ander dienste vir meer as drie maande;
- nie 'n persoon wees wat na Februarie 1997, skuldig bevind is aan 'n oortreding en tot gevangenisstraf sonder 'n boete vir 'n periode van minder as 12 maande gevonniss is;
- nie iemand wees wat deur 'n hof as geestelik versteurd verklaar is nie

Hoe om 'n persoon te benoem om op 'n wykskomitee te dien:

- Nominasies moet gedoen word in terme van die geografiese model en vir die geografiese gebiede soos hierbo aangedui
- 'n nominasievorm maak deel uit van hierdie pamflet. Dit is ook beskikbaar op die munisipale webwerf, www.stellenbosch.gov.za, by munisipale biblioteke, wykskantore en by 2de Vloer, Munisipale gebou (Kantoor van die Speaker)

Voltooide nominasievorms moet ingehandig word in verselde koevert voor of op **Woensdag, 03 Mei 2017** nie later as **15:00** by die volgende plekke:

- Wykskantoor, Stiebeulstraat, Groendal, Franschhoek
- Wykskantoor, Prins Afrika Rylaan, Wemmershoek
- Wykskantoor, Hoofstraat Pnielkantore
- Wykskantoor, Idasvalleisportgronde, Bloekomlaan, Idasvallei
- Wykskantoor, Idasvallei Biblioteek, Ou Helshoogteweg
- Wykskantoor, Eikestadsaalkompleks, Cloetesville
- Wykskantoor, Klappmutsportgronde
- Wykskantoor, Vlotenburg Primêre Skool
- Wykskantoor, Pajerolaan Jamestown
- Wykskantoor, PMU-gebou, Markstraat, Stellenbosch

Die verseelde koevert moet duidelik gemerk word op die buitekant as **“NOMINASIE WYKSKOMITEE”** en die wyksnommer asook die geografiese gebied waarvoor die nominasie gemaak word.

Nominasies mag per e-pos gestuur word aan nicky.ceaser@stellenbosch.gov.za

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)