



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref. no.3/4/1/5

2020-01-29

MINUTES

34TH MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY

2020-01-29 AT 10:00

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

MINUTES

MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY

2020-01-29

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE
1.	OPENING AND WELCOME	
2.	MAYORAL ADDRESS	
3.	COMMUNICATION BY THE SPEAKER	
4.	COMMUNICATION BY THE MUNICIPAL MANAGER	
5.	DISCLOSURE OF INTERESTS	
6.	APPLICATIONS FOR LEAVE OF ABSENCE	
7.	APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING	
7.1	The minutes of the 33 rd Council Meeting: 2019-11-27 refers (APPENDIX 1) FOR CONFIRMATION	4
8.	STATUTORY MATTERS	
8.1	TABLING OF THE DRAFT ANNUAL REPORT 2018/19	5
8.2	MID-YEAR BUDGET AND PERFORMANCE ASSESSMENT FOR 2019/2020	7
8.3	MID-YEAR ADJUSTMENTS BUDGET FOR 2019/2020	8
8.4	REVISED TOP LAYER SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN 2019/20	10
8.5	MFMA SECTION 52 REPORTING UP TO DECEMBER 2019	12
8.6	OVERSIGHT ROLE OF COUNCIL: SUPPLY CHAIN MANAGEMENT POLICY-REPORT ON THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY OF STELLENBOSCH MUNICIPALITY: QUARTER 2 (01 OCTOBER 2019 - 31 DECEMBER 2019)	13
8.7	MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR NOVEMBER AND DECEMBER 2019	14
9.	REPORT BY THE MUNICIPAL MANAGER ON OUTSTANDING RESOLUTIONS	
	The report by the Municipal Manager re outstanding resolutions taken at previous meetings of Council is attached as APPENDIX 1	
10.	ITEMS FOR NOTING	
10.1	REPORT/S BY THE EXECUTIVE MAYOR	
10.1.1	REPORT ON THE DECISIONS TAKEN BY THE EXECUTIVE MAYOR FOR THE QUARTER: OCTOBER 2019 TO DECEMBER 2019	15
10.1.2	REPORT BY THE EXECUTIVE MAYOR: DECISIONS TAKEN DURING COUNCIL RECESS	16
10.2	REPORT/S BY THE SPEAKER	
	NONE	
10.3	REPORT/S BY THE MUNICIPAL MANAGER	
10.3.1	DECISIONS TAKEN BY DIRECTORATES IN TERMS OF DELEGATED AUTHORITY FROM 01 OCTOBER 2019 UNTIL 31 DECEMBER 2019	17
10.3.2	REPORTING ON THE RELIEF AND CHARITABLE FUND (MAYORAL FUND) 2019	18

ITEM	SUBJECT	PAGE
11.	ITEMS FOR CONSIDERATION FROM THE EXECUTIVE MAYOR OR MAYORAL COMMITTEE: [ALD. G VAN DEVENTER (MS)]	
11.1	COMMUNITY AND PROTECTION SERVICES: [PC: CLLR R BADENHORST]	
11.1.1	NONE	
11.2	CORPORATE SERVICES: [PC: CLLR AR FRAZENBURG]	
11.2.1	PROPOSED RENEWAL OF LEASE AGREEMENT: BURGERHUIS: HISTORIESE HUISE VAN SUID-AFRIKA BEPERK: ERF 3389, STELLENBOSCH AND 607, STELLENBOSCH	19
11.2.2	PROPOSED RENEWAL OF LEASE AGREEMENT: BERGZICHT TRAINING CENTRE: PORTION OF REMAINDER ERF 235, STELLENBOSCH	21
11.2.3	ENCROACHMENT PERMIT APPLICATION HORIZON HOUSE: ERF 3722	23
11.2.4	CUSTOMER CARE FRAMEWORK	24
11.3	FINANCIAL SERVICES: [PC: CLLR P CRAWLEY (MS)]	
11.3.1	WRITE-OFF OF DEBTS – INDIGENT CONSUMERS	25
11.3.2	REVISED INDIGENT POLICY	26
11.4	HUMAN SETTLEMENTS: [PC: CLLR WC PETERSEN (MS)]	
11.4.1	IDAS VALLEY LOW COST HOUSING PROJECT- CRITERIA FOR THE SELECTION OF BENEFICIARIES	27
11.4.2	TO ENTER INTO A LAND AVAILABILITY AGREEMENT WITH SOCIAL HOUSING INSTITUTIONS (SHI'S) AND/OR OTHER DEVELOPMENT AGENCIES (ODA) FOR THE DEVELOPMENT AND MANAGEMENT OF AFFORDABLE RENTAL ACCOMMODATION IN THE APPROVED RESTRUCTURING ZONES	29
11.5	INFRASTRUCTURE SERVICES: [PC: CLLR Q SMIT]	
11.5.1	APPROVAL OF THE WATER SERVICES BY-LAW AND ADMISSION OF GUILT FINES	31
11.6	PARKS, OPEN SPACES AND ENVIRONMENT: [PC: CLLR XL MDEMKA (MS)]	
	NONE	
11.7	PLANNING AND ECONOMIC DEVELOPMENT SERVICES [PC: CLLR E GROENEWALD (MS)]	
11.7.1	FEEDBACK ON THE PUBLIC PARTICIPATION PROCESS ON THE FUTURE USE / UPGRADE OF THE BRAAK	33
11.8	RURAL MANAGEMENT AND TOURISM: [PC: CLLR S PETERS]	
	NONE	
11.9	YOUTH, SPORT AND CULTURE: [PC: CLLR M PIETERSEN]	
	NONE	
11.10	MUNICIPAL MANAGER	
	NONE	
12.	CONSIDERATION OF ITEMS, REPORTS, COMMUNICATIONS, PETITIONS AND APPLICATIONS SUBMITTED VIA THE OFFICE OF THE MUNICIPAL MANAGER	
12.1	MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC): [CLLR WF PIETERSEN]	
	NONE	

ITEM	SUBJECT	PAGE
13.	REPORTS BY THE MUNICIPAL MANAGER	
13.1	PERMISSION TO ATTEND A STUDY TOUR TO THE UNITED KINGDOM (UK) AND EUROPE OVER THE PERIOD OF 15 FEBRUARY 2020 UNTIL 29 FEBRUARY 2020	35
13.2	PERMISSION TO ATTEND THE WORLD URBAN FORUM IN ABU DHABI, UNITED ARAB EMIRATES FROM 8 TO 13 FEBRUARY 2020	36
13.3	STATUS REPORT - MUNICIPAL DEMARCATION BOARD: DELIMITATION OF WARDS 2019/20 PROCESS	37
14.	CONSIDERATION OF NOTICES OF QUESTIONS AND NOTICES OF MOTIONS RECEIVED BY THE SPEAKER	
14.1	QUESTION 1 BY COUNCILLOR LK HORSBAND (MS): ARBITRATION AWARD: MATTER BETWEEN STELLENBOSCH MUNICIPALITY AND MS T RUBUSHA (APPENDICES 1-2)	38
14.2	QUESTION 2 BY COUNCILLOR DA HENDRICKSE: IDAS VALLEY COMMUNITY: ASLA (APPENDICES 1-2)	39
14.3	QUESTION 1 BY COUNCILLOR F ADAMS: PROJECT TO UPGRADE THE MUNICIPAL FLATS IN LONG AND KLOOF STREETS (APPENDICES 1-2)	40
14.4	QUESTION BY COUNCILLOR F ADAMS: REPLACEMENT OF CLLR F ADAMS TO COUNCIL IN JULY 2019 (APPENDICES 1-2)	41
14.5	QUESTION BY COUNCILLOR DA HENDRICKSE: AWARD OF TENDER: SOEKMEKAAR HOUSING PROJECT	42
14.6	QUESTION BY COUNCILLOR DA HENDRICKSE: APPOINTMENT OF MR D LOUW	43
15.	CONSIDERATION OF URGENT MOTIONS	
	NONE	
16.	URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER	
	NONE	
17.	REPORTS SUBMITTED BY THE SPEAKER	
	NONE	
18.	REPORTS SUBMITTED BY THE EXECUTIVE MAYOR	
18.1	RECONSTITUTION OF SECTION 80 COMMITTEES	44
19.	MATTERS TO BE CONSIDERED IN-COMMITTEE	
	(See pink documentation)	

MINUTES OF THE 34TH MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY HELD ON 2020-01-29 AT 10:00 IN THE COUNCIL CHAMBER, TOWN HOUSE, PLEIN STREET, STELLENBOSCH

PRESENT The Speaker, Cllr N Jindela [Chairperson]
The Executive Mayor, Ald G Van Deventer (Ms)
The Deputy Executive Mayor, Cllr WC Petersen (Ms)

COUNCILLORS	F Adams	MC Johnson
	FJ Badenhorst	DD Joubert
	FT Bangani-Menziwa (Ms) (until 12:00)	N Mananga-Gugushe (Ms)
	Ald PW Biscombe	NE Mcombring (Ms) (apology 14:30-15:20)
	G Cele (Ms)	XL Mdemka (Ms)
	A Crombie (Ms)	C Moses (Ms)
	R Du Toit (Ms) (until 14:15)	RS Nalumango (Ms)
	J Fasser	N Olayi
	A Florence	SA Peters
	AR Frazenburg	MM Pietersen
	E Fredericks (Ms)	WF Pietersen
	T Gosa	SR Schäfer
	E Groenewald (Ms)	Ald JP Serdyn (Ms)
	JG Hamilton	N Sinkinya (Ms)
	AJ Hanekom	P Sitshoti (Ms)
	DA Hendrickse	Q Smit
	JK Hendriks	LL Stander
	LK Horsband (Ms) (until 14:00)	E Vermeulen

Officials: Municipal Manager (Ms G Mettler)
Chief Financial Officer (K Carolus)
Director: Corporate Services (Ms A De Beer)
Director: Infrastructure Services (D Louw)
Director: Planning and Economic Development (T Mfeya)
Director: Community and Protection Services (G Boshoff)
Manager: Communications (S Grobbelaar)
Chief Audit Executive (F Hoosain)
Manager: Secretariat (EJ Potts)
Senior Administration Officer (T Samuels (Ms))
Interpreter (J Tyatyeka)

1.	OPENING AND WELCOME
-----------	----------------------------

The Speaker, Cllr N Jindela, welcomed everyone present at the 34th Council meeting. Pastor Fikeni opened the meeting with a prayer.

