

<b>10.1.3</b>	<b>REPORT ON THE DECISIONS TAKEN BY THE EXECUTIVE MAYOR DURING THE LOCK DOWN PERIOD 26 MARCH TO 20 MAY 2020 IN TERMS OF THE DELEGATION DURING THE LOCK DOWN</b>
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**Collaborator No:**

**IDP KPA Ref No:**

**Meeting Date:**

**12 June 2020**

**1. SUBJECT: REPORT ON THE DECISIONS TAKEN BY THE EXECUTIVE MAYOR DURING THE LOCK DOWN PERIOD 26 MARCH TO 20 MAY 2020 IN TERMS OF THE DELEGATION DURING THE LOCK DOWN**

**2. PURPOSE**

To inform Council of the decisions taken by the Executive Mayor from 26 March to 20 May 2020 in terms of the delegation given to her on 25 March 2020.

**3. DELEGATED AUTHORITY**

As per the delegation from Council on 25 March 2020.

For Notification

**4. EXECUTIVE SUMMARY**

Council resolved on 25 March 2020 to grant permission to confer all Council powers and functions upon the Executive Mayor with the exception of the non-delegated powers as per section 160 (2) of the Constitution until the disaster is lifted by the President.

As part of the item it was indicated that the Executive Mayor will be required in terms of section 63 of the Municipal Systems Act to report to Council on decisions taken. Attached hereto is a summary of the decisions taken (not in committee) for the period 26 March – 20 May 2020.

**5. RECOMMENDATION**

that Council takes note of the decisions by the Executive Mayor.

**6. DISCUSSION / CONTENTS**

**6.1 and 6.2**

**Background and discussion.**

The President declared a National Disaster in relation to Covid 19 in March 2020 and announced a National Lock down from 27 March 2020. During this period, it was required of people to stay at home wherever possible in an attempt to stop the spread of the virus. Although regulations have been eased in level 3 lock down it is still recommended that gatherings do not take place if it can be avoided or dealt with by ways of other work processes. Council conferred all powers and functions of Council on the Executive Mayor with the exclusion of the section 160 provisions in the Constitution. The Executive Mayor is now reporting on the decisions taken by her during the lock down from 26 March – 20 May 2020.

**6.3 Financial Implications**

Dealt with in terms of the approved budget.

**6.4 Legal Implications**

The decisions are in line with approved delegations or powers vesting in the Executive Mayor under the delegation by council on 25 March 2020.

**6.5 Staff Implications**

This report has no additional staff implications to the Municipality.

**6.6 Previous / Relevant Council Resolutions**

25 March 2020

**6.7 Risk Implications**

Risk implications are mitigated when decisions taken are in line with approved powers and functions.

**6.8 Comments from Senior Management:**

The report was not circulated for comment. The Executive Mayor discusses relevant issues with the Municipal Manager who takes up actions with the Directors directly.

**ANNEXURES**

**Appendix 1:** - DECISIONS TAKEN BY THE EXECUTIVE MAYOR DURING THE LOCK DOWN PERIOD 26 MARCH TO 20 MAY 2020 (appendix 1 and attachments 1-20)

**FOR FURTHER DETAILS CONTACT:**

<b>NAME</b>	DONOVAN MULLER
<b>POSITION</b>	<b>MANAGER: COUNCIL SUPPORT</b>
<b>DIRECTORATE</b>	<b>CORPORATE SERVICES</b>
<b>CONTACT NUMBERS</b>	<b>021 8088314</b>
<b>E-MAIL ADDRESS</b>	<a href="mailto:Donovan.Muller@stellenbosch.gov.za">Donovan.Muller@stellenbosch.gov.za</a>
<b>REPORT DATE</b>	<b>13 May 2020</b>

# APPENDIX 1

## DELEGATIONS EXERCISED FOR LOCKDOWN PERIOD [31 MARCH – 20 MAY 2020]

### EXECUTIVE MAYOR

Delegation As per Council resolution	Report Subject	Date Noted / Resolved	Resolution and Comments (if any)
<b>COMMUNITY AND PROTECTION SERVICES</b>			
4.1.1	Establishment of Friends Groups for the Stellenbosch Nature Reserves and designated nature	31/03/2020	Noted the report - establishment of Friends groups for Stellenbosch Nature Reserves and Designated Nature Areas
4.1.2	Progress report: Identification and acquisitions and approvals for the establishment of one or more regional cemeteries for Stellenbosch Municipality	31/03/2020	Noted the report and the status of the project: Identification and acquisition of authorisations and approvals for the establishment of one or more regional cemeteries for Stellenbosch Municipality
7.3	Revised Safety and Security Strategy 2020 / 2021	30/04/2020	Dealt with under in-committee
7.1	Approval of the Revised Disaster Management Plan	30/04/2020	Approve and adopt the Revised Disaster Management Plan. Mayor notes the ad Hoc Corona Disaster Risk committee which is chaired by the MM and which deals with the day to day covid responses. This is additional to the usual Disaster management plan.
<b>CORPORATE SERVICES</b>			
5.2.1	Acting arrangements for the Municipal Manager and Section 56 Managers when the Municipal Manager and Section 56 Managers are not available	31/03/2020	See attachment 1.

5.2.1	Application for a long-term lease agreement between Stellenbosch Municipality and the Stellenbosch Flying Club: portion L of Farm 502, Stellenbosch.	24/04/2020	See attachment 5
	Amendment to functions under Section 80 committees	08/05/2020	See attachment 6
7.3	Payment of ward committee members during lockdown period	18/05/2020	See Attachment 14
<b>FINANCIAL SERVICES</b>			
5.3.1	Revised Indigent Policy	31/03/2020	a) That cognisance is taken of the proposed amendments and that the approval is given of the amended Indigent Policy for the 2019/20 financial year; and b) B) that the amended Policy be made public in terms of S21 of the Municipal Systems Act before actual implementation thereof.
2.1	Monthly financial statutory reporting: Deviations for February 2020	31/03/2020	Noted that there were no deviations for February 2020.
Item	Monthly financial statutory reporting: Deviations for March 2020	29 April 2020	Note the deviations reported
Additional item.	Monthly financial statutory reporting: Deviations for April 2020	18/5/20	Note the report
5.3.1	Interest on arrear consumer accounts during months of April to June 2020	17/04/2020	See Attachment 7
	MFMA Section 52 reporting up to March 2020	30/04/2020	Mayor takes note of the 4 KPI's not met. CFO explained the context. Mayor request MM to pay particular attention to these 4 KPI's.
7.6	Oversight role of Council: Supply Chain Management Policy – report on the implementation of the Supply Chain Management Policy of Stellenbosch Municipality: Quarter 3(01 January 2020 – 31 March 2020)	30/04/2020	Note the report CFO explained report.

HUMAN SETTLEMENTS			
5.4.1	Possible development of Erven 412 and 284, Groendal by way of a call for proposal(s)	31/03/2020	See attachment 2
5.4.2	Entering into land availability agreement with Social Housing Institutions (SHIs) or Other Development Agencies (ODAs) for the development and management of Social Housing Estates	31/03/2020	See attachment 3
	Stellenbosch Municipality: Housing Pipeline (Annual review)	17/04/2020	See Attachment 8
	Farm 34, Vaaldraai, Stellenbosch: Feasibility Report	24/04/2020	See Attachment 9
INFRASTRUCTURE SERVICES			
5.5.1	Approval and adoption of the Water Service Development plan 2019	24/04/2020	See attachment 10
5.5.2	Approval of Stellenbosch Roads Master Plan	24/04/2020	<b>Council item 5.5.2: 2020-04-24</b>  Item to stand over for further consideration and information.
PARKS, OPEN SPACES AND ENVIRONMENT			
	Report on the upgrading of the Millstream area, commonly known as "Lovers Lane".	30/04/2020  08/05/2020	See attachment 11  See attachment 20.
7.2	Approval of Tree Management Policy	30/04/2020	Approve the draft Tree Management policy for implementation
PLANNING AND ECONOMIC DEVELOPMENT SERVICES			
	Proposed amendment of the Stellenbosch municipal categorisation model for decision making on land use and land development applications and the appointment of additional authorised officials to decide on assigned categories of land use and land development applications	24/04/2020	<b>Resubmission decision attachment 12</b>

