



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

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

2023-11-07

**NOTICE OF A
PLANNING COMMITTEE MEETING
TUESDAY: 2023-11-07 AT 14:00**

TO C Van Wyk [Chairperson]
COUNCILLORS M Danana
A Hanekom
R Hendrikse
M Slabbert

Ex officio Executive Mayor, Ald G Van Deventer

Notice is hereby given that a Planning Committee Services meeting will be held via MS Teams on **Tuesday, 2023-11-07 at 14:00** to consider the attached Agenda.

**CLLR C VAN WYK
CHAIRPERSON**

A G E N D A
PLANNING COMMITTEE MEETING
2023-11-07

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| 5.1 | The minutes of the Planning Services Committee Meeting held on 2023-09-05 is attached as APPENDIX 2. FOR CONFIRMATION | |
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| | NONE | |
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| | NONE | |
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| | NONE | |
| 10. | CONSIDERATION OF URGENT MATTERS | |
| 11. | MATTERS TO BE CONSIDERED IN-COMMITTEE | |
| | NONE | |

AGENDA

PLANNING COMMITTEE

2023-09-05

| | | |
|-----|--|-----------|
| 1. | OPENING AND WELCOME | (3/4/3/3) |
| 2. | COMMUNICATION BY THE CHAIRPERSON | (3/4/3/6) |
| 3. | DISCLOSURE OF INTEREST | (3/6/2/2) |
| 4. | APPLICATION FOR LEAVE OF ABSENCE | (3/4/3/3) |
| 5. | CONFIRMATION OF MINUTES | |
| 5.1 | CONFIRMATION OF THE MINUTES OF PLANNING COMMITTEE MEETING: 2023-09-05 | |

The minutes of the Planning Services Committee Meeting held on 2023-09-05 is attached as **APPENDIX 1**.

FOR CONFIRMATION

APPENDIX 1



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

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

2023-09-05

MINUTES

PLANNING COMMITTEE MEETING

2023-09-05 AT 14:00

**MINUTES
PLANNING COMMITTEE MEETING
2023-09-05**

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| 4 | APPLICATIONS FOR LEAVE OF ABSENCE | |
| 5 | CONFIRMATION OF MINUTES | |
| 5.1 | The minutes of the Planning Services Committee Meeting held on 2023-08-01 is attached as APPENDIX 2. FOR CONFIRMATION | 1 |
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| 7. | REPORT/S FROM OFFICIALS: PLANNING | |
| 7.1 | NON-DELEGATED | |
| | NONE | |
| 7.2 | DELEGATED | |
| | NONE | |
| 8. | REPORTS SUBMITTED BY THE MUNICIPAL MANAGER | |
| | NONE | |
| 9. | NOTICES OF MOTIONS AND NOTICES OF QUESTIONS RECEIVED BY THE MUNICIPAL MANAGER | |
| | NONE | |
| 10. | CONSIDERATION OF URGENT MATTERS | |
| 11. | MATTERS TO BE CONSIDERED IN-COMMITTEE | |
| | NONE | |

PRESENT: Cllr C Van Wyk [Chairperson]
COUNCILLORS: Cllr M Danana
 Cllr A Hanekom
 Cllr R Hendrikse

ALSO PRESENT: Cllr A Ferns
 Cllr N Olayi
 Cllr WF Pietersen
 Cllr M van Stade

OFFICIALS: Director: Planning and Economic Development Services (A Barnes)
 Manager: Local Economic Development (L Van Gensen)
 Senior Admin Officer (T Samuels)

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| 1. | OPENING AND WELCOME |
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The Chairperson, Cllr C Van Wyk welcomed all present at the Planning Services Committee meeting.

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| 2. | COMMUNICATION BY THE CHAIRPERSON | (3/4/3/6) |
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NONE

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| 3. | DISCLOSURE OF INTEREST | (3/6/2/2) |
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NONE

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| 4. | APPLICATION FOR LEAVE OF ABSENCE | (3/4/3/3) |
|-----------|---|------------------|

**PLANNING, LOCAL ECONOMIC DEVELOPMENT AND TOURISM
 COMMITTEE MEETING: 2023-09-05: ITEM 4**

4.1 ABSENT:

Cllr M Slabbert - 5 September 2023

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| 5. | CONFIRMATION OF MINUTES |
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| 5.1 | CONFIRMATION OF THE MINUTES OF PLANNING COMMITTEE MEETING: 2023-08-01 |
|------------|---|

The minutes of the Planning Services Committee Meeting held on 2023-08-01 **was confirmed as correct without any changes.**

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| 6. | REPORT ON THE OUTSTANDING COUNCIL RESOLUTIONS |
| 6.1 | REPORT ON THE OUTSTANDING COUNCIL RESOLUTIONS AS AT AUGUST 2023 – PLANNING COMMITTEE |

Collaborator No:

IDP KPA Ref No:

Valley of Opportunity

Meeting Date:

5 September 2023

1. SUBJECT: REPORT ON THE OUTSTANDING COUNCIL RESOLUTIONS AS AT AUGUST 2023 – PLANNING COMMITTEE

2. PURPOSE

To submit the Outstanding Council Resolutions for August 2023 to the Planning Committee, in order for the said Committee to establish progress of such resolution in respect of its oversight responsibility.