2.	MAYORAL ADDRESS
-----------	------------------------

"Speaker, Munisipale Bestuurder, Burgemeesterskomiteelede, Direkteure

Goeiedag, Good Morning, Molweni, As-salaam Alaikum

Welkom terug!

- Voor ons begin, ons medelye aan die familie, kollegas en vriende van Mnr Jacobus Andrew Moses wat op 10 Januarie 2020 afgesterf het. Mnr Moses het gewerk in die Ingenieursafdeling by Afvalbestuur.
- Goeie rustyd gewees vir almal wat die geleentheid gehad het om tyd af te vat.
- Dankie aan al die wetstoepassers, verkeerspersoneel en brandweerpersoneel wat reg deur die vakansie gewerk het om ons gemeenskappe en besoekers veilig te hou.
- Julle opoffering en toewyding word ontsettend waardeer.
- Welcome back to all the students
- I had the opportunity to take part in the welcoming of the First Year students and their parents with the Dream Walk on Thursday.
 - Special new tradition where the first year students along with the entire faculty walk through town and have an opportunity to write down their dreams and share it by placing it on specially prepared trees.
- To all the new students and residents, please make an effort to learn who your councillor is and how to contact the Municipality.
 - Information on our Website and Social Media Sites.
- Die komende naweek is ook lekker besig
 - Vrydagaand is dit Vensters – Eerstejaarskonserte wat regoor kampus plaas vind
 - Saterdagoggend is die Oesfees parade met die vlotte van ons plaaslike wynplase
- Moedig inwoners aan om die geleenthede te ondersteun
- Dankie vir ons wetstoepassers wat ook saam met ons vennote gaan werk om seker te maak geleentheid verloop sonder insident

3.	COMMUNICATION BY THE SPEAKER
----	-------------------------------------

“Good morning to:

- The Executive Mayor, Advocate Gesie Van Deventer
- The Municipal Manager, Ms. Geraldine Mettler
- All other Aldermen and Alderwomen
- All Councillors
- All Directors and Staff members present
- Pastor Fikeni and all other members of the Public and other dignitaries.

Let me Welcome you all back to **Business** to the 34th Council Meeting and the first one of the Year 2020. Allow me to welcome you all after the break and may you all have a very successful year with your beloved families, friends and ward participants. To the matriculates of 2019 that was successful- congratulations on your achievements.

The year 2020 for me is: The Year of Vision and Self Reflection – With this in mind let me also welcome the Students back to the University as well to the learners back to school.

Councillors must please note the importance of attending the COMPUTER training scheduled for 17 & 18 February 2020. Furthermore Councillors please attend the All Ward Councillors meeting scheduled for 19 February 2020 – I value the commitment of all Ward Councillors to this training and All Ward Councillors session in order for us as a collective to phase the challenges of our different Communities.

Fellow members of Council – during the holiday season a few members of our town has pass on:

They were:

- Mrs. Aucamp from the Stellenbosch Ratepayers Organization
- The sister of the Chief Whip, Alderman Biscombe, Merle Pedro and
- The father of Cllr Charles Manuel, the Late Charles Manuel Senior.

Let us think of them during this time of bereavement

Birthdays

- During January 2020 the following Councillors celebrated their respective birthdays: Cllr Derrick Hendrickse on 12 January and Cllr Nokuthula Mananga-Gugushe on 5 January.
- During February 2020 the following Councillors will be celebrating their birthdays:
Cllr Mzolisi Oliphant on 4 February
Cllrs Deputy Mayor Wilhelmina Petersen and the Twins
Cllrs Alwyn Hanekom and Cllr Donovan Joubert both on the 21st February

Allow us to congratulate them on their birthdays and may they enjoy this special days with their families.

VOTE OF THANKS

- A special thanks to all municipal staff who have worked hard during the festive season, especially the disaster management team and fire services.

We now move to the items on the Agenda / Ons beweeg nou na die items op die Agenda.

Thank you!”

4.	COMMUNICATION BY THE MUNICIPAL MANAGER
-----------	---

- The Municipal Manager, Ms G Mettler, welcomed all Councillors back after the recess period. Her wish is that the municipality will continue this year in wisdom, peace and unity in service delivery.
- On behalf of the Administration, she expressed sincere condolences towards the family and friends of Mr Jacobus Andrew Moses who passed away on 10 January 2020. Mr Moses worked in the Engineering Department at Waste Management.

5.	DISCLOSURE OF INTERESTS
-----------	--------------------------------

NONE

6.	APPLICATIONS FOR LEAVE OF ABSENCE
-----------	--

6.1 The following applications for leave of absence were approved in terms of the Rules of Order By-law of Council:-

Cllr P Crawley (Ms)	–	29 January 2020
Cllr Z Dalling (Ms)	–	29 January 2020
Cllr C Manuel	–	29 January 2020
Cllr MD Oliphant	–	29 January 2020

6.2 Permission was granted to the following Councillors to leave the meeting earlier:

Cllr FT Bangani-Menziwa (Ms)	–	at 12:00
Cllr NE Mcombring (Ms)	–	from 13:30-15:20
Cllr LK Horsband (Ms)	–	at 14:00; and
Cllr R Du Toit (Ms)	–	14:15

7.	APPROVAL OF MINUTES OF PREVIOUS COUNCIL
-----------	--

7.1	CONFIRMATION OF MINUTES OF THE 33RD COUNCIL MEETING: 2019-11-27
------------	---

The minutes of the 33rd Council Meeting: 2019-11-27 were **confirmed as correct**, subject to the following amendment on page 5:

That the name of Cllr N Mananga-Gugushe (Ms) be added to the list of Councillors whose APPLICATION FOR LEAVE OF ABSENCE were APPROVED and be removed from being ABSENT on page 5 of said minutes.

8.	STATUTORY MATTERS
----	--------------------------

8.1	TABLING OF THE DRAFT ANNUAL REPORT 2018/19
-----	---

Collaborator No: 674978
IDP KPA Ref No: *Good Governance and Compliance*
Meeting Date: 22 January 2020

1. SUBJECT: TABLING OF THE DRAFT ANNUAL REPORT 2018/19

2. PURPOSE

To table to Council the Draft Annual Report for 2018/19 for consideration and to be released for public comment.

Furthermore, it is also the purpose of this submission to, after consideration of the Draft Annual Report 2018/19 by Council, to refer the Draft Annual Report 2018/19 to the Municipal Public Accounts Committee (MPAC) to fulfill the role of an Oversight Committee and make to make a recommendation to Council as contemplated in Section 129(1) of the Local Government: Municipal Finance Management Act, No. 56 of 2003 (MFMA).

3. DELEGATED AUTHORITY

The Executive Mayor must table the Annual Report in Council in terms of Section 127(2) read together with Sections 121 and 129 of the MFMA. The report must also be released for public comments in terms of Section 127(5) of the MFMA.

4. EXECUTIVE SUMMARY

The Annual Report must be tabled by the Executive Mayor within 7 months after the end of the financial year. The Draft Annual Report must be made public and the Municipal Manager must invite the public to provide input into the report. It has become practise that the Oversight Committee also invites the public to make verbal representations at meetings where the report is being discussed. A schedule with proposed dates for the meetings is also included hereto as **ANNEXURE A**. Council resolved in 2017 that MPAC has, as part of their terms of reference, the role to sit as Oversight Committee to consider the Draft Annual Report.

34TH COUNCIL MEETING: 2020-01-29: ITEM 8.1

During the debate and while speaking to his amendment, Cllr DA Hendrickse expressed the view that all Councillors should be furnished with the Auditor-General's Management Report where the details of the A-G's findings are stated, whereto all councillors are legally entitled to in order for Council to exercise its oversight role. In support of his contention, Cllr Hendrickse quoted portions from written communication he had received from the A-G's Office in connection with a pertinent enquiry on this matter. Cllr Hendrickse wanted it noted that he is very dissatisfied with Administration's resolute refusal to provide the A-G's Management Report to all Councillors.

In response to Cllr Hendrickse's contention, The Municipal Manager clarified that the Management Report is for **Management**, and that it is the Auditor-General's Report that is for Council's perusal in terms of its oversight function. Nevertheless, the Municipal Manager explained that Administration's stance on the matter is within the framework of relevant legislation, and that, as per the Public Audit Act, any Councillor is free to apply for pertinent documentation or information by submitting an official Request For Information (RFI) to the Speaker's Office, whereupon the Speaker shall make an appropriate determination.

Cllr F Adams voiced his regret that the A-G's Management Report is not made available to Council as had been the case until some 2-3 years ago. Cllr Adams specifically requested that it be minuted that he (the DNCA) is extremely unhappy with the current situation where Council is denied access to an important document such as the A-G's Management Report.

RESOLVED (majority vote)

- (a) that Council notes the Draft Annual Report of 2018/19;
- (b) that Council takes note that the Municipal Manager will make the Draft Annual Report 2018/19 public for comment on the official website of the Stellenbosch Municipality and at the offices of the Municipality for a period of 21 days; the public will be invited through local print media to provide written inputs / comments on the draft report on or before 1 March 2020;
- (c) that Council refers the Draft Annual Report 2018/19 (**ANNEXURE B**) to MPAC to consider the Draft Annual Report 2018/19 and make recommendations to Council as contemplated in Section 129(1) of the MFMA;
- (d) that the proposed dates for the MPAC / Oversight meetings where the Draft Annual Report of 2018/19 will be discussed is detailed in Annexure A hereto: *(It should be noted that these are proposed dates which must still be confirmed by the MPAC Chairperson and the final dates will be advertised in the local print media);*
- (e) that Council approves MPAC's mandate to co-opt two members of the public with expertise in specific fields to assist and advise the Committee;

Rates for additional nominated community members as per Treasury Regulation 20.2.2. The once-off preparation tariff was used as a guide since the national Treasury does not have guidance in that regard. Consultation must take place to decide if the rate will remain the same.