7.1	Approval of exemption to Grant-In-Aid policy to allocate funds to Stellenbosch Unite to provide food parcels to the homeless during the COVID-19 lockdown period	24/04/2020	see attachment 13
5.7.1	Proposed interim amendment during the period of national lock-down of the Stellenbosch Municipal categorisation model for decision making on land-use and land development applications.	24/04/2020	Approve Categorization delegations as set out in <b>Annexure 1</b> , except for numbers 4, 12, 13,14,16,17 and 18 on <b>Annexure 1</b> . The delegations on <b>Annexure 1</b> not approved, is referred back to the Department for additional information and refinement before resubmission.  Annexure 2 referred back for further information and resubmission.
7.2	Feedback in respect of land use applications which is designated as backlog applications, land use applications not processed and finalised within the prescribed legislative timeframes as stipulated in terms of the Stellenbosch municipality land use planning bylaw, 2015	18/05/2020	Recommendations and progress noted
7.1	Upgrading of Enkanini informal settlement – Papegaaiberg Nature Reserve boundary amendment and Wemmershoek wetland offset	08/05/2020	Referred back for refinement of portion for set off. Measures to define the border of the nature reserve.
		20/05/2020	See attachment 19
<b>RURAL MANAGEMENT</b>			
	None		
<b>YOUTH, SPORT AND CULTURE</b>			
	Reviewed policy on the hiring and use of Municipal halls and facilities	30/04/2020	Referred back – incorrect draft policy attached.

		08/05/2020	Revised Policy on the Hiring and Use of Municipal Halls and Facilities is approved. Reasons: Mr van der Merwe presented the correct draft Policy. A previous draft was initially attached to the item due to an administrative error. Having considered the terms of the new draft policy, it is approved.
Additional Item	Sport facility management plan	18/5/20	Adopted the reviewed Sport Facilities management Plan
<b>MUNICIPAL MANAGER</b>			
5.10.1	Adoption of the Revised Strategic and Operational Risk Register for the 2019/20 Financial year with risk appetite	31/03/2020	That the revised Strategic and Operational Risk Register for the 2019/20 financial year be adopted.
5.10.2	Alternative measures for public participation	31/03/2020	See attachment 4
5.10.3	Response to coronavirus (COVID-19) pandemic and the declaration of a National State of Disaster	31/03/2020	See attachment 18
6.1.1	Municipal Public Accounts Committee (MPAC) oversight report on the annual report 2018/19	31/03/2020	See attachment 17
	Extension of the Public participation period of the Third review of the Fourth Integrated Development plan (IDP) and Draft budget 2020/21	20/04/2020	See attachment 16
7.2	Decisions taken by directorates in terms of delegated authority from 01 January 2020 until 31 March 2020	24/04/2020	Note the report
	Implementation of the Determination of Upper Limits of Salaries, Allowances and Benefits of Different Members of Municipal Councils	6/05/2020	See attachment 15



## MINUTES

COUNCIL ITEMS FOR CONSIDERATION BY THE  
EXECUTIVE MAYOR UNDER DELEGATED AUTHORITY**COUNCIL ITEM 5.2.1, 2020-03-31:**

After careful scrutiny of item 5.2.1: ACTING ARRANGEMENTS FOR THE MUNICIPAL MANAGER AND SECTION 56 MANAGERS WHEN THE MUNICIPAL MANAGER AND SECTION 56 MANAGERS ARE NOT AVAILABLE, and as per the delegation approved by Council on 25 March 2020 (item 9.1) to confer Council powers and functions upon the Executive Mayor, as such I **HEREBY APPROVE THE SAID ITEM AS FOLLOWS:**

- (a) that the acting arrangements approved on 30 July 2018 be confirmed as follows:

The following Directors be appointed to act as Municipal Manager if the Municipal Manager is not available:

January to February	: Corporate Services
March to April	: Financial Services (CFO)
May to June	: Infrastructure Services
July to August	: Planning and Economic Development
September to October	: Community and Protection Services
November	: Corporate Services
December	: Financial Services (CFO)

- (b) that the Director next on the rotation schedule acts when the relevant Director is not available as per the schedule;
- (c) that an acting allowance be paid in terms of the approved Acting Policy if the Director acted for 10 consecutive days or longer;
- (d) that the following managers act as Acting section 56 Managers for the periods indicated in the different Directorates respectively:

SECTION 56 POST	PERSON ACTING	POST OF ACTING INCUMBENT	ACTING PERIOD APPROVED
<b>DIRECTOR: CORPORATE SERVICES: ANNALENE DE BEER</b>			
	Alexander Kannemeyer	Senior Manager: Human Resources	January; May; July; September
	Piet Smit	Manager: Property Management and Building Maintenance	February; October
	Mervin Williams	Senior Manager: Legal Services	March; June; December
	Brain Mkaza	Senior Manager: ICT	April; August; November
<b>DIRECTOR: INFRASTRUCTURE SERVICES: DEON LOUW</b>			
	Adriaan Kurtz	Senior Manager: Waste Water and Water Management	December; January; June; July
	Nombulelo Zwane	Senior Manager: Electrical Services	February; March; August; September

## MINUTES

COUNCIL ITEMS FOR CONSIDERATION BY THE  
EXECUTIVE MAYOR UNDER DELEGATED AUTHORITY

	Johan Fullard	Senior Manager: Transport, Roads & Stormwater	April; May; October; November
<b>DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT: VACANT</b>			
	Johru Robyn	Manager: Informal Settlements	December; January; February; October
	Craig Alexander	Senior Manager: Development Planning	March; April; May; November
	Stiaan Carstens	Senior Manager: Development Management	June; July; August; September
<b>DIRECTOR: FINANCIAL SERVICES (CFO): KEVIN CAROLUS</b>			
		Senior Manager: Financial Management Services	January; February; July; August
	Dalleel Jacobs	Senior Manager: Supply Chain Management	March; April; September; October
		Senior Manager: Revenue and Expenditure	May; June; November; December
<b>DIRECTOR: PROTECTION AND COMMUNITY SERVICES: GARY BOSHOFF</b>			
	Albert van der Merwe	Senior Manager:	January; March; April; July; September; November
	Charl Kitching	Senior Manager:	February; May; June; August; October; December

(e) that the acting allowance be paid to acting section 56 Managers in line with the Acting Policy approved by Council.

Signed:  (Ald. G van Deventer: Executive Mayor)

Dated: 31/3/20

**COUNCIL ITEM 5.4.1, 2020-03-31:**

After careful scrutiny of item 5.4.1: POSSIBLE DEVELOPMENT OF ERVEN 412 AND 284, GROENDAL, BY WAY OF A CALL FOR PROPOSAL(S), and as per the delegation approved by Council on 25 March 2020 (item 9.1) to confer Council powers and functions upon the Executive Mayor, as such I **HEREBY APPROVE THE SAID ITEM AS FOLLOWS:**

- (a) that erven 412 and 284, Le Roux, be identified as land not needed to provide the minimum level of basic municipal services;
- (b) that the Administration is authorised to follow a public Call-for-Proposal, based on the points system as set out in paragraph 6.2.9;
- (c) that approval is granted for the discounted sales prices as set out in paragraph 6.2.6 subject to the sales restrictions set out in paragraph 6.2.7;
- (d) that approval is granted for the qualifying criteria set out in paragraph 6.2.8;
- (e) that the discounted bulk infrastructure contribution as set out in paragraph 6.2.10, is approved; and
- (f) that, following the conditional awarding of the bid to the bidder(s) scoring the highest points, an item be submitted to Council to make a final decision on the disposal of the land.