3. DELEGATED AUTHORITY

Section 80 Committee: Planning Portfolio Committee.

4. EXECUTIVE SUMMARY

The outstanding Council resolution, that specifically is applicable to the Development Management and Development Planning, that is within the Directorate: Planning & Economic Development 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.

**PLANNING, LOCAL ECONOMIC DEVELOPMENT AND TOURISM COMMITTEE
MEETING: 2023-09-05: ITEM 6.1**

NOTED

the latest updated Outstanding Council Resolutions as at August 2023 that is applicable to the Committee.

FOR FURTHER DETAILS CONTACT:

| | |
|------------------------|---|
| NAME | <i>Stiaan Carstens</i> |
| POSITION | <i>Senior Manager: Development Management</i> |
| DIRECTORATE | <i>Planning and Economic Development</i> |
| CONTACT NUMBERS | <i>021 808 8674</i> |
| E-MAIL ADDRESS | <i>Stiaan.Carstens@ Stellenbosch.gov.za</i> |
| REPORT DATE | <i>August 2023</i> |

7. REPORTS FROM OFFICIALS: PLANNING

7.1 NON-DELEGATED MATTERS

NONE

7.2 DELEGATED MATTERS

NONE

8. REPORTS SUBMITTED BY THE MUNICIPAL MANAGER

NONE

9. NOTICES OF MOTIONS AND NOTICES OF QUESTIONS RECEIVED BY THE MUNICIPAL MANAGER

NONE

10. URGENT MATTERS

NONE

11. MATTERS TO BE CONSIDERED IN-COMMITTEE

NONE

The meeting adjourned at 14:07.

CHAIRPERSON:

DATE:

Confirmed on **with/without amendments.**

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| 6. | REPORT ON THE OUTSTANDING COUNCIL RESOLUTIONS |
| 6.1 | REPORT ON THE OUTSTANDING COUNCIL RESOLUTIONS AS AT SEPTEMBER 2023 – PLANNING COMMITTEE |

Collaborator No:

IDP KPA Ref No: Valley of Opportunity

Meeting Date: 7 November 2023

1. SUBJECT: REPORT ON THE OUTSTANDING COUNCIL RESOLUTIONS AS AT AUGUST 2023 – PLANNING COMMITTEE

2. PURPOSE

To submit the Outstanding Council Resolutions for September 2023 to the Planning Committee, in order for the said Committee to establish progress of such resolution in respect of its oversight responsibility.

3. DELEGATED AUTHORITY

Section 80 Committee: Planning Portfolio Committee.

4. EXECUTIVE SUMMARY

The outstanding Council resolution, that specifically is applicable to the Development Management and Development Planning and Local Economic Development & Tourism, that is within the Directorate: Planning & Economic Development 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 Planning and Local Economic Development & Tourism Committee takes note of the latest updated Outstanding Council Resolutions as at September 2023 that is applicable to the Committee. The outstanding Resolutions is attached as **APPENDIX 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

There are no financial applications.

6.3 Legal Implications

There are no legal implications.

6.4 Previous / Relevant Council Resolutions

Not applicable

6.6 Risk Implications

There are no risk implications in respect of this report.

FOR FURTHER DETAILS CONTACT:

| | |
|------------------------|---|
| NAME | <i>Stiaan Carstens</i> |
| POSITION | <i>Senior Manager: Development Management</i> |
| DIRECTORATE | <i>Planning and Economic Development</i> |
| CONTACT NUMBERS | <i>021 808 8674</i> |
| E-MAIL ADDRESS | <i>Stiaan.Carstens@ Stellenbosch.gov.za</i> |
| REPORT DATE | |