Tariff	Number of co-opted Members	Not exceeding no. of hours	Remuneration
<i>Per hour tariff for attendance of meeting as a member</i>	2	45 hours	R 327.00 per hour
<i>Once-off Tariff for duties performed in preparation</i>	2	6 hours	R 1500 (for six hours)

- (f) that Council approves that the co-opted members can be remunerated in line with the recommendations of National Treasury Regulation in this regard.

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

Cllrs F Adams; FT Bangani-Menziwa (Ms); DA Hendrickse; LK Horsband (Ms); N Mananga-Gugushe (Ms); C Moses (Ms); RS Nalumango (Ms); N Sinkinya (Ms); P Sitshoti (Ms) and LL Stander.

8.2	MID-YEAR BUDGET AND PERFORMANCE ASSESSMENT FOR 2019/2020
------------	---

Collaborator No: 675036
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 22 January 2020

1. SUBJECT: MID-YEAR BUDGET AND PERFORMANCE ASSESSMENT FOR 2019/2020

2. PURPOSE

To submit the Section 72 Report (Mid-year Budget and Performance Assessment) to Council.

3. DELEGATED AUTHORITY

FOR NOTICE BY MUNICIPAL COUNCIL

In terms of Section 54 of the Municipal Finance Management Act (MFMA), 56 of 2003.

4. EXECUTIVE SUMMARY

This report provides the progress made by the Municipality in terms of the Service Delivery Budget and Implementation Plan (SDBIP) for the period 1 July 2019 to 31 December 2019.

34TH COUNCIL MEETING: 2020-01-29: ITEM 8.2

RESOLVED (majority vote)

- (a) that Council takes note of the report and more specifically the assessment and forecasts contained in the report;
- (b) that Council takes note that an Adjustments Budget will be tabled to Council as a result of the following:
 - the appropriation of additional allocations received and increased realistically anticipated revenue during the financial year;
 - the reprioritization of projects in line with being completed by the communicated cut-off dates to facilitate year- end preparation;
- (c) that Council notes the performance of the Municipality against the set objectives contained in Section 2; and
- (d) that the Accounting Officer attends to ensuring that Directors put the necessary corrective measures in place to ensure that projects are managed proactively in a bid to ensure that Council meets its strategic objectives contained in the Service Delivery and Budget Implementation Plan and to report on same at the end of quarter.

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

Cllrs F Adams; FT Bangani-Menziwa (Ms); DA Hendrickse; LK Horsband (Ms); N Mananga-Gugushe (Ms); C Moses (Ms); RS Nalumango (Ms); N Sinkinya (Ms); P Sitshoti (Ms) and LL Stander.

8.3	MID-YEAR ADJUSTMENTS BUDGET FOR 2019/2020
-----	--

Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

22 January 2020

1. SUBJECT: MID-YEAR ADJUSTMENTS BUDGET FOR 2019/2020

2. PURPOSE

To table the adjustments budget as envisaged by section 28 of the Municipal Finance Management Act (Act No.56 of 2003), for the 2019/2020 financial year, for approval.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

This adjustments budget addresses adjustments in terms of section 28 (2) a, b, d & f of the MFMA and is further explained as required by section 28 (2).

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

34TH COUNCIL MEETING: 2020-01-29: ITEM 8.3

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

RESOLVED (majority vote)

- (a) that the Adjustments Budget as prescribed by the Budgeting and Reporting Regulations, as set out in **APPENDIX 1 and 2**, be approved;
- (b) that the following capital projects be adjusted over the MTREF (2020/2021) as follows:

Project	2020/2021	2021/2022
Upgrade Refuse disposal site (Existing Cell)- Rehab	2 500 000	1 000 000
Waste Minimization Projects	500 000	-
Basic Services Improvements: Langrug	8 220 682	5 500 000
Upgrade of WWTW: Pniel & Decommissioning Of Franschoek	32 800 000	36 000 000
Bulk water supply pipe and Reservoir: Kayamandi	19 500 000	-
Water Conservation & Demand Management	10 000 000	5 000 000
Waterpipe Replacement	8 000 000	7 000 000
Khayamandi Pedestrian Crossing (R304, River and Railway Line)	2 000 000	-
La Motte Clubhouse	800 000	-
Public Ablution Facilities: Franschoek	1 000 000	-
Upgrading of Traffic Offices: Stellenbosch	8 000 000	2 000 000
Spray/Water Parks	5 500 000	1 000 000
Upgrading of Stellenbosch Fire Station	5 000 000	-
Mont Rochelle Nature Reserve: Upgrade of Facilities.	1 000 000	-

- (c) that the Service Delivery and Budget Implementation Plan be adjusted accordingly, inclusive of the non-financial information (performance measurement).

Cllrs DA Hendrickse and LK Horsband (Ms) requested that their votes of dissent be minuted.

FOR FURTHER DETAILS CONTACT:

<i>NAME</i>	KEVIN CAROLUS
<i>POSITION</i>	<i>CHIEF FINANCIAL OFFICER</i>
<i>DIRECTORATE</i>	<i>FINANCIAL SERVICES</i>
<i>CONTACT NUMBERS</i>	<i>021 808 8528</i>
<i>E-MAIL ADDRESS</i>	<i>Kevin.Carolus@stellenbosch.gov.za</i>
<i>REPORT DATE</i>	<i>29 January 2020</i>

8.4	REVISED TOP LAYER SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN 2019/20
-----	--

Collaborator No: 674961
 IDP KPA Ref No: *Good Governance and Compliance*
 Meeting Date: 22 January 2020

1. SUBJECT: REVISED TOP LAYER SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN 2019/20

2. PURPOSE

To obtain Council's approval for the revisions made to the Top Layer (TL) Service Delivery and Budget Implementation Plan (SDBIP) 2019/20.

3. DELEGATED AUTHORITY

In terms of the Local Government: Municipal Finance Management Act, No. 56 of 2003, section 54(1)(c) *"the mayor must, consider and, if necessary, make any revisions to the service delivery and budget implementation plan, provided that revisions to the service delivery targets and performance indicators in the plan may only be made with the approval of the council following approval of an adjustments budget..."*

4. EXECUTIVE SUMMARY

The TL SDBIP 2019/20 was approved by the Executive Mayor on 26 June 2019.

It is common practice for a municipality, as provided for in the Local Government: Municipal Finance Management Act, No. 56 of 2003 (MFMA), to review its performance indicators and targets after approving the adjustments budget.

The TL SDBIP 2019/20 (as approved by the Executive Mayor) is attached hereto as **ANNEXURE A**. All changes (for ease of reference) which should be deleted and or amended are indicated with a strikethrough and an underline respectively.

It must also be noted that the TL SDBIP 2019/20 is the in-year plan of the municipality and amendments made to the TL SDBIP 2019/20 must also be read in conjunction with the Integrated Development Plan (IDP). Therefore changes made to the TL SDBIP 2019/20 are considered to be made in the IDP as well.

These changes will be effected with the review process of the IDP 2017-2022 to be submitted to Council for final approval during May 2020.

The reasons for the amendments to the following KPIs are as follows:

- a) KPI007- The target for the 2019/20 was increased due to more job opportunities created through the Municipality's EPWP programme;
- b) KPI018- The SMART (specific, measurable, attainable, realistic and time bound) principle is applied;
- c) KPI079- The target date was moved in terms of the meeting schedule of the portfolio committees;
- d) KPI026- The target date was moved to bring the indicator in line with the IDP submission to Council in May 2020;
- e) KPI027- The target date was moved in terms of the meeting schedule of the portfolio committees;
- f) KPI059- Target revised to bring it in line with budget;
- g) KPI039- The SMART principle is applied;

- h) KPI043- The SMART principle is applied;
- i) KPI044- The SMART principle is applied;
- j) KPI045- The SMART principle is applied;
- k) KPI074- The SMART principle is applied;
- l) KPI075- The SMART principle is applied;
- m) KPI076- The SMART principle is applied;
- n) KPI077- The SMART principle is applied; and
- o) KPI064- The SMART principle is applied;

The spelling and grammar in the document were also corrected where needed.

34TH COUNCIL MEETING: 2020-01-29: ITEM 8.4

Councillor F Adams requested that the Municipal Manager submit the Employment Equity Report to the next Council meeting (see KPI058 (POE) on page 676). He also posed a question namely, "what is the purpose of the Consultant?"

RESOLVED (majority vote)

- (a) that the Revised TL SDBIP 2019/20 be approved;
- (b) that the Revised TL SDBIP 2019/20 be published on the Municipal Website; and
- (c) that the Revised TL SDBIP 2019/20 be submitted to:
 - i. Internal Audit Unit (for notification);
 - ii Department of Local Government: Western Cape;
 - iii Provincial Treasury: Western Cape;
 - iv Auditor-General of South Africa; and
 - v National Treasury.

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

Cllrs F Adams; FT Bangani-Menziwa (Ms); DA Hendrickse; LK Horsband (Ms); N Mananga-Gugushe (Ms); C Moses (Ms); RS Nalumango (Ms); N Sinkinya (Ms); P Sitshoti (Ms) and LL Stander.

FOR FURTHER DETAILS CONTACT:

NAME	Ms Shireen De Visser
POSITION	Senior Manager: Governance
DIRECTORATE	Office of the Municipal Manager
CONTACT NUMBERS	021 – 808 8035
E-MAIL ADDRESS	Shireen.devisser@ Stellenbosch.gov.za
REPORT DATE	14 January 2020

8.5	MFMA SECTION 52 REPORTING UP TO DECEMBER 2019
-----	--

Collaborator No: 675033
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 22 January 2020

1. SUBJECT: MFMA SECTION 52 REPORTING UP TO DECEMBER 2019

2. PURPOSE

To comply with section 52(d) of the Municipal Finance Management Act and report to Council on the budget; financial and service delivery budget implementation plan by the Municipality for quarter 2 of the 2019/20 financial year.

3. DELEGATED AUTHORITY

THE EXECUTIVE MAYOR TO SUBMIT TO COUNCIL

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

“The mayor of a municipality—

(d) must, within 30 days of the end of each quarter, submit a report to the council on the implementation of the budget as well as the non-financial performance of the municipality;”

4. EXECUTIVE SUMMARY

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

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

This report provides the overall performance of the Municipality for the period 1 October 2019 to 31 December 2019.