Signed:  (Ald. G van Deventer: Executive Mayor)

Dated: 31/3/30


**FOR FURTHER DETAILS CONTACT:**

<b>NAME</b>	<b>Craig Alexander</b>
<b>POSITION</b>	<b>Acting Director: Planning &amp; Economic Development</b>
<b>DIRECTORATE</b>	<b>Planning &amp; Economic Development</b>
<b>CONTACT NUMBERS</b>	<b>021 808 8196</b>
<b>E-MAIL ADDRESS</b>	<b><a href="mailto:craig.alexander@stellenbosch.gov.za">craig.alexander@stellenbosch.gov.za</a></b>
<b>REPORT DATE</b>	

**COUNCIL ITEM 5.4.2, 2020-03-31:**

After careful scrutiny of item 5.4.2: ENTERING INTO LAND AVAILABILITY AGREEMENTS WITH SOCIAL HOUSING INSTITUTIONS (SHIs) OR OTHER DEVELOPMENT AGENCIES (ODAs) FOR THE DEVELOPMENT AND MANAGEMENT OF SOCIAL HOUSING ESTATES, and as per the delegation approved by Council on 25 March 2020 (item 9.1) to confer Council powers and functions upon the Executive Mayor, as such I **HEREBY APPROVE THE SAID ITEM AS FOLLOWS:**

- (a) that the land in question, remainder of Erf 2149, Stellenbosch (Lapland flats), Remainder of Farm 180 (open spaces near Teen-die-Bult flats) and Erf 81/2 and Erf 81/9 Stellenbosch, be identified as land parcels **not needed for the municipality's own use** during the period for which the right is to be granted;
- (b) that Council, **in principle**, approves the Municipality's entering into **Land Availability Agreements** with SHIs and ODAs successful in the Public Competitive Process (with SHIs and ODAs successful in the Public Competitive Process in terms of Regulation 34(1) (b) of the Asset Transfer Regulation (ATR), read with paragraph 9.2.2.1 (I) of the Policy on the Management of Council owned property, subject to the following conditions:
- (i) that **Council's intention** so to act, i.e. the awarding of rights on a private treaty agreement basis, **be advertised** for public comments;
- (ii) that, simultaneously, the **public participation** process envisaged in Regulation 35 of the ATR **be followed**;
- (iii) that Lease Agreement be concluded, based on a **40-year term** based on applicable tariffs;
- (iv) that the Lease Agreement provide for **review/revision**, should the need arise for further development/redevelopment of the area; and
- (c) that, following the public participation process referred to above, a report be submitted to Council in order for Council to give a mandate to the Administration to proceed with the Public Competitive Process that will result in the awarding of the long-term use rights.

Signed:  (Ald. G van Deventer: Executive Mayor)

Dated: 31/3/20

**FOR FURTHER DETAILS CONTACT:**

<b>NAME</b>	Craig Alexander
<b>POSITION</b>	<i>Acting Director: Planning &amp; Economic Development</i>
<b>DIRECTORATE</b>	<i>Planning and Economic Development</i>
<b>CONTACT NUMBERS</b>	
<b>E-MAIL ADDRESS</b>	<i>craig.alexander@stellenbosch.gov.za</i>
<b>REPORT DATE</b>	

**COUNCIL ITEM 5.10.2, 2020-03-31:**

After careful scrutiny of item 5.10.2: ALTERNATIVE MEASURES FOR PUBLIC PARTICIPATION, and as per the delegation approved by Council on 25 March 2020 (item 9.1) to confer Council powers and functions upon the Executive Mayor, as such I **HEREBY APPROVE THE SAID ITEM AS FOLLOWS:**

- (a) that note be taken of the President's declaration of a state of disaster because of the COVID-19 virus;
- (b) that note be taken that in terms of the President's declaration, no public meetings in excess of 100 people are allowed;
- (c) that approval is given for the implementation of alternative measures for public interaction, and that adherence be ensured to COVID-19 emergency measures as instituted by the President, in relation to public participation on the Draft IDP and Budget; and
- (d) that approval is given for the suspension of the normal meeting style engagement, to adhere to the restrictions declared by the President, in light of the "national state of disaster" because of COVID-19.

Signed:  (Ald. G van Deventer: Executive Mayor)

Dated: 31/3/20

<b>NAME</b>	Shireen De Visser
<b>POSITION</b>	Snr Manager: Governance
<b>DIRECTORATE</b>	Office of the Municipal Manager
<b>CONTACT NUMBERS</b>	021 – 808 8035
<b>E-MAIL ADDRESS</b>	shireen.devisser@ Stellenbosch.gov.za
<b>REPORT DATE</b>	16 March 2020

**FOR FURTHER DETAILS CONTACT:**

<b>NAME</b>	<b>Piet Smit</b>
<b>POSITION</b>	<b>Manager: Property Management</b>
<b>DIRECTORATE</b>	<b>Corporate Services</b>
<b>CONTACT NUMBERS</b>	<b>021-8088189</b>
<b>E-MAIL ADDRESS</b>	<b><u>Piet.smit@ Stellenbosch.gov.za</u></b>
<b>REPORT DATE</b>	<b>17.02.20</b>

**COUNCIL ITEM:**

After careful scrutiny of the item: **Application for a long-term lease agreement between Stellenbosch Municipality and the Stellenbosch Flying Club: Portion L of farm 502, Stellenbosch** and as per the delegation approved by Council on 25 March 2020 (item 9.1) to confer Council powers and functions upon the Executive Mayor, as such I **HEREBY APPROVE THE SAID ITEM AS FOLLOWS:**

- (a) that the Council resolution dated 30 April 2015 be rescinded;
- (b) that the land in question, i.e. portion L of Farm 502, Stellenbosch, be identified as land not needed for the municipality's own use during the period for which the right is to be granted;
- (c) that Council only considers the approval of a long-term lease after a public participation process;
- (d) that the public participation process envisaged in Regulation 35 of the ATR be followed before an in-principle decision is taken;
- (e) that Council approves the amended draft Information Statement (ANNEXURE C) for public participation, which include inter alia, the proposed inclusion of an aeronautical school by Provincial Department and Working on Fire programmes presently working from the property; and
- (f) that, following the public participation process a report be submitted to Council in order to in principle consider the request of the Flying Club for a further lease.

Signed:  (Ald. G van Deventer: Executive Mayor)

Dated: 24/4/20

## 5. RECOMMENDATIONS

- (a) that Council approves the amendment to the functions of the following section 80 Committees:

COMMITTEE 29 JANUARY 2020	COMMITTEE AFTER 30 APRIL 2020	CHANGES
Rural Management and Tourism	Rural Management	Tourism function moves to Planning and LED
Planning and Economic Development	Planning Economic Development and Tourism	Tourism incorporates with Planning and LED

- (b) That the Municipal Manager be requested to bring an item to Council to address the alignment of the portfolio committee terms of reference with the approved 2017 structure.

- (c) that Council notes the chairpersons of the section 80 committees.

Executive Mayor	Adv GMM van Deventer
Deputy Mayor, incl Human Settlements	Cllr Wilhelmina Petersen
Financial Services	Cllr Patricia Crawley
Parks, Open Spaces and Environment	Cllr Xoliswa Mdemka
Planning, LED and Tourism	Cllr Esther Groenewald
Youth, Sports and Culture	Cllr Manie Pietersen
Rural Management	Cllr Salie Peters
Community Development and Protection Services	Cllr Rikus Badenhorst
Infrastructure	Cllr Quintin Smit
Corporate Services	Cllr Aldridge Frazenburg

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Recommendations approved.

W. Boddeker

(Ald GMM van Deventer: Executive Mayor)

Date: .....8.1.5.20.....

Reasons:

EM received a formal request from Wijk Stillebaan to re-align Tamm with L&D.

Both Councilors were consulted and agree with the re-alignment. Given the necessities the community does not change it.



After careful scrutiny of the item: INTEREST ON ARREAR CONSUMER ACCOUNTS DURING MONTHS OF APRIL TO JUNE 2020, and in terms of the delegation approved by Council on 25 March 2020 (Item 9.1) to confer council powers and functions upon the Executive Mayor, I hereby approve that the interest rate referred to in paragraph 15.3 of the Credit Control and Debt Collection Policy be determined as a rate of 0% for the months of April, May and June 2020.

..... Approved as per recommendation 5.1.....  
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EXECUTIVE MAYOR, GMM VAN DEVENTER

Date:

Reasons for decision:

an

Having considered the present impact of the lockdown on the residents, the global and National economy and the financial viability of the Municipality, the reconnection is approved in terms of Council's delegation to the Executive Mayor.

s/Decker

17/4/20

12.6 **Municipal Manager:**

Supported

**ANNEXURES**

**Annexure 1: Allocated funding – Human Settlements Development Grant**

**FOR FURTHER DETAILS CONTACT:**

<b>NAME</b>	Lester van Stavel
<b>POSITION</b>	<b>Manager: Housing Development</b>
<b>DIRECTORATE</b>	<b>Director: Planning &amp; Economic Development</b>
<b>CONTACT NUMBERS</b>	<b>021 808 8460</b>
<b>E-MAIL ADDRESS</b>	<u>lester.vanstavel@stellenbosch.gov.za</u>
<b>REPORT DATE</b>	<b>14 April 2019</b>

After careful scrutiny of the item: STELLENBOSCH MUNICIPALITY: HOUSING PIPELINE (ANNUAL REVIEW), and as the delegation approved by Council on 25 March 2020 (item 9.1) to confer Council powers and functions upon the Executive Mayor, as such I hereby

Approved as per recommendation S.G. - (E),  
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Signed .... Abdoel .....  
(Ald GMM van Deventer: Executive Mayor)

Date ..... 17/4/2020 .....