ANNEXURE A

APPENDIX 1

OUTSTANDING RESOLUTIONS- PLANNING AND ECONOMIC DEVELOPMENT AND LED & TOURISM FOR THE PERIOD SEPTEMBER 2023

| Council Meeting | Resolution | Resolution Date | Allocated To | % Feedback | Feedback Comment |
|-----------------|--|-----------------|---------------|------------|---|
| 621772 | <p>PROPOSED SERVICE DELIVERY IN JONKERSHOEK</p> | 2018-11-28 | ALL DIRECTORS | 75.00 | <p>Plans are being drawn up to increase the clean water capacity to the Jonkershoek area.</p> <p>The Housing Development Agency (HDA) has been appointed to identify possible site/sites for township establishment furthermore the HDA is required to facilitate the transfer of land for future housing development from various property owners (Provincial Department of Public Works and Infrastructure and Cape Nature).</p> <p>A report to Council with proposed development options was submitted to the Municipality by the HDA at the end of July 2022. However, this report only provided 1 option, which was not desirable. The matter has been referred back to the HDA with a request that further options be investigated. A request will also be sent to the HDA to at the same time look at developing a localised development framework for the area.</p> <p>The Executive Mayor's office requested a meeting with the National Minister of Public Works and Infrastructure to address the challenges facing Jonkershoek and Forestry Villages. Await reply from the National Minister of Public Works and Infrastructure's office.</p> |

OUTSTANDING RESOLUTIONS- PLANNING AND ECONOMIC DEVELOPMENT AND LED & TOURISM FOR THE PERIOD AUGUST 2023

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| | | (k) that, in the mean-time, all expenditure be incurred within the existing, approved budget. The following Councillors requested that it be minuted that they abstained from voting on the matter: Cllrs F Adams; DA Hendrickse and LK Horsband (Ms). | | | | |
| DEVELOPMENT MANAGEMENT | | | | | | |
| 749408 | REVIEW OF THE CURRENT STELLENBOSCH MUNICIPAL ZONING SCHEME BY-LAW (2019) | <p>11.8.1 REPORT ON REVIEW OF THE CURRENT STELLENBOSCH MUNICIPAL ZONING SCHEME BY-LAW (2019) (SZSB) AND TO REQUEST COUNCIL PERMISSION TO COMMENCE WITH A FULL AMENDMENT PROCESS OF THE CURRENT STELLENBOSCH MUNICIPAL ZONING SCHEME BY-LAW (2019)</p> <p>13TH COUCIL MEETING: 2023-04-26: ITEM 11.8.1</p> <p>RESOLVED (nem con)</p> <p>(a) that the contents in the report on the internal review of the current Stellenbosch Zoning Scheme By-law (2019) BE NOTED;</p> <p>(b) that the proposed development of a revised and updated Stellenbosch Zoning Scheme By-law BE AUTHORISED; and</p> <p>(c) that the provincial standard draft Zoning Scheme By-law be used as the foundation for the development of the revised and updated Stellenbosch Zoning Scheme BE ADOPTED.</p> | 2023-04-26 | STIAANC | 100.00 | <p>The review of the current Zoning Scheme Bylaw was finalised, and the report was submitted to Council.</p> <p>The drafting of the new zoning scheme bylaw is in progress.</p> <p>Workshop with the Stellenbosch Development Forum was conducted on 20 September to gain inputs.</p> |

OUTSTANDING RESOLUTIONS- PLANNING AND ECONOMIC DEVELOPMENT AND LED & TOURISM FOR THE PERIOD SEPTEMBER 2023

| Council Meeting | Resolution | Resolution Date | Allocated To | % Feedback | Feedback Comment |
|-----------------------------|---|-----------------|--------------|------------|---|
| DEVELOPMENT PLANNING | | | | | |
| SPATIAL PLANNING | | | | | |
| 745328 | <p>PRECINCT PLAN: FUTURE DEVELOPMENT AND UTILIZATION OF THE RHENISH COMPLEX AND SURROUNDS</p> <p>11.8.1 PRECINCT PLAN: FUTURE DEVELOPMENT AND UTILIZATION OF THE RHENISH COMPLEX AND SURROUNDS</p> <p>12TH COUNCIL MEETING: 2023-03-29: ITEM 11.8.1</p> <p>RESOLVED (majority vote)</p> <p>(a) that Council takes note of the precinct plan for the Rhenish Complex attached as APPENDIX 1 to the agenda;</p> <p>(b) that Council gives approval for the commencement of a public participation process and advertisement of the precinct plan for the Rhenish Complex for a period of 60 days; and</p> <p>(c) that after the process of public participation is concluded, the precinct plan for the Rhenish Complex must be resubmitted to Council together with all comments received for consideration within 2 months.</p> | 2023-03-29 | CRAIGA | 90.00 | Final Draft Rhenish Complex and Surroundings Precinct Plan was advertised for comment. Two comprehensive letters of comment were received that requires input and discussion with the consultant as well as interdepartmental discussions. Once completed and agreed the final report will be submitted to council for consideration. |
| | <p>OUTCOMES OF SECTION 26 PROCESS FOLLOWING THE CONSIDERATION OF THE VIEWS AND REPRESENTATIONS FOR CLASS 2-4 MAJOR BOUNDARY REDETERMINATION MUNICIPAL BOUNDARY REDETERMINATION PROPOSALS</p> <p>15th Meeting: 2023-07-26</p> <p>Resolved (majority vote)</p> <p>(a) that Council takes note of Circular 2/2023 related to the outcomes of the process following Class 2 – 4 Major Municipal Boundary Redetermination Proposals, attached as APPENDIX 1;</p> <p>(b) that Council take note of the resolution of the Municipal Demarcation Board (“MDB”) to proceed with to Public Meeting and Formal Investigation in respect of DEM8251, which proposal that Council objected to;</p> | 2023-07-26 | CRAIGA | 83.00 | Public meetings held by the MDB in respect of the proposed amendments of the municipal boundaries were held and attended by officials from PED during September. |