34TH COUNCIL MEETING: 2020-01-29: ITEM 8.5

NOTED

the Section 52 Report (including quarterly performance report) – The second Quarter.

8.6	OVERSIGHT ROLE OF COUNCIL: SUPPLY CHAIN MANAGEMENT POLICY-REPORT ON THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY OF STELLENBOSCH MUNICIPALITY: QUARTER 2 (01 OCTOBER 2019 - 31 DECEMBER 2019)
-----	--

Collaborator No: 675011
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 22 January 2020

1. SUBJECT: OVERSIGHT ROLE OF COUNCIL: SUPPLY CHAIN MANAGEMENT POLICY-REPORT ON THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY OF STELLENBOSCH MUNICIPALITY: QUARTER 2 (01 OCTOBER 2019 - 31 DECEMBER 2019)

2. PURPOSE

To submit to Council a report for the period 01 October 2019 – 31 December 2019 on the implementation of Council's Supply Chain Management Policy. The report covers the performance of the various delegated functions and the implementation thereof.

3. FOR DECISION BY MUNICIPAL COUNCIL

Section 6 (3) & 4 of the SCM Policy 2019/2020 determines that the Accounting Officer must within 10 days at the end of each quarter; submit a report on the implementation of the SCM Policy to the Executive Mayor. This report must be made public in accordance with section 21A of the Municipal Systems Act (32 of 2000).

4. EXECUTIVE SUMMARY

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

34TH COUNCIL MEETING: 2020-01-29: ITEM 8.6

NOTED

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

FOR FURTHER DETAILS CONTACT:

NAME	<i>Kevin Carolus</i>
CONTACT NUMBERS	<i>021 808 8528</i>
E-MAIL ADDRESS	<i>Kevin.Carolus@stellenbosch.gov.za</i>
DIRECTORATE	<i>Financial Services</i>
REPORT DATE	<i>08 January 2020</i>

8.7	MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR NOVEMBER AND DECEMBER 2019
-----	---

Collaborator No: **8/1**
 BUDGET KPA Ref No: **Good Governance and Compliance**
 Meeting Date: **29 January 2020**

1. SUBJECT: MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR NOVEMBER AND DECEMBER 2019

2. PURPOSE

To comply with Regulation 36(2) of the Municipal Supply Chain Management Regulations and Section 36 of the Supply Chain Management Policy 2019/2020 to report the deviations to Council.

3. DELEGATED AUTHORITY

Council

FOR NOTING.

4. EXECUTIVE SUMMARY

Regulation 36(2) of the Municipal Supply Chain Management Regulations and Section 36 of the Supply Chain Management Policy (2019/2020) stipulate that SCM deviations be reported to Council. In compliance thereto, this report presents to Council the SCM deviations that occurred during November and December 2019.

34TH COUNCIL MEETING: 2020-01-29: ITEM 8.7

NOTED

the deviations as listed for the months of November and December 2019.

FOR FURTHER DETAILS CONTACT:

NAME	Kevin Carolus
POSITION	CFO
DIRECTORATE	Finance
CONTACT NUMBERS	021 808 8528
E-MAIL ADDRESS	Kevin.Carolus@ Stellenbosch.gov.za
REPORT DATE	08 January 2020

9.	REPORT BY THE MUNICIPAL MANAGER RE OUTSTANDING RESOLUTIONS
----	---

34TH COUNCIL MEETING: 2020-01-29: ITEM 9**NOTED**

The report by the Municipal Manager re outstanding resolutions taken at previous meetings of Council.

10.	ITEMS FOR NOTING
-----	-------------------------

10.1	REPORT/S BY THE EXECUTIVE MAYOR
------	--

10.1.1	REPORT ON THE DECISIONS TAKEN BY THE EXECUTIVE MAYOR FOR THE QUARTER: OCTOBER 2019 TO DECEMBER 2019
--------	--

File No.:
 Collaborator No: 674519
 IDP KPA Ref No: N/A
 Meeting Date: 2020-01-29

1. PURPOSE OF THE REPORT

To inform Council of the decisions taken by the Executive Mayor from October 2019 to December 2019 (see **APPENDIX 1**).

2. BACKGROUND

In terms of the Municipal Structures Act 117 of 1998 Section 56 (5) it is stated that:

“An Executive Mayor must report to the municipal council on all decisions taken by the Executive Mayor.”

According to the Municipal Systems Act 60 (1)(b)

“(1) the following powers may, within policy framework determined by the municipal council be delegated to an executive committee or executive mayor only (b) the determination or alternation of the remuneration, benefits or other conditions of service of the municipal manager or managers directly responsible to the municipal manager.

3. FINANCIAL IMPLICATIONS

None

34TH COUNCIL MEETING: 2020-01-29: ITEM 10.1.1**NOTED**

the decisions taken by the Executive Mayor for the period October to December 2019.

10.1.2	REPORT BY THE EXECUTIVE MAYOR: DECISIONS TAKEN DURING COUNCIL RECESS
--------	---

File No.:

Collaborator No:

IDP KPA Ref No:

N/A

Meeting Date:

2020-01-29

1. PURPOSE OF THE REPORT

To inform Council of the decisions taken by the Executive Mayor during the Council recess of 2019 / 2020.

2. BACKGROUND

In terms of the system of delegations the Executive Mayor has the duty to report to delegating authority on decisions taken in terms of that delegated power.

Delegation CL8 of the new System of Delegations provides a delegation to the Executive Mayor

‘to exercise any power of the Council and/or its political structures as well as designated powers during recess of Council.’

The Stellenbosch Municipality has been operating over the festive season without closing the offices. Council resolved that the offices may close down at 12h00 on the last work day before Christmas day as well as the last working day before New Year’s Day every year. The approved delegations only provides delegations to the Municipal Manager to decide on early closure of offices and not a total closure of the Municipality.

Management was requested by IMATU to consider the closure of the municipal offices between Christmas and New Year. SAMWU agreed with the proposal made.

Council was in recess and the Executive Mayor approved the closure as per delegation CL8 above [see **APPENDIX 1**].

3. LEGISLATIVE FRAMEWORK

Council approves the closure of municipal offices but Council was in recess and the Executive Mayor has the authority to make decisions when Council is in recess, as per Council delegation CL8 and Section 59(1) of the Municipal Systems Act.

4. FINANCIAL IMPLICATIONS

All employees, except employees listed under services mentioned in **APPENDIX 1**, must put in leave for 3 workdays; therefore no additional financial implications.

34TH COUNCIL MEETING: 2020-01-29: ITEM 10.1.2

NOTED

the decisions taken by the Executive Mayor during the Council recess of 2019 / 2020.

10.2	REPORT/S BY THE SPEAKER
-------------	--------------------------------

NONE

10.3	REPORT/S BY THE MUNICIPAL MANAGER
-------------	--

10.3.1	DECISIONS TAKEN BY DIRECTORATES IN TERMS OF DELEGATED AUTHORITY FROM 01 OCTOBER 2019 UNTIL 31 DECEMBER 2019
---------------	--

Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good governance and Compliance

29 January 2020

1. DECISIONS TAKEN BY DIRECTORATES IN TERMS OF DELEGATED AUTHORITY FROM 01 OCTOBER 2019 UNTIL 31 DECEMBER 2019

2. 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 01 October 2019 until 31 December 2019, in compliance with Section 63 of the Local Government: Municipal Systems Act read in conjunction with the System of Delegations as approved by Council.

3. DELEGATED AUTHORITY

Municipal Council

4. EXECUTIVE SUMMARY

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

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

34TH COUNCIL MEETING: 2020-01-29: ITEM 10.3.1

NOTED

the decisions taken for the period 01 October 2019 until 31 December 2019, by the following Section 56 Managers:

- Municipal Manager – Ms G Mettler (01 October 2019 – 31 December 2019).
- Director Corporate Services – Ms A de Beer (01 October 2019 – 31 December 2019).
- Director Infrastructure Services – Mr D Louw (01 October 2019 – 31 December 2019).
- Director Community and Protection Services – Mr G Boshoff (01 October 2019 – 30 November 2019).
- Director Planning and Economic Development – Mr T Mfeya (01 October 2019 – 31 December 2019).
- Chief Financial Officer – Mr K Carolus (01 October 2019 – 31 December 2019).

10.3.2	REPORTING ON THE RELIEF AND CHARITABLE FUND (MAYORAL FUND) 2019
--------	--

Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good governance and compliance

29 January 2020

1. REPORTING ON THE RELIEF AND CHARITABLE FUND (MAYORAL FUND) – 2019

2. PURPOSE

To report to Council on the donations that have been paid out to applicants in line with the guidelines approved by Council.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

The fund was established during 2017. The purpose of the item is to provide feedback on the donations that have been paid out to applicants in line with the Guidelines approved by Council.

34TH COUNCIL MEETING: 2020-01-29: ITEM 10.3.2

NOTED

the donations that have been paid from the Relief and Charitable Fund up to December 2019.

FOR FURTHER DETAILS CONTACT:

NAME	Geraldine Mettler
POSITION	Municipal Manager
DIRECTORATE	Municipal Manager
CONTACT NUMBERS	021 808 8025
E-MAIL ADDRESS	municipal.manager@stellenbosch.gov.za
REPORT DATE	22 January 2020

11.	ITEMS FOR CONSIDERATION FROM THE EXECUTIVE MAYOR OR MAYORAL COMMITTEE: [ALD. G VAN DEVENTER (MS)]
-----	---

11.1	COMMUNITY AND PROTECTION SERVICES: (PC : CLLR FJ BADENHORST)
------	--

NONE

11.2	CORPORATE SERVICES: (PC: CLLR AR FRAZENBURG)
------	--

11.2.1	PROPOSED RENEWAL OF LEASE AGREEMENT: BURGERHUIS: HISTORIESE HUISE VAN SUID-AFRIKA BEPERK: ERF 3389, STELLENBOSCH AND 607, STELLENBOSCH
--------	--

Collaborator No: 674945
IDP KPA Ref No: *Good Governance*
Meeting Date: 22 January 2020

1. **SUBJECT: PROPOSED RENEWAL OF LEASE AGREEMENT: BURGERHUIS: HISTORIESE HUISE VAN SUID-AFRIKA BEPERK: ERF 3389, STELLENBOSCH AND 607, STELLENBOSCH**

2. **PURPOSE**

To obtain Council's final approval for the renewal of the Lease Agreement on erven 3389 and 607, also known as Burgerhuis with Historiese Huise.

