



STELLENBOSCH
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MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref: 3/4/3/5/3/4

2022-06-09

**NOTICE OF A
PARKS, OPEN SPACES AND ENVIRONMENT
COMMITTEE MEETING
THURSDAY: 2022-06-09**

TO Cllr J Joon [Chairperson]

COUNCILLORS A Hanekom
M Nkopane (Ms)
E Vermeulen (Ms)

Ex officio Executive Mayor, Ald G Van Deventer (Ms)

Notice is hereby given that a Parks, Open Spaces and Environment Committee meeting will be held via MS Teams on **Thursday, 2022-06-09 at 12:00** to consider the attached Agenda.

CLLR J JOON
CHAIRPERSON

A G E N D A
PARKS, OPEN SPACES AND ENVIRONMENT
COMMITTEE MEETING

2022-06-09

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PARKS, OPEN SPACES AND ENVIRONMENT
COMMUNITY SERVICES COMMITTEE MEETING

2022-06-09

1.	OPENING AND WELCOME	
2	COMMUNICATION BY THE CHAIRPERSON	(3/4/3/6)
3	DISCLOSURE OF INTERESTS	(3/6/2/2)
4	APPLICATION FOR LEAVE OF ABSENCE	
5	CONFIRMATION OF THE MINUTES	(3/4/3/5/2/4)

NONE

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**PARKS, OPEN SPACES AND ENVIRONMENT
COMMUNITY SERVICES COMMITTEE MEETING**

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6.	REPORT/S BY THE DIRECTOR: COMMUNITY AND PROTECTIONS SERVICES RE OUTSTANDING RESOLUTIONS TAKEN AT PREVIOUS MEETINGS (3/4/3/5/2/2)
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Collaborator No: 730903
IDP KPA Ref No: Dignified Living
Meeting Date: 9 June 2022

1. SUBJECT: REPORT/S BY THE DIRECTOR: COMMUNITY AND PROTECTIONS SERVICES RE OUTSTANDING RESOLUTIONS TAKEN AT PREVIOUS MEETINGS

Report on the Outstanding Council Resolutions as at May 2022 – Parks, Open Spaces and Environment Committee.

2. PURPOSE

Tis to submit the Outstanding Council Resolutions for May 2022 to the Section 80 Parks, Open Spaces and Environment Committee, in order for the said Committee to establish progress of such resolution in respect of its oversight responsibility.

3. DELEGATED AUTHORITY

Section 80 Parks, Open Spaces and Environment Committee.

4. EXECUTIVE SUMMARY

The outstanding Council Resolutions, that specifically is applicable to the Division Parks, Open Spaces and Environment that is within the Directorate: Community and Protection Services and have been updated and duly submitted to the office of the Municipal Manager. The latest updated version is submitted to the Portfolio Committee for noting and oversight purposes.

5. RECOMMENDATION

that the Parks, Open Spaces and Environment Committee take note of the latest updated Outstanding Council Resolutions that is applicable to the Committee. The outstanding Resolutions is attached as **ANNEXURE 1** of this report.

6. DISCUSSION / CONTENTS

6.1. Background

The Executive Mayor instructed the Mayoral Committee Members of Stellenbosch Municipality to perform an oversight role to ensure that the outstanding Council Resolutions are being finalised by the administration and to monitor progress. Therefore, this will become a standard item on the agenda of the Section 80 Portfolio Committee Meetings.

6.2 Financial Implications

This report has no financial implications.

6.3 Legal Implications

There are no legal implications.

6.4 Previous / Relevant Council Resolutions

39TH COUNCIL MEETING: 2020-11-25: ITEM 11.6.1

RESOLVED (majority vote with 1 abstention)

- (a) that Council approves Option 3: the redesign of the existing layout of erven in Mont Rochelle Nature Reserve;
- (b) that Option 3 be implemented once budget for this purpose becomes available;
- (c) that existing landowners of erven in sensitive areas be offered a like-for-like (with reference to erf size) proposal in a less sensitive location within the revised layout, as provided for in Paragraph 9.2.3 of the Property Management Policy;
- (d) that the Municipal Manager be authorised to finalise the above process insofar as an agreement between the relevant landowners can be reached; and
- (e) that the remaining unsold erven be de-proclaimed and consolidated into Mont Rochelle Nature Reserve.

6.5 Risk Implications

There are no risk implications in respect of this report.