Reason:

This annual review is necessary to comply with provincial human settlements' processes and DORA allocations.

Abdoel

17/4/20

- (a) that the projects in the table below, be supported in principle and submitted to Provincial Department of Human Settlements for funding to commence with necessary feasibility studies:

	PROJECT NAME	HOUSING PROGRAM	PROJECT PHASE
1.	Adam Tas Corridor	IRDP/FLISP	Pre-planning
2.	Farm 34 Vaaldraai Elsenburg	IRDP/FLISP	Pre-planning

- (b) that the projects under construction as reflected in the table below be supported in accordance with the appropriate funding and relevant provincial approvals (see attached ANNEXURE 1) as well as available bulk infrastructure capacity:

	PROJECT NAME	HOUSING PROGRAM	PROJECT PHASE	NO OF SITES	NO OF UNITS
1	Stellenbosch Ida's Valley (±265 services) (Erf 13300)	BNG	Construction		89
2	Stellenbosch Ida's Valley (±166 services) (Lindida)	FLISP	Construction	166	
3.	Klapmuts (505) Erf 2181	IRDP	Construction	226	
4	Longlands, Vlottenburg (±144 Services and units)	IRDP	Construction	144	20
5.	Rectification of existing units in Smartie Town (106 units)	CRR	Construction		*60
6	Rectification of existing units in The Steps/Orlean lounge (161 units)	CRR	Construction		*161
8	Stellenbosch Jamestown (Phases 2) (±133 sites)	IRDP/FLISP	Planning / Construction		
9.	Watergang Phase C (Decanting site)		Construction		
10	Kayamandi Zone O (±711 services)	UISP	Construction	178	
<b>TOTAL</b>				<b>714</b>	<b>109</b>

\*existing units

- (c) that the projects currently in the planning and/or pre-planning phase as reflected in the table below be supported in accordance with the appropriate funding and relevant provincial approvals (see attached ANNEXURE 1) as well as available bulk infrastructure capacity:

	PROJECT NAME	HOUSING PROGRAM	PROJECT PHASE
1	Erf 7001 and other possible sites for mix-used development in Cloetesville	IRDP/FLISP	Planning
2	Erf 3229, Mooiwater, Franschoek TRA	UISP	Planning
3.	Kayamandi Enkanini Enhanced Services (±1 300 sites)	UISP	Planning
4.	Kayamandi Town Centre Regeneration (±700 units)	UISP/ Institutional	Planning
5.	Northern Extension (Phase 1), Stellenbosch	IRDP/FLISP	Planning
6.	Erf 64, Kylemore (±171 services & ±171 units)	IRDP	Planning (Land transfer in progress)

MS

7.	Franschhoek Langrug Enhanced services (±1 200 services)	UISP	Planning and feasibility study for decanting sites	✓
8.	Stellenbosch La Motte Old Forest Station (±430 services & ±430 units)	IRDP/FLISP	Planning (Land transfer in progress)	✓
9.	Meerlust, Franschhoek (±200 services & ±200 units)	IRDP	Planning	✓
10.	Social Housing: Restructuring Zones, CBD Stellenbosch	Social Housing / SHRA	Planning-Feasibility studies	✓
11.	Botmaskop (±1 500 opportunities)	Social Housing / IRDP	Pre-planning	✓
12.	Vaaldraai	IRDP/FLISP	Pre-planning	✓
13.	De Novo (300 sites)	IRDP/FLISP	Planning	✓
14.	Adam Tas Corridor (opportunities still to be confirmed)	IRDP/FLISP	Pre-planning	✓
15.	La Rochelle Klapmuts (opportunities still to be confirmed)	IRDP	Pre-planning	✓

- (d) that Council take note of the progress or lack thereof on current housing projects; and
- (e) that the housing pipeline be reviewed on an annual basis to align the project readiness with the DORA allocation.

## 6. DISCUSSION / CONTENTS

6.1 The most strategically located land in Stellenbosch town comprises large industrial spaces, including land previously occupied by Cape Sawmills and Distell facilities. A significant proportion of these have been vacated or will be vacated in the foreseeable future in response to changes in the operating context of manufacturing enterprises. Thoughtful redevelopment of these spaces – at scale – can contribute meaningfully to meeting existing challenges and MSDF objectives.

In simple terms, the concept is to launch a process of re-imagining and re-purposing the land around the Adam Tas Road within the Stellenbosch town to enable maximum potential of this space. This will entail the redevelopment of the Adam Tas Corridor which includes, the area stretching along the R310 and R44 along the foot of Papegaaiberg, from the disused Cape Sawmills site to the west of Kayamandi and Cloeteville along the north part of this corridor.

It forms the western edge to the town but is not well integrated with the rest of Stellenbosch, largely because of the barrier/ severance effect of the R44 and the railway line. Much of the area was historically utilised for light industrial and manufacturing purposes. It includes the dis-used sawmill site, the government owned Droë Dyke area, Distell's Adam Tas facility, Oude Libertas, various Remgro property assets, Bosman's Crossing, the rail station, Bergkelder complex, Van der Stel sports complex, the George Blake Road area, and parts of Kayamandi and Cloeteville. Under-utilised and dis-used land in the area measures

**ANNEXURES**

- Annexure 1:** Feasibility study
- Annexure 2:** Aerial development layout view
- Annexure 3.1:** Proposed Site Development plan
- Annexure 3.2:** Proposed site Development plan
- Annexure 4:** Power of attorney
- Annexure 5:** 27th Council Meeting: 2019-05-29: Item 7.10.2

**FOR FURTHER DETAILS CONTACT:**

<b>NAME</b>	Lester van Stavel
<b>POSITION</b>	<b>Manager: Housing Development</b>
<b>DIRECTORATE</b>	<b>Director: Planning &amp; Economic Development</b>
<b>CONTACT NUMBERS</b>	<b>021 808 8460</b>
<b>E-MAIL ADDRESS</b>	<b>lester.vanstavel@stellenbosch.gov.za</b>
<b>REPORT DATE</b>	<b>20 April 2020</b>

After careful scrutiny of the item: FARM 34, VAALDRAAI, STELLENBOSCH: FEASIBILITY REPORT, and as the delegation approved by Council on 25 March 2020 to confer Council power and functions upon the Executive Mayor, as such I hereby

.....  
 ..... *Approved* ..... *Recommendation* ..... *s.(a.) to (c)* .....  
 ..... *as amended* .....  
 .....  
 .....

.....  
*[Signature]*  
 (Ald GMM van Deventer: Executive Mayor)

Date: ..24/4/20.....

## 5. RECOMMENDATIONS

- (a) that the recommendations of feasibility report be implemented with regards to:
- transferring of the land to Stellenbosch Municipality provided that the existing services are upgraded by the Department of Public Works or Human Settlements before transfer; ✓
  - detailed planning and land use rights; ✓
  - detailed engineering designs; ✓
  - installation of civil and electrical engineering; ✓
  - medium density residential development layout; ✓
- (b) that the possible impact of COVID-19 be taken into account when the overall project timeframes are determined; and ✓
- (c) that funding be sourced from the Provincial Department of Human Settlements (PDoHS) to implement the project ✓
- as a matter of urgency*

## 6. DISCUSSION / CONTENTS

### 6.1 Background

IX Engineering (Pty) Ltd has been appointed by the Stellenbosch Municipality to conduct a feasibility report for Farm 34, Vaaldraai, Stellenbosch (Eisenburg), to determine the suitability of the land for further township development.

The scope of their work during the feasibility phase consisted of:

- Investigating landownership, servitudes, locality, title restrictive conditions and zoning, land uses.
- Preparing a base plan illustrating the property descriptions, locality, current zoning, servitudes, etc.
- Site analysis / inspections / physical activities on site (including site constraints / opportunities).
- Assessment of existing bulk water and wastewater infrastructure and the current capacity for further development.
- Identification of additional land that can possibly transferred for further township development taking in account the number of residents / backyarders currently on the property.
- Identifying existing public social and economic amenities.
- Preparing a contextual assessment of the site.
- Identifying the implications of the relevant zoning scheme regulations.
- Identifying the existing spatial planning policies for the application area.