3. **DELEGATED AUTHORITY**

Council.

4. **EXECUTIVE SUMMARY**

On 2019-09-25 Council, in principle, agree to the renewal of this Lease Agreement for a further period of 9 years and 11 months, with a 3 months' early termination clause, subject to Council's intention to enter into the lease being advertised for public comments/inputs/objections.

An official notice was published in the local media on 31 October 2019 soliciting public input by not later than 21 November 2019. A copy of the notice is attached as **APPENDIX 3**. No comment/inputs or objections were received.

Following the public notice period, Council must now make a final determination in this regard. The valuation indicates a market related rental of R25 950.00 (excluding VAT). Council in principle approved a 50% percentage of the market related rental in view of the money the Historiese Huise invest into the maintenance of the property and the fact that it is used for the greater Stellenbosch community. 50% of the market related rental is R12 975.00 (Excluding of VAT). The current rental amount is R5 429.48 (Excluding of VAT).

34TH COUNCIL MEETING: 2020-01-29: ITEM 11.2.1**RESOLVED** (majority vote)

- (a) that Council takes note of the fact that no written submissions were received;
- (b) that Council notes the amount of the fair market value and the implications the 50% rate has for the applicants;
- (c) that Council approves the renewal of the Lease Agreement with Historiese Huise van Suid Afrika Beperk in regard to erven 3389 and 607, for a period of 9 years and 11 months, subject to a 3 months' early termination;
- (d) that, given the fair market value amount and amounts spent on maintenance by the applicants, the rate be reduced to 25% of the fair market value; and
- (e) that, given the reduction in rate, the intention to enter into an agreement at the reduced rate be advertised again for any objections. Should no objections be received, the Municipal Manager be mandated to continue with the finalisation of the lease agreement.

FOR FURTHER DETAILS CONTACT:

NAME	PIET SMIT
POSITION	MANAGER: PROPERTY MANAGEMENT
DIRECTORATE	CORPORATE SERVICES
CONTACT NUMBERS	021-8088189
E-MAIL ADDRESS	Piet.smit@ Stellenbosch.gov.za
REPORT DATE	2019-11-27

11.2.2	PROPOSED RENEWAL OF LEASE AGREEMENT: BERGZICHT TRAINING CENTRE: PORTION OF REMAINDER ERF 235, STELLENBOSCH
--------	---

Collaborator No: 674948
 IDP KPA Ref No: *Good Governance*
 Meeting Date: 22 January 2020

1. SUBJECT: PROPOSED RENEWAL OF LEASE AGREEMENT: BERGZICHT TRAINING CENTRE: PORTION OF REMAINDER ERF 235, STELLENBOSCH

2. PURPOSE

To obtain Council's final approval for the renewal of the Lease Agreement with Bergzicht Training Centre – erf 235 Stellenbosch.

3. DELEGATED AUTHORITY

Council must consider the matter.

4. EXECUTIVE SUMMARY

On 2019-09-25 Council considered a request from Bergzicht Training Centre for the renewal of their Lease Agreement for a further period of 9 years and 11 months.

Council approved, in principle, the renewal of the Lease Agreement for a 2 year period, subject to Council's intention to enter into the lease agreement being advertised for public input/comment/objections.

On 31 October 2019 an official notice was published in the local media, soliciting public inputs, comments, objection by not later than 21 November 2019. A copy of the notice is attached as **APPENDIX 3**. A number of inputs were received – see paragraph 6.1.2 below. The comments/inputs mostly deal with the proposed short period of the Lease, i.e. 2 years with early termination clause of 3 months written notice. They request a 9 year and 11 months period with a 6 months early termination clause.

A valuation report dated 08 October 2019, compiled by Pendo Property Valuers. In terms hereof the monthly fair market rental is determined at R67 700 (Exclusive of VAT). Council in principle approved a 20% rate of the market related rental given the role the training centre plays for the bigger community. This will amount to a monthly rental of R13540.00 (Exclusive of VAT). The current monthly rental is R10 604.45(Exclusive of VAT).

Following the public participation process, Council must now consider the inputs received. Council must also consider the fair market rental for the property.

34TH COUNCIL MEETING: 2020-01-29: ITEM 11.2.2

RESOLVED (majority vote)

- (a) that Council takes note of the comment/inputs received;
- (b) that, given the input, Council approves the renewal of the lease with the Bergzicht Training Centre for a period of 9 years and 11 months;
- (c) that the lease is subject thereto that when a new premises become available the transfer of the lease to a new premises be considered; and
- (d) that the rental be determined at 20 % of the market related rental (R13540.00 exclusive of VAT).

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

Cllrs F Adams; FT Bangani-Menziwa (Ms); DA Hendrickse; N Mananga-Gugushe (Ms); C Moses (Ms); RS Nalumango (Ms); N Sinkinya (Ms); P Sitshoti (Ms) and LL Stander.

FOR FURTHER DETAILS CONTACT:

NAME	PIET SMIT
POSITION	MANAGER: PROPERTY MANAGEMENT
DIRECTORATE	CORPORATE SERVICES
CONTACT NUMBERS	021-8088189
E-MAIL ADDRESS	Piet.smit@ Stellenbosch.gov.za
REPORT DATE	2019-11-27

11.2.3	ENCROACHMENT PERMIT APPLICATION HORIZON HOUSE: ERF 3722
---------------	--

Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

22 January 2020

1. SUBJECT: ENCROACHMENT PERMIT APPLICATION HORIZON HOUSE: ERF 3722

2. PURPOSE

To obtain Council's approval to conclude an Encroachment Agreement with Horizon House to enable them to utilise/manage a portion of erf 3722, Onder Papegaaiberg, Stellenbosch on an encroachment basis and to put up a fence encroaching onto the Patrys Road street reserve and adjacent Lease Farm 183 D.

3. DELEGATED AUTHORITY

The current delegations does not make provision for the approval of encroachment agreements and as this is seen as long term use of Council property in the absence of a delegations must be dealt with by Council.

4. EXECUTIVE SUMMARY

Horizon House, situated on the outskirts of Onder Papegaaiberg, is an NGO catering for the needs of people with disabilities. They have received a donation to put up new fencing around the facility and to develop walking trails, to be use by their residents, and also the greater public. They want to extend the area onto a portion of municipal land, situated to the south of their property for this reason, on an encroachment basis. The current tariff used for determining the rental is attached as **APPENDIX 5**.

34TH COUNCIL MEETING: 2020-01-29: ITEM 11.2.3

RESOLVED (majority vote)

- (a) that the portion of erf 3722 Stellenbosch, as well as the portion of street reserve and agricultural land as indicated on Fig 3,4 and 5 respectively, be identified as land not required for the municipality's own use during the period of the proposed encroachment agreement;
- (b) that approval be granted in principle to enter into an encroachment agreement with Horizon House to enable them to use/manage the land for the purpose as per their request subject to advertising the intent to enter into the agreement for public comment/inputs/objections; and
- (c) that the rental be determined as per the tariff rate.

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

Cllrs DA Hendrickse; N Mananga-Gugushe (Ms); C Moses (Ms); RS Nalumango (Ms); N Sinkinya (Ms); P Sitshoti (Ms) and LL Stander.

11.2.4	CUSTOMER CARE FRAMEWORK
---------------	--------------------------------

Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

22 January 2020

1. SUBJECT: CUSTOMER CARE FRAMEWORK

2. PURPOSE

To inform and get approval of Council of the draft customer care framework within which the customer care electronic solution will be rolled out within the Stellenbosch Municipal Area (WC024) to improve service delivery structures and mechanisms in order to provide quality and consistent services to our customers.

3. DELEGATED AUTHORITY

Council approves frameworks for the administration to operate within.

4. EXECUTIVE SUMMARY

The report seeks to inform the Council with regards to the draft Customer Care Framework as well as the implementation of an electronic customer care management system. Although the municipality is already delivering quality services to its customers, the Administration uses various methods to keep track of service delivery complaints on different platforms and information is not centralised to be used for business decision and reporting purposes. By employing a central customer care electronic system for all Directorates it will improve the control over the complaints and provide info on the turnaround times and outstanding problems. It will also give valuable information to the staff to enable business decision on even asset management. This system will allow the Administration to manage our Service Delivery Units more effectively through management reports and analysis.

The implementation of the framework will force all directorates to develop standard turnaround times and they can be measured on the attention to complaints against these turnaround times.

This item served before Mayco in November and was referred back to the department to enable a presentation of the new electronic system to Mayco. This presentation took place on 15 January 2020. The item is resubmitted for the approval of the framework.

34TH COUNCIL MEETING: 2020-01-29: ITEM 11.2.4

RESOLVED (majority vote)

- (a) that the draft Customer Care Framework be approved;
- (b) that the Standard Operating Procedure be noted; and
- (c) that it be noted that a GIS-based customer care system will be customised and rolled out with a target date of June 2020 for full implementation.

Councillors F Adams and DA Hendrickse requested that their votes of dissent be minuted.

11.3	FINANCIAL SERVICES: [PC: CLLR P CRAWLEY (MS)]
------	--

11.3.1	WRITE-OFF OF DEBTS – INDIGENT CONSUMERS
--------	--

Collaborator No: 675015
IDP KPA Ref No: Good Governance and Compliance
Meeting Date: 22 January 2020

1. SUBJECT: WRITE-OFF OF DEBTS – INDIGENT CONSUMERS

2. PURPOSE

To request Council to approve the writing off of indigent debt that is considered to be irrecoverable.

3. DELEGATED AUTHORITY

Council to approve in terms of the approved Irrecoverable Debts Policy.