FOR FURTHER DETAILS CONTACT:

NAME	Gary Boshoff
POSITION	Director
DIRECTORATE	Community and Protection Services
CONTACT NUMBERS	021 808 8410
E-MAIL ADDRESS	Gary.Boshoff@stellenbosch.gov.za
REPORT DATE	03 June 2022

APPENDIX 1

Council Meeting		Resolution	Resolution Date	Allocated To	% Feedback	Feedback Comment
	<p>INVESTIGATION WITH REGARDS TO THE VARIOUS RESIDENTIAL PROPERTIES IN MONT ROCHELLE NATURE RESERVE</p>	<p>11.6.1 INVESTIGATION WITH REGARDS TO THE VARIOUS RESIDENTIAL PROPERTIES IN MONT ROCHELLE NATURE RESERVE</p> <p>39TH COUNCIL MEETING: 2020-11-25: ITEM 11.6.1</p> <p>RESOLVED (majority vote with 1 abstention)</p> <p>(a)that Council approves Option 3: the redesign of the existing layout of erven in Mont Rochelle Nature Reserve;</p> <p>(b)that Option 3 be implemented once budget for this purpose becomes available;</p> <p>(c)that existing landowners of erven in sensitive areas be offered a like-for-like (with reference to erf size) proposal in a less sensitive location within the revised layout, as provided for in Paragraph 9.2.3 of the Property Management Policy;</p> <p>(d)that the Municipal Manager be authorised to finalise the above process insofar as an agreement between the relevant landowners can be reached; and</p> <p>(e)that the remaining unsold erven be de-proclaimed and consolidated into Mont Rochelle Nature Reserve.</p> <p>Councillors DA Hendrickse and LK Horsband (Ms) requested that their votes of dissent be minuted.</p>	2020-11-25	SCHALKVDM	70	An Item in this regard, with a proposal for the development of architectural design guidelines, has been submitted to Council.

AGENDA

**PARKS, OPEN SPACES AND ENVIRONMENT
COMMUNITY SERVICES COMMITTEE MEETING**

2022-06-09

7.	PARKS, OPEN SPACES & ENVIRONMENT: [PC: CLLR J JOON]
7.1	NON-DELEGATED MATTERS
7.1.1	APPROVAL OF THE TERMS OF REFERENCE FOR PARKS, OPEN SPACES AND ENVIRONMENT SECTION 80 COMMITTEE

Collaborator No: 730891
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 9 June 2022

1. SUBJECT: APPROVAL OF THE TERMS OF REFERENCE FOR PARKS, OPEN SPACES AND ENVIRONMENT SECTION 80 COMMITTEE

2. PURPOSE

For Council to approve the draft Terms of Reference for the Parks, Open Spaces and Environment Section 80 Committee, in terms of the Municipal Structures Act No 117 of 1998.

3. DELEGATED AUTHORITY

Council establishes the committees and appoints the members, while the Executive Mayor appoints the Chairpersons. The Section 80 Committees have no decision-making authority and make recommendations to the Executive Mayor on items that were referred to the Committee by the Executive Mayor.

4. EXECUTIVE SUMMARY

The Parks, Open Spaces and Environment Committee must assist the Executive Mayor in accordance with the directions of the Executive Mayor and in line with the provisions as indicated in Section 80 of the Municipal Structures Act No 117.

The members are appointed by Council in accordance with the principle of representation amongst the number of members allocated to each committee.

The Terms of reference for Parks, Open Spaces and Environment is attached as **ANNEXURE 1**.

The following members of the Committee was appointed at the Special Council meeting on 16 February 2022, item 8.11.1 to assist the Executive Mayor in accordance with the directions of the Executive Mayor.

J Joon (DA) – Chairperson
 E Vermeulen (DA)
 A Hanekom (DA)
 M Nkopane (ANC)

5. RECOMMENDATION

that the Committee notes and supports the Terms of Reference for the Parks, Open Spaces and Environment Section 80 Committee attached as **APPENDIX 1**.

6. DISCUSSION / CONTENTS**6.1 Background**

Council approved the establishment of the new Section 80 Committees during the 1st Council Meeting held on 23 November 2021, Item 6.7.

The committee was established to consist of 4 members:

DA – 3

Opposition – 1

The purpose of the Committee is to assist the Executive Mayor in accordance with the directions of the Executive Mayor as indicated in the Section 80 of the Municipal Structures Act No 117.

6.2 Discussion**Composition of Committee**

In terms of Section 160(8) of the Constitution of the Republic of South Africa, members of a Municipal Council are entitled to participate in its proceedings and those of its Committees in a manner that, *inter alia*:-

(a) *allows parties and interests reflected within the Council to be fairly represented; and*

(b) *is consistent with democracy.*

The chairpersons of the Section 80 Committees are appointed by the Executive Mayor and constitutes the Mayoral Committee.

6.3 Financial Implications

As per the approved budget.

6.4 Legal Implications

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

6.5 Staff Implications

This report has no additional staff implications to the Municipality.