### 6.2 Discussion

The Stellenbosch Municipality has an important responsibility of ensuring that all its citizens reside in developable, formalised, safe and sustainable human settlements and to the extent possible, within closer proximity to employment opportunities that would improve the quality of life of all citizens. In May 2019, Council resolved that a feasibility study must be undertaken for Farm 34, Vaaldraai which is currently managed by Provincial Government.

ITEM:

After careful scrutiny of the item: APPROVAL AND ADOPTION OF THE WATER SERVICE DEVELOPMENT PLAN 2019, and as the delegation approved by Council on 25 March 2020 to confer Council power and functions upon the Executive Mayor, as such I hereby

- a) Note the content <sup>of the</sup> ~~of the~~ report.
- b) Approve the Water Services Development Plan (2019) since the period of 21 days for public comment has been completed and no comments were received.

*Chacka*  
.....  
(Ald GMM van Deventer: Executive Mayor)

Date: ...24/4/2020.....

Reason  
As no comments were received, the item is approved.  
It was decided before the Covid Crisis was declared  
*Indaka*

AGENDA

COUNCIL ITEMS FOR CONSIDERATION BY THE  
EXECUTIVE MAYOR UNDER DELEGATED AUTHORITY

2020-04-30

ITEM:

After careful scrutiny of the item: **Report on the upgrading of the Millstream Area, commonly known as "Lovers Lane"** and as the delegation approved by Council on 25 March 2020 to confer Council power and functions upon the Executive Mayor, as such I HEREBY:

- (a) approves the proposals as listed under paragraph 6.2 for implementation subject to funding availability;
- (b) that the Community Services Department engage with the residents after the removal of the fences in regard the upgrade plan.

Item stand over for further consideration  
and information by Senior Manager  
Community Services, Mr. Van Nieuwen

*Jack*

(Ald GMM van Deventer: Executive Mayor)

Date: 30/4/20



**ANNEXURES**

**Annexure 1: Current approved Categorisation Model**

**FOR FURTHER DETAILS, CONTACT:**

<b>NAME</b>	Stiaan Carstens
<b>POSITION</b>	Senior Manager: Development Management
<b>DIRECTORATE</b>	Planning and Economic Development
<b>CONTACT NUMBERS</b>	021 808 8674
<b>E-MAIL ADDRESS</b>	Stiaan.carstens@ Stellenbosch.gov.za
<b>REPORT DATE</b>	22 April 2020

**ITEM:**

After careful scrutiny of the item:

**PROPOSED INTERIM AMENDMENT DURING THE PERIOD OF NATIONAL LOCK-DOWN OF THE STELLENBOSCH MUNICIPAL CATEGORISATION MODEL FOR DECISION MAKING ON LAND USE AND LAND DEVELOPMENT APPLICATIONS.,** and in terms of the delegation approved by Council on 25 March 2020 (Item 9.1) to confer council powers and functions upon the Executive Mayor, I hereby APPROVE

An interim amendment up until 1 June 2020 to the approved categorisation model of decision making on the land use and land development applications in terms of Section 69(1) of the Stellenbosch Land Use Planning Bylaw, 2015, as follows:

- a) That the Director Planning and Economic Development be duly authorised to decide on any <sup>type</sup> ~~TYPE~~ of application that must be considered by the Stellenbosch Municipal Planning Tribunal, save for the following exclusions which falls within Category 4 and 5 of the approved categorisation model, i.e.
  - (i) Category 4: Any land use application which deviates from the approved Stellenbosch Spatial Development Framework, 2019, and need to be considered on the basis of site-specific circumstances as contemplated in terms of Section 22(2) of the Spatial Planning and land Use Management Act, 2013 (Act 16 of 2013), and



✓ a) That the Director Planning and Economic Development be duly authorised to decide on any ~~TYPE~~<sup>type</sup> of application that must be considered by the Stellenbosch Municipal Planning Tribunal, save for the following exclusions which falls within Category 4 and 5 of the approved categorisation model, i.e.

✓ (i) Category 4: Any land use application which deviates from the approved Stellenbosch Spatial Development Framework, 2019, and need to be considered on the basis of site-specific circumstances as contemplated in terms of Section 22(2) of the Spatial Planning and land Use Management Act, 2013 (Act 16 of 2013), and

✓ (ii) Category 5: In terms of Section 15(6) of the Stellenbosch Municipal Planning Bylaw, 2015, applications on any Council owned properties, regardless if either initiated or undertaken by the Council or if such land on which the development or land use proposal is initiated, is owned by the Council.

end (b) that in the event of an appeal that every applicant be notified via email of the right to apply for oral representation.

## 6. DISCUSSION / CONTENTS

### 6.1. Background

The SLUPB, and as required in terms of the National Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013), hereafter referred to as "SPLUMA", stipulates in Section 70(1) that a Municipal Planning Tribunal must be established to decide on land use and land development applications.

Notwithstanding the mandatory establishment of a MPT, the municipality may also, in terms of Section 68(1) of the SLUPB, appoint an Authorised official (AO) and assign a category of applications to the AO to decide on such applications.

For such purpose the land use and land development applications should be categorise in terms of Section 69(1) of the SLUPB to determine which types of applications will be considered by the AO and the MPT respectively.

The Executive Mayor duly approved such categorisation model for the Stellenbosch Municipality under delated authority vide Item 7.7.1 on 8 April 2020, attached as ANNEXURE "A".

#### 4. EXECUTIVE SUMMARY

As a result of the National Lock Down due to the Covid - 19 pandemic, it has been impossible for the Stellenbosch Municipal Planning Tribunal (SMPT) to convene and consider and decide on such category of planning applications which are duly assigned to the SMPT to be decided on in terms of the approved categorisation model.

In order to ensure ongoing service delivery during the period of the National Lock Down, and with due consideration of the significant contribution that development will make to kick start the recovery of the economy and protection of employment following the lock down period, the finalisation of planning applications is critically important. It is therefore deemed necessary to put the necessary measures in place that would ensure that planning applications are decided on and finalised.

It is consequently proposed as the most viable intervention to amend the subject categorisation model as an interim measure for a period to the extent that the Director Planning and Economic Development, as an Authorised Official, may decide on any TYPE of application that had to be considered by the SMPT, save for the following exclusions which falls within Category 4 and 5 of the approved categorisation model, i.e.

- (a) Category 4: Any land use application which deviates from the approved Stellenbosch Spatial Development Framework, 2019, and need to be considered on the basis of site-specific circumstances, and
- (b) Category 5: Applications on any Council owned properties, regardless if either initiated or undertaken by the Council or if such land on which the development or land use proposal is initiated, is owned by the Council.

#### 5. RECOMMENDATIONS

That an interim amendment to the approved categorisation model of decision making on the land use and land development applications in terms of Section 69(1) of the Stellenbosch Land Use Planning Bylaw, 2015, to the following effect, and for the period up until 1 June 2020, **BE APPROVED:**

ad

(ii) Category 5: In terms of Section 15(6) of the Stellenbosch Municipal Planning Bylaw, 2015, applications on any Council owned properties, regardless if either initiated or undertaken by the Council or if such land on which the development or land use proposal is initiated, is owned by the Council.

⑥ That in the event of an appeal <sup>appealant</sup> ~~applicant~~ be notified via email of the right to apply for and ~~representation~~ representation to the appeal authority.

.....  
EXECUTIVE MAYOR, GMM VAN DEVENTER

Date: 24/4/20

Reasons for approval:

Having duly considered all the information the recommendations contained in as set at approval

**ITEM:**

After careful scrutiny of the item:, **APPROVAL OF EXCEMPTION TO GRANT IN AIDS POLICY TO ALLOCATE FUNDS TO STELENBOSCH UNITE TO PROVIDE FOOD PARCLES TO THE HOMELESS DURING THE COVID-19 LOCKDOWN PERIOD** and as the delegation approved by Council on 25 March 2020 to confer Council power and functions upon the Executive Mayor, as such I hereby approves the recommendations from the Special Grants Committee as follows: GD

- d) That Stellenbosch Municipality, as a partner in the Stellenbosch Unite Initiative, supports the efforts to to procure and distribute a minimum of 2 500 food and provision parcels per week for vulnerable community members;
- e) Stellenbosch Municipality shall donate R100 000.00 per month for the months April 2020, May 2020 and June 2020 exclusively for the use as indicated in (a) above, and;
- f) That the above donation be exempted from clause 4 (Restrictions) of the Grants-in-Aid Policy (2020/2021) for the purpose of this COVID-19 relief measure.