4. EXECUTIVE SUMMARY

Indigent debt rises constantly despite the fact that it is periodically written off by Council. This is mainly due to the municipality's inability to terminate or restrict electricity supply in areas where the municipality does not provide the service, coupled with the municipality's inability to manage and prevent excessive consumption of water.

Large scale installation of Water Management Devices (WMDs) will provide relief for both challenges, as it will assist in preventing an indigent consumer from building up an outstanding amount that he is unable to pay.

34TH COUNCIL MEETING: 2020-01-29: ITEM 11.3.1

RESOLVED (majority vote)

- (a) that it be noted that the write-off of indigent debt older than 90 days with regard to indigent consumers currently amounts to R17 267 791.18 as listed in **ANNEXURE 1**;
- (b) that the indigent accounts listed in **ANNEXURE 1** be written off as irrecoverable at the amounts reflected as being outstanding for ninety days in the Financial System of the Municipality on the day of actual write-off;
- (c) that a concerted effort be made to install Water Management Devices, capped at 6 kilolitres per month, at the properties of all indigent consumers;
- (d) that before write-off the indigent status be verified; and
- (e) that a condition of write-off is that Water Management devices for every indigent customer is installed; should the department not have adequate capacity to install the Water Management devices, the Municipal Manager is mandated to contract a service provider.

Councillors F Adams and DA Hendrickse requested that their votes of dissent be minuted.

11.3.2	REVISED INDIGENT POLICY
--------	-------------------------

Collaborator No: 675017
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 22 January 2020

1. **SUBJECT: REVISED INDIGENT POLICY**

2. **PURPOSE**

Council to approve amendments to the Indigent Policy.

3. **DELEGATED AUTHORITY**

Council to approve.

4. **EXECUTIVE SUMMARY**

Shortcomings pointed out by the Auditor General (AG) during the audit of the 2018/19 financial year necessitate that certain amendments be made to the Indigent Policy.

The amendments proposed herein will address the concern of the AG, prevent possible audit queries in future and also make the Policy more user friendly in general to both Indigent residents as well as the Administration.

34TH COUNCIL MEETING: 2020-01-29: ITEM 11.3.2

The Speaker **RULED**

that this matter be referred back to the Administration for refinement whereafter same be resubmitted at the next Council meeting in February 2020.

FOR FURTHER DETAILS CONTACT:

NAME	<i>A Treurnich</i>
POSITION	
DIRECTORATE	<i>Finance</i>
CONTACT NUMBERS	<i>021 808 8016</i>
E-MAIL ADDRESS	<i>Andre.treurnich@stellenbosch.org.za</i>
REPORT DATE	<i>17 January 2020</i>

11.4	HUMAN SETTLEMENTS: (PC: CLLR N JINDELA)
------	--

11.4.1	IDAS VALLEY LOW COST HOUSING PROJECT- CRITERIA FOR THE SELECTION OF BENEFICIARIES
--------	--

Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good governance and Compliance

22 January 2020

1. SUBJECT: IDAS VALLEY LOW COST HOUSING PROJECT- CRITERIA FOR THE SELECTION OF BENEFICIARIES

2. PURPOSE

The main objective of the report is to obtain approval from Council for the criteria to be used for the selection of beneficiaries to be allocated houses in the Ida's Valley Low Cost Housing Project.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

The application is for Council to approve the beneficiary selection criteria to be used for the selection of beneficiaries and the allocation for the 89 Low Cost Houses in Ida's Valley Housing Project.

34TH COUNCIL MEETING: 2020-01-29: ITEM 11.4.1

RESOLVED (majority vote with abstentions)

- (a) that 90% of the beneficiaries be applicants residing in Ida's Valley and its surrounding farms in Ward 5 and Ward 6 who appear on the Municipal Housing Demand Database in order of their date of application;
- (b) that prioritisation be given to the oldest beneficiaries, but not to beneficiaries younger than 40 years of age in order of the registration date;
- (c) that prioritisation be given to households with applicant(s) or dependants with permanent disability and proof of such obtained from SASSA in a registration date ordered list; and
- (d) that 10% of the sites be reserved for people who qualify for housing assistance in terms of the Emergency Housing Policy already on the list, and preference be given to people residing in Ward 5 and Ward 6.

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

11.4.2	TO ENTER INTO A LAND AVAILABILITY AGREEMENT WITH SOCIAL HOUSING INSTITUTIONS (SHI'S) AND/OR OTHER DEVELOPMENT AGENCIES (ODA) FOR THE DEVELOPMENT AND MANAGEMENT OF AFFORDABLE RENTAL ACCOMMODATION IN THE APPROVED RESTRUCTURING ZONES
--------	---

Collaborator No: 675447
 IDP KPA Ref No: Good governance and Compliance
 Meeting Date: 22 January 2020

1. SUBJECT: TO ENTER INTO A LAND AVAILABILITY AGREEMENT WITH SOCIAL HOUSING INSTITUTIONS (SHI'S) AND/OR OTHER DEVELOPMENT AGENCIES (ODA) FOR THE DEVELOPMENT AND MANAGEMENT OF AFFORDABLE RENTAL ACCOMMODATION IN THE APPROVED RESTRUCTURING ZONES

2. PURPOSE

The purpose of this report is to obtain Council's approval to implement the recommendations of the Draft Feasibility Study on Social Housing by entering into Land Availability Agreements, with accredited Social Housing Institutions (SHI's) and/or another Development Agencies (ODA's), in order to extend the Municipality's housing intervention measures.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

The Social Housing Regulatory Authority (SHRA) was established in 2010 by the Minister of Human Settlements in terms of the Social Housing Act No. 16 of 2008. Stellenbosch Municipality, was identified as one of the leader towns to promote Social Housing, requested the Provincial Department of Human Settlements and the SHRA for funding to do the necessary feasibility studies in the approved restructuring zone. On the 7th of June 2019, a service provider was appointed by SHRA to carry out feasibility studies to determine the potential for Social Housing project development on three sites located within the Stellenbosch Municipality boundary in terms of the Social Housing Regulatory Authority's contract SHRA/RFP/SDT/-1/201920. The draft feasibility study report has been completed and is available at the Human Settlements Department, Housing Development. An Executive Summary is attached as **ANNEXURE 1**.

The focus areas are 3 precincts, namely Lap Land, La Colline, Teen- die Bult are home to 22 erven in Ward 10.

34TH COUNCIL MEETING: 2020-01-29: ITEM 11.4.2

RESOLVED (majority vote with abstentions)

- (a) that Council approves in principle the development proposal of the 3 precincts namely Lap Land, La Colline, Teen-die-Bult as set out in the draft feasibility studies;
- (b) that the Municipal Manager is authorised to undertake a process towards entering into Land Availability Agreements with competent Social Housing Institutions (SHI's) or Other Development Agencies (ODA's);

-
- (c) that a Smart Partnership and a Land Availability Agreement be entered into with the successful accredited Social Housing Institution (SHI) or Other Development Agency (ODA); and
- (d) that the proposed base criteria which need to be met by a viable Social Housing Institution, be noted.

Councillors F Adams and DA Hendrickse requested that their votes of dissent be minuted.

FOR FURTHER DETAILS CONTACT:

NAME	Tabiso Mfeya
POSITION	<i>Director: Planning and Economic Development</i>
DIRECTORATE	<i>Planning and Economic Development</i>
CONTACT NUMBERS	021-808 8491
E-MAIL ADDRESS	Tabiso.mfeya @stellenbosch.gov.za
REPORT DATE	20-01-2020

11.5	INFRASTRUCTURE SERVICES: (PC: CLLR Q SMIT)
------	---

11.5.1	APPROVAL OF THE WATER SERVICES BY-LAW AND ADMISSION OF GUILT FINES
--------	---

Collaborator No: 642472
IDP KPA Ref No: Good Governance and Compliance
Meeting Date: 20 November 2019

1. SUBJECT: APPROVAL OF THE WATER SERVICES BY-LAW AND ADMISSION OF GUILT FINES

2. PURPOSE

To submit the proposed Water Services By-Law for Stellenbosch Municipality to Council for approval.

3. DELEGATED AUTHORITY

MUNICIPAL COUNCIL.

The Water Services By-Law is a document that must in terms of the Municipal Systems Act (Act 32 of 2000), Section 12 be adopted by Municipal Council.

4. EXECUTIVE SUMMARY

The current By-law, Water Supply, Sanitation Services and Industrial Effluent: By-Law is not aligned with the Water Services Act 108 of 1997 and its associated regulations.

The proposed Water Supply, Sanitation Services and Industrial Effluent By-Law will in comparison with the existing by-law address a wider spectrum of Water and Sewerage (Sanitation) Management matters thus ensuring that the Municipality conforms to its mandate in terms of the Constitution ensuring for clean and safe water services for its citizens.

The By-law contains provisions in support of standard procedures relating service connections to consumers, services specifications, compliance regulations and obligation matters relating to the consumers reforms aimed at minimizing the impacts and volumes of waste in addition to the municipality's Constitutional obligation to effective service delivery, to all relevant legislation.

The By-law propose to regulate all activities, infrastructure and entities associated with potable water, waste water generation, the disposal of sewerage effluent by all types of consumers.

The proposed By-law is also not in contradiction with any existing policies (e.g., credit control policy).

34TH COUNCIL MEETING: 2020-01-29: ITEM 11.5.1**RESOLVED** (majority vote with abstentions)

- (a) that the content of this report be noted;
- (b) that the Draft Water Services By-Law (2019), attached as **ANNEXURE A**, be approved and adopted by Council, and be promulgated in the Provincial Gazette by the Directorate: Corporate Services' Legal Services' team;
- (c) that the By-law becomes active upon the date that it is published in the Western Cape Provincial Gazette;
- (d) that the Promulgated By-law be published on Council's official website; and
- (e) that the proposed set of Admission of Guilt Fines (Attached as **ANNEXURE B**) be accepted as the fines to be sought approval from the Chief Magistrate for this By-Law.

Councillor DA Hendrickse requested that his vote of dissent be minuted.