OUTSTANDING RESOLUTIONS- PLANNING AND ECONOMIC DEVELOPMENT AND LED & TOURISM FOR THE PERIOD SEPTEMBER 2023

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| | | <p>(c) that Council take note of the resolution of the Municipal Demarcation Board ("MDB") to proceed to Formal Investigation in respect of DEM8252, which proposal Council supported</p> <p>(d) that Council take note that the proposal DEM8250, related to the inclusion of Klappmuts North into the Stellenbosch Municipal Area does not form part of Circular 2/2023 as the proposal is receiving further consideration by the Board and the outcomes thereof will be communicated in due course,</p> <p>(e) that Council approves that the notice be placed in the local newspapers and also on the municipal website to inform the public of Circular 2/2023 and encourage the members of the public to provide their inputs in respect of the municipal boundary re-determination proposals DEM8251 and DEM8252, and also to participate in the forthcoming public meetings and / or formal investigations; and</p> <p>(f) that Council supports the recommendation that the public meetings and / or formal investigations be conducted as part of the Draft Integrated Development Planning ("IDP") Public Participation Meetings scheduled for September 2023</p> | | | | |
| LOCAL ECONOMIC DEVELOPMENT & TOURISM | | | | | | |
| 639570 | <p>TO AUTHORISE THE MUNICIPAL MANAGER TO START THE PRESCRIBED PUBLIC PARTICIPATION PROCESS AS PER CHAPTER 4 OF THE MUNICIPAL ASSET TRANSFER REGULATIONS, WITH THE VIEW OF THE FOLLOWING A TENDER/CALL FOR PROPOSAL PROCESS FOR OUTSOURCING THE MANAGEMENT/USE OF THE KAYAMANDI ECONOMIC AND TOURISM CORRIDOR (KETC)</p> | <p>7.7.2 TO AUTHORISE THE MUNICIPAL MANAGER TO START THE PRESCRIBED PUBLIC PARTICIPATION PROCESS AS PER CHAPTER 4 OF THE MUNICIPAL ASSET TRANSFER REGULATIONS, WITH THE VIEW OF FOLLOWING A TENDER/CALL FOR PROPOSAL PROCESS FOR OUTSOURCING THE MANAGEMENT/USE OF THE KAYAMANDI ECONOMIC AND TOURISM CORRIDOR (KETC)</p> <p>25TH COUNCIL MEETING: 2019-03-27: ITEM 7.7.2</p> <p>RESOLVED (majority vote)</p> <p>a) that Council authorises the Municipal Manager to start the Public Participation Process (60 days) as per Chapter 4 of the Asset Transfer Regulations with the intention of following an appropriate process for the outsourcing and management of the Kayamandi Economic and Tourism Corridor;</p> | 2019-03-27 | CRAIGA | 90.00 | <p>Maintenance on the Kayamandi Corridor is completed and the facility of open for tenants to apply for space at the Corridor.</p> <p>The user department has commenced with the Public Participation process. Notices have been placed in the Paarl Post and Eikestad news on 25 May 2023, the closing date for submission of proposals is 29 June 2023.</p> <p>No responsive proposals were received, the user department will refer the Item back to Council.</p> |