I herewith thus approve the recommendations as resolved by the Special Grants Committee Meeting dated 20 April 2020, minutes attached as **Appendix A** to this report.



(Ald GMM van Deventer: Executive Mayor)

Date: ....20/4/20.....

The implication is that no meetings of ward committees for the period part of March, April to possibly June 2020 and beyond.

Council has adopted the revised Policy and Procedures for Ward Committees (hereinafter referred to as Policy) on 24 April 2019 – Appendix 3. In terms of the said Policy ward committee members will be paid an amount of R350.00 for out of pocket expenses incurred when attending a ward committee meeting. Payments are made on a quarterly basis. Payments to ward committee members for attendance of meetings in the first quarter was paid out in March. There were a few ward committees who did not meet after 15 March when the disaster was declared.

It is recommended to Council to consider waiving Clause 25 to allow the Administration to make payment to ward committee members during the lockdown period.

## 5. RECOMMENDATIONS

- (1) that the following stipulations in Clause 25 (2) of the Policy outlining the payment of ward committee members be waived:

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

*(2) The Municipality will annually budget for the reimbursement of:*

*(a) out-of-pocket expenses for members of ward committees in respect of their participation in ward committees subject to the following criteria as approved by the Council on 20 June 2012 and revised by the Council on 28 October 2015:*

*(i) that 14 ward committee meetings which will comprise one ward committee meeting every month and one open public meeting every semester (every six months) be identified and approved by the ward committee as paid meetings and that each serving member present at these meetings be paid an out-of-pocket allowance of R350.00 per meeting (R350 x 14 = R4 900.00). Payment of out-of-pocket allowances will be made quarterly.*

*... (iii) that reimbursements only be paid on verification of the attendance register of meetings attended and that reimbursements only be electronically transferred to the bank account of the relevant ward committee members ..."*

- (2) that this waiving of Clause 25 only be applicable during the lockdown period;

- (3) that the Administration be authorised to make payments of R350.00 to ward committee members for each of the months April to June for all ward committees, where the ward committee members is in good standing. Where a ward committee member has not attended 3 or more meetings during this financial up to March payments should not be made; and

- (4) that payment of R350.00 also be made to each ward committee member of those wards who did not meet during March, ie Wards 2, 3, 4, 7, 12, 14,

18, 20 & 21 if the ward committee member was in good standing (not absent for more than 3 times).

## 6. DISCUSSION / CONTENTS

The global Covid-19 pandemic prompted President Cyril Ramaphosa to declare a national lockdown on 23 March for a period of 21 days from 27 March to 16 April with an extension on 09 April for a further two weeks. On 23 March the President declared that beyond Thursday 30 April, a gradual and phased recovery of economic activity will be implemented.

This phased recovery will entail the implementation of a risk adjusted strategy through which a deliberate and cautious approach to the easing of current lockdown restrictions will be taken.

The lockdown entails amongst other that social distancing be maintained. No meetings other than virtual meetings are encouraged. Ward Councillors are encouraged to find innovative ways eg through social media, etc., of staying in contact with their ward committee members during this lockdown period.

Clause 25 of the Policy *inter alia* stipulates:

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

*(2) The Municipality will annually budget for the reimbursement of:*

*(a) out-of-pocket expenses for members of ward committees in respect of their participation in ward committees subject to the following criteria as approved by the Council on 20 June 2012 and revised by the Council on 28 October 2015:*

*(i) that 14 ward committee meetings which will comprise one ward committee meeting every month and one open public meeting every semester (every six months) be identified and approved by the ward committee as paid meetings and that each serving member present at these meetings be paid an out-of-pocket allowance of R350.00 per meeting (R350 x 14 = R4 900.00). Payment of out-of-pocket allowances will be made quarterly.*

*... (iii) that reimbursements only be paid on verification of the attendance register of meetings attended and that reimbursements only be electronically transferred to the bank account of the relevant ward committee members ..."*

The above-mentioned stipulations necessitate that Council consider waiving these stipulations to enable the Administration to effect payment to ward committee members.

**6.8.1 Chief Financial Officer**

Agree with the recommendations

**6.8.2 Municipal Manager:**

Agree with the recommendations

Appendix 1: Schedule of meetings in March 2020

Appendix 2: The schedule of Ward Committee Meetings for 2020

Appendix 3: Revised Ward Committee Policy – 2019

**FOR FURTHER DETAILS CONTACT:**

<b>NAME</b>	<i>Nicky Ceasar</i>
<b>POSITION</b>	<i>Executive Support Officer</i>
<b>DIRECTORATE</b>	<i>Corporate Services</i>
<b>CONTACT NUMBERS</b>	<i>021 808 8618</i>
<b>E-MAIL ADDRESS</b>	<a href="mailto:nicky.ceaser@ Stellenbosch.gov.za">nicky.ceaser@ Stellenbosch.gov.za</a>
<b>REPORT DATE</b>	<i>15 May 2020</i>

**ITEM:**

After careful scrutiny of the item: **PAYMENT OF WARD COMMITTEE MEMBERS DURING THE LOCKDOWN PERIOD**, and as the delegation approved by Council on 25 March 2020 to confer Council power and functions upon the Executive Mayor, as such I hereby

.....  
 ..... *Approve recommendations 5.1.1 – 5.1.4* .....  
 .....  
 .....  
 .....

(Ald GMM van Deventer: Executive Mayor)

*C. Deventer*

Date: *...20/5/20...*



**6.4 Legal Implications**

The recommendations in this report comply with all applicable legislation.

**6.5 Staff Implications**

There are no additional staff implications

**6.6 Previous / Relevant Council Resolutions:**

Council meeting resolution, 2019.

**6.7 Risk implications**

Council must comply with the provisions of the Notice.

**6.8 Comments from Management:**

The item was not circulated for comments except to the Municipal Manager and CFO.

**6.8.1 Comments from the Municipal Manager:**

Agrees with the recommendations.

**6.8.2 Comments from the CFO**

Financial Implications was provided through the office of the CFO.

**ANNEXURES**

**Appendix 1: Government Notice 43246 published in Government Gazette 658 dated 24 April 2020.**

**Appendix 2: Financial Implications of implementation of provisions indicated in the item.**

**Appendix 3: Councillors confirmation.**

**FOR FURTHER DETAILS CONTACT:**

<b>NAME</b>	ANNALENE DE BEER
<b>POSITION</b>	<b>DIRECTOR: CORPORATE SERVICES</b>
<b>DIRECTORATE</b>	<b>CORPORATE SERVICES</b>
<b>CONTACT NUMBERS</b>	<b>021-808 8018</b>
<b>E-MAIL ADDRESS</b>	<b>Annalene.deBeer@ Stellenbosch.gov.za</b>
<b>REPORT DATE</b>	<b>6 May 2020</b>

**ITEM:**

After careful scrutiny of the item:, **IMPLEMENTATION OF THE DETERMINATION OF UPPER LIMITS OF SALARIES, ALLOWANCES AND BENEFITS OF**

AD

**DIFFERENT MEMBERS OF MUNICIPAL COUNCILS** and in terms of the delegation approved by Council on 25 March 2020 (Item 9.1) to confer council powers and functions upon the Executive Mayor, I hereby

..... See Annexure .....

.....

.....

.....

.....

.....

.....

..... *Alceda* .....

**EXECUTIVE MAYOR, GMM VAN DEVENTER**

**Date:** 6 May 2020

## ANNEXURE

### RECOMMENDATIONS

- (a) that Council note the provisions of Notice 43246 dated 24 April 2020;
- (b) that Council approves the implementation of the Upper Limits of the annual remuneration packages of full-time and part-time councillors as set out in paragraphs 5 to 8 of Government Notice 43246 dated 24 April 2020 from 1 July 2019;
- (c) that the implementation will be affected by the Administration after due process has been followed and the MEC has given his concurrence with Council's resolutions;
- (d) that Council approves a cell phone allowance of R3 400.00 per month to all councillors;
- (e) that Council note that the total cost for the Municipality of all councillor salaries, allowances and reimbursement benefits will amount to R19 403 510 which expenditure is within the budgeted amount;
- (f) that it be noted that all councillors have been provided with the opportunity to receive a laptop as a tool of trade and that the tools of trade as set out in paragraph 15(1)(b),(d) be extended to councillors as indicated in the Notice as well as business cards and diaries to all councillors;

Part-time PR Councillors to have access to multi-digital facilities including facsimile, printer, photocopier and scanner through the office of the Speaker or Chief Whip. It is noted that such facilities are available to part-time ward councillors at the ward office;

- (g) that it be noted that Councillors are entitled to a R300 per month data allowance (paragraph 12 of the Notice) to provide for data bundles for inter alia the laptop as all cell phone contracts cater for data as part of the contract;
- (i) that Council consider the provision of security under the circumstances set out in item 15(g) in the Notice, subject to a threat and risk assessment as and when required and after the elements referred to, that has to be taken into account, is available for Council consideration; and
- (j) that the written concurrence from the Minister of Local Government in the Western Cape be obtained for the payment of the above salaries, allowances and reimbursement benefits retrospectively as from 1 July 2019, before it be implemented.