FOR FURTHER DETAILS CONTACT:

NAME	Deon Louw
POSITION	<i>Director</i>
DIRECTORATE	<i>Infrastructure Services</i>
CONTACT NUMBERS	<i>021 808 8213</i>
E-MAIL ADDRESS	Deon.louw@ Stellenbosch.gov.za
REPORT DATE	<i>14 April 2019</i>

11.6	PARKS, OPEN SPACES AND ENVIRONMENT: (PC: XL MDEMKA (MS))
------	---

NONE

11.7	PLANNING AND ECONOMIC DEVELOPMENT: (PC:CLLR E GROENEWALD (MS))
------	---

11.7.1	FEEDBACK ON THE PUBLIC PARTICIPATION PROCESS ON THE FUTURE USE / UPGRADE OF THE BRAAK
--------	--

Collaborator No: 675450
IDP KPA Ref No:
Meeting Date: 22 January 2020

1. SUBJECT: FEEDBACK ON THE PUBLIC PARTICIPATION PROCESS ON THE FUTURE USE / UPGRADE OF THE BRAAK

2. PURPOSE

To provide feedback on the notice for a public participation process relating to the proposed future use / upgrade of the Braak, which was published in the Eikestad Nuus on 02/05/2019.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

The 25th meeting of the Council of the Stellenbosch Municipality authorised the Municipal Manager to follow a public participation process on the proposed future use/upgrade of the Braak, and that following the public participation process Council considers the inputs received before embarking on a Call for Design Proposals.

34TH COUNCIL MEETING: 2020-01-29: ITEM 11.7.1

RESOLVED (majority vote)

- (a) that Council notes the submissions received in response to the notice published to call for public input into the proposed future use / upgrade of the Braak as discussed in the item at 6.1 and attached as (**APPENDIX A**); and
- (b) that the submitted proposals be advertised for a period of 60 days after which it be resubmitted to Council for final consideration.

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

Cllrs F Adams; DA Hendrickse; N Mananga-Gugushe (Ms); C Moses (Ms); RS Nalumango (Ms); N Sinkinya (Ms); P Sitshoti (Ms) and LL Stander.

11.8	RURAL MANAGEMENT AND TOURISM: (PC: CLLR S PETERS)
------	---

NONE

11.9	YOUTH, SPORT AND CULTURE: (PC: CLLR M PIETERSEN)
------	--

NONE

11.10	MUNICIPAL MANAGER
-------	-------------------

NONE

12.	CONSIDERATION OF ITEMS, REPORTS, COMMUNICATIONS, PETITIONS AND APPLICATIONS SUBMITTED VIA THE OFFICE OF THE MUNICIPAL MANAGER
-----	---

12.1	MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC): [CLLR WF PIETERSEN]
------	---

NONE

13.	REPORTS BY THE MUNICIPAL MANAGER
13.1	PERMISSION TO ATTEND A STUDY TOUR TO THE UNITED KINGDOM (UK) AND EUROPE OVER THE PERIOD OF 15 FEBRUARY 2020 UNTIL 29 FEBRUARY 2020

Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good governance and compliance

29 January 2020

1. PERMISSION TO ATTEND A STUDY TOUR TO THE UNITED KINGDOM (UK) AND EUROPE OVER THE PERIOD OF 15 FEBRUARY 2020 UNTIL 29 FEBRUARY 2020**2. PURPOSE OF REPORT**

To obtain Council approval to attend a study tour on behalf of the municipality, visiting smart cities in the United Kingdom (UK) and Europe over the period of 15 February 2020 until 29 February 2020.

3. DELEGATED AUTHORITY

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

4. EXECUTIVE SUMMARY

The Municipal Manager, Ms GL Mettler was invited by a joint Stellenbosch Bridge/University of Stellenbosch group to visit smart cities in Europe. Ms Mettler will represent the Stellenbosch Municipality and the study tour will take place over the period of 15 February 2020 to 29 February 2020. See attached as **APPENDICES 1 AND 2**.

34TH COUNCIL MEETING: 2020-01-29: ITEM 13.1**RESOLVED** (majority vote)

- (a) that Council approves the request for attendance of the study tour;
- (b) that Council approves the full travel cost; and
- (c) that Council approves the daily allowance for the duration of the tour as well as the cost of the Visa applications.

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

Cllrs F Adams; DA Hendrickse; N Mananga-Gugushe (Ms); C Moses (Ms); RS Nalumango (Ms); N Sinkinya (Ms); P Sitshoti (Ms) and LL Stander.

FOR FURTHER DETAILS CONTACT:

NAME	Geraldine Mettler
POSITION	Municipal Manager
DIRECTORATE	Municipal Manager
CONTACT NUMBERS	021 808 8025
E-MAIL ADDRESS	municipal.manager@ Stellenbosch.gov.za
REPORT DATE	16 January 2020

13.2	PERMISSION TO ATTEND THE WORLD URBAN FORUM IN ABU DHABI, UNITED ARAB EMIRATES FROM 8 TO 13 FEBRUARY 2020
------	---

Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good governance and Compliance

29 January 2020

1. PERMISSION TO ATTEND THE WORLD URBAN FORUM IN ABU DHABI, UNITED ARAB EMIRATES FROM 8 TO 13 FEBRUARY 2020

2. PURPOSE OF REPORT

To obtain Council approval to attend the 10th Session of the World Urban Forum (WUF) that will be hosted by the government of the United Arab Emirates from 8 to 13 February 2020 in Abu Dhabi under the theme: ***“Cities of Opportunities: Connecting Culture and Innovation”***.

3. DELEGATED AUTHORITY

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

4. EXECUTIVE SUMMARY

The Manager of the Project Management Unit, Ms M Francis, was nominated to participate as one of the members of the learning network group that will represent Stellenbosch Municipality. The invitation for the Integrated Urban Development Framework (IUDF) will take place from 8 to 13 February 2020 in Abu Dhabi, United Arab Emirates.

The invitation by the Learning Network, Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ), sponsor's one person from a municipality to attend the WUF. Sponsorship also includes return economy class tickets from Johannesburg to Abu Dhabi as well as accommodation in Abu Dhabi. See attached as **APPENDIX 1**. The municipality will only be responsible for the provision of cost of domestic return flights from Cape Town to Johannesburg as well as the daily allowance.

34TH COUNCIL MEETING: 2020-01-29: ITEM 13.2

RESOLVED (nem con)

- (a) that Council approves the request for attendance of the World Urban Forum;
- (b) that Council approves the cost of the domestic travel allowances to be paid; and
- (c) that Council approves the daily allowance for the duration of the forum as well as the cost of the Visa application.

13.3	MUNICIPAL DEMARCATION BOARD: DELIMITATION OF WARDS 2019/20 PROCESS
------	---

Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good governance and compliance

29 January 2020

1. SUBJECT: STATUS REPORT - MUNICIPAL DEMARCATION BOARD: DELIMITATION OF WARDS 2019/20 PROCESS

2. PURPOSE

To report on the status of the above process undertaken by the Municipal Demarcation Board in preparation for the 2021 elections.

3. DELEGATED AUTHORITY

Council for noting

4. EXECUTIVE SUMMARY

The MDB is in the process of delimiting wards for all metropolitan and local municipalities in preparation for the 2021 elections. Following the publication of the number of councillors by the MEC (Annexure 1) responsible for local government the MDB calculated the number of wards, norms and variances for each municipality. Thereafter the MDB conducted technical consultation sessions with GIS and Planning officials in local and metropolitan municipalities during September 2019. These sessions sought to attain optimal configuration of the draft wards and to address any geographic challenges experienced by municipalities since the finalisation of wards in the previous round of ward delimitations in 2016. Draft wards for all metropolitan and local municipalities have been finalised (Annexure 2 – Draft Set 1 – Stellenbosch Municipality) for public consultation on 14 February 2020. Draft wards are meant to facilitate and guide inputs during the forth-coming public consultation session(s). Draft wards have no legal status, therefore members of the public and stakeholders are encouraged to engage with them and, if necessary, provide inputs on how the final wards should be configured.

It is important to note that the above process does not include demarcation or re-determination of municipal boundaries but only delimitation of wards.

34TH COUNCIL MEETING: 2020-01-29: ITEM 13.3

NOTED

- (a) the status of the Municipal Demarcation Board: Delimitation of Wards in preparation for the 2021 elections, as well as the associated timeframes for the conclusion of the process;
- (b) the Draft Set 1 Ward Boundaries for Stellenbosch Municipality; and
- (c) the upcoming Municipal Demarcation Board public consultation session scheduled for 14 February 2020.

14.	CONSIDERATION OF NOTICES OF QUESTIONS AND NOTICES OF MOTIONS RECEIVED BY THE SPEAKER
-----	---

14.1	QUESTION BY COUNCILLOR LK HORSBAND (MS): ARBITRATION AWARD: MATTER BETWEEN STELLENBOSCH MUNICIPALITY AND MS T RUBUSHA
------	--

A Notice of a Question, dated 2020-01-14, was received from Councillor LK Horsband (Ms) regarding arbitration award: matter between Stellenbosch Municipality and Ms T Rubusha.

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

FOR CONSIDERATION

34TH COUNCIL MEETING: 2020-01-29: ITEM 14.1

It was noted that, notwithstanding the leave of absence of Cllr LK Horsband (Ms), a written reply to the Councillor's question had been provided.

FOR FURTHER DETAILS CONTACT:

NAME	Geraldine Mettler (Ms)
POSITION	<i>Municipal Manager</i>
DIRECTORATE	<i>Office of the Municipal Manager</i>
CONTACT NUMBERS	<i>021 808-8025</i>
E-MAIL ADDRESS	<i><u>Municipal.Manager@stellenbosch.gov.za</u></i>
REPORT DATE	<i>2020-01-29</i>

14.2	QUESTION BY COUNCILLOR LK HORSBAND (MS): MARKETING OF 89 HOUSES IN IDAS VALLEY
------	---

A Notice of a Question, dated 2020-01-14, was received from Councillor LK Horsband (Ms) regarding the marketing of 89 houses in Ida's Valley.

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

FOR CONSIDERATION

34TH COUNCIL MEETING: 2020-01-29: ITEM 14.2

It was noted that, notwithstanding the leave of absence of Cllr LK Horsband (Ms), a written reply to the Councillor's question had been provided.