6.6 Previous / Relevant Council Resolutions**SPECIAL COUNCIL: 2022-02-16: ITEM 8.11.1****RESOLVED** (nem con)

(a) that it be noted that Council approved the following Section 80 portfolio committees on 23 November 2021:

- Corporate Services;
- Planning
- Financial Services;
- Human Settlements;
- Infrastructure Services;
- Protection Services
- Local Economic Development and Tourism
- Rural Management
- Youth, Sport and Culture
- Parks, Open Spaces and Environment

(b) that the following members be appointed to the section 80 Committees

Corporate Services, total 4 members:

DA – 3

Opposition – 1

L Nkamisa (DA) - Chairperson

J C Anthony (DA)

J Serdyn (DA)

M Rataza (ANC)

Planning total 5 members:

DA – 3

Opposition – 2

C van Wyk (DA) – Chairperson

A Hanekom (DA)

J C Anthony (DA)

M Danana (ANC)

R Hendrickse (GOOD)

Financial Services, total 5 members:

DA – 3

Opposition – 2

P Johnson (DA) – Chairperson

W Petersen (DA)

E Groenewald (DA)

A Tomose (ANC)

R Hendrickse (GOOD)

Human Settlements, total 5 members:

DA – 3

Opposition – 2

J Fasser (DA) – Deputy Executive Mayor – Chairperson

E Vermeulen (DA)

J Serdyn (DA)

N Ntsunguzi (ANC)

M van Stade (GOOD)

Infrastructure Services, total 5 members:

DA – 3

Opposition – 2

Z Dalling (DA) – Chairperson

R van Rooyen (DA)

N Mcombring (DA)

R Nalumangu (ANC)

Z Ndalasi (EFF)

Protection Services, total 5 members:

DA – 3

Opposition – 2

R Badenhorst (DA) – chairperson

C Manuel (DA)

A Hanekom (DA)

M Nkopane (ANC)

N Mkhontwana (EFF)

Local Economic Development and Tourism, total 4 members:

DA - 3

Opposition - 1

R Du Toit (DA) – Chairperson

N Mcombring (DA)

R Pheiffer (DA)

I De Taillerfer (VF)

Rural Management, total 4 members:

DA - 3

Opposition - 1

J Williams (DA) – Chairperson

X Mdemka (DA)

C Manuel (DA)

E Masimini (ANC)

Youth, Sport and Culture, total 5 members:

DA – 3

Opposition – 2

R Adams (DA) – Chairperson

R Pheiffer (DA)

R van Rooyen (DA)

C Noble (Good)

J Andrews (PA)

Parks, Open Spaces and Environment, total 4 members:

DA – 3

Opposition –1

J Joon (DA) – Chairperson

E Vermeulen (DA)

A Hanekom (DA)

M Nkopane (ANC)

- (c) that it be noted that the Executive Mayor has appointed the chairpersons to the committees on 23 November 2021;
- (d) that the current terms of reference for all section 80 committees be adopted; and
- (e) that the various terms of references be referred to the relevant section 80 committees for revision after which said items must be re-submitted to Mayco and subsequent to Council for final adoption.

6.7 Risk Implications

This report has no risk implications for the Municipality.

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

Not applicable.

6.8.2 Director: Planning and Economic Development

Not applicable.

6.8.3 Director: Community and Protection Services

Writer of this report.

6.8.4 Director: Corporate Services

Supports the recommendations.

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COMMUNITY SERVICES COMMITTEE MEETING**

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6.8.5 Chief Financial Officer

Not applicable.

6.8.6 Municipal Manager

Supports the recommendations.

ANNEXURES

Annexure 1: Terms of Reference for Parks, Open Spaces and Environment
S80 Committee

FOR FURTHER DETAILS CONTACT:

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DIRECTORATE	Community and Protection Services
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REPORT DATE	1 June 2022

APPENDIX 1

TERMS OF REFERENCE SECTION 80 COMMITTEES

8. PARKS, OPEN SPACES AND ENVIRONMENT

The terms of reference and functions of this committee is to advise the Executive Mayor on the formulation, implementation and monitoring of policies when requested to by the Executive Mayor, in the following functional areas:

- Parks and Recreation which includes –
 - Zoned public open spaces
 - Community parks
 - Cemeteries, funeral parlours and crematoria
 - Soft/Green landscape areas on roads
 - Street trees
 - Landscaped areas adjacent to rivers and inland water bodies
 - Community centres
 - Open Spaces
 - Recreation on water bodies

- The Environment Planning function which includes -
 - Environmental resource management and planning
 - Environmental planning policy
 - Environmental and heritage impact assessment
 - Outdoor advertising and signage (environmental control)
 - Heritage resource management and urban conservation
 - Environmental monitoring
 - Environmental Heritage and Outdoor Advertising Projects

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**PARKS, OPEN SPACES AND ENVIRONMENT
COMMUNITY SERVICES COMMITTEE MEETING**2022-06-09

5.2	DELEGATED MATTERS
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NONE

6.	REPORTS SUBMITTED BY THE MUNICIPAL MANAGER
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NONE

7.	NOTICES OF MOTIONS AND NOTICES OF QUESTIONS RECEIVED BY THE MUNICIPAL MANAGER
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NONE

8.	URGENT MATTERS
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9.	MATTERS TO BE CONSIDERED IN-COMMITTEE
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NONE