Approved.

Reasons:

1. The regulation no 43184 published under vol 657 dated 30 March 2020 determine "that during the initial 21 day lockdown period, or any other extended period of lockdown

that may be declared, notwithstanding any requirements in terms of any systems of delegation of municipalities, decision -making that would require the approval of councils, council committees, mayoral or executive mayoral committee, will be made by the Municipal Manager on written recommendation of CFO and with the approval or concurrence of the mayor or executive mayor."

Council however approved a delegation to the Executive Mayor on 25 March 2020 for the period of the Disaster declaration.

The majority of councillors indicated their approval of the increase as contained in the item recommendations. The EFF councillors and a one DA who is also one of the Stellenbosch representatives on the District Council, indicated that they do not support the increase. It is noted that District Councillors must vote on increases at the District Municipality as well, as they receive the difference between their payment from the municipality and their position at the District Municipality from the District Municipality. The latter will not impact on Stellenbosch Municipality budget. Councillor Franklin Adam indicated telephonically to the Speaker that he does support an increase, but later in the year. Councillor Hamilton could not be reached.

A further item will be tabled at the May Council meeting to make it possible for councillors who wants to donate some or all of the increase to an official fund for the Covid cause.

2. Some opposition councillors requested an increase in the data allowance. This request cannot be approved as the data allowance amount is prescribed by the regulations and any increase will require and exemption by the MEC.
3. CFO and MM has confirmed sufficient budget and it will not impact on the service delivery. It is important to note that most of the increase will be paid in back pay as the increase is applicable from 1 July 2019.
4. The written concurrence from the MEC will be awaited before implementation.



**6.5 Staff Implications**

This report has no additional staff implications to the Municipality

**6.6 Previous / Relevant Council Resolutions:**

Council resolution on the Draft IDP and Budget 2020/21.

**6.7 Risk Implications**

Risks addressed in the item.

**6.8 Comments from Senior Management**

Directors supported

**FOR FURTHER DETAILS CONTACT:**

<b>NAME</b>	<i>Shireen de Visser</i>
<b>POSITION</b>	<i>Snr Manager: Governance</i>
<b>DIRECTORATE</b>	<i>Office of the Municipal Manager</i>
<b>CONTACT NUMBERS</b>	<i>021 808 8035</i>
<b>E-MAIL ADDRESS</b>	<i>Shireen.Devisser@ Stellenbosch.gov.za</i>
<b>REPORT DATE</b>	<i>20 April 2020</i>

After careful scrutiny of the item: **Extension of the public participation period of the Draft Third Review of the Fourth Generation Integrated Development Plan (IDP) and Draft Budget 2020/21** and as the delegation approved by Council on 25 March 2020 (item 9.1) to confer Council powers and functions upon the Executive Mayor, as such I hereby

Approved as per recommendation 5.1,

Comments with the extension of the lockdown and the importance of public input in the budget and IDP the extension of public participation as per recommendation is approved.



Adv G van Deventer: Executive Mayor

Date 20/04/2020

## 5. RECOMMENDATIONS

It is recommended that:

- 5.1 The public participation period on the Draft Third Review of the Fourth Generation Integrated Development Plan (IDP) and Draft Budget 2020/21 be extended from 24 April 2020 to 08 May 2020.

## 6. DISCUSSION / CONTENTS

### 6.1. Background

The Integrated Development Plan is a 5-year Strategic Plan that is reviewed annually to accommodate changes in the municipal environment, including community priorities. It also informs the budget of the Municipality. The Draft Third Review of the Fourth Generation IDP 2017 - 2022 details the Municipality's actions to address the needs of the community.

The Municipal IDP must be reviewed every year to ensure that:

- Municipalities and communities keep track of progress in implementing development projects and spending the municipal budget; and
- Communities are provided with an opportunity to review their needs and make possible revisions to the priorities listed in the municipal IDP.

### 6.2 Discussion

The Draft IDP and Budget are normally submitted to Council in March each year, followed by a public participation period of 21 days as determined by Section 21A of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000).

Both the Draft Third Review of the Fourth Generation IDP and Draft Budget 2020/21 was approved to be released for public on 25 March 2020. The due date for public comments were set for 24 April 2020 at 16:30. Discuss

Monday, 23 March 2020 a national lockdown of 21 days effective from Thursday 26 March until 16 April 2020 was announced by the President.

The public participation period was set to end on 24 April 2020, this would have provided the public and interested and affected parties (who do not have ease of access to available online facilities) an additional eight days, to visit the Municipality, libraries and available WiFi hotspots to acquaint themselves with the Draft IDP and Budget and make representations.

The President however extended the national lockdown on 09 April 2020 by a further two weeks. In view of the preceding, the Stellenbosch Municipality would like all interested and affected parties be provided with sufficient opportunity to make representations of the Draft IDP and Budget 2020/21. Hence, the Municipality requests that the public participation period on the Draft Third

MINUTES

**COUNCIL ITEMS FOR CONSIDERATION BY THE  
EXECUTIVE MAYOR UNDER DELEGATED AUTHORITY**

2020-03-31

**COUNCIL ITEM 6.1.1, 2020-03-31:**

After careful scrutiny of item 6.1.1: MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC) OVERSIGHT REPORT ON THE ANNUAL REPORT 2018/19, and as per the delegation approved by Council on 25 March 2020 (item 9.1) to confer Council powers and functions upon the Executive Mayor, as such I **HEREBY APPROVE THE SAID ITEM AS FOLLOWS:**

- (a) that, having fully considered the Oversight Report on the Annual Report 2018/19 of the Stellenbosch Municipality, the Oversight Report 2018/19 be **ADOPTED**;
- (b) that, having fully considered the Annual Report 2018/19, attached hereto as Annexure B in the MPAC Oversight Report 2018/19, the Annual Report 2018/19 be **APPROVED** without any reservations;
- (c) that the Oversight Report 2018/19 be made public in accordance with Section 129(3) of the MFMA; and
- (d) that the Oversight Report 2018/19 on the Annual Report for the 2018/19 financial year be submitted in accordance with Section 129(2) and 132(2) of the MFMA to the Auditor General of South Africa, Provincial Treasury: Western Cape, Department of Local Government: Western Cape and the Provincial Legislature: Western Cape.

*Already dealt with on 26/3/20*

Signed: *G van Deventer* (Ald. G van Deventer: Executive Mayor)

Dated: *31/3/20*

**FOR FURTHER DETAILS CONTACT:**

<b>NAME</b>	<i>Shireen De Visser</i>
<b>POSITION</b>	<i>Senior Manager: Governance</i>
<b>DIRECTORATE</b>	<i>Office of the Municipal Manager</i>
<b>CONTACT NUMBERS</b>	<i>021 – 808 8035</i>
<b>E-MAIL ADDRESS</b>	<i>Shireen.devisser@stellenbosch.gov.za</i>
<b>REPORT DATE</b>	<i>09 March 2020</i>





- Appointment of a task team and communication spokesperson/s, as well as determination of communication methods and handling of enquiries;
  - Closure/reopening of facilities and termination/continuation of services;
  - Safety measures for staff, e.g. provisional suspension of biometrics, approval and criteria of special/quarantine leave as provided for in SALGBC collective agreement, use of protective equipment/clothing, shift systems and working from home, awareness measures;
  - Attendance of courses, workshops and meetings by staff representatives.
- (d) that all public communication regarding COVID-19 be issued under the name of the Executive Mayor, and internal communication (with staff) by the Municipal Manager or her nominee/s;
- (e) that the designated policing offices be requested to communicate the information in the regulations in as far as it relates to the operating hours of on-and-off consumption premises, to licensees;
- (f) that a press release be issued to communicate the measures contained herein and applicable to the public, for publication on the website, social media and in the local newspapers; and
- (g) that a copy of this resolution be communicated to all councillors.