FOR FURTHER DETAILS CONTACT:

NAME	Geraldine Mettler (Ms)
POSITION	<i>Municipal Manager</i>
DIRECTORATE	<i>Office of the Municipal Manager</i>
CONTACT NUMBERS	021 808-8025
E-MAIL ADDRESS	<u><i>Municipal.Manager@stellenbosch.gov.za</i></u>
REPORT DATE	2020-01-29

14.3	QUESTION BY COUNCILLOR F ADAMS: PROJECT TO UPGRADE THE MUNICIPAL FLATS IN LONG AND KLOOF STREETS
------	---

A Notice of a Question, dated 2020-01-14, was received from Councillor F Adams regarding project to upgrade the municipal flats in Long and Kloof Streets.

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

FOR CONSIDERATION

34TH COUNCIL MEETING: 2020-01-29: ITEM 14.3

The response on Cllr F Adams's question was NOTED. The Speaker RULED that Cllr F Adams is welcome to submit in writing a follow-up question.

FOR FURTHER DETAILS CONTACT:

NAME	Geraldine Mettler (Ms)
POSITION	<i>Municipal Manager</i>
DIRECTORATE	<i>Office of the Municipal Manager</i>
CONTACT NUMBERS	<i>021 808-8025</i>
E-MAIL ADDRESS	<i>Municipal.Manager@Stellenbosch.gov.za</i>
REPORT DATE	<i>2020-01-29</i>

14.4	QUESTION BY COUNCILLOR F ADAMS: REPLACEMENT OF CLLR F ADAMS TO COUNCIL IN JULY 2019
------	--

A Notice of a Question, dated 2020-01-14, was received from Councillor F Adams regarding replacement of Cllr F Adams to Council in July 2019.

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

FOR CONSIDERATION

34TH COUNCIL MEETING: 2020-01-29: ITEM 14.4

The response on Cllr F Adams's question was NOTED. The Speaker RULED that Cllr F Adams is welcome to submit in writing a follow-up question.

FOR FURTHER DETAILS CONTACT:

NAME	Geraldine Mettler (Ms)
POSITION	<i>Municipal Manager</i>
DIRECTORATE	<i>Office of the Municipal Manager</i>
CONTACT NUMBERS	<i>021 808-8025</i>
E-MAIL ADDRESS	<i>Municipal.Manager@stellenbosch.gov.za</i>
REPORT DATE	<i>2020-01-29</i>

14.5	QUESTION BY COUNCILLOR DA HENDRICKSE: AWARD OF TENDER: SOEKMEKAAR HOUSING PROJECT
------	--

A Notice of a Question, dated 2020-01-14, was received from Councillor DA Hendrickse regarding the Award of Tender: Soekmekaar Housing Project.

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

FOR CONSIDERATION

34TH COUNCIL MEETING: 2020-01-29: ITEM 14.5

It is noted that Cllr DA Hendrickse was not satisfied with the written response from the Municipal Manager. The Speaker RULED that Cllr DA Hendrickse is welcome to submit, in writing, a follow-up question.

FOR FURTHER DETAILS CONTACT:

NAME	Geraldine Mettler (Ms)
POSITION	<i>Municipal Manager</i>
DIRECTORATE	<i>Office of the Municipal Manager</i>
CONTACT NUMBERS	<i>021 808-8025</i>
E-MAIL ADDRESS	<i><u>Municipal.Manager@stellenbosch.gov.za</u></i>
REPORT DATE	<i>2020-01-29</i>

14.6	QUESTION BY COUNCILLOR DA HENDRICKSE: APPOINTMENT OF MR D LOUW
------	---

A Notice of a Question, dated 2020-01-14, was received from Councillor DA Hendrickse regarding the appointment of Mr D Louw.

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

FOR CONSIDERATION

34TH COUNCIL MEETING: 2020-01-29: ITEM 14.6

It is noted that Cllr DA Hendrickse was not satisfied with the written response from the Municipal Manager. The Speaker RULED that Cllr DA Hendrickse is welcome to submit, in writing, a follow-up question.

FOR FURTHER DETAILS CONTACT:

NAME	Geraldine Mettler (Ms)
POSITION	<i>Municipal Manager</i>
DIRECTORATE	<i>Office of the Municipal Manager</i>
CONTACT NUMBERS	<i>021 808-8025</i>
E-MAIL ADDRESS	<i><u>Municipal.Manager@stellenbosch.gov.za</u></i>
REPORT DATE	<i>2020-01-29</i>

15.	CONSIDERATION OF URGENT MOTIONS
-----	--

NONE

16.	URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER
-----	--

NONE

17.	REPORTS SUBMITTED BY THE SPEAKER
-----	---

NONE

18.	REPORTS SUBMITTED BY THE EXECUTIVE MAYOR
-----	---

18.1	RECONSTITUTION OF SECTION 80 COMMITTEES
------	--

Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

29 January 2020

1. SUBJECT: RECONSTITUTION OF SECTION 80 COMMITTEES

2. PURPOSE OF REPORT

To rescind the Council decision of 27 February 2019 in order to reconstitute the Section 80 Portfolio Committees.

3. DELEGATED AUTHORITY

Municipal Council

4. EXECUTIVE SUMMARY

The Municipal Structures Act provides for committees to assist the executive committee or Executive Mayor. At its meeting of 16 February 2017, and subsequently on 31 October 2018, Council approved the establishment of the portfolio committees as envisaged in Section 80 of the Municipal Structures Act.

The Executive Mayor has, in terms of Section 60 of the Municipal Structures Act 117 of 1998, reshuffled her Mayoral Committee members, effective from 1 November 2018. This led to a change in the Councillors that served as Chairpersons of the Section 80 Committees as well as the portfolios which they represent, and the introduction of two new S80 Committees.

The National and Provincial elections on 8 May 2019 led to the resignation of Cllr de Villiers, who was the Mayco member for Community Safety and Portfolio Chair for Community and Protection Services, and the position became vacant. Cllr Q Smit then also acted as Portfolio Chair of the particular committee. Cllr R Badenhorst was subsequently appointed as Mayco member for Community Safety. Cllr Bakubaku-Vos also resigned as councillor. Subsequently, councillor Fasser was appointed in the place of ex-councillor de Villiers, and councillor Moses was appointed in the place of ex-councillor Bakubaku-Vos. Councillor Dalling was also appointed in the place of ex-councillor de Wet when he resigned early in 2019.

On 11 November 2019 the Speaker and the Deputy Mayor both resigned, and the ex-Deputy Mayor was appointed as interim Speaker. On 14 November 2019 a new Deputy Mayor and Speaker were re-elected.

34TH COUNCIL MEETING: 2020-01-29: ITEM 18.1

RESOLVED (majority vote)

- (a) that Council rescinds the resolution of 27 February 2019, except in so far as the Terms of Reference for the various S80 Committees which remain [Appendix B]; and
- (b) that Council approves the establishment of the following Section 80 Committees and its composition, with the names of Councillors as follows:

COMMUNITY AND PROTECTION SERVICES

1. Cllr R Badenhorst (Chairperson) [DA]
2. Cllr C Manuel [DA]
3. Cllr JK Hendriks [DA]
4. Cllr N Olayi [DA]
5. Cllr P Sitshoti (Ms) [ANC]
6. Cllr LL Stander [ANC]

CORPORATE SERVICES

1. Cllr AR Frazenburg (Chairperson) [DA]
2. Cllr R du Toit (Ms) [DA]
3. Cllr Z Dalling [DA]
4. Cllr FT Bangani-Menziwa (Ms) [ANC]

PLANNING AND ECONOMIC DEVELOPMENT

1. Cllr E Groenewald (Ms) (Chairperson)[DA]
2. Cllr T Gosa [DA]
3. Cllr A Hanekom [DA]
4. Cllr J Fasser [DA]
5. Cllr RS Nalumango [ANC]

FINANCIAL SERVICES

1. Cllr P Crawley (Ms) (Chairperson) [DA]
2. Cllr J Hamilton [DA]
3. Cllr A Florence [DA]
4. Cllr R Nalumango (Ms) [ANC]
5. Cllr M Oliphant [ANC]

HUMAN SETTLEMENTS

1. Cllr W Petersen (Chairperson) [DA]
2. Cllr A Crombie (Ms) [DA]
3. Cllr DD Joubert [DA]
4. Cllr G Cele (Ms) [ACDP]
5. Cllr LK Horsband (Ms) [EFF]

INFRASTRUCTURE

1. Cllr Q Smit (Chairperson) [DA]
2. Ald J Serdyn (Ms) [DA]
3. Cllr NE Mcombring (Ms) [DA]
4. Cllr A Hanekom [DA]
5. Cllr C Moses (Ms) [ANC]

PARKS, OPEN SPACES AND ENVIRONMENT

1. Cllr X Mdemka (Ms) (Chairperson) [DA]
2. Ald J Serdyn (Ms) [DA]
3. Cllr E Vermeulen (Ms) [DA]
4. Cllr F Adams [DNCA]

RURAL MANAGEMENT AND TOURISM

1. Cllr S Peters (Chairperson) [DA]
2. Cllr A Crombie (Ms) [DA]
3. Cllr JK Hendriks [DA]
4. Cllr L Horsband (Ms) [EFF]

YOUTH, SPORT AND CULTURE

1. Cllr M Pietersen (Chairperson) [DA]
2. Cllr R du Toit (Ms) [DA]
3. Cllr E Vermeulen (Ms) [DA]
4. Cllr N Sinkinya (Ms) [ANC]
5. Cllr DA Hendrickse [EFF]

Councillor DA Hendrickse requested that his vote of dissent be minuted.

Councillor DA Hendrickse also requested that it be noted that they were forced to serve on committees which they do not wish to be on.

FOR FURTHER DETAILS CONTACT:

NAME	Donovan Muller
POSITION	Office Manager
DIRECTORATE	Council
CONTACT NUMBERS	021 808 8314
E-MAIL ADDRESS	Donovan.Muller@ Stellenbosch.gov.za
REPORT DATE	27 January 2020

19.	MATTERS TO BE CONSIDERED IN-COMMITTEE
-----	---------------------------------------

(SEE PINK DOCUMENTATION)

The meeting adjourned at 18:50.

CHAIRPERSON:

DATE:

Confirmed on **with/without amendments.**