OUTSTANDING RESOLUTIONS- PLANNING AND ECONOMIC DEVELOPMENT AND LED & TOURISM FOR THE PERIOD SEPTEMBER 2023

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| | | <p>(b) that Council gives reasonable consideration to all regulations and processes required by the Municipal Policy on the Management of Immovable Property, the Asset Transfer Regulations and prescriptions of the MFMA, and then to follow the process that best ensures the correct operational outcome for the Kayamandi Economic and Tourism Corridor;</p> <p>(c) that the local community be invited to submit representations; and</p> <p>(d) that the Municipal Manager be authorized to conclude the contract or agreement after (c) above is finalized in terms of the applicable Act/Regulation.</p> <p>The following Councillors requested that their votes of dissent be minuted: Cllrs RS Nalumango (Ms); N Sinkinya (Ms); P Sitshoti (Ms) and LL Stander.</p> | | | | |
| 749791 | <p>REQUEST TO UNDERTAKE THE PUBLIC PARTICIPATION PROCESS ("PPP") IN RESPECT OF THE DRAFT STELLENBOSCH MUNICIPALITY EVENTS PERMITTING BY-LAW, 2023</p> | <p>REQUEST TO UNDERTAKE THE PUBLIC PARTICIPATION PROCESS ("PPP") IN RESPECT OF THE DRAFT STELLENBOSCH MUNICIPALITY EVENTS PERMITTING BY-LAW, 2023</p> <p>14TH COUNCIL MEETING: 2023-05-24: ITEM 11.9.1</p> <p>RESOLVED (nem con)</p> <p>(a) that Council take note of the draft Stellenbosch Municipality Events Permitting By-law, 2023, attached as APPENDIX 1 to this report, and</p> <p>(b) that Council approve that the draft Stellenbosch Municipality Events Permitting By-law, 2023, be advertised for public comment for a period of thirty (30) days, whereafter same be resubmitted to Council for final consideration and subsequent approval in terms of the Local Government Municipal Systems Act No. 32 of 2000.</p> | 2023-05-24 | CRAIGA | 50 | <p>Conducting internal Workshops.</p> <p>The internal consultation process has been concluded, inputs and comments will be processed and incorporated before PPP commences.</p> |
| 751448 | <p>REQUEST FOR THE APPROVAL TO UNDERTAKE A PUBLIC PARTICIPATION PROCESS ("PPP") IN ORDER TO AMEND THE STELLENBOSCH MUNICIPALITY ZONING SCHEME BYLAW, 2019 TO INCLUDE THE DRAFT EVENTS AND OUTDOOR DINING OVERLAY ZONE</p> | <p>11.8.1 REQUEST FOR THE APPROVAL TO UNDERTAKE A PUBLIC PARTICIPATION PROCESS ("PPP") IN ORDER TO AMEND THE STELLENBOSCH MUNICIPALITY ZONING SCHEME BYLAW, 2019 TO INCLUDE THE DRAFT EVENTS AND OUTDOOR DINING OVERLAY ZONE</p> <p>15TH COUNCIL MEETING: 2023-07-26: ITEM 11.8.1</p> <p>RESOLVED (majority vote with 7 abstentions)</p> <p>(a) that Council takes note of the Draft Stellenbosch Municipality Events and Outdoor Dining Overlay Zone. Copy attached as APPENDIX 1 to this report; and</p> <p>(b) that Council approves that the draft Stellenbosch Municipality Events and Outdoor Dining Overlay Zone, be subjected to the</p> | 2023-07-26 | CRAIGA | 75 | <p>The user department has commenced with the Public Participation process. Notices were placed in the Eikestad News on 03 August 2023, the closing date for submission of comments is 02 September 2023.</p> |

OUTSTANDING RESOLUTIONS- PLANNING AND ECONOMIC DEVELOPMENT AND LED & TOURISM FOR THE PERIOD SEPTEMBER 2023

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| | | <p>legislative Public Participation Process in terms of the Local Government Municipal Systems Act No. 32 of 2000 for a period of thirty (30) days, whereafter such comments, if any, will be evaluated and resubmitted to Council for approval, adoption and promulgation of the overlay zone and included in the Stellenbosch Municipality Zoning Scheme Bylaw.</p> <p><i>Councillor J Andrews requested that his vote of dissent be minuted.</i></p> | | | | |
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| 7. | REPORTS FROM OFFICIALS: PLANNING |
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|------------|------------------------------|
| 7.1 | NON-DELEGATED MATTERS |
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NONE

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| 7.2 | DELEGATED MATTERS |
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NONE

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| 8. | REPORTS SUBMITTED BY THE MUNICIPAL MANAGER |
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NONE

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| 9. | NOTICES OF MOTIONS AND NOTICES OF QUESTIONS RECEIVED BY THE MUNICIPAL MANAGER |
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NONE

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| 10. | URGENT MATTERS |
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| 11. | MATTERS TO BE CONSIDERED IN-COMMITTEE |
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NONE