**COUNCIL ITEM 5.10.3, 2020-03-31:**

After careful scrutiny of item 5.10.3: RESPONSE TO CORONAVIRUS (COVID-19) PANDEMIC AND THE DECLARATION OF A NATIONAL STATE OF DISASTER, and as per the delegation approved by Council on 25 March 2020 (item 9.1) to confer Council powers and functions upon the Executive Mayor, as such I **HEREBY APPROVE THE SAID ITEM AS FOLLOWS:**

that the following measures be implemented with immediate effect in an attempt to curb the spreading of COVID-19 in the Stellenbosch municipal area:

- (a) Municipal services to provisionally continue as normal, but residents be encouraged to avoid non-essential visits to any of the municipal offices and facilities, and to rather use online, telephone, and electronic services;
- (b) The following municipal facilities be closed with immediate effect, until further notice:
- Community halls, town halls and library halls, multi-purpose centres, picnic sites and/or resorts, nature reserves, swimming pools, sports facilities and clubhouses;
  - Approval be granted that existing bookings of said facilities either be cancelled or postponed, and that fees be refunded without recovering the administrative fee associated with cancellations where the booking is not rescheduled;
  - The operating hours of the libraries will be from 09:00 – 14:00, but that only basic services (taking out and returning of reading material) be provided, and that access and number control be applied;
  - Cemeteries remain open, but users be made aware of the legal number limits applicable to gatherings;
  - Customer offices, such as cash offices, traffic licencing and test centres remain open to the public for the time being, but strong precaution be taken to ensure a heightened level of hygiene;

the proposed development by up to 50% or ±750 opportunities lost. During the process of acquiring the required approval in terms of the National Environmental Management Act (107 of 1998) with the Department of Environmental Affairs & Development Planning the Municipality has been requested to provide options for an offset (on-site or elsewhere in the Municipality) to compensate for the loss of critically endangered vegetation.

The Wemmershoek Wetland, Council owned property (Portion 1 of Farm 1024), is considered ideal for this purpose. Previous plans for potential development, including housing, on the particular property did not realize because of environmental factors, including the existence of a wetland and a range of endangered and endemic plant species located on the site. With Council's permission it is proposed that the Municipality enters into an agreement with Cape Nature for the protection and conservation of the latter property and for it to serve as a offset for the loss of Swartland Shale Renosterveld during the development of Enkanini as well as future developments requiring offset.

## 5. RECOMMENDATIONS

- (a) that Council note the encroachment of Enkanini into Papegaaiberg Nature Reserve; ✓
- (b) that Council note the requirement for an environmental offset for the loss of Swartland Shale Renosterveld from the proposed Enkanini development site; ✓
- (c) that the Municipal Manager be authorized to apply for an amendment of the Papegaaiberg Nature Reserve boundary; ✓
- (d) that the Municipal Manager be authorized to negotiate and enter into an offset agreement with Cape Nature on Portion 1 of Farm 1024 (Wemmershoek); ✓
- (e) that the Municipal Manager be authorized to secure the area with a physical boundary such as a natural earth berm, as well as a perimeter road that serves a dual purpose, i.e. to ensure access for emergency vehicles to the informal area and a firebreak; and ✓
- (f) that funds for the physical boundary be sourced from the existing budget. ✓

## 6. DISCUSSION / CONTENTS

### 6.1. Background

#### 6.1.1 Enkanini encroachment into the Papegaaiberg NR

The process of declaring portions of Papegaaiberg as a nature reserve in terms of the National Environmental Management: Protected Areas Act (57 of 2003) started in 2010. The declaration was finalized in June 2016. The process of declaring Papegaaiberg as a nature reserve included the signing of a Memorandum of Understanding and a Protected Areas Management Agreement between Stellenbosch Municipality and the Western Cape Nature Conservation Board (Cape Nature). During the commencement of the above process of declaring Papegaaiberg a nature reserve and the finalization thereof the informal residential area of Enkanini encroached on the boundary of the NR (see Figure 1 and 2 below). The portion of the NR encroached upon consist of ±1.1 hectare of land with a larger area, directly uphill (south-east) from the informal housing, taken up by informal agriculture.



**REASONS: ITEM 7.1: UPGRADING OF INKANINI INFORMAL SETTLEMENT**

1. The Municipality is in the process of formalizing the Inkanini settlement, but a portion encroaches onto the nature reserve (since 2014). The upgrade is of utmost importance to improve the quality of life of residents especially with the covid 19 pandemic.
2. The Municipality do not now or in the foreseeable future have land or resources to resettle the residents of the 750 structures that encroaches.
3. During the EIA (environmental authorisation) it was suggested by the Provincial department that an offset of land be proposed.
4. A sensible offset area will be Wemmershoek. Housing is not possible in the identified Wemmershoek property and this property contains vegetation of similar endangered status as that that will be lost in Inkanini.
5. It is vital to ensure that no further encroachment happens in the nature reserve of Papegaaberg, hence a physical boundary must be erected to demarcate the nature reserve. It is noted that the MM, although requested to deal with this as a matter of urgency, may be restricted due to covid 19. She is however urged as quickly as possible.

*C. Coetzer*

20/5/20

Attachment 20

## 5. RECOMMENDATIONS

- 5.1 That Council approves the proposals as listed under paragraph 6.2, for implementation subject to funding availability.
- 5.2 That the Community Services Department engage with the residents after the removal of the fences in regard the upgrade plan.

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## 6. DISCUSSION / CONTENTS

### 6.1. Discussion

#### 6.1.1 Background

The current millstream area consists of a combination of elements such as an informal gravel foot path, various trees, shrubs and invasive plant species. Over many years adjacent residents have planted shrubs, trees, ground covers, installed irrigation systems, lighting and garden features, at their own cost. Most residents use their own water to irrigate the plants and trees. The adjacent residents undertook to do the maintenance of these plants, shrubs and trees.

Upon removing the illegal fences, many valuable plants, shrubs and trees will once again become part of the municipal public area.

#### 6.1.2 Current usage of the area

The open pathway forms part of the Stellenbosch Trail Routes along the Eerste River. This route forms a link between the Coetzenburg and Jonkershoek routes.

The main activities listed for this area comprises of jogging, strolling, residents enjoying the tranquillity, residents walking their dogs, passive cycling, educational purposes relating to the identification of tree species (Some of the trees have been named by adjacent resident with name tags on the trees). Stellenbosch University students make use of the trail for training purposes.

#### 6.1.3 Actions already taken by Parks Section

The Parks Section has already installed tree protectors around vulnerable and exposed trees where bark stripping has taken place. The section also performs regular cleaning and annual alien clearing programs in the area.

#### 6.1.4 Characteristic /principles which apply to the area

The following principles are applicable to the area and needs to be incorporated as part of any proposal:

- Tranquillity must remain;
- Prominent valuable Trees must be protected;

end

- Vandalism and theft to the newly planted trees, plants and other elements.
- Pollution of the landscaped area and noise pollution (adjacent residents)
- Escalated Maintenance costs in the context of budgetary and staff limitations.
- Bark stripping
- Delays in implementation due to the Covid19 lockdown

**FOR FURTHER DETAILS, CONTACT:**

<b>NAME</b>	<b>Albert van der Merwe</b>
<b>POSITION</b>	<b>Senior Manager Community Services</b>
<b>DIRECTORATE</b>	<b>Community and Protection Services</b>
<b>CONTACT NUMBERS</b>	<b>021 808 8165</b>
<b>E-MAIL ADDRESS</b>	<b>Albert.vandermerwe@ Stellenbosch.gov.za</b>
<b>REPORT DATE</b>	<b>17 April 2020</b>

**DIRECTOR: COMMUNITY AND PROTECTION SERVICES**

**ITEM:**

After careful scrutiny of the item: **Report on the upgrading of the Millstream Area, commonly known as "Lovers Lane"** and as the delegation approved by Council on 25 March 2020 to confer Council power and functions upon the Executive Mayor, as such I hereby

..... Amended recommendation S.1 and S.2 .....  
 ..... Approved .....  
 .....  
 .....  
 .....

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*ADV Gesie van Deventer*  
 ADV Gesie van Deventer  
 Executive Mayor

..... 8/5/2020 .....  
 Date

Mr van der Merwe presented the proposal in 6.2. Han's considered the proposal and the amended recommendation is approved